Seeking refuge without harassment, detention or return to a “safe country”

Policy Paper, Safety, Asylum, European Union

A significant number of people applying for asylum in EU Member States are lesbian, gay, bisexual, trans or intersex (LGBTI). Some of them flee persecution unrelated to their sexual orientation or gender identity (e.g. their political activity) while others are at risk of persecution precisely because of their sexual orientation or gender identity. In both cases, their sexual orientation or gender identity can be a ground for protection under the Refugee Convention and under EU asylum law, depending on the situation in their home country and on their case.

On top of that, LGBTI asylum seekers are often at risk of additional danger during their journey and upon arrival in the country where they seek asylum, which can take the form of harassment, exclusion, sexual violence, or other forms of violence. Often but not always, they qualify as vulnerable persons with specific needs in terms of legal assistance, reception conditions, healthcare, etc.

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