AFGHANISTAN LGBTIQ+ ORGANIZATION

NO WAY OUT

Violence, Pushbacks, and the Failure of Protection for Afghan LGBTIQ+ Refugees

June 2026

About the Afghanistan LGBTIQ+ Organization (ALO)

The Afghanistan LGBTIQ+ Organization (ALO) is an Afghan-led human rights organization working to protect and advance the rights, safety, and dignity of LGBTIQ+ Afghans, including refugees, asylum seekers, and people on the move. Established in response to the urgent protection needs of Afghan LGBTIQ+ communities, ALO works at the intersection of emergency support, refugee protection, documentation, international advocacy, and accountability.

ALO provides direct assistance to LGBTIQ+ Afghans at risk, including individuals facing persecution, displacement, family violence, forced marriage, detention, homelessness, and barriers to asylum and relocation. Alongside this protection work, ALO documents human rights violations and engages with international and regional mechanisms to ensure that the experiences of Afghan LGBTIQ+ people are recognised within broader discussions on Afghanistan, forced displacement, gender persecution, refugee protection, and justice.

This report is part of ALO's ongoing effort to make visible the realities faced by Afghan LGBTIQ+ refugees and asylum seekers whose experiences are often excluded from mainstream refugee and human rights analysis. It is grounded in the testimonies of Afghan LGBTIQ+ people themselves and reflects ALO's commitment to survivor-centred, trauma-informed, and community-based documentation.

The report was researched and produced by ALO. The research involved qualitative interviews with Afghan LGBTIQ+ refugees and asylum seekers, complemented by in-person fieldwork in Greece with people on the move.

Content warning: This report contains accounts of physical violence, sexual violence, torture, persecution, and trauma. Some readers may find certain passages distressing. The accounts are presented with care, using trauma-informed language, and are included because they are essential to documenting and understanding the human rights violations experienced by Afghan LGBTIQ+ people.

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Executive Summary

This report documents the experiences of Afghan LGBTIQ+ refugees, asylum seekers, and people on the move during displacement from Afghanistan and neighbouring countries towards Europe. Based on qualitative interviews with 25 Afghan LGBTIQ+ individuals conducted by the Afghanistan LGBTIQ+ Organization (ALO), the report reveals how Afghan LGBTIQ+ people face multiple and intersecting layers of violence at every stage of their journeys: persecution in Afghanistan, abuse in transit countries, violence during migration, systematic border violence, sexual violence, exploitation by smugglers and authorities, and continued discrimination after arrival in Europe.

The findings demonstrate a cascading chain of protection failures. Participants fled Afghanistan under Taliban rule, where LGBTIQ+ people face imprisonment, torture, and execution. They transited through Iran and Türkiye, where they were unable to access meaningful asylum procedures or legal status. They undertook dangerous irregular journeys through the Balkans and across the Mediterranean, where they experienced beatings, robbery, sexual violence, and pushbacks by border authorities. Upon arrival in Europe, many continue to face homophobic and transphobic violence from other migrants, discrimination in reception facilities, and inadequate support from authorities.

The central finding of this report is that the overwhelming majority of the harms documented in these interviews occurred because Afghan LGBTIQ+ people lacked access to safe, legal, and accessible protection pathways. Participants were forced into dangerous irregular journeys because legal pathways were unavailable. Many attempted to seek protection through existing systems but were unable to access them. The current refugee protection architecture systematically fails Afghan LGBTIQ+ people. Dedicated humanitarian pathways, humanitarian visas, emergency evacuation mechanisms, and LGBTIQ+-sensitive protection measures could have prevented many of the documented abuses.

The report analyses these findings against international and European legal frameworks, including the 1951 Refugee Convention, the European Convention on Human Rights, the EU Charter of Fundamental Rights, and the Yogyakarta Principles. It also examines the implications of the European Union's new Migration and Asylum Pact, which enters into application in June 2026, and assesses the risks it poses to LGBTIQ+ asylum seekers. The report concludes with detailed recommendations addressed to EU institutions, Member States, UNHCR, and civil society.

Key Findings

The findings derive from 25 interviews, of which 15 are referenced in detail and 10 informed the thematic analysis without being reproduced for safety reasons. The findings draw on all twenty-five testimonies; the fifteen referenced by pseudonym in the chapters that follow are situated in a wider body of secondary evidence from UN bodies, international NGOs, courts, and academic sources.

1. Persecution by the Taliban is systematic, gendered, and inescapable

Participants who remained in or fled Afghanistan after August 2021 described an environment of generalised and gendered terror. Taliban patrols, informants, and family or community members systematically target Afghan LGBTIQ+ people through verbal abuse, physical violence, sexual assault, forced marriage, and threats of execution. The Taliban's 2024 "Law on the Promotion of Virtue and the Prevention of Vice" has formalised the moral police's discretionary powers to detain, fine, and imprison those they consider non-conforming, including LGBTIQ+ people, with no judicial oversight.

2. Family and community violence is a primary driver of flight

In many cases, the first persecutor is not the State but the family. Participants described being beaten by fathers, brothers, and uncles; threatened with denunciation to the Taliban; pressed into forced marriages; and rendered homeless when their identities were discovered. For lesbian and queer women, forced marriage and the threat of "honour"-based violence often combined with restrictions on movement and education to make flight effectively impossible without male assistance and acute personal risk.

3. Neighbouring and transit countries are not safe alternatives

Iran, Pakistan, and Türkiye each criminalise or stigmatise LGBTIQ+ identity, deny meaningful access to UNHCR registration or national protection in many cases, and have engaged in mass forced returns of Afghan nationals — including approximately 2.8 million Afghans returned from Iran and Pakistan in 2025 alone, of whom around two-thirds were forcibly returned according to UNHCR.

4. Border violence at European frontiers is systemic, documented, and continuing

Participants experienced beatings, theft, forced stripping, denial of asylum access, and violent pushbacks at the Türkiye–Greece, Türkiye–Bulgaria, Bosnia–Croatia, and other borders. These accounts are consistent with — and corroborated by — extensive documentation by the European Court of Human Rights, the Council of Europe, Human Rights Watch, Amnesty International, the Border Violence Monitoring Network, the Greek Council for Refugees, and the European Centre for Constitutional and Human Rights.

5. Sexual violence is widespread, gendered, and rarely investigated

Lesbian, queer, and transgender women, as well as gay men, described being raped or sexually assaulted by smugglers, fellow people on the move, and in two reported cases by border officials. These accounts mirror an established global pattern in the literature on sexual and gender-based violence in migration, in which LGBTIQ+ people on the move are exposed to elevated risks because of their visibility, isolation, and lack of trusted protection networks.

6. Concealment is a survival strategy with profound mental-health costs

Most participants reported having to conceal their identity throughout their journey, and many continue to conceal it after arrival in Europe because of the presence of other Afghans and migrants in reception centres and cities. International jurisprudence has explicitly rejected concealment as a reasonable expectation; the experiences documented here demonstrate how concealment is nevertheless coerced by ongoing protection failures.

7. "Europe" is not the safety it was imagined to be

Participants who reached Germany, Austria, France, Belgium, the Netherlands, Italy, and Switzerland described meaningful improvements in safety, freedom, and dignity — but also persistent racism, homophobia and transphobia, often from other migrants and sometimes from European nationals, with reports of inadequate police response. For some, the gap between expectation and experience has produced acute distress.

8. The international protection system has structurally failed Afghan LGBTIQ+ people

There are no dedicated humanitarian visa regimes for Afghan LGBTIQ+ people. Germany's Bundesaufnahmeprogramm Afghanistan was suspended in July 2025 with thousands of commitments unfulfilled. Resettlement places are limited and shrinking. The EU Migration and

Asylum Pact, applicable from June 2026, introduces accelerated border procedures, expanded "safe third country" concepts, and externalisation arrangements that will further restrict access to asylum without any LGBTIQ+-specific safeguards. Frontex has been credibly implicated in pushbacks, and accountability mechanisms remain limited.

9. The harms are linked: the failure of pathways drives the violence

The single most important conclusion of this report is that the violence, exploitation, and protection failures documented in these testimonies are not separate misfortunes but a connected pattern. Where pathways are closed, smuggling and irregular journeys become the only option; where irregular journeys are the only option, sexual violence, abuse, robbery, and death follow; and where border regimes prioritise deterrence over protection, those harms multiply. Opening dedicated, well-funded, LGBTIQ+-sensitive humanitarian pathways and resettlement programmes is therefore not merely a humanitarian gesture but a measurable, evidence-based harm-reduction strategy.

10. The pattern is global — and so must be the response

Afghan LGBTIQ+ people are not the only group failed in this way. The structural deficiencies of the international protection system — its lack of LGBTIQ+-sensitive procedures, its reliance on irregular journeys, its incompatibility with the right to seek asylum — produce comparable patterns of harm for LGBTIQ+ refugees from Uganda, Russia, Iran, Cameroon, and other contexts. The recommendations of this report should be read accordingly: as a contribution to the wider reform of international refugee protection for all LGBTIQ+ people forced to flee.

Methodology

Research Design and Approach

This report is based on qualitative research conducted by the Afghanistan LGBTIQ+ Organization (ALO) between 2025 and 2026. The interviews document experiences of Afghan LGBTIQ+ refugees, asylum seekers, and people on the move whose journeys and protection concerns occurred between 2018 and 2026. The report was designed to document the experiences of Afghan LGBTIQ+ refugees, asylum seekers, and people on the move during displacement from Afghanistan and neighbouring countries towards Europe. The purpose of the research is to identify patterns of violence and persecution, document protection gaps, and generate evidence to support policy advocacy and programmatic responses.

Twenty-five Afghan LGBTIQ+ individuals participated in the research. Interviews were conducted primarily online using secure communication platforms. In addition, ALO researchers travelled to Greece and conducted in-person interviews with Afghan LGBTIQ+ people on the move in order to better understand the conditions and risks faced by those still in transit. Participants were known to the organization through ALO's previous support and protection work; many had sought assistance from ALO at various stages of their displacement.

Participants represent a range of sexual orientations, gender identities, migration routes, and destination countries. Participants included gay men, lesbian women, bisexual men and women, transgender women, and queer women. The migration routes described by participants span Afghanistan, Iran, Türkiye, Greece, Bulgaria, North Macedonia, Albania, Montenegro, Bosnia and Herzegovina, Croatia, Slovenia, Italy, Switzerland, Austria, Germany, France, Belgium, the Netherlands, and Spain.

Scope and Limitations

This is qualitative research. The findings are not statistically representative of all Afghan LGBTIQ+ refugees or of the broader Afghan displaced population. The purpose of the research is to document patterns, lived experiences, and protection concerns through in-depth individual testimony. The findings should be understood as survivor testimony and qualitative evidence that illuminate the human dimensions of displacement and identify areas requiring urgent policy attention.

The sample size of 25 participants provides meaningful qualitative insight but cannot capture the full diversity of Afghan LGBTIQ+ displacement experiences. Participants who were in contact with ALO may have different characteristics from those who have not sought organizational support. Certain populations, including intersex individuals are not represented in the current sample. The perspectives of those who did not survive their journeys, or who remain in Afghanistan or transit countries without access to communication, are necessarily absent from the record.

Evidence Standards

The report distinguishes between firsthand experiences reported by participants, direct observations, and secondhand information. Where participants reported events they witnessed directly, these are presented as firsthand testimony. Where participants reported information they heard from others, such as reports of violence against other LGBTIQ+ people or conditions in locations they did not personally visit, this is clearly identified as secondhand or reported information and is not presented as verified fact. Cautious language is used throughout to reflect the level of certainty warranted by the evidence.

Ten of the 25 interviews, conducted in person in Greece with LGBTIQ+ people on the move, are not reproduced in detail in this report. ALO made the decision to withhold these accounts because many of these individuals remain in precarious situations in Greece and sharing detailed personal narratives could place them at risk. The themes and patterns emerging from these interviews, however, informed the broader analysis presented in this report. These participants shared accounts of beatings, sexual violence, rape, forced undressing by police, harassment by smugglers, and persecution by other people on the move related to their gender identity and sexual orientation.

Ethical Considerations

Trauma-informed approach. All interviews were conducted using a trauma-informed methodology. Interviewers were trained in sensitive interviewing techniques and ensured that participants controlled the pace, depth, and scope of their testimony. Participants were informed that they could pause, skip questions, or withdraw at any time without consequence.

Informed consent. All participants provided informed consent prior to their interviews. They were informed about the purpose of the research, how their testimony would be used, the measures taken to protect their identities, and their right to withdraw.

Confidentiality and anonymization. All names used in this report are pseudonyms. Identifying details that could place participants at risk have been removed or concealed. Precise locations of participants currently in precarious situations, including those in Greece or other transit locations, are not disclosed. Information that could reveal current whereabouts has been excluded.

Do-no-harm principles. The research was guided by do-no-harm principles throughout. ALO assessed potential risks to participants before, during, and after the research process. Decisions about what to include in the report were made with the safety and wellbeing of participants as the primary consideration. This is why the detailed testimonies of the ten participants interviewed in Greece are not published.

Survivor-centred approach. The research centres the experiences, voices, and agency of participants. Participants' own words are used throughout the report to ensure that their perspectives are represented accurately and that the analysis remains grounded in lived experience.

Background: Afghanistan and the Forced Displacement of LGBTIQ+ People

Afghanistan under Taliban rule is among the most dangerous places in the world for LGBTIQ+ people. Since the Taliban's return to power in August 2021, the persecution of individuals on the basis of sexual orientation and gender identity has intensified dramatically. Same-sex conduct has long been criminalized under Afghan law, including under the 2018 Penal Code, which prescribes imprisonment[1]. Under Taliban rule, Sharia law permits the death penalty for same-sex relations. Taliban officials have publicly stated that gay men may face execution by stoning or by having a wall collapsed onto them.

In August 2024, the Taliban ratified the Law on the Promotion of Virtue and the Prevention of Vice[2], commonly known as the "morality law," which further codified restrictions and expanded the enforcement powers of authorities to police and punish perceived moral transgressions without judicial process or appeal. Reports have documented the flogging of individuals accused of sodomy, torture in detention including rape, electrocution, strangulation, and beating with metal chains, and the targeting of transgender and gender-nonconforming individuals at checkpoints.

1 Government of the Islamic Republic of Afghanistan, Penal Code of 2017 (in force from 2018), Articles 645–649 (criminalising same-sex sexual conduct).

2 Taliban de facto authorities, Law on the Promotion of Virtue and the Prevention of Vice (August 2024). For analysis, see UN Assistance Mission in Afghanistan (UNAMA), Human Rights Update (2024–2025).

In January 2025, the Prosecutor of the International Criminal Court (ICC) requested arrest warrants for the Taliban Supreme Leader and the Chief Justice[3] for the crime against humanity of gender persecution, explicitly naming the LGBTQI+ community among the victims. This marked the first time that LGBTIQ+ people were named as victims of gender persecution in an ICC case. The warrants were issued in July 2025[4]. The European Union Agency for Asylum (EUAA) Country Guidance on Afghanistan (2024)[5] concludes that the acts committed against LGBTIQ+ individuals in Afghanistan amount to persecution and that a well-founded fear of persecution for Afghan LGBTIQ+ people would in general be substantiated.

The experiences documented in this report must be understood against this backdrop. Every participant in this research fled because of persecution linked to their identity. Their stories illustrate not only the severity of conditions in Afghanistan but also the systemic failure of the international community to provide accessible protection to those fleeing one of the most well-documented patterns of identity-based persecution in the world.

3 International Criminal Court, Office of the Prosecutor, "Statement of the ICC Prosecutor Karim A.A. Khan KC on the applications for arrest warrants in the Situation in Afghanistan", 23 January 2025, https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-afghanistan.

4 International Criminal Court, "Situation in Afghanistan: ICC Pre-Trial Chamber II issues arrest warrants for Haibatullah Akhundzada and Abdul Hakim Haqqani", 8 July 2025, https://www.icc-cpi.int/news/situation-afghanistan-icc-pre-trial-chamber-ii-issues-arrest-warrants-haibatullah-akhundzada.

5 European Union Agency for Asylum (EUAA), Country Guidance: Afghanistan (2024), section on persons perceived to transgress moral codes (including LGBTIQ+ persons).

Context: The Regional and European Protection Landscape

Transit Countries: Iran and Türkiye

For Afghan LGBTIQ+ people fleeing persecution, Iran and Türkiye are the most common first countries of transit or temporary refuge. Neither country provides a safe or sustainable environment for LGBTIQ+ refugees.

Iran criminalizes same-sex conduct and imposes severe penalties, including the death penalty. Afghan refugees in Iran face widespread discrimination, exploitation, and the constant threat of deportation. In 2025, Iran expelled an unprecedented number of Afghans: UNHCR reported that approximately 1.8 million Afghans returned from Iran over the course of the year[6], the large majority of them forcibly. Returns accelerated sharply following Iran's 20 March 2025 deadline requiring undocumented Afghans to leave, with daily crossings into Afghanistan peaking at over 28,000 in late June 2025[7]. Afghan LGBTIQ+ individuals in Iran face compounded vulnerabilities: persecution on the basis of nationality and sexual orientation or gender identity simultaneously.

Türkiye is a party to the 1951 Refugee Convention[8] but maintains a "geographical limitation," recognizing full refugee status only for persons fleeing events in Europe. Afghans in Türkiye can only access "conditional refugee status," which provides no pathway to local integration and

6 UNHCR, Afghanistan Situation Operational Update and year-end returns reporting (December 2025); UNHCR press briefing, "Nearly 2.8 million Afghan refugees returned from Iran and Pakistan in 2025", December 2025.

7 International Organization for Migration (IOM), "Record 256,000 Afghan Migrants Return from Iran as IOM Warns of Dire Funding Shortfall", 30 June 2025, https://www.iom.int/news/record-256000-afghan-migrants-return-iran-iom-warns-dire-funding-shortfall.

8 Convention Relating to the Status of Refugees, adopted 28 July 1951, 189 UNTS 137, entered into force 22 April 1954; Protocol Relating to the Status of Refugees, adopted 31 January 1967, 606 UNTS 267, entered into force 4 October 1967.

depends entirely on eventual resettlement to a third country. Multiple participants in this research reported being unable to register for asylum in Türkiye despite repeated attempts. Participants described living without documentation, working informally, sleeping in parks and mosques, and living in constant fear of detention and deportation. Human Rights Watch has documented that Afghan men in Türkiye have been denied registration[9], detained, and pressured to sign "voluntary return" forms. LGBTIQ+ refugees in Türkiye face additional risks: ILGA-Europe places Türkiye 47th out of 49 European and Central Asian countries for LGBTIQ+ rights[10], and the Kaos GL Association has documented housing discrimination, physical and sexual violence, and anti-LGBTIQ+ political rhetoric targeting refugee communities[11].

The combination of legal barriers, practical inaccessibility of asylum procedures, and pervasive anti-LGBTIQ+ discrimination makes Türkiye an untenable long-term host environment for Afghan LGBTIQ+ refugees. This is the context in which participants in this research made the decision to undertake dangerous irregular journeys towards Europe.

Europe: An Increasingly Restrictive Landscape

The European Union is undergoing a significant shift in its approach to migration and asylum. The political environment in many Member States has moved towards restriction, deterrence, and externalization. Far-right and anti-immigration political movements have gained electoral strength across the continent, and mainstream parties have adopted increasingly restrictive positions in response. Several Member States have reintroduced internal Schengen border controls, expanded detention, and signalled willingness to pursue deportations to countries previously considered unsafe, including Afghanistan.

For LGBTIQ+ asylum seekers, these trends are particularly concerning. The convergence of anti-migration and anti-LGBTIQ+ political sentiment creates a hostile environment in which protection claims based on sexual orientation or gender identity may be viewed with increased scepticism. The safe third country concept, which is being expanded under new EU legislation, threatens to return Afghan LGBTIQ+ people to countries such as Türkiye where they cannot access effective protection.

The EU Migration and Asylum Pact and the Shrinking Right to Asylum

Between 2020 and 2024, the European Union completed the negotiation and adoption of the New Pact on Migration and Asylum, a sweeping reform of EU asylum and migration law that came into effect from 12 June 2026. The Pact includes ten legislative acts, most prominently the Screening Regulation, the Asylum Procedure Regulation (APR), the Asylum and Migration

9 Human Rights Watch, reporting on Afghan refugees and asylum-seekers in Türkiye (2022–2025), including World Report chapters and country-specific dispatches.

10 ILGA-Europe, Rainbow Map and Index (most recent annual edition), https://www.ilga-europe.org/report/rainbow-europe/.

11 Kaos GL Association, annual reports on human rights of LGBTI+ refugees and asylum-seekers in Türkiye, https://kaosgl.org/en.

Management Regulation (AMMR), a recast Eurodac Regulation, a Crisis Regulation, and a Return Border Procedure Regulation. The Pact's central architectural change is the introduction of mandatory, accelerated border procedures applicable at the EU's external borders to all applicants whose nationality has, in the preceding calendar year, an EU-wide recognition rate of less than 20 per cent — a category that, in 2025, accounted for roughly half of all asylum applications.

The Pact has been criticised by the European Council on Refugees and Exiles (ECRE), Amnesty International, Human Rights Watch, the European Network Against Racism, the Office of the United Nations High Commissioner for Refugees, the European Union Agency for Fundamental Rights, and a wide range of civil society organisations and academic commentators[12]. ECRE has warned that the[13] "frontloading" of the Pact risks producing "a return to selective implementation" in which Member States prioritise measures that "most severely erode the right to asylum" and questions the Pact's compatibility with "the very ius cogens nature of the non-refoulement principle."

The Pact contains no LGBTIQ+-specific provisions. It does not require Member States to ensure that border procedures meet the special procedural needs of LGBTIQ+ applicants; it does not exempt LGBTIQ+ applicants from accelerated procedures; and it does not require the training of border officials or border procedure decision-makers on SOGIESC issues. The implications for Afghan LGBTIQ+ people, who in 2025 represented the second-largest group of applicants in the EU+ and who arrived predominantly via the Eastern Mediterranean route, are particularly serious. Afghan applicants may face accelerated procedures, prolonged detention-like conditions at the external border, expedited returns, and limited opportunity to disclose SOGIESC-related claims in safe and confidential settings.

Externalisation and the Closing of Pathways

Parallel to the development of the Pact, the EU and its Member States have engaged in a series of externalisation arrangements with non-EU States, seeking to displace responsibility for the reception, processing, and protection of asylum seekers to countries outside the Union. These include the 2016 EU–Turkey Statement[14]; the July 2023 EU–Tunisia Memorandum of Understanding[15]; the March 2024 EU–Egypt comprehensive strategic partnership[16]; and the November 2023 Italy–Albania Protocol (ratified February 2024)[17]. The UK–Rwanda scheme, ruled

12 See, e.g., European Council on Refugees and Exiles (ECRE), commentary on the Pact on Migration and Asylum (2024–2026); Amnesty International, public observations on the Pact; Human Rights Watch, dispatches and World Report chapters; European Network Against Racism (ENAR), policy briefings; UNHCR, observations on the Pact; European Union Agency for Fundamental Rights (FRA), opinions and reports on the Pact.

13 European Council on Refugees and Exiles (ECRE), policy notes and commentary on the implementation of the Pact on Migration and Asylum (2024–2026), https://ecre.org/.

14 European Council, EU–Turkey Statement, 18 March 2016, https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/.

15 European Commission, Memorandum of Understanding on a Strategic and Global Partnership between the European Union and Tunisia, signed 16 July 2023.

16 European Commission, Joint Declaration on the Strategic and Comprehensive Partnership between the Arab Republic of Egypt and the European Union, March 2024.

17 Protocol between the Government of the Italian Republic and the Council of Ministers of the Republic of Albania for the Strengthening of Cooperation in Migration Matters, signed in Rome on 6 November 2023; ratified by Italian Law no. 14/2024 of 22

unlawful by the UK Supreme Court in November 2023[18] and formally scrapped by the new UK government in July 2024, is the most visible failure of this approach but not, by any means, the only attempt.

These arrangements rest on the assumption that the host States are or can be designated as "safe" for asylum seekers. In an important judgment of 1 August 2025, the Court of Justice of the European Union ruled that a Member State cannot designate a country as[19] "safe" unless that country protects "the entirety of the population," striking a significant blow against the legal basis of several externalisation schemes. The judgment is particularly important for LGBTIQ+ asylum seekers, since countries that criminalise or systematically discriminate against LGBTIQ+ people cannot meet that standard. But the political momentum behind externalisation continues, and the European Commission's October 2024 proposal on "return hubs"[20] indicated that the policy direction is not yet decisively reversed.

Read together with the suspension and dismantling of safe pathways — and most strikingly the suspension of Germany's Bundesaufnahmeprogramm Afghanistan (BAP) in July 2025[21], examined in detail in the chapter on Systemic Gaps below — the picture that emerges is of an EU asylum system increasingly closed to those who need it most. Afghan LGBTIQ+ people are not a marginal case in this broader contraction. They are among its most direct victims.

February 2024.

18 R (AAA and others) v Secretary of State for the Home Department [2023] UKSC 42, judgment of 15 November 2023.

19 Court of Justice of the European Union, Alace and Canpelli, Joined Cases C-758/24 and C-759/24, Grand Chamber judgment of 1 August 2025.

20 European Commission, Communication on a Common Approach to Returns, October 2024.

21 German Federal Ministry of the Interior, suspension of the Bundesaufnahmeprogramm Afghanistan, July 2025; Verwaltungsgericht Berlin (Berlin Administrative Court), judgment of July 2025 on the implementation of existing BAP admission commitments.

Routes and Patterns of Displacement

The migration routes described by participants in this research reflect the well-documented corridors used by Afghan refugees and migrants moving towards Europe. The journeys described are long, dangerous, and marked by violence at multiple stages.

The typical pattern begins with departure from Afghanistan, often facilitated by smugglers, into Iran. From Iran, participants crossed into Türkiye, where some remained for periods ranging from weeks to several years. From Türkiye, the majority of participants attempted to enter Greece, either overland through the Evros region or by sea to the Aegean islands. Several participants made multiple attempts, being pushed back each time before eventually succeeding or finding alternative routes.

From Greece, participants described two primary onward routes. The Western Balkan route passed through Albania, Montenegro, Bosnia and Herzegovina, Croatia, Slovenia, and into Italy or Austria, before continuing to Germany, France, Belgium, or the Netherlands. Some participants described an alternative route through Bulgaria and onwards. A smaller number reached Italy directly by sea from Türkiye or Greece.

Participants described using combinations of walking through forests and mountains, paying for vehicle transport arranged by smugglers, taking public buses and trains where possible, and at times travelling alone after separating from smuggling groups. Journey durations ranged from several weeks to several months, with many participants spending extended periods in transit countries earning money to fund the next stage of their journey.

Amir's account, set out below, illustrates a typical Western Balkan trajectory. Like several other participants, he described his route in terms of the countries he transited towards his final destination, omitting shorter onward crossings (in his case, through Austria) that he treated as part of the final leg into Germany.

> *"I traveled through Turkey, Greece, Albania, Montenegro, Bosnia, Croatia, Slovenia, and Italy in order to reach Germany. I traveled some parts by car, some parts through forest routes, and other parts by train, depending on the country I was crossing." — Amir, gay man*

A critical finding across all interviews is the number of failed border crossing attempts. Multiple participants described being pushed back three, four, or more times before succeeding in entering Greek or European Union territory. Each failed attempt exposed participants to additional violence, loss of resources, and psychological harm, extending their journeys and deepening their vulnerability.

Thematic Findings

1. Root Causes of Flight

Every participant in this research identified persecution related to their sexual orientation or gender identity as a primary reason for leaving Afghanistan or their country of first asylum. The forms of persecution described were severe, sustained, and frequently life-threatening.

Taliban Persecution

Participants who remained in Afghanistan after the Taliban's return to power in August 2021 described an environment of extreme danger. Samir described how he and his partner were tortured by the Taliban after their relationship was discovered, and how they escaped only by paying a bribe. Haseeb recounted receiving threats from relatives who intended to turn him over to the Taliban. Nazanin, a transgender woman, described being tortured by the Taliban because of her identity.

> *"My boyfriend and I were brutally attacked on the very day of his birthday, February 3, 2024, a day I will never forget because I came close to death." — Saeed, gay man*

Family Violence and Forced Marriage

Family-based persecution was reported by the majority of participants. Ehsan described being repeatedly beaten and tortured by his father and brothers after they discovered his sexual orientation. Haseeb's family beat him for not conforming to masculine norms and called him "Izak," a derogatory term used in Afghanistan to insult LGBTIQ+ people. Azad described being forced to leave Iran because of pressure from his family due to his sexual orientation.

For women participants, family violence and forced marriage were deeply intertwined with LGBTIQ+-specific persecution. Aziza, a lesbian woman, was forced into marriage with a man, experienced domestic violence throughout the marriage, and described feeling violated. Soraya described the enormous pressure of forced marriage as a lesbian woman under Taliban rule, where she was expected to marry a neighbour's son despite her sexual orientation.

> *"I am a woman and a lesbian, and I faced a lot of persecution and discrimination because of the Taliban. I could not study, I could not work, I was under tremendous pressure of forced marriage. If someone knew I am lesbian I could get killed." — Soraya, lesbian woman*

Social Exclusion and the Intersection of Gender and Sexuality

Participants described how the intersection of gender nonconformity and sexual orientation created compounded vulnerability. Ahmad described being stopped by the Taliban because of his appearance and being told he "acts like girls." Saeed described how, from a young age, he was treated differently and abusively compared to his brothers. For lesbian women and queer women, the restrictions imposed on all women under Taliban rule, including bans on education, employment, and movement without a male guardian, compounded the persecution they faced because of their sexual orientation.

2. Border Violence and Pushbacks

Border violence emerges as one of the most consistent and pervasive findings of this research. The testimonies describe a pattern of violent, systematic, and unlawful practices by border authorities, with the most severe violence reported at the Greece–Türkiye border, followed by the Bulgarian and Croatian borders.

Greece

Participants who attempted to cross from Türkiye into Greece described experiencing severe violence by Greek border police with striking consistency. The accounts describe beatings, forced stripping, confiscation of money, phones, and all personal belongings, and forcible return to Türkiye without any opportunity to claim asylum. These accounts are consistent across multiple participants, over different years, and through both land and sea routes, indicating a pattern that is systematic rather than incidental.

> *"Every time I tried to cross, I was beaten by the Greek police. They took all our money and everything I had, removed our shoes, and told me to go back to where I came from." — Saber, gay man*

Ehsan described being beaten "almost to death" during his first attempt to enter Greece, then being stripped naked and having all belongings confiscated. He attempted to enter Greece four times; during the fourth attempt, he escaped from border guards' gunfire only by chance and with the help of other refugees. Hussain described being beaten so severely on his first attempt that a friend suffered severe bleeding in his leg. Saber described how Greek police took belongings from boats at sea, threw the engine overboard, and pushed people into Turkish waters.

Critically, Azad reported that he told Greek border police he was gay and asked for protection, but they ignored him, beat him, and deported him to Türkiye. Amir described a similar experience: Greek police appeared to recognise that he was gay based on his appearance, pointed at him, spoke among themselves in Greek, and laughed, but offered no assistance and never asked whether he wished to apply for asylum.

> *"In Greece, I told the border police that I am gay, but they ignored me, beat me, and deported me to Turkey. Because of this, I was forced to try again to reach Germany." — Azad, gay man*

> *"the Greek police mocked me because of my feminine behavior. I even wanted to tell them that I was gay … but I realized that my words meant nothing to them." — Amir, gay man*

These testimonies describe practices that are consistent with findings from the Border Violence Monitoring Network (BVMN), Human Rights Watch, Amnesty International, and the European Court of Human Rights. In January 2025, the ECtHR confirmed the existence of a "systematic practice" of pushbacks by Greece[22], finding violations of Articles 3 and 13 of the European Convention on Human Rights. Among the participants in this research who described attempted irregular crossings into Greece, none reported being screened for protection needs, registered as an asylum seeker, or given a meaningful opportunity to request asylum by Greek border authorities during the border encounter itself. This finding does not refer to later asylum or protection-related interactions participants may have had in other European countries after leaving Greece.

Bulgaria

Haseeb described his experience at the Bulgarian border in particularly stark terms. After being apprehended by Bulgarian border police, he told them in English that he was gay and that his life would be at risk if he were returned. The officers responded with increased aggression. One officer called him a homophobic slur in English while continuing to beat him. The officers confiscated his phone and money and returned him to Türkiye, where Turkish authorities subsequently deported him to Afghanistan.

> *"Instead of helping me, the officers became more aggressive. One officer called me a 'faggot' in English while they continued to beat me. I was humiliated and helpless." — Haseeb, gay man*

22 European Court of Human Rights, A.R.E. v. Greece, Application No. 15783/21, judgment of 7 January 2025.

Haseeb's case represents one of the most severe outcomes documented in this research: a chain of deportation from Bulgaria to Türkiye and then to Afghanistan, where he was subsequently subjected to further harassment by the Taliban, sexual violence, and physical assaults while homeless. His case illustrates how border violence and pushbacks can directly result in refoulement to a country where a person faces persecution.

Bulgaria represents a parallel and equally severe pattern of border violence. In May 2022, Human Rights Watch published a report titled "Bulgaria: Migrants Brutally Pushed Back at Turkish Border,"[23] based on interviews with fifteen Afghan asylum seekers who described nineteen distinct pushback incidents. Of the fifteen, fourteen reported being beaten by Bulgarian authorities; ten reported being stripped and robbed; twelve reported the use of police dogs. Michelle Randhawa, an HRW researcher, observed that "Bulgarian authorities are brutally and summarily pushing back migrants and asylum seekers."

Croatia

The Bosnia–Croatia border has been the subject of extensive documentation of severe border violence, including allegations of sexual assault, beatings, forced undressing, and the burning of personal effects. The European Centre for Constitutional and Human Rights (ECCHR) documented a 2020 incident[24] in which men were forced to "strip and throw their clothes into a fire," beaten with batons, subjected to "whipping and rape using a branch," and pushed back into Bosnia. Afghan victims of the incident, supported by the Center for Peace Studies in Zagreb, filed a criminal complaint and a Constitutional Court lawsuit in April 2023[25].

Soraya described being stopped by Croatian police while travelling through the country. She reported that officers touched her body in ways that constituted sexual harassment. She cried and pleaded with them in broken English. Nooria reported having money taken by a taxi driver in Croatia who abandoned her in the middle of the road. While these accounts differ in nature, they illustrate the range of harms experienced by Afghan LGBTIQ+ people in Croatia, which is consistent with the broader pattern of border violence along the Croatian border documented by the Border Violence Monitoring Network[26] and other organisations.

> *"They touched my body in ways that made me feel violated and sexually harassed." She reported pleading with them in broken English; eventually, after seeing how distressed she was, they released her. "The experience left me deeply frightened," she said. "I had believed that police in Europe would treat people with dignity and respect, but that was not my experience." — Soraya, Lesbian woman*

23 Human Rights Watch, Bulgaria: Migrants Brutally Pushed Back at Turkish Border, May 2022, https://www.hrw.org/news/2022/05/26/bulgaria-migrants-brutally-pushed-back-turkish-border.

24 European Centre for Constitutional and Human Rights (ECCHR), documentation of a 2020 pushback and violence incident at the Bosnia–Croatia border, https://www.ecchr.eu/.

25 Center for Peace Studies (Centar za mirovne studije), Zagreb, criminal complaint and Constitutional Court application filed in April 2023 on behalf of Afghan victims of border violence.

26 Border Violence Monitoring Network (BVMN), monthly reports and incident database, https://borderviolence.eu/.

North Macedonia

Less extensively documented in the public record, but present in the testimony of Nazanin, is the pattern of border violence at the Greece–North Macedonia border. Nazanin reported being stopped by North Macedonian border police while crossing on foot. She reported being beaten; the officers "pulled my hair, which was long at the time, and took my belongings." She reported pleading with them in broken English not to deport her, and being eventually released after a period of physical mistreatment.

Assessment of Border Violence Patterns

Across the interviews, the pattern of border violence is remarkably consistent. The key elements recurring across testimonies include physical beatings, often severe; forced stripping or removal of clothing and shoes; confiscation of money, phones, documents, and all personal belongings; forcible return to Türkiye without any asylum screening or registration; and the complete absence of any opportunity to request international protection. These practices were reported by participants who crossed at different times between 2018 and 2026, through both land and sea routes, and at multiple border points. The consistency of these accounts strongly suggests that these are not isolated incidents but rather reflect systemic practices.

The non-refoulement obligation under Article 33(1) of the 1951 Refugee Convention, Article 3 of the Convention Against Torture, and Article 3 of the European Convention on Human Rights, requires States not to return[27] any person to a place where they would face a real risk of torture, inhuman or degrading treatment, or persecution. It applies to any State that has effective control over the person, including at and beyond its borders. The systematic foreclosure of the asylum procedure at EU external borders is, on the evidence of these testimonies and the wider documentary record, a serious and continuing violation of those obligations. The Legal Analysis chapter below sets out the framework in detail.

3. Sexual Violence and Exploitation During Migration

Content note: This section contains accounts of sexual violence. These testimonies are included because they are essential to documenting the harms experienced by Afghan LGBTIQ+ people during displacement. They are presented with care and without sensationalization.

This chapter addresses the most difficult material in the report. It documents the sexual violence and sexual exploitation that participants experienced during their journeys, the patterns of perpetration that emerge across testimonies, and the specific vulnerabilities of LGBTIQ+ people on the move. We approach this material with the trauma-informed, survivor-centred principles

27 Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights), opened for signature 4 November 1950, ETS No. 5, 213 UNTS 222, entered into force 3 September 1953.

set out in the Methodology. We do not sensationalise. We do not provide unnecessary detail. We do not require survivors to relive their experiences in order to make a political point. But we do document, because to remain silent about sexual violence on migration routes is to participate in the conditions that enable it.

Sexual Violence by Smugglers

Nazanin, a transgender woman, was sexually assaulted by smugglers while staying in a house on Iranian territory near the Turkish border. She described feeling "powerless and terrified", believing that if she resisted, the smugglers might abandon her at the border or report her, leading to deportation back to Afghanistan. Soraya, a lesbian woman, was raped by a smuggler near the Turkish border. After the assault, she described hating herself and feeling completely hopeless, including thoughts of ending her life. Both accounts illustrate how smugglers exploit the extreme vulnerability and dependency of people in their control, and how LGBTIQ+ people may face heightened targeting.

Sexual Violence by Other People on the Move

Azad reported being raped by other asylum seekers in a forest during his journey. He did not wish to describe the details of the incident but stated that he was unable to resist his attackers. He explained that during the journey he was forced to behave in an exaggerated masculine and aggressive way in order to protect himself. Nooria, a transgender woman, described being repeatedly targeted with verbal and sexual harassment by other migrants, including Afghan men whose attitudes she compared to Taliban mentality. She described how they made sexual proposals and touched her body and intimate body parts without consent, leading her to separate from the group to protect herself.

Aziza, a lesbian woman travelling with her young son, was raped during a forest crossing on the route to Europe. The presence of her son, which she had hoped might offer her some measure of protection, did not prevent the assault; her son witnessed it and, as discussed in Section 4, continues to suffer its consequences. Aziza's case underscores that the protective effect of travelling with family is limited, and raises particular concerns about the secondary traumatisation of children accompanying LGBTIQ+ refugee parents.

Sexual Violence and Harassment by Authorities

Ahmad described how Greek border police forced him to remove his clothes and touched his body while speaking a language he could not understand. He described feeling deeply degraded and powerless. Soraya described Croatian police touching her body in ways that constituted sexual harassment. These accounts suggest that the sexual dimensions of border violence may be underreported and that LGBTIQ+ individuals may face particular targeting.

Survival Sex Work

Hussain described being forced into sex work in Athens after eventually reaching Greece on a later attempt, having been left without money or belongings by earlier pushbacks at the border. When a client refused to pay, the person threatened to expose Hussain's sexual orientation. This account illustrates how the intersection of poverty, irregular status, and LGBTIQ+ identity creates conditions of extreme exploitation.

Secondhand Reports

Several participants reported hearing accounts of sexual violence against other LGBTIQ+ people during migration, including reports that transgender asylum seekers suffer particularly severe violence on the route to Europe. Homira reported hearing stories of LGBTIQ+ women being raped or killed or exploited by smugglers. While these reports could not be independently verified by ALO, they are consistent with broader documentation by organizations including the Women's Refugee Commission and UNHCR regarding the prevalence of sexual and gender-based violence on migration routes[28].

The ten participants interviewed by ALO researchers in person in Greece also shared accounts of sexual violence, including rape and forced undressing by police. For their safety, these accounts are not reproduced in detail in this report but informed ALO's analysis.

4. LGBTIQ+-Specific Risks During Displacement

Risks Faced by Gay Men

The largest single group of participants in this research were gay men. Their testimonies describe a wide range of harms: persecution by the Taliban; physical and emotional abuse by family members; rape and assault by smugglers and fellow travellers; sexual harassment and degrading treatment by border officials; coerced sex work to survive economic destitution in transit countries; and ongoing harassment and exclusion after arrival in Europe, often perpetrated by other Afghan men in reception centres and communities.

Two features stand out across the testimonies of gay male participants. First, visibility through gender expression is a recurring vulnerability. Several participants, Amir, Ahmad, Saeed, Samir, described being identified as gay by their voice or appearance. Ahmad reported that fellow travellers and officials "noticed because of my behaviour or appearance. They told me you act like girls." Saeed observed: "a person cannot completely hide something that is part of who they are. Even through the way we walk, speak, or behave, homophobic people always identify us." Visibility, in this account, is not a chosen disclosure but an unchosen exposure.

28 Women's Refugee Commission, research on sexual and gender-based violence in migration contexts; UNHCR, Sexual and Gender-Based Violence Against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response.

Second, the experience of family violence is a particularly acute feature of gay men's pre-flight history. Ehsan described being "repeatedly beaten and tortured by my father and brothers because of being different" after they discovered his sexual orientation. Haseeb described being beaten by his family because he did not act like a "normal boy." Saeed described being treated "differently and badly compared to my brothers" from a very young age. These accounts reflect not only individual family pathologies but a wider structural pattern in which masculine non-conformity is policed within the family as a matter of family honour and reputation.

Where gay men's visibility was concealed or where they passed as cisgender heterosexual men, they sometimes escaped immediate violence on the route but at the cost of being unable to access protection. Saber, travelling with his brother and his brother's wife, could not disclose his identity even when he was harassed on the boat. Ehsan reported that other refugees he travelled with did not know he was gay and "were very kind", but his disclosure to anyone in the route, including to border officials, was foreclosed by the fear of family discovery.

Risks Faced by Lesbian, Bisexual and Queer Women

The lesbian and queer women whose testimonies appear in this report, Aziza, Sharmila, Homira, and Soraya, describe experiences shaped by the compound burden of being women in a context of patriarchal violence and being LGBTIQ+ in a context of homophobic persecution. The result is a position of acute vulnerability in which different sources of risk reinforce each other.

Forced marriage emerges as a recurring theme in the testimonies of lesbian and queer women. Aziza described being forced to marry a man in Afghanistan, experiencing years of domestic violence within that marriage, and describing her body as feeling "violated throughout the marriage" because of her lack of feelings for men. Soraya described being under "tremendous pressure of forced marriage" to a neighbour's son; she stated, "I do not have feeling for men and I did not want this," and identified the threat of forced marriage as a primary driver of her flight from Afghanistan.

The intersection of being a woman and being lesbian or queer produced specific patterns of vulnerability on the route. Soraya, travelling alone after her group of Afghan companions chose to remain in Iran, was raped by a smuggler near the Turkish border. She subsequently slept in mosques and parks in Istanbul, where she experienced repeated sexual harassment. She had no language, no documents, no contacts, and no obvious source of help. The cumulative effect was a profound mental-health crisis: "After the assault, I hated myself and felt completely hopeless. I even thought about ending my life."

Aziza, by contrast, was travelling with her young son, a configuration that, she reported, offered her some measure of protection but did not prevent her from being raped during a forest crossing. Aziza's testimony also raises a particularly distressing concern about the secondary traumatisation of her son, who witnessed the assault and continues to suffer the consequences. The protection of children of LGBTIQ+ refugee parents is an area in which existing safeguards are particularly inadequate and which warrants specific attention from child-protection and refugee-protection authorities alike.

Sharmila, who reached Germany in late 2018, earlier than most participants, reported a journey relatively unmarked by direct violence, but described persistent fear of sexual harassment as a woman travelling "through unknown routes," and recounted a moment of acute distress when a small child travelling with her group could not keep pace at a border crossing and was detained by police: "this incident had a very negative impact on me, and even now I sometimes still have nightmares about that day."

Homira, who travelled with her mother and younger brother, reported that the family configuration protected her from direct targeting on the route. Like Sharmila, however, she described hearing repeated accounts of sexual violence against other LGBTIQ+ women on the journey, and identified the protective role of her travelling companions as decisive in mitigating her own exposure. These secondhand accounts are not presented as verified fact, but the consistency of the pattern across testimonies is significant.

Risks Faced by Transgender Women

The transgender women in this study Nooria and Nazanin — describe experiences of the route that are, in many respects, the most consistently dangerous of any group represented in the research. Their accounts cumulatively describe being identified as trans by their appearance and voice even when they attempted concealment; being subjected to sexual harassment and unwanted touching by fellow travellers; being assaulted by smugglers in transit; being beaten by border officials; and being harassed and exposed to risk by other Afghan migrants in reception centres in Europe.

Nooria described being separated from her travelling group in Greece after Afghan men in the group made "shameless sexual proposals" and engaged in unwanted physical contact with her body. She also reported financial exploitation, including an incident in Croatia where a taxi driver took her money and abandoned her at the roadside. Her observation that "the greatest danger is at the Turkey–Greece border," where "the border police do not care whether you are trans, gay, lesbian, or heterosexual" and where "everyone is treated in the same way, and that is with unlimited violence," is consistent with the wider documentary record of border violence.

Nazanin's testimony was even more acutely difficult. She described being harassed during the journey from Afghanistan to Iran by people in her smuggling group, who called her "Izak" (a derogatory term), questioned the smuggler about her presence, and attempted to touch her body at night. In Iran, smugglers sexually assaulted her in a house near the Turkish border. In Türkiye, she was arrested and severely beaten by Turkish police. In Greece, she crossed; in North Macedonia, she was beaten by border police, who pulled her hair and confiscated her belongings. After more than a month of travel on foot, by bus, and by train, she reached Germany and applied for asylum. At the time of her interview, she remained in a German reception camp where she did not feel safe because of harassment from other Afghan and other migrant refugees.

Two patterns emerge from these accounts. First, the impossibility of concealment for many trans women significantly raises their visibility to potential perpetrators. Second, the intersection of trans identity with gendered vulnerability, to sexual assault, to forced sex work, to predation by

men in positions of power, produces a compounded risk profile that does not have a clear analogue in the experience of cisgender LGBTIQ+ people. This is consistent with the wider literature on trans refugees, including the work of Transgender Europe (TGEU) and ILGA Europe, and with the findings of the UN Independent Expert on SOGI[29].

Intersex, and Other SOGIESC Identities

This study did not include participants who explicitly identified themselves as intersex. The absence of these voices in the present sample is itself a methodological limitation: it should not be taken to mean that the experiences of intersex Afghans are absent from the wider population, only that they are not represented in this particular research. Future ALO research will seek to document those experiences specifically, and to develop dedicated outreach to intersex Afghan refugees and asylum seekers.

Intersectionality

The harms documented in these testimonies are shaped not only by SOGIESC identity but by gender, ethnicity, language, religion, age, economic status, and family configuration. The experience of an Afghan trans woman travelling alone is materially different from that of an Afghan lesbian travelling with her son; the experience of a gay Afghan man with family in Europe is materially different from that of a gay Afghan man without such ties. Race and skin colour, too, emerged as factors in several testimonies, Sharmila, a lesbian Afghan woman, described being targeted with racist verbal harassment on public transport in Germany, attributing this to her dark skin colour rather than to her sexual orientation.

Intersectional analysis is therefore essential to understanding the harms documented in this report. A reductive single-axis framing, that this is "only" about being LGBTIQ+, or "only" about being Afghan, or "only" about being a refugee — would obscure the specific configurations of risk that each participant navigates. The recommendations that follow are framed accordingly: not as remedies for a single category of harm, but as proposals for an interconnected system of protection that recognises the multiple, intersecting identities of those it is intended to serve.

29 Transgender Europe (TGEU), Trans Rights Map and policy briefings, https://tgeu.org/; ILGA-Europe, policy work on LGBTIQ+ asylum-seekers; UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, thematic reports to the Human Rights Council and the General Assembly.

5. Concealment of Identity as a Survival Strategy

The vast majority of participants described hiding their sexual orientation or gender identity during their journeys. This concealment was understood as essential to survival. Participants described constant vigilance: monitoring their behaviour, voice, walk, and appearance in order to avoid detection. The emotional and psychological costs of this concealment were significant.

"During the journey, I was forced to behave in a very masculine and aggressive way in order to protect myself so that others would not harm me." — Azad, gay man

Ehsan stated that he did not reveal his sexual orientation during the journey and that, as a result, no one in his travel group knew he was gay. Saber described the difficulty of concealing his identity while travelling with his brother and sister-in-law, who remain unaware of his sexual orientation. He described the incident on the boat where a woman confronted him about his appearance, and how his inability to respond honestly was shaped by the presence of family members.

For transgender women, concealment was often impossible. Nazanin described trying to hide her identity but being unable to do so because of her facial features and gender expression. The impossibility of concealment for visibly gender-nonconforming people means that the risks described in this report fell most heavily on those least able to protect themselves through passing.

Significantly, concealment did not end upon arrival in Europe. Nooria described fearing recognition by other Afghans in Berlin, worried they might inform her family of her gender identity. Hussain described hiding his identity at work because of a new Afghan colleague. Saeed described concealing his sexual orientation even during his asylum interview in Belgium because of accumulated trauma and fear. This last example illustrates how the survival strategy of concealment can directly undermine access to protection: an asylum seeker who does not disclose the core reason for their flight may receive an inadequate assessment of their protection needs.

6. Europe: Expectations Versus Reality

Participants described Europe as a destination associated with safety, freedom, and the possibility of living openly. For many, the expectation of finding a place where they could exist without hiding their identity was a primary motivation for undertaking dangerous journeys. The reality upon arrival, however, was often more complicated.

Several participants expressed satisfaction with their current situations and described feeling safer than in Afghanistan, Iran, or Türkiye. Saber stated that in Germany he feels safe and that Germans treat him well. Ehsan described feeling safe in Austria. Sharmila described being able to find queer friends, including queer Afghan women, in Germany. Soraya described France as the first place where she felt safe in a long time.

However, many participants described ongoing discrimination, harassment, and in some cases violence, primarily from other Afghan and migrant communities in Europe. Saber described

migrants mocking and insulting him. Nooria described Afghan migrants in Berlin shaming and mocking LGBTIQ+ people, making her feel as though she were still in Afghanistan. Amir described receiving hostile looks when walking hand in hand with his partner, and being verbally threatened by men at a demonstration in Frankfurt while carrying a rainbow flag.

> *"Unfortunately, some of our own people here have not adapted themselves to German laws and principles of life even after years of living here, and as soon as they see an Afghan LGBTIQ+ person, they begin shaming and mocking them. This makes you feel as if you are still in Afghanistan, even though in reality you are thousands of kilometers away." — Nooria, transgender woman*

Azad's experience represents the starkest gap between expectation and reality. He described feeling less safe in Germany than he had in Tehran, having been beaten several times because of his identity. When he reported an assault to police in Frankfurt, he was told, "We are sorry, but you have to protect yourself." He perceived this response as discriminatory, believing police would have acted differently if the victim had been German. He also described a transgender friend from Tajikistan who was thrown from a building in Germany in an apparent murder attempt; the perpetrator was arrested after one year, detained for one month, and then released.

Nazanin described continuing to feel unsafe in her camp in Germany because of harassment by other refugees. Haseeb described needing to conceal his identity from an Afghan colleague at work in Austria. These accounts indicate that arrival in Europe does not automatically mean safety for Afghan LGBTIQ+ people, and that the threat of violence from co-national communities persists.

The experiences of racist discrimination reported by some participants add a further dimension. Sharmila described facing verbal harassment on public transport because of her migrant status and dark skin colour. The intersection of anti-migrant racism and homophobia or transphobia creates compounded barriers to integration and wellbeing.

7. Mental Health and Trauma

The cumulative impact of persecution, violence during displacement, sexual violence, loss, and ongoing insecurity has left many participants with profound psychological harm. While this research did not include clinical assessments, participants' descriptions of their psychological states are consistent with the symptoms of post-traumatic stress disorder, depression, anxiety, and other trauma-related conditions.

Samir's account is among the most searing in this research. He and his boyfriend fled Afghanistan together after being tortured by the Taliban. During a sea crossing from Türkiye to Greece, their overcrowded inflatable boat capsized. Samir was rescued by the Turkish Coast Guard, but his

boyfriend was never found. He described searching desperately, contacting organizations, but never receiving answers. He continues to have nightly nightmares of the boat capsize and described himself as physically safe but mentally depressed.

> *"My whole life changed that day. I lost the person I loved most. He was everything to me, and suddenly he was gone. We dreamed of building a new life together in Europe, far from violence, persecution, and fear. Instead, he disappeared during our journey." — Samir, gay man*

Soraya described experiencing severe trauma and anxiety following her rape at the Turkish border and her journey through Europe. She stated that she cannot sleep. Sharmila described having nightmares years after her journey. Saeed described the accumulated trauma from his country of origin and his journey as so severe that he concealed his sexual orientation even from his asylum caseworker until a social worker's persistent concern broke through his silence. He has been receiving psychological support since then.

Haseeb's case represents a particularly devastating trajectory: deportation from Bulgaria to Türkiye and then to Afghanistan, followed by homelessness, sexual violence, and ongoing persecution. His testimony conveys a person whose psychological resources have been exhausted. His closing words, "Just save us from the hell," speak to the depth of his despair.

The mental health impacts documented here are not incidental to displacement; they are directly caused by the violence and protection failures that participants experienced. Each pushback, each assault, each incident of exploitation adds to a cumulative burden of trauma. The absence of safe pathways means that people must endure months or years of these experiences before reaching any prospect of safety. Mental health support must be understood as an integral part of any protection response.

8. Positive Practices and Protection Examples

While the overall picture painted by this research is one of systemic failure, participants also identified instances where protection mechanisms worked well. These examples provide important evidence of what is possible and offer lessons for replication.

Amir described the IOM camps in Bosnia as providing excellent support. When camp staff learned that he was gay, they asked whether he had experienced harassment or rape, offered to separate his accommodation to ensure his safety, and provided access to a Persian-speaking interpreter. This proactive, sensitive response stands in marked contrast to the treatment described at most other points in his journey.

> *"In Bosnia, the staff of the camps were very kind and helped a lot. When they found out that I was gay, they asked me whether I had experienced harassment or rape and offered to separate my room or even my camp so I could feel more comfortable."*
> *— Amir, gay man*

Azad similarly reported that when he disclosed his sexual orientation to camp authorities in Bosnia, he was transferred to a better facility. In Montenegro, Amir was asked whether he wished to stay in the country, a basic question that he described being denied by Greek authorities. Saeed described a social worker in Belgium who recognised his distress, persisted in checking on him, and eventually created a safe space for him to disclose his sexual orientation. She then arranged psychological support that he continues to receive.

Homira described positive treatment from police and camp staff during detention in Italy, who were described as kind and who asked about her intentions regarding asylum. Several participants described receiving humanitarian assistance in Italy. The Swiss police, according to both Saber and Amir, treated people respectfully, asked permission before body searches, and did not use violence.

These examples share common elements: proactive questioning about vulnerability, awareness of LGBTIQ+-specific risks, practical accommodation measures, access to interpretation, psychological referrals, and respectful treatment. They demonstrate that protection-sensitive responses are not only possible but are already being practised in some contexts. The challenge is to make these the norm rather than the exception.

Systemic Gaps in International Protection

The experiences documented in this report reveal fundamental and systemic failures in the international protection architecture as it applies to Afghan LGBTIQ+ people. These are not isolated shortcomings; they are structural gaps that predictably and repeatedly expose Afghan LGBTIQ+ refugees to severe harm.

No Safe Exit from Afghanistan

For Afghan LGBTIQ+ people at acute risk, there are no accessible, dedicated, safe, and reliable protection pathways at a scale proportionate to need. In practice, many are unable to access international protection without first leaving Afghanistan through irregular and dangerous routes. Existing visa and consular procedures are largely inaccessible, unsafe, slow, or unavailable to those facing immediate threats, particularly where applicants lack documentation, financial resources, family support, or the ability to safely approach foreign missions outside Afghanistan.

The Taliban's control of borders and restrictions on movement, particularly for women who cannot travel without a male guardian, make departure itself an act fraught with danger. As a result, many Afghan LGBTIQ+ people are left with no realistic option other than irregular departure with the assistance of smugglers, immediately placing them in situations of exploitation and abuse. Soraya noted that even if special visas were available, women face the additional barrier that the Taliban does not permit them to leave the country without a male guardian.

Failure of Protection in Transit Countries

Türkiye and Iran, the two primary transit countries for Afghans, do not provide effective protection for LGBTIQ+ refugees. In Türkiye, participants described an inability to register for asylum, living without documentation, and fearing deportation. Ahmad described making repeated attempts to

register for asylum after travelling to Denizli specifically because he had learned that LGBTIQ+ refugees lived there, but his claim was never registered. Aziza described attempting to seek asylum in Türkiye but her request was never registered despite repeated efforts. In Iran, Afghans face mass deportation to Afghanistan. The inability to access protection in these countries is what forces people to continue on dangerous journeys towards Europe.

Border Violence as a Barrier to Asylum Access

The systematic border violence documented in this report functions as a de facto barrier to accessing the European asylum system. When people are beaten, stripped, robbed, and pushed back without any opportunity to express a wish for asylum, the right to seek international protection is effectively nullified. Multiple participants made three, four, or more attempts to enter Greece, being violently pushed back each time. The cumulative effect is that only those with sufficient resources and physical endurance eventually gain access to protection — a filtering mechanism that is the antithesis of a rights-based approach to asylum.

Absence of LGBTIQ+-Sensitive Identification and Screening

At no point during the border encounters described by participants did authorities conduct any vulnerability assessment or screening for LGBTIQ+-specific protection needs. Even when participants disclosed their sexual orientation, as Azad and Haseeb did, this information was either ignored or used against them. The absence of LGBTIQ+-sensitive screening at borders means that one of the most persecuted groups is invisible to the protection system at the very moment when identification could prevent further harm.

Lack of Humanitarian Visas and Emergency Pathways

No participant in this study accessed such a pathway, despite the existence of limited programmes that have assisted some Afghan LGBTIQ+ people. Ahmad described applying for humanitarian visas in several countries without receiving a response. There few dedicated pathways that have existed for Afghan LGBTIQ+ people that have assisted several hundred people against thousands of requests. These programmes, while vital, operate at a scale that is grossly insufficient relative to need, and face severe funding constraints. The EU's Resettlement and Humanitarian Admission Framework is neither LGBTIQ+-specific nor mandatory in numbers.

The central argument of this report bears restating: the harms documented in these interviews, including the beatings, the rapes, the exploitation, the pushbacks, the deportation back to Afghanistan, and the death of Samir's partner, were not inevitable. They were the predictable consequence of a system that offers no safe way out. Every failed attempt to register for asylum in Türkiye, every unanswered humanitarian visa application, every violent pushback represents a point at which the international community could have intervened but did not. Dedicated protection pathways, humanitarian visas, emergency evacuation mechanisms, and LGBTIQ+-sensitive protection measures could have prevented many of these harms.

Legal Analysis

The practices documented in this report raise serious concerns under multiple international and European legal instruments. This section assesses the documented findings against the relevant legal frameworks.

The 1951 Refugee Convention and 1967 Protocol

Claims based on sexual orientation and gender identity are well-established under the 1951 Refugee Convention, recognised as falling within the "membership of a particular social group" ground. UNHCR's Guidelines on International Protection No. 9 (2012)[30] confirm that LGBTIQ+ individuals can constitute a particular social group and are entitled to international protection. The European Union's Qualification Regulation (EU) 2024/1347, which comes into effect in July 2026[31], explicitly provides for recognition on the basis of sexual orientation and gender identity under Article 10(1)(d). The Court of Justice of the European Union confirmed in X, Y and Z (2013) that LGBTIQ+ people can form a particular social group[32], that applicants cannot be required to conceal their orientation in their country of origin, and that the actual application of criminal penalties for same-sex conduct constitutes persecution.

30 UNHCR, Guidelines on International Protection No. 9: Claims to Refugee Status based on Sexual Orientation and/or Gender Identity within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees, HCR/GIP/12/09, 23 October 2012.

31 Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection (Qualification Regulation), applying from 1 July 2026.

32 Court of Justice of the European Union, X, Y and Z v. Minister voor Immigratie en Asiel, Joined Cases C-199/12 to C-201/12, judgment of 7 November 2013.

The findings of this report demonstrate that Afghan LGBTIQ+ participants had well-founded fears of persecution that fully met the Convention definition. The EUAA Country Guidance on Afghanistan (2024) confirms that persecution of LGBTIQ+ individuals is well-documented and that well-founded fear would in general be substantiated. The critical issue is not whether Afghan LGBTIQ+ people qualify for protection under the Convention, but whether they are able to access it.

The Principle of Non-Refoulement

The principle of non-refoulement, enshrined in Article 33 of the 1951 Refugee Convention, Article 3 of the European Convention on Human Rights, Article 3 of the Convention Against Torture, and Article 19 of the EU Charter of Fundamental Rights, prohibits the return of any person to a territory where they would face a real risk of torture, inhuman or degrading treatment, or persecution. The documented pushbacks from Greece to Türkiye and from Bulgaria to Türkiye raise direct non-refoulement concerns. Haseeb's case, in which he was pushed back from Bulgaria to Türkiye and subsequently deported from Türkiye to Afghanistan, represents a chain of refoulement resulting in his return to the very country from which he fled persecution.

The European Court of Human Rights has repeatedly affirmed the non-refoulement principle. In Hirsi Jamaa v. Italy (2012)[33], the Court held that non-refoulement obligations apply extraterritorially and that collective returns without individual assessment violate Article 3 of the Convention and Article 4 of Protocol 4. The systematic pushbacks described in this report, conducted without any individual assessment, appear inconsistent with these obligations.

European Convention on Human Rights

The practices described in this report raise concerns under multiple articles of the European Convention on Human Rights. Article 3 (prohibition of torture and inhuman or degrading treatment) is directly engaged by the physical violence, sexual violence, and degrading treatment described during pushbacks, including beatings, forced stripping, and sexual touching by border officials. Article 5 (right to liberty and security) is engaged by instances of detention without legal basis or procedural safeguards. Article 13 (right to an effective remedy) is engaged by the systematic denial of any opportunity to request asylum or challenge removal. Article 4 of Protocol 4 (prohibition of collective expulsion) is engaged by the group pushbacks described by multiple participants.

33 European Court of Human Rights, Hirsi Jamaa and Others v. Italy, Application No. 27765/09, Grand Chamber judgment of 23 February 2012.

In January 2025, the ECtHR confirmed in A.R.E. v. Greece the existence of a "systematic practice" of pushbacks by Greece, finding violations of Articles 3, 5, and 13. In June 2025, the Court found violations of Articles 3 and 13 and Article 4 of Protocol 4 in H.Q. and Others v. Hungary[34] involving Afghan and Syrian applicants. These rulings provide authoritative judicial confirmation that practices consistent with those described by participants in this research violate the European Convention on Human Rights.

EU Charter of Fundamental Rights

The EU Charter of Fundamental Rights protects human dignity (Article 1)[35], prohibits torture and inhuman or degrading treatment (Article 4), protects private and family life (Article 7), guarantees the right to asylum (Article 18), prohibits removal to a state where there is a serious risk of the death penalty, torture, or inhuman or degrading treatment (Article 19), and prohibits discrimination on grounds including sexual orientation (Article 21). The practices documented in this report, from violent pushbacks to the failure to screen for LGBTIQ+-specific vulnerabilities, raise concerns across multiple Charter provisions. EU institutions and Member States are bound by the Charter when implementing EU law, including in the area of asylum and border management.

The Convention Against Torture

Article 3 of the Convention Against Torture prohibits the return of a person to a state[36] where there are substantial grounds for believing they would be in danger of being subjected to torture. The UN Committee Against Torture has repeatedly criticised Greece for pushback practices[37]. The beatings, sexual violence, and forced stripping described in this report may themselves constitute cruel, inhuman, or degrading treatment within the meaning of the Convention.

CEDAW and Gender-Based Persecution

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is relevant[38] to the experiences of lesbian women, queer women, and transgender women documented in this report. The intersecting forms of gender-based persecution described, including forced

34 European Court of Human Rights, H.Q. and Others v. Hungary, judgment of June 2025 (violations of Articles 3 and 13 of the Convention and Article 4 of Protocol No. 4).

35 Charter of Fundamental Rights of the European Union, OJ C 326, 26.10.2012, pp. 391–407.

36 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted 10 December 1984, entered into force 26 June 1987, 1465 UNTS 85, Article 3.

37 UN Committee Against Torture, Concluding Observations on the periodic reports of Greece, available via the UN Treaty Body Database at https://tbinternet.ohchr.org/.

38 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted 18 December 1979, entered into force 3 September 1981, 1249 UNTS 13.

marriage, domestic violence, restrictions on education and employment, sexual violence during displacement, and the Taliban's systematic oppression of women, engage CEDAW obligations. The CEDAW Committee is reviewing Afghanistan's situation, and Amnesty International and other organisations have advocated for the recognition of the Taliban's treatment of women as gender apartheid.

The Yogyakarta Principles

The Yogyakarta Principles (2007) and the Yogyakarta Principles plus 10 (2017)[39] provide authoritative guidance on the application of international human rights law in relation to sexual orientation and gender identity. They affirm that everyone has the right to seek and enjoy asylum from persecution related to sexual orientation or gender identity (Principle 23), and that states shall not return any person to a state where they may face persecution on these grounds. The Principles are referenced in UNHCR guidance and in the EUAA's practical guides on SOGIESC claims. The experiences documented in this report illustrate widespread failures to uphold the protections articulated in these Principles.

39 Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity (2007); Yogyakarta Principles plus 10 (2017), https://yogyakartaprinciples.org/.

The EU Migration and Asylum Pact: Implications for Afghan LGBTIQ+ Refugees

The European Union's Migration and Asylum Pact, adopted in May 2024[40], represents the most significant overhaul of the EU's asylum framework in decades. Comprising ten interlinked legislative instruments, the Pact entered into application on 12 June 2026, with the Qualification Regulation applying from 1 July 2026. Its provisions have direct and significant implications for Afghan LGBTIQ+ asylum seekers.

Key Provisions

The Pact introduces mandatory pre-entry screening of all persons crossing EU external borders irregularly, including identity, health, and security checks, within seven days. It establishes border procedures with a "legal fiction of non-entry," processing asylum claims without granting legal presence on EU territory, thereby reducing procedural safeguards. Accelerated border procedures will be applied to applicants from countries with asylum recognition rates below 20 per cent. Expanded detention provisions enable the holding of asylum seekers during border procedures for up to 12 weeks, with an additional 12 weeks for return procedures. A solidarity mechanism requires Member States to either relocate asylum seekers or make financial contributions, with a reference figure of 21,000 relocations or 420 million euros for 2026[41].

40 The Pact on Migration and Asylum comprises ten interlinked legislative instruments adopted in May 2024, including Regulations (EU) 2024/1347, 2024/1348, 2024/1351, 2024/1356, 2024/1349, 2024/1358, and 2024/1359.

41 Council of the European Union, "Migration and asylum: Member States agree on solidarity pool", 8 December 2025; Council Implementing Decision establishing the 2026 Annual Solidarity Pool, 18 December 2025, https://www.consilium.europa.eu/en/press/press-releases/2025/12/08/migration-and-asylum-member-states-agree-on-solidarity-pool/.

Risks for LGBTIQ+ Asylum Seekers

Human rights organisations, legal scholars, and LGBTIQ+ advocacy groups have raised significant concerns about the Pact's impact on vulnerable populations. For Afghan LGBTIQ+ asylum seekers, several specific risks merit attention.

Disclosure barriers in border procedures. The accelerated timelines and detention environment of border procedures create conditions that are fundamentally incompatible with the safe disclosure of sexual orientation or gender identity. Research consistently shows that LGBTIQ+ asylum seekers often need time, safety, and trust before they can disclose the core reasons for their flight. Many participants in this research described concealing their identities throughout their journeys and even during asylum interviews. Saeed concealed his sexual orientation during his Belgian asylum interview and only disclosed it later to a social worker. Under rapid border procedures, with limited access to legal counsel, conducted in detention-like conditions, the likelihood that LGBTIQ+ asylum seekers will be able to articulate their claims is significantly reduced.

Vulnerability identification gaps. While the Pact includes provisions for vulnerability screening, the EUAA has acknowledged that implementation of effective identification mechanisms remains incomplete. As of April 2026, free legal counselling during the administrative screening stage was unavailable in several Member States, including Greece, Cyprus, and Italy, the very countries at the EU's external borders where Afghan asylum seekers are most likely to arrive. Without effective vulnerability identification, LGBTIQ+ asylum seekers may be channelled into accelerated procedures without the safeguards they require.

The safe third country expansion. Proposals adopted or under consideration in 2025 would expand the safe third country concept by weakening or removing the requirement for a genuine connection between the applicant and the designated third country, allowing transit through that country, or the existence of an agreement or arrangement with that country, to support the application of the concept. For Afghan LGBTIQ+ people who transited through Türkiye, this raises the prospect of being returned to a country where they cannot access effective protection, where they face anti-LGBTIQ+ discrimination and violence, and where they may be at risk of onward deportation to Afghanistan. In a related judgment of 1 August 2025 concerning the "safe country of origin" concept, the Court of Justice of the European Union held that a country cannot be designated as safe where it does not offer adequate protection to its entire population. Although that judgment did not directly concern the safe third country concept, its reasoning is highly relevant to the assessment of safety for LGBTIQ+ asylum seekers. Countries that criminalise, persecute, or systematically fail to protect LGBTIQ+ people should not be treated as safe for applicants whose protection needs arise from sexual orientation, gender identity, gender expression, or sex characteristics. This provides an important legal safeguard, but its durability in the context of the Pact's implementation and safe third country procedures remains to be tested.

Broader political context. The Pact has been adopted in a political environment marked by rising anti-immigration sentiment and the mainstreaming of deterrence-based approaches to migration. Several Member States have signalled willingness to resume deportations to Afghanistan. Proposals for "return hubs" outside the EU, expanded safe origin country lists, and the weakening of suspensive effect of appeals all point towards a shrinking protection space. For Afghan LGBTIQ+ people, who require particularly sensitive and specialist processing, these trends are deeply concerning.

Frontex Accountability

The European Border and Coast Guard Agency (Frontex) plays a central role in EU border management and has been implicated in or present during pushback operations documented by investigative journalists, NGOs, and EU institutions. In December 2025, the Court of Justice of the European Union delivered two important Grand Chamber judgments concerning Frontex accountability. In Hamoudi v. Frontex, the Court clarified that evidentiary rules in damages actions against Frontex[42] must not impose an excessively difficult or impossible burden on applicants in circumstances such as alleged pushbacks, and that courts must properly examine prima facie evidence rather than dismissing claims without sufficient investigation. In WS and Others v. Frontex, the Court addressed Frontex's obligations to protect fundamental rights[43] in the context of return operations and clarified questions of non-contractual liability and causal link. These judgments do not, by themselves, resolve the wider accountability gap, but they strengthen the legal basis for judicial scrutiny of Frontex conduct. Despite these developments, proposals to expand Frontex's mandate raise serious concerns about whether accountability mechanisms are keeping pace with the agency's growing operational role.

42 Court of Justice of the European Union, Alaa Hamoudi v. European Border and Coast Guard Agency (Frontex), Case C-136/24 P, Grand Chamber judgment of 18 December 2025.

43 Court of Justice of the European Union, WS and Others v. European Border and Coast Guard Agency (Frontex), Case C-679/23 P, Grand Chamber judgment of 18 December 2025.

Conclusions

The testimonies in this report describe a protection system that fails Afghan LGBTIQ+ people comprehensively and at every stage. In Afghanistan, LGBTIQ+ people face persecution rising to the level of crimes against humanity, as recognised by the ICC. In transit countries, they are unable to access meaningful asylum procedures and face exploitation, violence, and deportation. At European borders, they encounter systematic violence, pushbacks, and denial of the opportunity to seek asylum. During migration, they are subjected to beatings, robbery, sexual violence, and exploitation by smugglers, authorities, and other people on the move. Upon arrival in Europe, they continue to face harassment, discrimination, and violence, primarily from co-national communities.

Throughout this chain of violence, the common thread is the absence of safe, legal, and accessible protection pathways. The participants in this research were not seeking irregular entry to Europe; they were seeking safety. When legal pathways were unavailable, when asylum claims were not registered, when humanitarian visas went unanswered, they had no alternative but to place their lives in the hands of smugglers and take routes that exposed them to severe harm. The violence they experienced was not an unforeseeable consequence of their choices; it was a predictable result of systemic failures in the international protection architecture.

The entry into application of the EU Migration and Asylum Pact in June 2026 adds urgency to these concerns. While the Pact contains some provisions for vulnerability identification, its overall direction, towards accelerated processing, expanded detention, externalization, and the safe third country concept, risks further reducing the protection space for Afghan LGBTIQ+ asylum seekers. The hard-won legal protections established by the CJEU and the ECtHR must be actively defended in the implementation phase.

The findings of this report are not unique to Afghan LGBTIQ+ refugees. They reflect broader structural problems in global refugee protection. However, the intersection of the extreme severity of persecution in Afghanistan, the particular vulnerabilities arising from sexual orientation and gender identity, and the specific barriers to disclosure and identification that LGBTIQ+ people face in asylum systems makes this population uniquely at risk of falling through every gap in the protection framework simultaneously.

The international community has the tools, the legal frameworks, and the resources to provide effective protection to Afghan LGBTIQ+ refugees. What is lacking is the political will to implement them.

Recommendations

The recommendations that follow are addressed to the principal actors with the capacity to address the protection gaps documented in this report. They are framed in terms of specific, operational measures rather than general principles, in order to facilitate accountability and implementation tracking. They are not exhaustive: ALO continues to engage with partners on the further development of policy proposals in each of the areas identified below.

To the European Commission

- Develop and propose, in cooperation with Member States and civil society, a dedicated EU-level humanitarian admission programme for at-risk Afghan LGBTIQ+ people, with clear procedural standards, transparent eligibility criteria.
- Issue formal guidance on the LGBTIQ+-sensitive implementation of the EU Migration and Asylum Pact, including specific operational requirements on identification of LGBTIQ+ vulnerabilities; exemption of LGBTIQ+ applicants from accelerated border procedures where appropriate; confidential disclosure procedures; specialist interpreter and decision-maker training; and reception conditions that account for the specific protection needs of LGBTIQ+ applicants.
- Open infringement proceedings against Member States documented as engaging in systematic pushback practices, in light of the European Court of Human Rights' judgments in A.R.E. v. Greece and the parallel evidence on other EU external borders.

To the European Parliament

- Hold dedicated hearings on the implementation of the EU Migration and Asylum Pact in relation to LGBTIQ+ applicants, drawing on the testimony of LGBTIQ+ refugees and the analysis of specialist civil society organisations.
- Strengthen oversight of Frontex through the Frontex Scrutiny Working Group, including by ensuring that the Working Group has access to confidential operational documentation, and by initiating formal political responses to documented pushback cases.
- Resist the further expansion of accelerated border procedures, externalisation arrangements, and "safe country" lists that include countries criminalising LGBTIQ+ identity.

- Pass a resolution explicitly recognising the protection needs of Afghan LGBTIQ+ refugees and calling on Member States to develop or sustain dedicated humanitarian admission programmes.

To EU Member States

- Develop dedicated LGBTIQ+ humanitarian visa schemes for LGBTIQ+ persons; ensure that such schemes are accessible from countries of transit and not only from countries of origin.
- Expand resettlement programmes, with a specific component dedicated to LGBTIQ+ applicants.
- End the practice of pushbacks at external borders, in compliance with the European Convention on Human Rights, the EU Charter, and the Refugee Convention.
- Implement LGBTIQ+-sensitive asylum procedures in line with the UNHCR Guidelines on International Protection No. 9 and the relevant jurisprudence of the CJEU and ECtHR. This includes: specialist training of asylum decision-makers and interpreters; access to LGBTIQ+-trained legal counsel; confidential interview settings with the option of an interviewer of a particular gender; rejection of stereotype-based questioning and projective psychological testing; and country-of-origin information that accurately reflects the situation of LGBTIQ+ people in countries of return.
- Design reception conditions for LGBTIQ+ applicants that include the option of dedicated LGBTIQ+ accommodation, separate placement from applicants of the same nationality where requested, access to specialist mental-health services, and partnership with specialist civil society organisations.
- Ensure effective police and prosecutorial responses to anti-LGBTIQ+ violence experienced by refugees, including specialist training on the intersection of anti-LGBTIQ+ and anti-migrant hate crime.

To Frontex

- Suspend or terminate operations in any Member State where systematic pushback violations are credibly documented, in line with Article 46 of the Frontex Regulation[44], and pending the implementation of effective accountability mechanisms.
- Strengthen the Fundamental Rights Office, including by ensuring that the Office has independent powers of investigation, the ability to publicly report on its findings, and protection for staff who raise human rights concerns.

44 Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard (Frontex Regulation), Article 46.

- Ensure full implementation of the Serious Incident Reporting framework, including by protecting reporting officers from retaliation and by ensuring that all reports are followed by independent investigation.
- Provide specialist training to all deployed officers on the protection needs of LGBTIQ+ applicants, including on identification, confidentiality, and referral pathways.

To UNHCR

- Expand emergency transit mechanisms and resettlement programmes to include dedicated capacity for at-risk LGBTIQ+ Afghans, building on the experience of UNHCR's Emergency Transit Mechanism in Niger and Rwanda.
- Issue updated guidance on the application of the 1951 Refugee Convention to Afghan LGBTIQ+ applicants, taking account of the Taliban's Law on Promotion of Virtue and Prevention of Vice (PVPV) law and the documented patterns of persecution since August 2021.
- Strengthen the operational capacity of UNHCR to support Afghan LGBTIQ+ applicants in countries of first asylum, including through partnerships with specialist civil society organisations.
- Continue to engage with the governments of Iran, Pakistan, and Türkiye on the protection of Afghan asylum seekers, including LGBTIQ+ Afghans, and on the cessation of mass forced returns.

To OHCHR and UN Special Procedures

- The UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity is invited to undertake thematic report focused on the situation of Afghan LGBTIQ+ refugees and on the broader systemic patterns documented in this report.
- The UN Special Rapporteur on the situation of human rights in Afghanistan is invited to continue documenting the specific situation of LGBTIQ+ Afghans, including the implementation of the Taliban's PVPV law, and to maintain the visibility of LGBTIQ+ Afghans in the international human rights agenda.
- The UN Special Rapporteur on Torture and the UN Working Group on Arbitrary Detention are invited to consider joint communications on documented patterns of border violence, pushback, and arbitrary detention at EU external borders.

- The Office of the High Commissioner for Human Rights is invited to provide technical support for the implementation of LGBTIQ+ sensitive asylum procedures in EU Member States, drawing on its "Born Free and Equal" technical guidance[45].

To National Governments

- The Taliban de facto authorities are urged to cease the persecution of LGBTIQ+ Afghans and to suspend the implementation of the PVPV law as it affects LGBTIQ+ persons; to release all those detained on grounds of sexual orientation or gender identity; and to permit international monitoring of the human rights situation in Afghanistan.
- The Government of Iran is urged to cease the mass forced returns of Afghan nationals and to provide effective protection against refoulement to Afghanistan.
- The Government of Pakistan is urged to suspend the Illegal Foreigners Repatriation Plan as it applies to Afghan refugees, to permit UNHCR access to all Afghan refugees in Pakistan, and to refrain from forced returns to Afghanistan.
- The Government of Türkiye is urged to resume the registration of asylum applications by Afghan nationals, to permit access to UNHCR procedures, and to refrain from forced returns to Iran and Afghanistan.

To Humanitarian Actors

- International humanitarian agencies operating in Afghanistan, Pakistan, Iran, and Türkiye are encouraged to develop dedicated capacity for the identification, protection, and onward referral of LGBTIQ+ Afghans, in partnership with specialist civil society organisations.
- IOM is encouraged to continue and expand the practice of LGBTIQ+-sensitive reception and accommodation modelled in its Bosnian camp operations, and to share the lessons learned with other operational contexts.
- Humanitarian actors should ensure that their staff, contractors, and partners are trained on the protection needs of LGBTIQ+ refugees and on the principles of confidential disclosure and referral.

45 Office of the United Nations High Commissioner for Human Rights (OHCHR), Born Free and Equal: Sexual Orientation, Gender Identity and Sex Characteristics in International Human Rights Law (2nd ed., 2019), https://www.ohchr.org/en/publications/policy-and-methodological-publications/born-free-and-equal-sexual-orientation-gender.

To Civil Society Organisations

- Specialist LGBTIQ+ civil society organisations should continue to develop their operational capacity for refugee protection, in partnership with Afghan-led organisations including ALO.
- Refugee rights organisations should integrate LGBTIQ+-specific protection concerns into their general advocacy, monitoring, and litigation work.
- Civil society organisations should support the development of strategic litigation against documented patterns of border violence, pushback, and inadequate asylum procedures, in coordination with affected refugees and their representatives.
- Donors and foundations should provide sustained, multi-year funding to Afghan-led LGBTIQ+ organisations, including ALO, whose work is essential to the documentation, protection, and advocacy efforts described in this report.

A Concluding Note

The participants in this research described, with painful clarity, what the international protection system looks like from the perspective of those it has failed. They also described what works: the kind social worker, the trained interpreter, the well-designed reception facility, the asylum officer who asked the right question, the friend who offered a place to sleep, the organisation that did not turn them away. The work of building a protection system that consistently delivers these outcomes — for Afghan LGBTIQ+ refugees and for all LGBTIQ+ refugees forced to flee — is not impossible. It requires resources, training, political will, and accountability. It requires the operationalisation of commitments that have already been made. The participants in this research, in entrusting us with their testimonies, have done their part. The rest is for us.

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