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Persons with diverse SOGIESC (also referred to as LGBTIQ persons)

COMMON ANALYSIS
Last update: June 2025

This profile refers to persons who are perceived as not conforming to religious and/or social norms because of their sexual orientation (SO) and/or gender identity and expression (GIE), and sex characteristics (SC), including the treatment of lesbian, gay, bi-sexual or trans-gender, intersex and queer, also commonly referred to as (LGBTIQ) individuals.

For practical guidance on SOGIESC-based claims, please refer to EUAA, *Practical Guide on applicants with diverse sexual orientations, gender identities, gender expressions and sex characteristics - Examination Procedure*, November 2024, to be read in conjunction with the Information Note.

The analysis below is primarily based on the following EUAA COI reports: Country Focus 2025, 1.3.7. Targeting 2022, 14. Country Guidance should not be referred to as a source of COI. The section below should be read in conjunction with most recent COI available at the time of the examination.

Persons with diverse SOGIESC have been subjected to different forms of violence amounting to persecution such as abduction, torture, arbitrary detention, (sexual) violence, killing.

Even though the risk associated with the Assad regime has vanished, other actors of persecution such as the Islamic State of Iraq and Levant (ISIL), the Syrian National Army (SNA), and Other non-State actors such as their family, community, the society at large, are still present and operating and there is no information available indicating that their approach towards persons with diverse SOGIESC has changed.

At the time of writing, no information is available on a legal framework to be implemented by the Transitional Administration potentially leading to the discrimination or the protection of SOGIESC persons. However, since December 2024, reports indicate that armed groups linked to the new authorities as well as non-state actors committed serious violations against SOGIESC individuals amounting to arbitrary arrests and torture. Same-sex sexual acts reportedly continued to be criminalised in 2025.

Therefore, the conclusion on the international protection needs of persons with diverse SOGIESC in 'EUAA, *Country Guidance: Syria*, April 2024' would largely remain valid. More specifically:

'For individuals under this profile, **well-founded fear of persecution** would in general be substantiated. It has to be noted that an applicant cannot be expected to conceal their sexual orientation (15) or gender identity to avoid persecution.

Persecution of this profile is highly likely to be for **reasons of membership of a particular social group** based on a shared characteristic which is so fundamental to their identity that they should not be forced to renounce it, and based on a distinct identity of LGBTIQ persons in Syria, because they are perceived as being different by the surrounding society. (16)'

See other topics concerning 'Profiles at risk of persecution from multiple actors (including previously the Assad regime):

- Profiles at risk of persecution from multiple actors (including previously the Assad regime)
  - Journalists, other media professionals and human rights activist
  - Doctors, other medical personnel and civil defence volunteers
  - Persons with perceived links to ISIL
  - Sunni Arabs
  - Kurds
  - Women and girls
  - Children
  - *Persons with diverse SOGIESC (also referred to as LGBTIQ persons)*

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  CJEU, Minister voor Immigratie en Asiel v X and Y and Z v Minister voor Immigratie en Asiel, joined cases C-199/12 to C-201/12 judgment of 7 November 2013, operative part (Court's ruling), https://curia.europa.eu/juris/document/document.jsf?text=&docid=144215&pageIndex=0&doclan

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  CJEU, *X,Y and Z,* paras. 45-49.

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