

# Psychological tests should not be used to check credibility of LGBTI asylum seekers

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in an important development from the Court of Justice of the European Union, psychological testing has been prohibited as an assessment method for . These tests cannot be used to determine an asylum seekers sexual orientation.

In a seminal judgment in the [F v Bevándorlási és Állampolgársági Hivatal](#) case, the CJEU ruled that psychological testing should not be used as a credibility check and is in violation of the right to privacy and dignity enshrined in the Charter of Fundamental Rights of the EU.

The Court paid particular importance to the fact that such tests refer to the most intimate aspect of one's life, and the fact that refugees and asylum seekers undergoing assessment may not necessarily consent to it freely by "being de facto imposed under the pressure of the circumstances".

Considering international human rights standards (including the Yogyakarta principles stipulating "no person may be forced to undergo any form of psychological test on account of his sexual orientation or gender identity"), the Court found that expert reports through psychological testing aimed at determining sexual orientation of the asylum seeker represent a serious interference in person's right to respect for his private life.

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- [Read the Court's official press release here.](#)
  - [The full judgment is also available via the Curia site.](#)