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4.12. Persons with diverse SOGIESC

COMMON ANALYSIS | Last update: December 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 based on the following EUAA COI reports: Country Focus July 2025, 2.5.; Country Focus March 2025, 1.3.7.; Country Guidance should not be referred to as a source of COI.

The situation for persons with diverse SOGIESC in Syria is deteriorating as shown by reports of increasing violence.

Persons with diverse SOGIESC have been subjected to different forms of violence by several actors, for example extremist groups such as the Islamic State of Iraq and the Levant (ISIL), armed groups such as the Syrian National Army (SNA), and other actors such as their family, community and the society at large.

Step 1: Do the reported acts amount to persecution?

Some acts reported to be committed against persons with diverse SOGIESC are of such severe nature that they amount to persecution, such as killing, torture, sexual and physical violence, arrests, arbitrary detention, and abduction.

The severity and/or repetitiveness of other acts to which persons with diverse SOGIESC could be subjected and whether they occur as an accumulation of various measures, should be considered, as individuals under this profile are reportedly at increasing risk of severe discrimination, legal persecution and threats of violence.

Step 2: What is the level of risk of persecution?

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(12)or gender identity to avoid persecution.

Step 3: Is there a ground for persecution?

Persecution of applicants under 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 persons with diverse SOGIESC in Syria, because they are perceived as being different by the surrounding society(13).

- 12

  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

- 13

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

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