

Crossing Double Borders

**LGBTQI+ displacement to Poland:
persecution, discrimination and challenges
in accessing humanitarian assistance**



**Konsorcjum
Migracyjne**

Migration Consortium

Executive Summary

Acknowledgements

We are deeply grateful to all those who shared their personal experiences of migration and displacement with us. We hope that this report will be used in ways that better support those facing discrimination or neglect on their journey toward safety and respect.

We would also like to acknowledge the incredible work of countless local and international organisations, non-formal groups, communities, and individuals in Poland and beyond who have been providing unwavering support to forcibly displaced people, regardless of their sexual orientation, gender identity, gender expression, or sex characteristics. Many of whom contributed to this research and shared their valuable expertise with us. Most importantly, many of the stories presented in this report have had positive outcomes thanks to your dedication.

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I imagined Poland and Europe differently. I truly believed it would be better for people like us (IDI14)

Without adequate and rights-based protection of the most vulnerable individuals the humanitarian reception or asylum policies cannot be deemed successful.¹ Recent emergencies in Central and Eastern Europe, such as the 2022 Ukrainian refugee response² and humanitarian crisis at Polish-Belarusian border³, have underscored the urgent need to reassess and strengthen protection mechanisms for marginalized groups, particularly LGBTQI+ forced migrants⁴. This report provides a unique, first-hand analysis of the testimonies of LGBTQI+ individuals who, fearing for their lives, health or safety, sought refuge in Poland before and after the reception of millions of Ukrainians in 2022.

Unlike other reports published after 2022, this one provides a detailed, step-by-step analysis of the systemic and legal – not merely humanitarian – obstacles faced by LGBTQI+ asylum seekers in Poland. More importantly, it presents concrete solutions for decision-makers, public administration, border services, and both local and international organisations operating in Poland, which would result in a rights-based approach to LGBTQI+ displacement.

The case study of Poland demonstrates the fundamental role played by the local context and state actors in the

humanitarian response at the external borders of the European Union. Our analysis highlights that, in the context of future mechanisms and regulations – such as the implementation of the Pact on Migration and Asylum and the Polish Migration Strategy – ensuring adequate protection and support for those at risk of exclusion and violence constitutes a true test of humanitarian principles and values for which the EU stands.⁵

This work presents the first comprehensive analysis of the situation of LGBTQI+ refugees and forced migrants in the context of the Ukrainian refugee response in Poland. It centres the lived experiences of LGBTQI+ individuals while critically examining systemic gaps within national asylum procedures, humanitarian services, and legal protection frameworks. Drawing on 23 in-depth interviews (IDI⁶) with 24 LGBTQI+ forced migrants, alongside 18 expert interviews (KII)⁷ with legal experts, humanitarian actors, grassroots organisations, and international stakeholders, these findings are further supported by a legal analysis and a review of academic and institutional literature.

We hope that this report will not only address gaps in existing knowledge, but also contribute to building a coherent response, monitoring and protection system for LGBTQI+ forced migrants in Poland.

1 UNHCR (2021), LGBTIQ persons in forced displacement and statelessness: protection and solutions, <https://www.refworld.org/reference/confdoc/unhcr/2021/en/123913>

2 Jarosz et Klaus (2023), Polish School of Assistance, <https://konsorcjum.org.pl/en/report-the-polish-school-of-assistance/>

3 We Are Monitoring (2024), We have only one war: immigration, you..., https://wearemonitoring.org.pl/wp-content/uploads/2024/10/Raport-Granica_srodek_ENG_online.pdf

4 In this report we use the term 'forced migrants' as an umbrella category that applies to all trajectories of displacement and forms of protection (Temporary Protection, refugee status, subsidiary protection etc.).

5 TGEU (2024), EU asylum pact fails trans and gender-diverse asylum seekers, <https://tgeu.org/eu-asylum-pact-fails-trans-and-gender-diverse-asylum-seekers/>

6 In-depth interviews (IDI) with refugees and migrants themselves.

7 Key informants interviews (KII) with expert on that matter, with separate questionnaire.

Underreported Vulnerability

Testimonies presented in this report provide evidence that, despite growing international awareness of the plight of refugees in Central and Eastern Europe, the specific vulnerabilities of LGBTQI+ forced migrants in Poland from Belarus, Ukraine or countries of Middle East and Africa, remain critically underreported and insufficiently addressed. The Office for Foreigners under the Ministry of the Interior and Administration does not systematically and regularly collect data on SOGIESC-related⁸ asylum claims, thereby hindering monitoring and advocacy in the name of improving the quality of asylum procedures for this marginalised group.

Numerous reports by international human rights organisations, including ILGA Europe⁹, Amnesty International¹⁰ and ORAM¹¹, highlight that LGBTQI+ individuals from these regions often flee deeply entrenched persecution, criminalisation, and systemic violence in their countries of origin, seeking refuge in what they hope will be safer environments. According to local organisations, the scale and diversity of SOGIESC-based asylum claims and needs in Poland have clearly increased in the period 2021-2024. However, this is not reflected in the readiness of Polish public administration or border services to work with this group.

Upon arrival in Poland, asylum seekers encounter ongoing marginalisation, facing both overt discrimination and structural barriers to protection within the asylum system. Humanitarian standards, such as the Sphere Handbook¹² and the Inter-Agency Standing Committee (IASC) Guidelines on Inclusion of LGBTQI+ Persons in Humanitarian Action, clearly stipulate the obligation to uphold the dignity, safety, and equal treatment of displaced LGBTQI+ people. Nevertheless, practical implementation remains weak. Asylum procedures often fail to adequately account for claims based on sexual orientation and gender identity, resulting in retraumatization during interviews, breaches of confidentiality, and unjust credibility assessments. Respondents also highlight the influence of interpreters on the effective or ineffective reporting of SOGIESC factors during the asylum procedure.

In refugee reception centres, LGBTQI+ asylum seekers commonly report harassment, isolation and risk of queerphobic violence¹³ from other forced migrants, as well as insufficient access to psychosocial and legal assistance. The intersection of homophobia, racism, and xenophobia further compounds their vulnerability, leaving many without effective avenues for redress.

Legal Challenges Faced by LGBTQI+ Forced Migrants

Despite international obligations under the 1951 Refugee Convention and EU asylum directives, LGBTQI+ refugees and migrants in Poland face significant legal obstacles in seeking protection.¹⁴ Polish asylum law does not consistently include SOGIESC as explicit grounds for persecution, leading to inconsistent interpretation and application in asylum adjudications. As documented in this report, asylum seekers are often subjected to inappropriate

credibility assessments that require intrusive and humiliating evidence of their identities.

Procedural safeguards, including confidentiality during interviews and vulnerability assessments, are frequently inadequate. Furthermore, the lack of specialised legal aid services for LGBTQI+ applicants means many must navigate complex asylum procedures without informed

support, significantly increasing the risk of unlawful rejections and refoulement. These systemic legal barriers not only breach fundamental human rights standards but

also further entrench the social and economic exclusion of LGBTQI+ migrants in Poland.

Local Context and Reliance on Civil Society

For five consecutive years (2019-2024), Poland ranked last in ILGA Europe's ranking on LGBTQI+ rights protection.¹⁵ As our respondents indicate, rising compassion fatigue and anti-refugee sentiment¹⁶, compounded by a lack of LGBTQI+ rights protection, puts LGBTQI+ forced migrants at serious risk.

While the Polish state has made significant efforts to respond to recent humanitarian crises, the specific needs of LGBTQI+ asylum seekers and refugees often remain insufficiently addressed within the formal protection system. Consequently, many LGBTQI+ individuals must primarily rely on the essential support provided by civil society organisations, grassroots initiatives, and international NGOs to access basic services such as safe housing, healthcare, legal aid, and psychosocial support.

According to the majority of respondents, local organisations have demonstrated extraordinary commitment and flexibility in responding to the unique vulnerabilities of LGBTQI+ forced migrants, delivering tailored services that uphold dignity, safety, and human rights. However, their efforts are often hampered by limited resources, fragmented coordination, and the absence of comprehensive institutional frameworks.

Our report indicates that the obstruction of humanitarian aid at the Polish-Belarusian border, together with the recent exit strategy of INGOs from Poland, are clear signs that LGBTQI+ forced migrants will not find adequate protection in Poland unless case-by-case solidarity is complemented by systemic change.

15 Notes from Poland (May 2024), Poland ranked worst country in EU for LGBT+ people for fifth year running, [https://notesfrompoland.com/2024/05/15/poland-ranked-worst-country-in-eu-for-lgbt-people-for-fifth-year-running/#:~:text=Poland's%20score%20in%20the%20ranking.%25\)%20and%20Bulgaria%20\(23%25\)](https://notesfrompoland.com/2024/05/15/poland-ranked-worst-country-in-eu-for-lgbt-people-for-fifth-year-running/#:~:text=Poland's%20score%20in%20the%20ranking.%25)%20and%20Bulgaria%20(23%25).). (accessed on 24.04.2025).

16 Hargrave, K. et al (2024), Navigating narratives in Ukraine: humanitarian response..., <https://odi.org/en/publications/navigating-narratives-in-ukraine-humanitarian-response-amid-solidarity-and-resistance>

8 In regards to SOGIESC: sexual orientation, gender identity or expression, sex characteristics.

9 ILGA Europe (2021), Policy briefing on LGBTI refugees and EU asylum legislation, <https://www.ilga-europe.org/policy-paper/policy-briefing-on-lgbti-refugees-and-eu-asylum-legislation/>

10 Amnesty International (2022), They treated us like criminals. From shrinking space to LGBTI harassment, [amnesty.org/en/documents/eur37/5882/2022/en/](https://www.amnesty.org/en/documents/eur37/5882/2022/en/)

11 ORAM (2024), Mainstreaming Inclusion for LGBTQI Refugees, [413ec0e2-e6a5-4637-92ec-8d0c4c7ba9a7.usrfiles.com/ugd/413ec0_389f27f9b67440499555a0382eb81987.pdf](https://oram.org.uk/wp-content/uploads/2024/04/413ec0_389f27f9b67440499555a0382eb81987.pdf)

12 The Sphere (2018), Sphere Handbook, <https://www.spherestandards.org/handbook/>

13 In other words: queerphobic violence addresses all forms of violence against LGBTQI+ people, such as homophobic, transphobic etc.

14 ORAM (2024), Mainstreaming Inclusion for LGBTQI Refugees, [413ec0e2-e6a5-4637-92ec-8d0c4c7ba9a7.usrfiles.com/ugd/413ec0_389f27f9b67440499555a0382eb81987.pdf](https://oram.org.uk/wp-content/uploads/2024/04/413ec0_389f27f9b67440499555a0382eb81987.pdf)





Key Recommendations

Informed by the collected data and analysis, we propose the following actionable recommendations:

1. Institutional Recognition and Protection:

Formally recognize LGBTQI+ asylum seekers and forced migrants as a vulnerable group under national and international law. Ensure their immediate and non-discriminatory access to essential services including medical, psychological, and legal support, as well as safe and appropriate short, medium and long-term accommodation. Service provision must be fully compliant with international safeguarding standards and guided by the principle of humanity, particularly in closed and open refugee centres.

2. Legal and Procedural Reform:

Reform asylum procedures to incorporate SOGI-ESC-specific protections at every stage. This should include:

- a) Respectful, confidential handling of disclosures related to sexual orientation and gender identity.
- b) Standardised, rights-based vulnerability and credibility assessments.
- c) Mandatory, comprehensive training for all officials involved in asylum procedures—including border guards, migration officers, and law enforcement—on the rights and needs of LGBTQI+ individuals seeking protection.

3. Integrated Stakeholder Engagement:

Establish transparent, collaborative mechanisms for engagement among government authorities, NGOs, and international actors to address the protection needs of LGBTQI+ asylum seekers throughout all stages of the humanitarian cycle.

Ensure that LGBTQI+ displacement and protection needs are explicitly and positively reflected in current and future migration policies and administrative practices.

4. Accountability and Monitoring Mechanisms:

Implement independent monitoring and evaluation systems to regularly assess the treatment of LGBTQI+ refugees in reception facilities and asylum processes. Ensure compliance with international human rights obligations through transparent reporting and public accountability frameworks

Introduction

In times of crisis, the greatest risk of neglect and discrimination falls on those who were previously deprived of protection in times of peace. Around the world, LGBTQI+ persons are targeted by authoritarian regimes, forgotten in conflicts and exposed to violence and discrimination at all stages of their journey to their ‘first safe country’. What if such safety cannot be guaranteed?

The obligation to protect LGBTQI+ persons rests with both the state actors and humanitarian NGOs, stemming either from the constitutional provisions and international agreements; or humanitarian principles, such as humanity and impartiality. The case of Poland after the 2022 Ukrainian reception proves that even on the eastern borders of the European Union, a lack of in-depth critical reflection and administrative preparedness regarding LGBTQI+ forced migrants can lead to serious violations of LGBTQI+ rights, both in asylum procedures and in the provision of humanitarian services.¹⁷ This report gathers evidence that systemic obstacles faced by LGBTQI+ forced migrants were present before the outbreak of full-scale war in Ukraine, while LGBTQI+ displacement itself has intensified.

The atmosphere of hostility towards LGBTQI+ people and migrants, documented by Amnesty International and Human Rights Watch¹⁸, provides an important context for the reality of protection and assistance experienced and reported by LGBTQI+ asylum seekers in Poland. As reported by ILGA Europe between 2016 and 2021 Poland experienced a decline in LGBTQI+ rights.¹⁹ The situation deteriorated sharply after 2019, as Polish state representatives increasingly targeted LGBTQI+ individuals through persecution, arrests, and harassment.

When it comes to the migration landscape, the humanitarian crisis on the Belarusian border and the outbreak of full-scale war in Ukraine preceded the change of government in 2023. Three years of refugee response has led to the professionalisation of the local humanitarian sector, but also to the rise of securitization narratives and anti-refugee sentiment. As evidenced by the testimonies collected in this report, as well as previous work by ORAM and the Humanitarian Leadership Academy, LGBTQI+ forced migrants in Poland have found themselves caught in the crossfire of these two hostile discourses.

Analyses of Poland’s humanitarian response from 2021 to 2023 reveal that LGBTQI+ refugees often encounter significant barriers and discrimination when attempting to access essential services.²⁰ The ongoing humanitarian crisis at the Polish-Belarusian border, which began in August 2021, has worsened the situation for LGBTQI+ forced migrants. While attempting to cross the border, they face an increased risk of violence and abuse, including torture on the Belarusian side. In Poland, they often endure systemic pushbacks and prolonged detention in closed facilities that do not meet EU standards. At the border with Ukraine transwomen and non-binary refugees face limited access to humanitarian aid and encounter cross-discrimination. Despite significant

social and political mobilisation, as well as rapid allocation of global and national emergency response resources, their SOGIESC-specific needs – such as medical assistance or safe shelter – remain inadequately addressed.

In November 2024, the ORAM report highlighted serious obstacles to access to humanitarian services and asylum procedures for LGBTQI+ people in Central and Eastern Europe.²¹ In January 2025, a report by the Humanitarian Leadership Academy analysed the intersectional humanitarian response in Poland, highlighting the successes and failures of SOGIESC mainstreaming.²² They are united by the perspective of aid providers, not the beneficiaries themselves. This report follows the testimonies of LGBTQI+ forced migrants themselves who fled to Poland to escape violence and discrimination in their countries of origin. Through cooperation between Plan International Poland and the Migration Consortium, it identifies specific legal obstacles and humanitarian deficits that have reportedly hindered or prevented LGBTQI+ people from obtaining protection or support in Poland.

This study involved 24 LGBTQI+ forced migrants and 18 key informants: experts, lawyers and humanitarian practitioners involved in aid provision in Poland (or Ukraine). The research team has supported the testimonies with analysis of the Polish legal framework of protection (Chapter 2) and specific case studies illustrating the obstacles encountered by LGBTQI+ forced migrants in Poland.

The ultimate goal of this research is to present an evidence-based narrative and concrete solutions that, through

an inclusive and rights-based approach, will integrate the administrative framework with humanitarian principles in order to ensure a fair and transparent protection system for LGBTQI+ persons in and after the emergency. This report is therefore precise and deeply rooted in the Polish context, whilst it is giving voice and agency to LGBTQI+ migrants themselves

Research objectives

This study:

1. **Investigates Discrimination** faced by LGBTQI+ refugees and migrants in Poland.
2. **Analyses Needs and Barriers** experienced by LGBTQI+ refugees and migrants in accessing protection and services in Poland.
3. **Evaluates Humanitarian Response**, tracing the development of a humanitarian response to LGBTQI+ refugees and migrants, including efforts by public administration, local organisations, informal groups, international NGOs (INGOs), and UN agencies.
4. **Identifies Gaps** in humanitarian and legal protection for LGBTQI+ refugees and migrants, and offers recommendations grounded in an intersectional, human rights-based approach.
5. **Provides Findings for Future Programming** and policy for vulnerable communities.

21 ORAM (2024), Mainstreaming Inclusion for LGBTQI Refugees, 413ec0e2-e6a5-4637-92ec-8d0c4c7ba9a7.usrfiles.com/ugd/413ec0_389f27f9b67440499555a0382eb81987.pdf

22 Humanitarian Leadership Academy (2025), Beyond Protection, kuchniakonfliktu.pl/en/beyond-protection-%E2%80%93designing-intersectional-humanitarian-response-to-lgbtqi-displacement-in-poland-2

17 ORAM (2024), Mainstreaming Inclusion for LGBTQI Refugees, 413ec0e2-e6a5-4637-92ec-8d0c4c7ba9a7.usrfiles.com/ugd/413ec0_389f27f9b67440499555a0382eb81987.pdf

18 Amnesty International (2022), They treated us like criminals. From shrinking space to LGBTI harassment, [amnesty.org/en/documents/eur37/5882/2022/en/](https://www.amnesty.org/en/documents/eur37/5882/2022/en/); HRW (2023), Poland: Rule of law erosion harms women, LGBT, <https://www.hrw.org/news/2022/12/15/poland-rule-law-erosion-harms-women-lgbt-people>

19 Ibid., Poland: Country Profile at ILGA Europe, ilga-europe.org/tag/poland/?s=&view=grid&documenttype=all&orderresultsby=priority

20 Humanitarian Leadership Academy (2025), Beyond Protection, kuchniakonfliktu.pl/en/beyond-protection-%E2%80%93designing-intersectional-humanitarian-response-to-lgbtqi-displacement-in-poland-2





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