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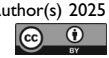
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The Limits of Refugee Status Determination Through Credibility Assessment: Empirical Evidence from Sexual Orientation Asylum Cases

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Abstract

Using credibility assessment methods in determining refugee status for asylum claimants is a widely used practice. Scholars tend to argue that this is inappropriate when sexual orientation forms the basis of the claim. Detailedness, consistency, and plausibility in sexual orientation narratives are hard to establish, as the narratives relate to identity and inner emotions rather than solely to external events. We have yet to determine which parts of the credibility assessments can affect refugee status outcomes. To address this gap, this article uses a representative sample of sexual orientation asylum decisions from Sweden, aiming to test which credibility aspects influence asylum determination outcomes. The findings reveal that case assessors put emphasis on detailedness and inconsistencies to determine whether statements are truthful. This emphasis on detail and consistency poses challenges in verifying the credibility of sexual orientation claims, as it is susceptible to deception. These insights underscore the need for a deeper understanding of credibility assessment methods to ensure a fairer treatment of sexual orientation claimants in asylum processes.

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LGBTQ+, refugees, asylum seekers, sexual orientation, migration, law, credibility assessment

Introduction

Credibility assessments have become an international standard in refugee status determination, endorsed by the United Nations High Commissioner for Refugees (UNHCR) (2013) and the International Association of Refugee and Migration Judges (IARLJ) (Mackey et al. 2017). When determining the refugee status, the "validity of any evidence and the credibility of the applicant's statements" must be assessed (UNHCR 2019, 43). Therefore, evaluating asylum claimants' statements is a crucial first step in deciding whether their testimony should be accepted as evidence in the refugee status determination process (Kagan 2002). Credibility verification has become synonymous with assessing the detailedness, consistency, and plausibility of refugee narratives, a practice adopted from criminal courts (Vrij 2008), even though criminal court proceedings and status determination differ vastly. Criminal courts begin their reasoning with the presumption of innocence, with prosecutors having to prove guilt, while asylum seekers in status determination need to prove their case (Fassin 2013).

Recent scholarship on refugee stories argues for a need to shift the focus away from truth verification in credibility assessments to submitted written evidence, the situation in the claimant's country of origin (Dustin and Ferreira 2021) and alternative methods (Van Koppen and Mackor 2020; De Bruïne, Vredeveldt and Van Koppen 2023; Vredeveldt et al. 2024), such as scenario approach analysis. This shift is advocated as mitigating the risk of overemphasizing stories' credibility and conflating this with proof (Sweeney 2009). Truth verification is also a complex method to use in credibility assessments. Asylum claimants often alter their stories—adding, subtracting, enlarging, and modifying details—to align with the overall refugee narrative and meet decision-makers' expectations (Bohmer and Shuman 2018). This practice clashes with the expectation that asylum narratives are objective truths to be tested (cf. Fassin 2013). Since truth verification focuses on identifying details and inconsistencies (UNHCR 2013), this method could then risk detecting modifications rather than the essence of the narrative.

Truth verification in the credibility assessment of sexual orientation claimants presents particular challenges, as their experiences often inherently conflict with the logic of providing detailed and consistent narratives. Having grown up in countries where sexual minorities are stigmatized and persecuted, sexual orientation claimants are often compelled to hide their desires and avoid discussing them to survive (Berg and Millbank 2009). This may both deprive them of the vocabulary to articulate their experiences and render their desires unspeakable, making detailed accounts difficult.

Additionally, the common survival strategy of marrying and forming families with individuals of the opposite sex may appear contradictory and inconsistent with Western sexual identities (Giametta 2017).

To date, significant research has focused on applicants making sexual orientation-based claims and the challenges they face in establishing the credibility of those claims (see e.g., Akin 2017; Giametta 2017; Tschalaer 2020; 2021; Danisi et al. 2021; Danisi and Ferreira 2022). Moreover, a bulk of studies focus on statistical analyses of credibility assessments (see e.g., Keith and Holmes 2009; Keith, Holmes and Miller 2013; Kosyakova and Brücker 2020; Baade and Gölz 2023; Emeriau 2023; Skrifvars et al. 2024). However, studies that examine how credibility assessments seem to impact decision outcomes for sexual orientation cases are rare, aside from those presenting novel statistics or potential covariates (see e.g., Berg and Millbank 2009; Rehaag 2023; Selim et al. 2023). This study aims to contribute to these discussions by focusing not only on what aspects of the credibility assessment criteria asylum decision-makers use but also on the factors that explicitly influence refugee status outcomes. This will be achieved by using a representative sample of asylum applicants' decisions in Sweden, coding and analysing them in a statistical model.

Credibility Assessment and Sexual Orientation

The UNHCR (2013) recommends using four indicators of credibility: details and specificity, internal consistency (within the applicant's statement), external consistency (with country of origin information and other evidence), and plausibility. Credibility assessment criteria are derived from criminal investigation methods known as Criteria-Based Content Analysis (CBCA) (Baade and Gölz 2023). This method operates on the core assumption, known as the Undeutsch hypothesis, that there is a difference in quality and content between truthful and fabricated statements (Steller and Köhnken 1989). These differences can be divided into 19 criteria (see Vrij 2008 for details). For example, truthful statements are hypothesized to be more likely to be coherent (lacking inconsistencies), presented in a non-chronological order and contain more details, including unusual and superfluous elements. Non-fabricated statements also tend to be more contextually embedded, involve speech acts, and include descriptions of feelings. The delivery of a statement is also understood to matter; when fabricating statements, people often erase elements they perceive as damaging to their credibility. Consequently, truthful statements may contain doubts, admissions of memory lapses, and spontaneous corrections. Empirical tests have shown that these criteria are robust in distinguishing between fabricated and truthful statements when using the CBCA instrument (Amado et al. 2016; Oberlader et al. 2016).

Another aspect of the CBCA criteria concerns inconsistencies between statements. The UNHCR (2013), IARLJ (Mackey et al. 2017), and Swedish Migration Agency (SMA 2013) explicitly state that narratives should exhibit internal

consistency, meaning that statements made at one point should be consistent with those made later. The common belief is that truth-tellers are more likely to repeat the same information. However, research evidence on this matter is limited, and existing research in fact tends to suggest the opposite: "consistency is indicative of lying rather than truth-telling" (Vredeveldt, Van Koppen and Granhag 2014, 194).

Although CBCA criteria have been scrutinized for robustness, several factors suggest that there are differences between empirically testing criteria in laboratory settings and using some of them in assessing the credibility of asylum seekers from different cultural settings (De Bruïne, Vredeveldt and Van Koppen 2023). Credibility assessments may be less appropriate for asylum seekers, many of whom suffer from mental health disorders; for example, individuals diagnosed with Posttraumatic Stress Disorder (PTSD) or depression may struggle to recall autobiographical memories, making it harder to provide detailed and coherent narratives (Herlihy, Jobson and Turner 2012; Saadi et al. 2021). Memories of distant events also tend to lose detail over time (Cohen 2001; Cameron 2010). Additionally, credibility assessments may be influenced by decision-makers' expectations of the narrators' demeanour and narratives of suffering (Smith-Khan 2017*a*). For example, looking down might be considered a sign of respect in some cultures, but a sign of deception in others (Vrij, Hartwig and Granhag 2019). Decision-makers may also hold stereotypical views of how reasonable individuals should act in their assessments (Skrifvars et al. 2024).

The use of interpreters can also affect asylum seekers' comfort levels when discussing certain experiences (Merlini 2009), impacting their ability to provide details. Asylum decision-makers might fail to recognize that narratives are co-produced by interpreters, attributing inconsistencies solely to the asylum seeker (Smith-Khan 2017*b*). Cultural and linguistic diversity can also influence the way asylum seekers narrate their claims, creating a gap between decision-makers' expectations and asylum seekers' abilities to provide information (Blommaert 2001; Smith-Khan 2017*a*), although a recent study suggests that CBCA criteria could be applicable in non-Western contexts (Vrij et al. 2023). Over time, listening to traumatic events can desensitize decision-makers, potentially decreasing their ability to remain objective in their assessments (Bohmer and Shuman 2018).

One of the main challenges to credibility assessments is the influence of anti-migration politics. As Fassin (2013) observed, even before this intensified, the asylum system had shifted from trust to suspicion. Refugee status determination now resembles truth detection, aimed at allocating a scarce resource. Simultaneously, asylum seekers are increasingly embedded in a "migration industry" involving NGOs, lawyers, and companies who may help prepare claims (Boswell and Geddes 2010). Decision-makers must now assess whether an applicant's account is genuine or coached (Berlit, Doerig and Storey 2015). This is especially problematic for CBCA, as coached individuals can fabricate detailed stories, making the criteria virtually useless (Vrij 2008). Research shows minimal differences

in CBCA scores between coached fabricators and uncoached truth-tellers (Vrij, Kneller and Mann 2000; Vrij et al. 2002).

Credibility assessment criteria present specific challenges for asylum cases involving sexual orientation and/or gender identity and expression (SOGIE) (cf. Selim et al. 2023). One major issue is that narratives about the sexual self can be connected with shame and stigma, making them difficult to discuss. Sexual orientation asylum seekers are often reluctant to reveal and discuss their sexual identities because they have been forced to hide their sexualities in their countries of origin (Berg and Millbank 2009). This reluctance can impede their ability to provide detailed narratives. Additionally, discussing sexuality and gender may be more challenging for individuals from cultures where such topics are taboo. Sexuality may also be organized in ways that differ from Western identity categories, for example, by not forming groupings based on LGBT labels, making SOGIE claimants susceptible to stereotypical expectations from asylum decision-makers (LaViolette 2014; Murray 2014; Selim et al. 2023). They may also have stereotypical expectations regarding how different societies respond to sexual minorities (Hedlund and Wimark 2019).

Sexual orientation often develops over time, typically beginning in the teenage years, complicating assessments as memories fade over time. Sexual orientation claimants are also more likely to have experienced trauma related to their sexual development (Gottvall et al. 2023), which can hinder their ability to provide detailed and consistent narratives (Morgan 2006; Millbank 2009; Gottvall et al. 2024). Using country of origin information in SOGIE cases can be difficult because objective information about SOGIE persecution is hard to obtain (Giametta 2017). Country of origin information reports are often irrelevant or inapplicable, as evidenced by the broad range of sources used in assessments (Wimark and Almberg 2024). Asylum assessors have also been using "discretion reasoning" regarding sexual orientation refugees, a practice in which arguments for rejecting asylum are used based on the idea that SOGIE refugees could conceal their behaviors and identities in their country of origin (Wessels 2021). Although the practice was rejected in the Court of Justice of the European Union in 2012 and 2013, it has been shown that it remains in different forms (Wessels 2017).

Refugee Status Determination in Sweden

Refugee status determination in Sweden is governed by the Swedish Aliens Act (SFS 2005). An individual may be granted refugee status (*flyktingstatus*) if there is "a well-founded fear of persecution on grounds of race, nationality, religious or political belief, or on grounds of gender, sexual orientation or other membership of a particular social group and is unable, or because of his or her fear is unwilling, to avail himself or herself of the protection of that country" (4 c. 1§). Alternatively, they may be granted subsidiary protection status (*alternativt skyddsbehövande,* derived from EU Directive 2011/95/EU) if there is "1. a well-founded reason to believe that the alien upon return to the home country would risk being punished with

death or being subjected to corporal punishment, torture or other inhuman or degrading treatment or punishment, or as a civilian be at severe or personal risk to be harmed due to indiscriminate violence resulting from an external or internal armed conflict, and 2. The alien is unable, or due to a risk referred to in 1 does not wish, to avail themselves of the protection of his home country" (4 c. 2§).

The first decision-making authority in an asylum case is the Swedish Migration Agency (SMA) (4 c. 6§), and the decisions they make are also the focus of this study. A decision can be appealed at the Swedish Migration Court (14 c. 3§) and subsequently at the Swedish Migration Court of Appeal (16 c. 9§).

In Swedish practice, credibility assessment is guided primarily by the UNHCR handbook (2019) and by precedent cases from the Migration Court of Appeal and European Court of Human Rights rulings. The SMA follows the EU Directive on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees (Directive 2011/95/EU). The SMA's legal department publishes legal positionings on certain difficult legal issues. Such legal positionings are constituted by the SMA's statements on how a statute should be interpreted and are advisory and guiding for the agency's employees. According to the SMA, the assessment of the applicant's narrative should be based on four dimensions: structure, detailedness, consistency, and plausibility (SMA 2013, 7):

- The narrative is coherent vs. fragmented
- The applicant has given a concrete and detailed account vs. one that is vague and lacks detail
- The narrative is consistent vs. contains contradictory parts
- The narrative is supported by commonly known facts and updated country information vs. parts of the narrative go against such information.

Method

The data used in this study is based on a random sample of non-anonymized first-instance asylum decisions made and provided by the SMA. The sample consists of 3,588 randomly selected individual decisions, drawn from all 12,624 adult asylum applicants who received a decision in 2020, excluding Dublin Regulation and retraced cases. This sample represents nearly one-third (28.4%) of the total adult population of asylum seekers who received a first-instance decision that year. By carefully reading through all cases in this sample, 257 individuals (7.2%) who claimed sexual orientation as a ground for seeking asylum and 15 individuals (0.4%) who stated gender identity and/or gender expression as one of their grounds for seeking asylum were identified. Given that the random sample represented 28% of the full asylum-seeking population who received a first-instance decision that year and our careful method of identifying SOGIE claimants, we use this subset of 257 individuals in the analyses and treat them as representative of sexual orientation claimants, as the number of gender identity/expression claimants was too small. The decisions were

delivered as text files and coded manually through quantitative content analysis (Berelson 1952), basically a counting of words that was abstracted to an Excel sheet and then analyzed in SPSS (Wimark and Almberg 2024).

To count words and assign them to different credibility variables, a coding scheme was developed in collaboration with a reference group of experts in asylum assessment in Sweden (including lawyers, SMA representatives, and NGOs) using the aforementioned SMA legal positioning as a starting point. This resulted in ten variables designating verbs or adjectives used to assess narratives:

Structure indicates words used to assess how coherent the narrative was, such as *coherent* and *unsplit*.

Non-structure indicates words used to assess how incoherent the narrative was, such as *incoherent* and *split*.

Detailedness indicates words used to assess how detailed the narrative was, such as *detailed*, *non-vague,* and *extensive*.

Non-detailedness indicates words used to assess how undetailed the narrative was, such as *undetailed* and *vague*.

Consistency indicates words used to assess whether the narrative lacked contradictory parts, such as *unchanged* and *corresponds*.

Non-consistency indicates words used to assess whether the narrative had contradictory parts, such as *contradictory* and *contrary*.

Plausible internal evidence indicates wordings used to assess whether the narrative was perceived as realistic by the case officer in relation to the written proof given by the applicant, namely, wordings such as *high value as evidence in support of*.

Non-plausible internal evidence indicates wordings used to assess whether the narrative was not perceived as realistic by the case officer in relation to the written proof given by the applicant, namely, wordings such as *no value as evidence in support of*.

Plausible external evidence indicates wordings used to assess if the narrative was perceived as realistic by the case officer in relation to the written proof (e.g., country of origin information [COI] reports), namely wordings such as *is supported by*.

Non-plausible external evidence indicates wordings used to assess if the narrative was not perceived as realistic by the case officer in relation to the written proof (e.g., COI reports), namely wordings such as *is contrary to*.

To illustrate the coding process, the following example shows assessment words marked in bold that formed the different credibility variables:

> Your information that the people threatening you have connections and high positions within [entity] is **vague** and **lacking in detail**. When asked to describe these people and what they do, you can't tell much more than that [individual] works in [profession]. Your relatives work there and therefore you know he works there, but you don't know much more about what he does because it is secret. They didn't say what they worked with but they were kind of [profession]. You don't know what [name]'s father worked as, just that he was an experienced person who was listened to.

> However, the Swedish Migration Agency assesses that you have told a **detailed** and **coherent** story about what happened to you due to [theme]. Your information about the consequences is **supported by the country information** that the agency has access to.

The credibility variables are coded as binaries in the analysis because of the variability in the structure and content of narratives among the asylum decisions examined. The reason for this is that there is no explicit definition of what constitutes a "narrative" or how its fragments are delineated, which leaves room for interpretation by case officers. Consequently, some officers would assess the entire narrative as a whole, while others would focus on specific parts or individual statements. For instance, one case officer may evaluate "prison time" as a single entity, while another may analyze each event that occurred during prison time separately. In order not to skew the analysis, the credibility variables were coded binarily.

All asylum decisions were coded by a main coder who was trained in the language of the SMA as well as the laws and regulations regarding decision-making and credibility assessments to ensure accurate coding of all asylum decisions. An additional coder (the author) independently double-coded a random sample comprising 20% of the identified sexual orientation asylum decisions (51 decisions). The coding results were compared using standard inter-rater reliability measures for all decisions, demonstrating substantial agreement between coders, with the lowest intraclass correlation coefficient (two-way mixed, absolute agreement (McGraw and Wong 1996)) score of 0.91 (95% CI 0.837–0.947). Scores above 0.9 are generally considered indicative of excellent reliability (Portney and Watkins 2009; Koo and Li 2016).

In addition to the credibility variables, variables encompassing individual characteristics of the applicant, case-specific features (case nature), and case management by the SMA were coded. This information was extracted mainly from the decision's preamble section and differs from the credibility variables insofar as it does not involve interpretation by the coders. Descriptive statistics of the variables are presented in Table 1. A detailed description of the coding process is available in a Technical Report (Wimark and Almberg 2024).

In the Results section, the analytical strategy relies on a binary logistic model, with refugee status decision outcome serving as the dependent variable. This model aims to predict the probability of receiving refugee status based on the credibility assessment variables. To ensure that the association between asylum outcome and credibility assessment is not influenced by other variables, the variables indicating individual characteristics of the applicant, case-specific features (case nature), and case management by the SMA were added as control variables. To make sure that there was no multicollinearity in the model, the credibility assessment variables were also tested using Cramér's V, which did not exceed 0.8.

The models were executed in three stages, all with decision outcome as the dependent variable. In the first stage, the effect of control variables was tested (models A, B, C, and D). In the second stage, the effect of positive credibility, negative

Table 1. Descriptive Statistics of Variables Used in Analysis.

Dimension	Variable	Alternative	Percentage
Individual characteristics	Gender	Man	71.2
	Partner in application	Yes	1.2
	Child in application	Yes	1.2
	Child in assessment	Yes	20.2
	Individual with family	Yes	3.5
	Age	Mean (SD)	32.3 (8.2)
Case nature	Written evidence	Yes	53.3
	Identity proven	Yes	72.0
	Several refugee status claims	Yes	37.0
	New asylum claim	Yes	12.8
	Late application	Yes	51.4
Case management	Process time (number of days)	Mean (SD)	447 (351)
	Country of origin information		
	- Lifos from the SMA	Yes	25.7
	- from the European Asylum Support Office (EASO)	Yes	10.9
	- Landinfo from the Norwegian Immigration Authorities	Yes	5.4
	- from Human Rights Watch	Yes	10.9
	Processing place	Arlanda	2.7
		Boden	5.4
		Göteborg	40.5
		Malmö	12.8
		Stockholm	24.9
		Uppsala	13.6
Credibility assessments	Structure	Yes	22.2
	Non-structure	Yes	8.6
	Detailedness	Yes	30.4
	Non-detailedness	Yes	56.4
	Consistency	Yes	3.1
	Non-consistency	Yes	44.4
	Plausible internal evidence	Yes	10.9
	Non-plausible internal evidence	Yes	15.2
	Plausible external evidence	Yes	23.3
	Non-plausible external evidence	Yes	12.5

$N = 257$. *Source:* Swedish Migration Agency, calculations by author.

credibility, and evidence credibility predictors was tested (models E, F, and G). These models represent the main results. In the final stage, the robustness of the model was tested by adding the control variables (H, I, and J) and the region of origin variables

(K, L, and M). This approach was chosen because the rule of thumb for logistic regression models suggests having at least 10 outcome events per predictor variable. Considering the outcome variable (60 granted/197 rejected refugee status), each model should ideally include a maximum of 6 variables. Although some researchers have argued that logistic regression models can accommodate more predictors under certain conditions (Vittinghoff and McCulloch 2007), a conservative approach was taken to ensure model stability and reliability.

Several limitations should be acknowledged. Firstly, while the manual coding represents an innovative aspect of this study, it also presents some drawbacks. To mitigate inconsistencies between coders, an inter-rater reliability measure was implemented, indicating a high level of reliability. The lowest inter-rater reliability —consistency between narratives (ICC = 0.94) –related to the definition of "narrative"; for instance, in a few cases, the main coder coded words twice (in the assessment and the summary), while the other coder did not. This is why we coded the variables binarily.

Secondly, the assumption of causality between credibility assessments and asylum outcomes should be considered. While the model approach tests the statistical relationship between variables, causality cannot be definitively proven. The model does not account for other aspects that could be of interest, such as the applicant's confidence in narrating their claims and the presence of quotes and dialogues. Such elements were likely present during the interview process but not documented in the asylum decisions. It is known that the applicant's demeanor during the interview can affect the decision outcome without it being seen in the written decision (Rehaag and Cameron 2020). Moreover, the models are based on decision transcripts, which cannot capture the full decision-making process; they do not reflect potential biases of decision-makers or whether decisions are written to conform to an accept/reject script.

Lastly, initial attempts were made to code an additional dimension, plausible narratives, through words such as *likely*. However, this word appeared in both assessments and conclusions, often inseparably. As a result, the variable indicated both assessments (the intended dimension) and summary conclusions (summarizing other dimensions). This means that it would be impossible to determine what dimension the variable referred to, and it was thus excluded from the analysis.

Results

The results section is divided into two parts. The section begins by providing a background to the variation in grant rates of refugee status and subsidiary protection among different claim categories. The second part of the section places emphasis on the credibility assessment process. It underscores that the Swedish Migration Agency (SMA) prioritizes detailedness and consistency in its assessments.

Grant Rates for Sexual Orientation and Gender Identity/Expression Claims

Table 2 presents the grant rates among different claim categories; given the variability in asylum claimants across categories, it should be interpreted with caution. Gender identity/expression exemplifies this complexity. Typically, one would expect that these applicants stand out visibly and then are more likely to be the target of persecution, as they have been shown to be highly vulnerable in the asylum system (Collier and Daniel 2019; Wimark 2021; Camminga 2024). Assessors could then be tempted to verify their claim category through visual observation during the status determination process. In contrast, one would expect that sexual orientation claimants tend to have hidden their inner desires and emotions, making it less obvious for external assessment. However, both of these assumptions can be seen as stereotypical, as gender identity/expression claimants also hide their identities and practices in their countries of origin (Avgeri 2023). Moreover, separating gender identity/expression from sexual orientation is a construct that does not resonate with the experiences of SOGIE asylum seekers (Saleh 2020). Therefore, establishing a frame of reference for comparison across claim categories poses challenges. Furthermore, religion and sexual orientation claims are often lumped together by assessors, as they both seemingly relate to inner emotional and/or convictional processes (Berlit, Doerig and Storey 2015; Stern 2016). However, they are inherently different, not least because religion refers to chosen faith while sexual orientation cannot be reduced to chosen desires (Stern 2016).

In the second column of Table 2, the grant rate for refugee status is presented. The overall grant rate for refugee status among all asylum applicants in the sample is 16% (CI 15–17%). Gender identity/expression stands out prominently among claim categories, with a grant rate of 47% (CI 21–72%). Similarly, sexual orientation stands out with a grant rate of 23% (CI 18–29%), in comparison to all applicants and to claimants who stated religion (17%) as the ground for seeking asylum. However, when considering refugee and subsidiary status protection taken together, the grant rate for sexual orientation claims becomes comparable to that of religion and that of all claimants combined, at approximately 22–23% (last column).

In an international perspective, caution is warranted when interpreting these results. Asylum claimant populations vary significantly between countries (Wimark and Almberg 2024). For instance, in the UK, the grant rate for sexual orientation claims between 2015 and 2021 consistently remained lower than average; it fluctuated between 22% and 64%, while the grant rate for all applicants ranged between 32% and 72% (Home Office 2022, 2024). In Canada, the grant rate for sexual orientation claimants has been slightly higher than average between 2013–2021, ranging from 68% to 84% for sexual orientation claims compared to 70% for all claims (Rehaag 2023). Similar to the findings in Sweden, gender identity/expression claimants in Canada had the highest grant rate at 97% in 2019–2021 (Rehaag 2023). In the following step, the dimensions of credibility assessments that contribute to these grant rates are explored.

Table 2. Grant Rates among Different Claim Categories for All Asylum Seekers in the Sample.

Claim	Refugee status				Subsidiary protection status				Refugee or subsidiary status			
			Confidence Interval 95%				Confidence Interval 95%				Confidence Interval 95%	
	Grant rate	Sign.	Lower	Upper	Grant rate	Sign.	Lower	Upper	Grant rate	Sign.	Lower	Upper
Race/ethnicity/nationality	11%	*	8%	15%	7%	*	4%	9%	18%		14%	22%
Political opinion	22%	*	20%	24%	7%	*	6%	8%	29%	*	27%	31%
Religious belief	17%	*	15%	20%	4%	*	3%	6%	22%		19%	25%
Gender	22%		19%	26%	7%		5%	9%	29%	*	26%	33%
Gender identity/expression	47%	*	21%	72%	0%	*	0%	0%	47%	*	21%	72%
Sexual orientation	23%	*	18%	29%	0%	*	0%	0%	23%		18%	29%
Particular social group	17%		12%	23%	5%		2%	8%	22%		16%	28%
Several refugee status claims	19%		17%	22%	6%		4%	7%	25%	*	22%	28%
All	16%		15%	17%	6%		5%	7%	22%		21%	24%

$N = 3{,}588$. *=$p < 0.05$. *Source:* Swedish Migration Agency, calculations by author. Each row represents claimants who have stated the claim category in question as one of the grounds for seeking asylum. The test for significance compares claimants with the specified claim to those without it.

The Primacy of Detailedness in Credibility Assessments

Having illustrated the grant rates of different claim categories, this subsequent analysis delves into the criteria of credibility assessment that seem to influence the decision outcomes for asylum seekers with sexual orientation claims. Gender identity/expression claims are excluded from this analysis due to the small number of individuals. The analysis is conducted in three steps: 1) control variables (models A–D), 2) credibility criteria variables (models E–G), and 3) credibility criteria and control variables (models H–M in Online Appendix). The rationale behind this division is that the control variables serve to test the robustness of the model.

In the first part, the model assesses whether individual characteristics of the applicant, case-specific features (case nature), and case management by the SMA impact the decision outcomes (i.e., the control variables). There are compelling reasons to suspect that the applicants' individual characteristics—partner, children, gender, and age—play a role, as indicated by previous research. For instance, forming a family through marriage to someone of the opposite sex and having children is one survival strategy for sexual orientation claimants (Vogler 2016). However, such actions may raise suspicion among asylum decision-makers (Berg and Millbank 2009; Hersh 2015). Additionally, it has been suggested that male asylum seekers receive preferential treatment in the asylum process (Vogler 2016; Hedlund, Salmonsson and Sohlberg 2021; Lunau and Andreassen 2023), suggesting that men are more likely to receive protection than women. It has also been argued that young asylum claimants face higher demands from assessors (Hazeldean 2011; Hedlund and Wimark 2019), indicating a potential influence of age on asylum outcomes.

There is equally compelling evidence to suggest that features relating to the case—such as the evidence presented or the timing of the claim—and case management by the SMA influence decision outcomes. Millbank (2009), for instance, argues that "late claims", referring to asylum applications submitted late or sexual orientation claims added during the asylum process, are often used as grounds for discrediting sexual orientation claims. Additionally, sexual orientation claimants are less likely to produce external evidence, which may lead to scepticism among asylum decision-makers (Berg and Millbank 2009; Murray 2014; Giametta 2017). Moreover, case management by the case officer—such as processing time and processing office—may influence. Most attention has been given to the quality of country of origin information (COI) reports, and this is often presumed to impact decision outcomes (Giametta 2017).

In the first part of the credibility models, these assumptions are put to the test. Contrary to common belief, only age, written evidence, and COI reports appear to have a significant effect on refugee status decision outcomes. In column two of Table 3, the relationship between individual characteristics and decision outcomes is examined. The only significant variable is age, indicating that for each additional year of age, the likelihood of being granted asylum decreases by 3.8%, if the beta

Table 3. Logistic Regression with Refugee Status as Dependent Variable for Applicants with Sexual Orientation as One of the Claims, B Values.

	A. Individual characteristics			B. Case nature			C. Case management I			D. Case management II		
	B	S.E.		B	S.E.		B	S.E.		B	S.E.	
Gender (Man)	0.33	0.34										
Child in assessment	−0.62	0.46										
Individual with family	0.61	0.78										
Age	−0.04	0.02	*									
Written evidence				0.76	0.32	*						
Identity proven				0.45	0.36							
More than one refugee status claim				0.39	0.32							
New asylum claim				−0.25	0.53							
Late application				−0.59	0.32							
Process time							0.00	0.00				
Country of origin information												
- Lifos from the SMA							−0.85	0.40	*			
- from the European Asylum Support Office (EASO)							0.43	0.47				
- Landinfo from the Norwegian Immigration Authorities							−0.65	0.80				
- from Human Rights Watch							−0.14	0.49				
Processing place (Gothenburg excluded)												
- Arlanda										−0.59	1.10	
- Boden										−0.59	0.80	
- Malmö										0.51	0.44	
- Stockholm										−0.48	0.42	
- Uppsala										0.55	0.43	
Constant	0.00	0.65		−1.81	0.40	***	−1.27	0.27	*	−1.20	0.23	***
Nagelkerke R^2	0.06		*	0.08		*	0.05			0.04		

(continued)

Table 3. (continued)

	A. Individual characteristics		B. Case nature		C. Case management I		D. Case management II	
	B	S.E.	B	S.E.	B	S.E.	B	S.E.
N	257		257		257		257	

$N = 257$. *=$p < 0.05$, **=$p < 0.01$ and ***=$p < 0.001$. *Source:* Swedish Migration Agency, calculations by author. B values above zero indicate a positive relationship. Nagelkerke indicates a pseudo-R^2 strength of the model where one represents a perfect relationship.

values are recalculated to odds ratios. In column three of Table 3, the relationship between case nature and decision outcomes is explored. Only submitted written evidence shows a significant effect on decision outcomes, with claimants who submitted evidence being 2.1 times more likely to receive refugee status. Finally, among the variables indicating case management, only COI reports written by the SMA's Lifos have a significant effect, suggesting a 59% decrease in the likelihood of receiving asylum.

In the second part of the analysis, the effect of the credibility assessment criteria on refugee status decision outcomes is examined. In the second column of Table 4, the criteria that are expected to correlate with a positive decision outcome are assessed. According to the UNHCR, the IARLJ, and the SMA, a truthful narrative is characterized by coherence, represented by the variable "structured narrative" in the table. As detailed in the theory section, the CBCA framework suggests that a logically structured narrative indicates a non-fabricated statement (Vrij 2008). Surprisingly, our analysis of the data from sexual orientation claimants does not

Table 4. Logistic Regression with Refugee Status as Dependent Variable and Credibility Variables as Independent Variables for Applicants with Sexual Orientation as One of the Claims, B Values.

	E. Credibility positive			F. Credibility negative			G. Credibility evidence		
	B	S.E.		B	S.E.		B	S.E.	
Structure	−0.64	0.53							
Detailedness	4.13	0.57	***						
Consistency	2.01	1.12							
Non-structure				−0.33	1.20				
Non-detailedness				−2.84	0.52	***			
Non-consistency				−1.62	0.49	***			
Plausible internal evidence							3.06	0.71	***
Non-plausible internal evidence							−1.78	0.89	*
Plausible external evidence							4.70	0.56	***
Non-plausible external evidence							−21.14	6046.69	
Constant	−3.10	0.37	***	0.27	0.21		−2.96	0.39	***
Nagelkerke R^2	0.56		***	0.46		***	0.72		***
N	257			257			257		

$N = 257$. *=$p < 0.05$, **=$p < 0.01$ and ***=$p < 0.001$. *Source:* Swedish Migration Agency, calculations by author. B values above zero indicate a positive relationship. Nagelkerke indicates a Pseudo-R^2 strength of the model where one represents a perfect relationship.

reveal any such relationship. Similarly, in column three of Table 4, no discernible link between non-structured narratives and the likelihood of receiving a positive decision outcome is evident. These findings are unexpected, given the prevailing views that emphasize internal consistency as a marker of truthful narratives. Additionally, these results are surprising in light of previous research that has tested this CBCA criterion and found it to be robust in distinguishing between accurate and fabricated statements (Amado et al. 2016).

In contrast, the results regarding detailedness align with expected outcomes. Detailedness in a narrative refers to the notion that truthful statements are richer in detail, containing specific information about places, times, objects, and individuals (Vrij 2008). In the second column of Table 4, the model results demonstrate a positive association between narrative details and decision outcomes. When the beta values are recalculated to odds ratios, these indicate that asylum seekers perceived as capable of providing detailed narratives are 62 times more likely to be granted asylum. Conversely, as shown in column three of Table 4, those perceived as providing non-detailed accounts are 94 percent less likely to receive refugee status.

Detailedness as a CBCA criterion poses challenges, particularly when sexual orientation is one of the asylum claims. Past experiences of persecution among sexual orientation claimants are often traumatic (Morgan 2006), potentially leading to PTSD and hindering their ability to provide detailed accounts. Additionally, a lifetime of concealing their sexual orientation due to shame and stigma in their countries of origin may make it difficult for them to provide detailed narratives (Berg and Millbank 2009). Consequently, a criterion seemingly straightforward for discerning "false" narratives may actually reflect trauma-related responses among sexual orientation claimants.

Table 4 furthermore presents results regarding internal consistency that align with asylum authorities' expectations but contradict research findings. Consistency between statements and/or narratives refers to the absence of contradictions within narratives or statements. According to the UNHCR, the IARLJ, and the SMA, inconsistencies within and between statements are indicative of fabricated narratives. In the third column of Table 4, a clear relationship between inconsistency and decision outcomes is evident. If asylum seekers were found to contradict their statements during the asylum process, they were 80% less likely to receive refugee status. While this finding aligns with the expectations, it may be surprising, given the limited research supporting the common belief that fabricators are less capable of retelling their stories (Vredeveldt, Van Koppen and Granhag 2014).

Contradictions between narratives should also be considered in relation to late disclosure of sexual orientation claims, where applicants declare this claim late in the process. Although late claims did not affect the decision outcomes in this model (see Table 3), Vine (2014) has suggested otherwise. There are plausible reasons for late disclosure. Many asylum applicants may be unaware of the option to seek asylum based on sexual orientation grounds, or they may fear disclosing their identities to interpreters or diasporas due to the risks associated with doing so (Morgan

2006; Berg and Millbank 2009; Dhoest 2019). Consequently, caution may be warranted when interpreting the criterion of internal consistency, as inconsistencies are perhaps to be expected in cases with late declaration.

The results regarding the importance of evidence are consistent with expectations. In column four of Table 4, a clear relationship is observed between the evaluation of written evidence and decision outcomes. If the written evidence provided by the asylum applicant was perceived to support the narrative, they were more likely to receive asylum. Specifically, the odds of receiving refugee status increased by 21 times when internal plausibility was perceived to be present. Conversely, if the evidence was deemed to have low or no value, the likelihood of receiving refugee status decreased by 17 per cent. This pattern holds true for evidence added by the asylum authority, primarily represented by COI reports. If the narrative was found to be supported by or consistent with external evidence, the asylum seeker was 110 times more likely to receive asylum. However, no relationship was found between decision outcomes and external negative plausibility. The high standard error for the variable external negative plausibility could indicate correlation between explanatory variables (Stoltzfus 2011), but this was tested for and found not to be the case. It should be noted that the evidence-related variables do not provide insight into the specific evidence deemed credible or not by asylum decision-makers; they only indicate the worth assigned to it. Previous research suggests that written evidence submitted by sexual orientation claimants is often not deemed credible (Berg and Millbank 2009).

In the final part of the analysis, control variables were added to the model to explore the robustness of the results. The analysis showed that the relationships identified above remain robust (see Online Appendix). Among the control variables, age and the COI report written by the SMA (Lifos) remain significant. However, since the model does not indicate causality, it cannot be determined whether the SMA makes different assessments based on age or whether the nature of the case differs by age – that is, whether younger individuals have stronger asylum claims. Similarly, for Lifos' COI reports, the model cannot ascertain whether reports are written for countries where LGBTQ+ individuals are safer or whether the SMA assesses cases more rigorously for countries where Lifos reports are used.

In this section, the pivotal role of written evidence in refugee status determination has been underscored. It is unsurprising that written evidence holds such prominence, given its perceived objectivity as a reference point for narratives. However, obtaining high-quality evidence can be challenging, especially for asylum seekers who may have concealed their sexual orientation throughout their lives. Similarly, sourcing reliable external evidence presents difficulties, particularly in countries where sexual minorities are heavily stigmatized. Scholars have cautioned against overreliance on COI reports, citing challenges in obtaining accurate information about sexual minorities in such contexts (Giametta 2017).

This section has also revealed the central role of detailedness in narratives—a key criterion in the CBCA method—which is often viewed as a marker of truthfulness,

bolstering the credibility of asylum claimants' accounts. However, this emphasis warrants caution, as individuals who have experienced trauma may struggle to provide coherent and detailed accounts (Herlihy, Jobson and Turner 2012).

Conclusions

Assessing credibility to distinguish between truthful and fabricated narratives among asylum claimants is a widely adopted practice, endorsed by the UNHCR (2013). However, numerous studies have highlighted the complexities and challenges associated with applying this approach, particularly in cases involving claims of persecution based on sexual orientation (e.g., see, Morgan 2006; Berg and Millbank 2009; Hersh 2015). Critics have argued that credibility assessment may be inadequate in such cases, proposing alternative approaches such as prioritizing a wide range of different sources of information on the country of origin (Dustin and Ferreira 2021).

This study sought to contribute to this ongoing discussion by shifting the focus from the mere identification of aspects of credibility assessment criteria utilized by asylum decision-makers to understanding which aspects can influence refugee status outcomes. By analyzing a representative sample of asylum decisions through coding and statistical modelling, the findings shed light on the significance of detailed narratives in determining the veracity of asylum claims. While the valuation of internal and external evidence remains crucial, the results underscore the importance placed on the richness and specificity of details as indicators of truthfulness.

At first glance, this emphasis on detailed narratives appears to align with criteria endorsed by the UNHCR (2013) and with findings from previous studies confirming detailedness as a hallmark of truthful statements (Amado et al. 2016). However, a nuanced examination reveals the need for critical reflection on this matter.

The first reason to approach detailedness with caution in credibility assessments of sexual orientation claims pertains to the nature of the statements made in such cases. It is essential to differentiate between *statements* recounting events of sexual practice or persecution and *narratives* detailing the individual's sexual development or discovery. Traditional criteria for credibility assessment, such as those outlined in the CBCA method, are typically designed to evaluate recollections of specific events (cf. Vrij 2008). In instances where individuals recount traumatic experiences, such as sexual persecution, these criteria may be apt, as memories of stressful events often persist over time (Vrij 2008; Amado et al. 2016). However, narratives of sexual development and discovery are often more nuanced and multifaceted, extending beyond isolated events. Memories associated with these experiences may not be inherently traumatic, and the passage of time can lead to a loss of detailedness, particularly when recalling events from adolescence (Vrij 2008).

The second reason for exercising caution pertains to the expression of emotions and feelings. While truthful statements of events typically incorporate accounts of mental states, such as emotions and feelings (Vrij 2008), emotions differ in narratives

of sexual development and discovery. Unlike singular emotional responses to discrete events, the journey of sexual development involves a spectrum of emotions that vary depending on the context and timing. Moreover, the CBCA criteria do not point to specific feelings in narratives, such as shame and stigma, which assessors commonly seem to search for in the experiences of sexual orientation claimants (Berlit, Doerig and Storey 2015; Selim et al. 2023; Lunau 2024).

A third reason to approach detailedness with caution in credibility assessments is the potential for bias introduced by informing and coaching asylum claimants. Studies have demonstrated that individuals who are coached on criteria such as providing details and expressing emotions can effectively deceive professional assessors (Vrij, Kneller and Mann 2000; Vrij et al. 2002). For instance, research found no discernible difference in assessments of detailedness and emotional states between individuals fabricating stories and those recounting genuine experiences after being coached (Vrij, Kneller and Mann 2000). This presents significant concerns for asylum decision-makers of sexual orientation claimants and asylum seekers in general. If individuals are trained in delivering credible accounts, the efficacy of the method is compromised. Notably, coaching of asylum claimants, including those with sexual orientation claims, occurs through various channels such as LGBTQ+ organizations, social media platforms like TikTok, and even human traffickers (Schaps 2020), rendering parts of the UNHCR-endorsed credibility criteria susceptible to deception. Coaching should not, however, be confused with informing and giving advice about the asylum process and credibility assessment—typically done by legal counsellors (Smith-Khan 2020; Jacobs and Maryns 2022)—which many of the actors in the mentioned channels engage in. Rather, coaching involves helping the claimant improve the story, adding elements, and making changes. Here, LGBTQ+ and asylum organizations are put in a knife-edge situation where they have to balance the need to help individuals through coaching with the awareness that such streamlining ultimately could raise concerns among asylum assessors.

Furthermore, the results indicate that the SMA perceives inconsistencies between statements or repeated accounts as indicating non-truthful narratives. While this aligns with the guidance from the UNHCR (2013) and the IARLJ (Mackey et al. 2017), research offers less conclusive support (cf. Skrifvars et al. 2024). Both true and false accounts commonly exhibit consistency, as individuals fabricating stories often strive to maintain consistency to appear credible (Vrij 2008). Moreover, there is limited evidence to suggest that false statements are inherently inconsistent (Vredeveldt, Van Koppen and Granhag 2014). However, when considering narratives involving distant memories, such as those related to sexual development and discovery, autobiographical memories add complexity. Unlike statements about discrete events, autobiographical memories comprise multiple elements and recurring events, leading to potential inconsistencies and contradictions in retellings (Herlihy, Jobson and Turner 2012). This highlights the nuances involved in assessing credibility in cases involving narratives of sexual orientation.

The findings underscore the complexities faced by asylum decision-makers in successfully assessing credibility. Asylum decision-makers' prevalent focus on exploring themes of sexual identity, development, and self-perception (Berlit, Doerig and Storey 2015) is understandable given that many individuals may have lived in secrecy, without opportunities for exploration or self-disclosure. However, it aligns poorly with the CBCA criteria used in credibility assessment, which typically emphasize singular events. Similarly, the emphasis on the detailedness of emotions and emotional reflection in sexuality-related narratives (Dustin and Ferreira 2021) contrasts with the CBCA criteria's emphasis on the quantity of detail, prioritizing specifics of time, place, persons, and events (Vrij 2008). Thus, the shift away from asylum decision-makers' previous focus on specific sexual practices (Dustin and Ferreira 2021) seems to complicate the application of the CBCA criteria in credibility assessments.

As we live in an information-rich society, it is likely that asylum seekers will become increasingly aware of credibility assessment practices through various channels, including social media, AI, and what previously has been termed the "migration industry" (Boswell and Geddes 2010), encompassing a diverse array of actors facilitating migration processes. Consequently, there is a growing possibility that asylum seekers will seek coaching in credibility assessment criteria from these sources, adding to the already suspicious climate among asylum decision-makers (cf. EUAA 2022). This poses a significant challenge for asylum decision-makers, as coached asylum seekers may effectively deceive them, rendering their methods of discerning genuine claims from fabricated ones ineffective. This dilemma places decision-makers in an ethical quandary, with two unenviable options: either to adopt a "benefit of the doubt" approach (UNHCR 2019) and risk granting asylum for fabricated claims, or to adopt a stringent stance and risk deporting LGBTQ+ individuals in need of protection to be persecuted in unsafe countries.

It remains uncertain how asylum decision-makers will navigate these challenges. However, it is evident that credibility assessment will continue to be a flawed method if asylum narratives serve as the sole supporting foundation for claimants' asylum grounds. If refugee narratives predominantly focus on self-reflection without containing accounts of persecution events, verifying their authenticity becomes nearly impossible. Thus, the efficacy of credibility assessments in asylum processes warrants ongoing scrutiny and consideration of alternative approaches to ensure just outcomes for asylum seekers.

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Data Availability Statement

The data that support the findings of this study are not publicly available due to privacy and ethical restrictions. The data are available from the Swedish Migration Agency. Restrictions apply to the availability of these data, which were used for this study under ethical approval from the Swedish Ethical Review Authority.

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