



Institut für Europarecht  
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# The Concealment Controversy

**Sexual Orientation, Discretion Reasoning  
and the Scope of Refugee Protection**

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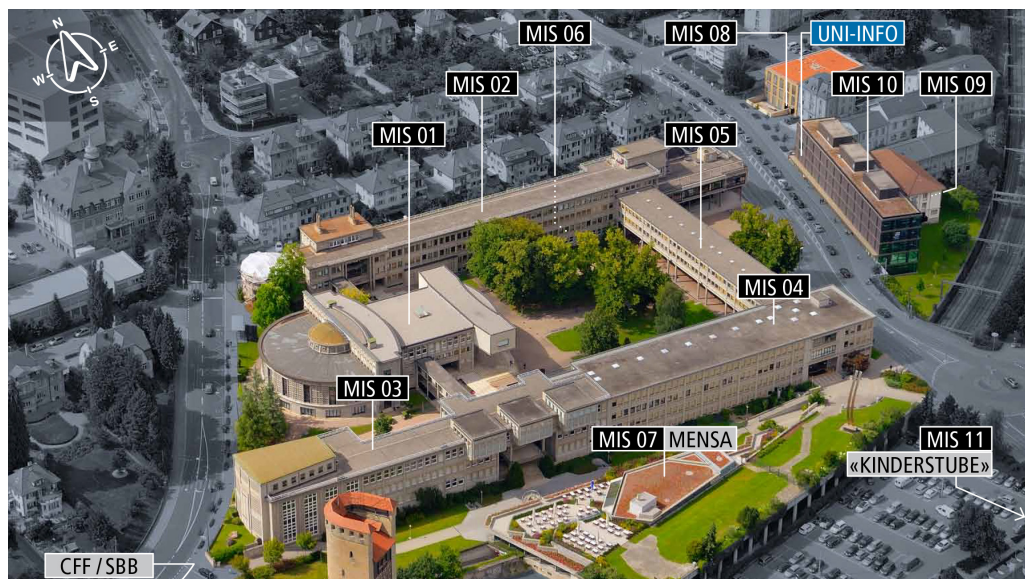
**Thursday, 23 March 2023, 17.15 – 18.45**

University of Fribourg, Miséricorde, Room Jäggi  
(MIS 4112), Avenue de l'Europe 20, CH-1700 Fribourg

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To what extent can asylum seekers live their sexual, political, religious identity ‘freely and openly’? Must they contribute to their own protection in their countries of origin through ‘discreet’ behaviour? If not, what does it mean that refugee law provides ‘surrogate’ protection for very serious situations only? Although it has repeatedly been rejected by high-level judgments, the idea that a claim for international protection can be rejected on the basis that the claimant behave ‘discreetly’ in their country of origin has remained resilient in asylum claims based on sexual orientation, but also other grounds of claim. An exploration of the resilience of this doctrinal figure seemingly incompatible with the basic tenets of refugee law will lead onto a journey through the complex underbelly of refugee law doctrine and confront some of the fundamental questions about the scope of refugee protection.

**Professor Janna Wessels** is Assistant Professor at the Amsterdam Centre for Migration and Refugee Law (ACMRL), Vrije Universiteit Amsterdam. Her research investigates the link between human rights and migration law and policy. Janna’s talk will be based on her monograph, which was published with CUP in 2021. Her current research projects include the Dutch NWO-funded Veni project ‘Countering human rights from within: Framing State interests in human rights language in migration-related jurisprudence’ and the German DFG-funded project ‘Who is Empowered by Strasbourg? Migrants and States before the European Court of Human Rights’. She was previously involved in the Mercator Foundation funded project ‘Human Rights challenges to European Migration Policy (REMAP)’, which has led to a co-authored monograph published with Hart and Nomos in 2022, and the Horizon 2020 project PROTECT – The Right to International Protection, exploring the legal implications of the UN Global Compacts on Refugees and Migrants.



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