

## ARMENIA

In January, an Armenian court examined a claim against the Armenian Migration Service's decision to reject the asylum application of a man who fled the republic of Chechnya after being tortured over his perceived homosexuality. The court ruled that LGBTI people are not safe in Chechnya and Russia, consequently granting him asylum and refugee status in Armenia and rejecting Russia's request to extradite him.

## AUSTRIA

In March, Austria denied the asylum claim of Gao Yi, a trans woman and founder of the Chinese Peaceful Revolutionary Party, a political unit that opposes the current Chinese government.

## BELGIUM

In September, the Committee of Ministers of the Council of Europe indicated that the Belgian authorities are struggling to provide dignified accommodations for people during their asylum procedures, forcing many to sleep on the streets. This situation particularly affects single men, including those from the LGBTI community. When asylum seekers do receive shelter, their basic safety needs—especially those of LGBTI people—are often inadequately addressed in the main reception centres. Additionally, LGBTI asylum seekers frequently find themselves placed alongside individuals from their countries of origin, which can pose challenges as many have fled their home countries due to anti-LGBTI laws or hostile environments, making their circumstances in these communal settings more complex.

## BULGARIA

The Bulgarian Supreme administrative Court refused to recognise the same-sex marriage entered into by Russian-Belarusian asylum-seekers. Subsequently, the Belarusian citizen was refused international protection, although his married spouse was granted refugee status.

Bulgaria continues to reject requests for asylum by LGBTI people coming from Russia and Belarus.

Bulgaria unlawfully detains LGBTI asylum-seekers coming from Palestine in closed detention centres.

## FINLAND

Finland has faced criticism for its handling of a case involving a Russian LGBTI family that was deported despite international protection claims. The UN Committee on the Rights of the Child had previously ruled that Finland violated the Convention on the Rights of the Child by deporting the family in 2017 and failing to provide adequate protection or compensation. In April, the committee's assessment rated Finland's compliance with

its decision as "B", indicating partial implementation, because Finland hadn't compensated the child as mandated by the committee.

## GEORGIA

Georgian LGBTI people continued to flee the country in large numbers. Although there are no official statistics, community organisations report that these numbers have significantly increased. However, there is an ongoing concern that Georgia is classified by some EU countries as a 'safe country'.

Following the adoption of the foreign agents law and the anti-LGBTI law, a vast number of LGBTI people have been requesting assistance from Equality Movement's lawyers in obtaining relevant documentation from the Ministry of Internal Affairs and the General Prosecutors Office of Georgia. The documents were obtained for the purpose of seeking asylum in other countries. This trend demonstrates that recent anti-democratic developments in Georgia have markedly accelerated LGBTI migration. (See also under Equality and Non-discrimination, and Freedom of Association.)

## GERMANY

In March, the Federal Government released its fourth biennial report assessing whether countries listed as "safe" for return by the Bundestag still meet safety criteria. Even with deteriorating conditions for LGBTI people in Ghana, Senegal, and Georgia, these countries remain classified as safe, despite escalating violence and discrimination.

In July, a gay Iraqi was deported to the persecuting state due to procedural errors.

Since August, German civil society organisations have been advocating for a continuation beyond the expected end date of the Reception Program Afghanistan which, since its launch in October 2022, helped rescue thousands of vulnerable Afghans, among them LGBTI Afghans, from Taliban rule.

In September, the right to asylum became a primary target of a policy framework increasingly undermining fundamental human rights. Germany announced plans to extend border controls to all its land borders, initially for six months. The measures include detaining asylum seekers at borders while assessing whether Germany is responsible for processing their cases, using tools like the Eurodac fingerprint database.

Since November, LGBTI refugees from Uganda, including those facing the threat of the death penalty for their sexuality, have been increasingly rejected by German authorities. In one of these cases, a 27-year-old fled Uganda after facing severe persecution,

including threats to his life, family, and even being shot. However, BAMF rejected his asylum application, deeming his sexual orientation not credible.

## HUNGARY

A request for preliminary ruling concerning the applicability of Article 16 of the [GDPR](#) in procedures for changing the gender marker of refugees is pending before the Court of Justice of the European Union. (See also under Legal Gender Recognition.)

The [opinion of the Advocate General](#) was published on September 12, 2024, noting that, according to Article 16 of the GDPR in conjunction with Article 5(1)(d) of the GDPR, Hungarian authorities are obliged to correct the gender of the applicant, whose data was initially recorded inaccurately.

## ICELAND

In March, Iceland's Parliament [passed](#) an immigration bill imposing severe restrictions on the rights of asylum seekers, most notably by withdrawing access to housing and healthcare services 30 days after asylum applications have been denied. The bill also [grants](#) Iceland more latitude in applying the Dublin Regulation, which holds the first EU member state where an asylum application is made responsible for processing the claim, and permits the deportation of asylum seekers to that state if they apply elsewhere. The legislation has sparked significant backlash from human rights organisations, who argued that the bill will further marginalise LGBTI asylum seekers and other vulnerable categories by allowing, for instance, the physical examination of those seeking asylum.

## IRELAND

In January, Minister for Justice Helen McEntee [announced](#) that Algeria would be added to Ireland's list of 'safe countries' of origin for asylum seekers, despite its anti-LGBTI laws.

In June, the Irish High Court [upheld](#) the International Protection Appeal Tribunal's decision to refuse a Ghanaian man's application for refugee status and subsidiary protection. The man had claimed persecution due to his sexual orientation, asserting that he was openly gay and had faced discrimination in Ghana, where homophobic attacks are common. Nonetheless, the tribunal found his account to be lacking in credibility, citing issues with his narrative, including his portrayal of his relationship and realisation of his sexual orientation, which, in the tribunal's view, allegedly lacked emotional depth and common experiences associated with such a process. Further, despite the applicant's assertions of having been attacked three times in his home country, the tribunal ruled that his conduct in living openly as gay in such a hostile context would be "unexpected and unusual."

In August, Taoiseach Simon Harris and Minister for Children, Equality, Disability, Integration and Youth Roderic O'Gorman [voiced](#) their commitment to passing hate crime legislation before the end of the current government's term. Their statement followed the publication of a report highlighting a surge in threats and physical attacks against asylum seekers in Dublin, many of whom are living in tents on the streets. In late October, the Dáil [passed](#) the 'hate crime' bill with a majority vote of 78 to 52, clearing the way for President Michael D. Higgins to sign it into law. (See also under Bias-Motivated Speech.)

## ITALY

In May, the list of "[safe countries of origin](#)," which allows for an expedited and more restrictive asylum process, was updated to include four additional countries where homosexuality is criminalised: Bangladesh, Cameroon, Egypt, and Sri Lanka.

In October, with the approval of the new immigration decree, Cameroon and Nigeria were [removed](#) from the list of "safe countries". This means that the current list of "safe countries" features nine countries that criminalise homosexuality, with no exceptions provided for at-risk groups such as LGBTI people: Bangladesh, Egypt, Sri Lanka, Tunisia, Algeria, Morocco, Senegal, Ghana, and The Gambia.

In October, a court in Bologna [referred](#) the question of the definition of 'safe countries of origin' to the European Court of Justice, requesting the Court to establish whether a country that is overall safe for its general population can be considered safe even if it perpetuates discrimination against specific minorities.

## LATVIA

In late April, Latvia's administrative district court [overturned](#) a decision by the Office of Citizenship and Migration Affairs to deny asylum to a Ghanaian LGBTI asylum seeker. The ruling ordered the granting of asylum, rejecting the initial assessment that questioned the credibility of his claims.

## LITHUANIA

Several LGBTI asylum seekers from Cameroon were granted protection after enduring a lengthy four-year wait for a final decision. However, civil society organisations continue to report ongoing concerns regarding the dire conditions in camps, the prolonged nature of asylum procedures, and the persistent fear of deportation amongst asylum seekers.

Psychologist Tomas Kelpša [was found guilty](#) by the Vilnius Regional District Court of coercing asylum seekers into sexual acts by threatening to deny their asylum applications.

## LUXEMBOURG

In response to the European Parliament's adoption of measures addressing the vulnerability of people in reception contexts based on their sexual orientation or gender expression, the Luxembourg Refugee Collective (LFR) released a [press statement](#) in April. The LFR emphasised the systemic failure to detect vulnerabilities early on, noting that individuals who have endured violations affecting their physical and psychological integrity often struggle to articulate their distress and trauma. The collective called for comprehensive initial and ongoing training for staff to enhance the identification of vulnerabilities and ensure that applicants for international protection receive appropriate care and procedural safeguards.

Since December 2023, all single men seeking asylum have been entitled to a vulnerability assessment interview, marking a significant step forward in addressing the needs of vulnerable individuals, including those based on sexual orientation or gender expression. In line with the ongoing reform of the European asylum system, the Office National de l'Accueil (ONA) has been working to improve current procedures. Centre LGBTIQ+ Cigale has been invited by the ONA to provide training on LGBTIQ issues to their staff and has continued training social workers at reception centres operated by the Luxembourg Red Cross, one of the most prominent organisations assisting asylum seekers.

## MALTA

Civil society made [four recommendations](#) to the government to amend the asylum system and legislation that fails to protect LGBTIQ asylum seekers from discrimination and violence, and prevents them from enjoying the same rights as Maltese citizens. The recommendations build on concerns highlighted by the government's LGBTIQ Equality Strategy and Action Plan (2023-2027), launched the previous year, which aimed to combat discrimination and violence but left gaps in protections for LGBTIQ+ migrants and refugees.

## MOLDOVA

In January, a 21-year-old trans woman and asylum seeker from Moldova [took her own life](#) two weeks after her asylum application was denied.

In March, the General Inspectorate for Migration [denied refugee status](#) to seven LGBTIQ people from Russia. The Inspectorate argued that the applicants failed to demonstrate risks or dangers if they were to remain in Russia and cited that mere membership to a social group would not award refugee status. The applicants challenged the decisions in court, with two rulings from the Court of Cassation issued in their favor. However, two decisions were refusals, and three other cases are still pending.

## MONTENEGRO

Asylum seekers reported having difficulties in accessing health care services, as well as experiencing long waiting periods on the decision on their asylum requests. Spectra, Juventas, LBTQ Association Stana and Queer Montenegro, in cooperation with the Centre for Asylum and the UNDP, stepped in and have been providing support to an increasing number of LGBTIQ asylum seekers from Russia, Ukraine, Turkey and the Middle East.

The case of a Russian asylum seeker whose request for asylum was denied was documented by Queer Montenegro.

## NETHERLANDS

In July, a coalition government composed of the Freedom Party (PVV), the People's Party for Freedom and Democracy (VVD), New Social Contract (NSC) and the Farmer-Citizen Movement (BBB) was inaugurated. Minister Faber for Asylum and Migration, of the Party for Freedom (PVV), announced the '[strictest asylum policy ever](#)'. Reinette Klever, Minister for Foreign Trade and Development and also member of the PVV, said that the government is [considering sending refugees back to Uganda](#), a country with one of the strictest anti-LGBTIQ laws in the world. The new government [announced](#) in October it will only allow refugees who are married to bring their partners to the Netherlands, effectively excluding LGBTIQ couples from countries where they cannot marry. The issue was addressed by various LGBTIQ organisations and will hopefully be corrected.

In February, the People's Party for Freedom and Democracy [advocated](#) for a soon-to-be built asylum centre in Nieuwegein to serve as a refuge for LGBTIQ asylum seekers.

LGBTIQ Asylum Support in 2024 documented over 750 incidents of unsafe conditions for LGBTIQ people in asylum shelters in the Netherlands. The organisation reported that LGBTIQ asylum seekers are more prone to face discrimination, bullying, and physical violence in reception centres.

In April, reports revealed that at least four Russian-speaking LGBTIQ asylum-seekers had taken their own lives in 2023. Human rights groups [urged](#) the Dutch Ministry of Justice to investigate and reassess migration procedures.

## ROMANIA

Several individuals from countries where being LGBTIQ is criminalised have sought assistance from ACCEPT Association to access asylum in Romania.

## RUSSIA

A gay couple living in Russia faced increasing threats after the

Kremlin expanded its anti-LGBTI laws in December 2022. Their social media presence, which had gained thousands of followers, led to complaints about their “propaganda of nontraditional sexual relations.” In 2023, Gogishvili was fined, and Xu was detained in a migrant Centre, awaiting deportation. They eventually fled Russia separately and reunited in France in 2024, where they are seeking asylum.

In January, Antonina Babkina, a transgender girl from Russia who had been granted asylum, committed suicide in the Netherlands. This is at least the fourth reported case of suicide among Russian-speaking refugees in the country since 2023. This case highlights the challenges faced by LGBTQ+ refugees in Dutch camps, including inadequate psychological support and poor living conditions.

## SLOVENIA

Slovenian courts have made notable progress in recognising the vulnerabilities of LGBTI asylum seekers, granting refugee status to individuals persecuted for their sexual orientation or gender identity, according to a report by Ljubljana Pride Association. However, challenges persist, such as inadequate data collection, late disclosure, and the lack of tailored support. Many LGBTI refugees continue to face inadequate healthcare, unsafe housing, and discriminatory practices in Slovenia.

## SWEDEN

A lesbian woman who fled Uganda due to fear of persecution for her sexual orientation faced potential deportation from Sweden. Despite presenting extensive evidence and a credible oral account, her asylum application was denied by the Migration Agency and the Migration Court, which deemed her account insufficiently detailed. After significant media attention and a petition with over 40,000 signatures, she was granted a residence permit in November.

This case reflects a broader issue in Sweden, where migration authorities often assess SOGIESC asylum claims based on stereotypes, contrary to EU law, UNHCR guidelines, and the Swedish Migration Agency’s legal stance.

In September, RFSL released an updated report on Swedish asylum decisions, “Rejection Motivations in SOGIESC Asylum Cases in Sweden,” based on over 3,360 cases. The report found that the Swedish migration authorities frequently reject LGBTI asylum seekers, violating both Swedish and international law. The authorities demand detailed personal accounts of emotional journeys and negative feelings to establish the credibility of SOGIESC claims. This reliance on stereotypes in credibility assessments undermines the right to an individual, objective evaluation in asylum cases, leading to deportations to countries

where LGBTI individuals face persecution, torture, or even the death penalty.

A 40-year-old gay asylum seeker from Russia, faced deportation after the Swedish migration authorities assessed that the general situation for LGBTI people in Russia did not amount to persecution, despite the new harsher anti-LGBTI laws in the country. The asylum application was denied with the same rejection motivation as the majority of SOGIESC asylum cases from Russia,

In August, a 32-year-old Nigerian asylum seeker was deported from Sweden to Nigeria despite significant risks to his safety. Despite providing evidence, including a police document confirming his homosexuality and the threats against him, the Swedish Migration Agency dismissed it as lacking probative value. Since his deportation, he has been out of contact, and his friends and family fear the worst.

In October, a 35-year-old asylum seeker from Iraq faced deportation after the Swedish Migration Agency rejected his application for asylum. Despite the Migration Court’s acknowledgment of his bisexuality, he was unable to provide a detailed account of his “inner process and reflections on his identity and sexuality,” a requirement under the agency’s DSSH model for assessing LGBTI asylum seekers. As a result, despite the risks he faces in Iraq, where same-sex relationships have recently been criminalised, and the criticism of the State Office, the Migration Agency upheld its decision to reject his claim.

In October, in an interview in QX, Migration Minister Johan Forssell emphasised the importance of conducting asylum investigations in a safe environment, particularly for LGBTI people. He acknowledged the difficulty for newly arrived asylum seekers to discuss their sexuality and stated that these investigations must be carried out with respect and sensitivity. Forssell’s comments came amid growing concerns over the Swedish Migration Agency’s handling of LGBTI asylum cases and after that the government agency Statskontoret in a report, commissioned by the government, concluded that the legal certainty in the Swedish Migrations Agency’s assessments of asylum cases has serious shortcomings. Forssell confirmed that the government has not issued new directives to the Migration Agency on handling LGBTI cases.

## SWITZERLAND

In November, the European Court of Human Rights (ECtHR) condemned Switzerland, ruling that the country must re-examine the asylum application of a gay Iranian asylum seeker. The 34-year-old man had fled to Switzerland in 2019, citing mistreatment in Iran due to his sexual orientation, including

insults and physical abuse from his family. Despite this, Swiss authorities rejected his asylum claim, arguing that being gay in Iran, where same-sex relationships are criminalised, was not sufficient grounds for persecution. The ECtHR disagreed, stating that the risk of the man's sexual orientation being discovered in Iran, potentially leading to persecution, was significant. The judgment is not yet final, as Switzerland has three months to refer the case to the Grand Chamber of the ECtHR.

## TURKEY

During five months in a removal centre, a refugee trans woman was subjected to violations of her fundamental rights. Notably, she was kept in a single ward, could not benefit from social areas, could not access HIV medication, and faced discriminatory behaviours. After her release, her identity and health insurance were cancelled, leaving her unable to access vital medication while awaiting deportation.

In Adana, a refugee trans woman's HIV status was disclosed on social media without her permission and she was subjected to intense hate speech. It was alleged that she was killed after being deported to Syria.

## TURKMENISTAN

Asylum remains one of the most urgent needs for the LGBTI community in Turkmenistan.

## UKRAINE

A policy brief by Gender Stream, for the Global Public Policy Institute highlighted the severe impact of Russia's full-scale invasion on the lives of LGBTI IDPs in Ukraine. The study underscored that LGBTI IDPs contend not only with the general difficulties of displacement but also with heightened risks of queerphobic violence and stigma. The study further confirmed that no centralised action exists to specifically assist LGBTI Ukrainians arriving in the EU due to the war in Ukraine and that there are no dedicated programmes at the national level of host countries to help them with border crossing, arrival, accommodation, and integration.

## UNITED KINGDOM

In March, the House of Commons rejected the House of Lords' attempt to amend the Safety of Rwanda Bill, including the proposal to remove the government's mandate requiring judges to deem Rwanda as a safe country of return. The bill, adopted in January, seeks to deter unlawful immigration by enabling the implementation of deportation policies towards Rwanda.

Since its adoption, the bill was subjected to criticism by the Council of Europe's Commissioner for Human Rights, local and

international NGOs, and various UN agencies, who claimed that the arrangement seeks to shift responsibility for refugee protection, and noted that although homosexuality isn't criminalised in Rwanda, many LGBTI people keep their identities hidden to avoid discrimination and abuse, which denies them basic human rights. RainbowMigration also noted that Rwandans have sought asylum in the UK due to discrimination experienced because of their sexual orientation.

In June, Metro reported that while LGBTI refugees often find refuge from severe persecution in Britain, the process of arriving and staying in the country leads many to encounter homelessness and abuse.

In June, a 26-year-old non-binary social media influencer fleeing persecution in Saudi Arabia had their UK asylum claim denied. The Home Office alleged doubts about the authenticity of the applicant's LGBTI identity.

In July, the Supreme Court ruled against an Albanian asylum seeker, allowing her deportation after a six-year litigation process. The applicant had argued that returning to Albania would lead to persecution due to her sexuality and religion, but the tribunal declared not to have found any evidence of such risks.

In October, a gay asylum seeker from Bangladesh appealed his asylum request after it was rejected multiple times due to the Home Office's belief that he lacks a well-founded fear of persecution upon being returned to Bangladesh.

In March 2018, a judge had concluded that an asylum applicant was "trying to pass himself off as gay," dismissing his claim. The judge, who referred to being gay as a "lifestyle," criticised the lack of documentary evidence supporting the applicant's claims and questioned why he did not provide a witness who could corroborate his behavior as a gay man.

In November, Asylos and Rainbow Migration urged the UK government to reconsider Georgia's designation as a 'safe' country under asylum regulations. This followed Georgia's contested elections, the Georgian Dream party's anti-LGBTI legislative campaign, and the introduction of repressive laws that severely restrict the rights of LGBTI people. Concerns were raised that the 'safe' designation increases the risk of returning individuals to a country where they may face persecution and violence.