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ASYLUM

ALBANIA

Aleanca supported community members with specialised legal counselling on asylum-seeking procedures in at least seven cases, giving advice on how the process works for those who wish to leave Albania and seek asylum. PINK Embassy received at least 20 requests from community members wanting to migrate for safety reasons.

ARMENIA

Civil society organisations continued to [support](#) LGBTIQ migrants who left Nagorno Karabak, Russia and Ukraine (see [here](#), [here](#), [here](#), [here](#), [here](#) and [here](#)).

BELARUS

Thousands, including LGBTI people, continued leaving the country this year to seek asylum.

LGBTQ people are concerned about the possible introduction of a law banning LGBTQ propaganda and gender reassignment in Belarus and continue to flee the country. However, LGBTQ Belarusians are not granted asylum based on SOGI grounds as the country is wrongly considered safe for LGBTQ people. For example, Moldovan authorities [denied](#) asylum to a queer Belarusian claiming that “there is no evidence that Belarus violates human rights”.

Supported by anonymous initiatives, a trans individual who had suffered persecution could flee the country and is now safe in the EU.

BELGIUM

The so-called “reception crisis” continues, whereby for two years the Belgian government has been seriously failing to accommodate people with dignity during their asylum procedure. This leads to asylum seekers having to survive and sleep on the streets (see [here](#)). The people most impacted by this crisis are single men, including members of the LGBTQI+ community. When people requesting asylum are being granted shelter, the basic safety needs of LGBTQI+ people are usually not met in the main reception centers.

BULGARIA

Bilitis’s humanitarian fund continued to [support](#) LGBT asylum seekers, including from Ukraine. In 2023, 30 asylum seekers received direct financial support, which represents over half of those who made a request.

Deystvie is currently litigating ten cases of LGBTI Russian asylum seekers.

CYPRUS

An asylum seeker was deported to Nigeria although he was at clear risk after Nigerian media had outed him while he was in Cyprus, and even though the appeal against his asylum rejection in Cyprus was still ongoing.

The Cyprus Refugee Council is currently running a project for the integration of LGBTI asylum seekers and refugees in the local LGBTI community.

CZECHIA

The new [Asylum Law](#) includes protection based on SOGI grounds. It allows applicants to request interviews with authorities of the opposite gender, for example, in cases when the applicant is non-heterosexual.

ESTONIA

In April, a first instance court [ruled](#) that the non-gestational mother in a same-sex female couple from Russia could not apply for second parent adoption due to the bilateral agreement between Estonia and Russia on legal relations in civil, family, and criminal matters. The family of three previously received refugee status due to them being a rainbow family.

The family [appealed](#) but the Supreme Court [did not admit](#) the case.

FINLAND

LGBT asylum seekers continued to face difficulties in getting status, due to the application procedure requiring a narrative centred around identity, stigma, and shame. Trans asylum seekers and refugees also continued to be denied access to gender-affirming healthcare, unless they become residents, which can take several years.

FRANCE

Civil society [continued](#) to [call](#) for an end to harassment and violence against migrants and refugees, and a halt to the Darmanin law, that would risk the lives of LGBTIQ+ asylum seekers. Several protests were [held](#) against the law.

GEORGIA

LGBTQ people continued to [flee](#) from Russia and Ukraine

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to Georgia. At the same time, there is ongoing [concern](#) that Georgia is classified by some EU countries as a ‘safe country’, but positively. Some countries [removed](#) Georgia from their list this year.

GERMANY

Civil society firmly [criticised](#) the government’s support for the new EU asylum policy and its failure to advocate for the rights of LGBTIQ* asylum seekers. Civil society [demanded](#) that Germany excludes countries from its safe country list that persecute or criminalise LGBTIQ* people.

In October, the Federal government [approved](#) a bill to speed up the deportation of rejected asylum seekers.

As a positive step, the Ministry of Interior [approved](#) funding for special legal advice services for queer asylum seekers and others deemed vulnerable. Civil society can now apply for funding to provide the service. Also in April 2023 the [new policy on SOGI asylum seekers](#) by the asylum agency BAMF became public - that includes changes that go beyond the [repeal](#) of the so-called discretion requirement that became public in September 2022.

In September 2023 the [first](#) queer persons under the Federal Admission Program Afghanistan arrived in Germany.

GREECE

The government [gave](#) a six-day deadline to civil society to comment on the new immigration law, which civil society [criticised](#) as outdated on LGBTI+ issues and completely [omitting](#) LGBTI+ migrants.

HUNGARY

Several hateful articles were published this year in right-wing media alleging that asylum seekers falsely claim they are queer or trans to get status. Hungary [refused](#) to support the EU’s Asylum Pact.

ICELAND

Civil society [condemned](#) and organised protests against the reform of the asylum system, which further marginalises queer asylum seekers. The new law, [adopted](#) in March, [strips](#) asylum seekers from essential services, including housing, social support and healthcare, 30 days after the application was rejected, civil society came together to protest the law (see [here](#) and [here](#)). In August,

29 NGOs [called on](#) the government to ensure the safety of queer refugees and actively consult civil society.

IRELAND

LGBT Ireland’s [report](#), commissioned by the government, [affirmed](#) Direct Provision centres continue to fail protecting LGBTQ+ asylum seekers from violence and harassment.

KAZAKHSTAN

Hundreds of trans people have reportedly [come](#) to Kazakhstan from Russia in the past year, either because of the war or because of the laws banning so-called ‘LGBT propaganda’.

KYRGYZSTAN

In 2023, there has been a discernible surge in the demand for specialised assistance from LGBT+ organisations in addressing cases pertaining to individuals seeking asylum in other countries.

Given the escalating anti-LGBT+ policies and sentiments in Kyrgyzstan in 2023, for many LGBT+ people residing in other countries, returning home was deemed too dangerous. Consequently, they often seek asylum in their host countries.

MALTA

Civil society [continued](#) to [lobby](#) for the government to [remove](#) all countries that criminalise LGBTIQ+ persons, such as Algeria, Bangladesh, Egypt, and Morocco, from the list of safe countries and to stop processing claims from LGBTIQ+ asylum seekers in accelerated procedures. This year’s March for Peace in June also [addressed](#) these issues.

MOLDOVA

Civil society organised help for LGBT+ people fleeing Ukraine and Russia.

NETHERLANDS

LGBTI asylum seekers continue to be denied status on the basis of stereotypical criteria, unlawfully, and in fast-tracked procedures. LGBT Asylum Support [launched](#) the #NietGayGenoeg (Eng: Not gay enough) campaign and presented their call to the parliament. The group also continued [documenting](#) violence and harassment against LGBTIQ+ asylum seekers in reception centres, while several people were [deported](#) or awaiting deportation.

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Two LGBTIQ+ asylum seekers committed suicide, several others made attempts, and at least six people went on hunger strike this year. The organisation's report found that over half of LGBTI asylum seekers who responded felt unsafe in the asylum application and three-quarters went back into the closet. The organisation held a sit-in during the Pride march in the capital in July.

A 21-year-old transgender refugee from Russia committed suicide in an asylum camp in Drachten.. She had previously complained about the unavailability of hormone therapy.

RUSSIA

Many LGBTI people, including activists and those working in LGBT* organisations continued leaving Russia this year, particularly since the adoption of the 2022 propaganda law. Several LGBTI organisations continued to provide information on options and support for those who have left. Following the entry into force of the laws banning medical and legal transition (see under Health; and Legal Gender Recognition), civil society launched a petition asking European leaders to ensure smooth asylum procedures for trans people from Russia.

LGBTI people leaving Russia faced difficulties with getting a visa and crossing borders because of visa and entry restrictions for Russian citizens in several countries.

SERBIA

Civil society organisations held a series of training events for state institutions on supporting LGBTI+ asylum seekers and refugees.

SLOVAKIA

LGBTI+ and particularly trans asylum seekers from Ukraine faced serious challenges in access to gender-affirming healthcare and NGOs recommend they go to Czechia or other European countries within their reach to the West instead (see under Health).

SLOVENIA

Civil society continued supporting LGBT people fleeing Ukraine. The opening of the Pride Festival addressed the lack of adequate protection awarded to LGBTIQ+ asylum seekers in Slovenia.

SPAIN

The Ministry of Interior shared that approximately 10% of

all asylum applicants are LGBTI+, but the acceptance rate of their claims dropped from 16% to 10% between 2020 and 2021, as reported by KifKif.

SWEDEN

In August, RFSL released a new report, based on 1,360 decisions and judgments in LGBTI asylum cases between 2020–2023, which found that 96% of the decisions led to rejection; that LGBTI applicants rarely receive an individual examination; that the 'discretion requirement' and stereotypical requirements are both still applied; and that applicants are deported to home countries that criminalise LGBTI people, including with the death penalty. RFSL reminds that LGBTQI refugees remain a priority group in the governing coalition's agreement, which also sets out a review of the asylum process to improve procedures for LGBTQI applicants. In response to the report, the government promised to investigate the issues outlined.

TAJIKISTAN

Due to stigma and discrimination in society and family, as well as many cases of violations by law enforcement agencies, such as extortion, cases of blackmail, etc., many representatives of the LGBT community are forced to seek asylum in European countries. There are more than five cases where representatives of LGBT communities received asylum in European countries.

TURKEY

LGBTQ+ Syrian refugees faced exclusion, discrimination and harassment in the aftermath of the February earthquake, which killed thousands and left millions displaced.

In June, the Iranian LGBTI+ refugee and activist Elyas Torabibaeskendari was detained at the Istanbul Pride march and threatened with deportation. Family members and human rights organisations held a press conference urging his release, citing violations of international agreements. He was released a month later.

A report about a Portuguese man targeted as gay, arrested on the day of Istanbul Pride and detained for 20 days revealed the condition of repatriation centres in Turkey.

TURKMENISTAN

The government's control over people trying to leave the

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country continued to grow. The waiting time to apply for an international passport is currently a year and the provision of appointments was suspended in October. Turkey detained and deported many back to Turkmenistan, including human rights defenders, and some of them have reportedly gone missing since. Thousands of Turkmen migrants left Turkey for Russia this year.

Civil society also reported that visas in general have been close to impossible to get and that even visa holders risk being stopped at the border.

UKRAINE

As of November, over six million people are living outside Ukraine as a consequence of the war. Trans people continued reporting harassment and discrimination when trying to cross the border. Many people who had fled the war, returned to Ukraine this year.

UNITED KINGDOM

The Illegal Migration Act was adopted in July. Lawmakers vowed it would not be used to expel LGBTQ+ asylum seekers to their home or a third country, but civil society is concerned that it will do just that.

In September, Home Secretary Suella Braverman said asylum seekers “pretend to be gay” to receive status and that facing discrimination because of being a woman or LGBTQ+ person is no grounds to get protection. A protest was held in London and over 200 human rights groups signed a joint letter to PM Rishi Sunak, demanding that the UK government respect and protect women and LGBTQ+ people. UNHCR warned the UK should not restrict its asylum definition.