



POLICY BRIEF

 THE COUNCIL FOR
GLOBAL EQUALITY
ADVANCING LGBTQI+ INCLUSION IN U.S. FOREIGN POLICY

 Immigration Equality

 Human Rights First

Trump Administration Immigration Policies Endanger Persecuted LGBTQI+ People

August 2026

Due to a barrage of Trump administration policies, opaque bi-lateral agreements, and executive orders, LGBTQI+ people at risk of persecution have been increasingly trapped in or sent to dangerous and life-threatening conditions. These actions systematically violate laws enacted by Congress to protect people fleeing persecution and treaties the United States has pledged to uphold. Council for Global Equality members highlighted some of the countless stories of impacted individuals in a June 2025 report titled [Trapped in Danger: Trump Administration Policies Endanger Persecuted LGBTQI+ People](#). Over the past year, the situation for LGBTQI+ people fleeing persecution has only further deteriorated.

The Trump administration has sent nearly [20,000 immigrants](#), including LGBTQI+ refugees, to dozens of countries of which they are not nationals – and often have no legal or personal ties. Through an initiative called [Banished by Bargain: Third Country Deportation Watch](#), Human Rights First and

Refugees International have tracked this opaque and expanding patchwork of agreements with other countries. In a June 25, 2026 report titled [Delivered to Danger: How the Trump Administration's Third-Country Agreements Threaten the Lives of LGBTQ Refugees and Asylum Seekers](#), Immigration Equality documented how LGBTQ+ people—including individuals already granted protection by U.S. immigration courts—have been forcibly transferred to third countries where they face detention, violence, criminalization, and onward return to the countries they fled.



Forced transfers of people already granted protection from deportation based on risk of persecution or torture

The U.S. administration is forcibly sending to third countries people who have already presented their cases before a U.S. immigration judge and been granted protection from deportation based on their high likelihood of persecution or torture. This legal status prohibits the U.S. government from returning them to their country of origin and provides them the right to live and work in the United States. These individuals, some of whom are LGBTQI+, have proven their likelihood of experiencing persecution or torture at a higher threshold than is required to qualify for asylum. They would have been granted asylum but for certain asylum bars in U.S. law and regulations, such as not applying for asylum within one year of entry or entering the United States without scheduling an appointment through a now-defunct mobile application (the latter restriction has been largely struck down by federal courts as unlawful).

Denied asylum, they were instead granted mandatory protections against deportation in U.S. law called “withholding of removal” based on their having met the refugee definition or shown a high likelihood of torture pursuant to U.S. legal obligations under the Convention Against Torture. Rather than allowing them to live and find peace in the United States, as has largely been the case throughout implementation of these crucial laws, the Administration is systematically rounding up these refugees and torture survivors and sending them to third countries where LGBTQI+

people face criminal penalties, arbitrary and prolonged detention, violence, or onward deportation to the very countries they fled (also known as chain refoulement) and the U.S. government was prohibited from returning them to. Some of the most egregious examples of people the United States has sent to harm’s way include:

- **Michael, a Ghanaian man, who was persecuted and tortured due to his sexual orientation as a gay man, thought he had finally found safety when a U.S. immigration judge granted him withholding of removal.**

He was only denied asylum due to a regulation that has since been struck down as unlawful. The Trump administration shackled and forced him onto a plane without telling him where he was being taken and sent him to Equatorial Guinea, a country where LGBTQI+ people face high levels of violence and torture. He was then forcibly deported back to Ghana.

- **Farah, a 21-year-old gay Moroccan woman, fled beatings and murder attempts for her sexual orientation in Morocco.** An immigration judge granted her withholding of removal but the U.S. government then forcibly transferred her to Cameroon, where LGBTQI+ individuals face arrest and imprisonment under criminal laws targeting consensual, same-sex conduct. Afraid for her life in Cameroon, she returned to Morocco, where she went into hiding and now lives in fear of renewed violence. Other LGBTQI+ refugees forcibly sent to Cameroon who were interviewed by Immigration Equality for their report have been arbitrarily detained for months in unsanitary and crowded conditions. They are afraid to return to their home countries but face indefinite imprisonment in crowded conditions infested by mosquitoes and without

access to clothing, sanitary pads, and basic hygiene products.

- **A [Honduran trans woman](#) who was granted protection under the Convention Against Torture on the basis of her gender identity was deported to Mexico**—despite widespread killings and violence against trans people in Mexico—where she was detained by Mexican migration authorities and chain refoled to Honduras directly into the hands of Honduran authorities.

Mass due process violations and forced transfers under Asylum Cooperative Agreements

The administration's growing web of forced transfer agreements around the world also includes so-called "[Asylum Cooperative Agreements](#)" (ACAs), under which the U.S. government forcibly sends asylum seekers to third countries to purportedly pursue an asylum claim there rather than having their asylum case considered by the United States. These agreements violate U.S. law, which only permits transfer to a third country to seek asylum there if the person would be safe from persecution and have access to "full and fair" asylum procedures. The countries with which the Trump administration has entered into ACAs—including Uganda, Guatemala, Honduras, and Ecuador—have well-documented records of pervasive anti-LGBTQI+ violence, criminalization, and mistreatment, and impunity for these harms.

The administration has used these ACAs as a pretense to automatically throw out the pending asylum cases of thousands of asylum

seekers, including LGBTQI+ people, and issue them removal orders to third countries without ever having the immigration judge review their asylum application and evidence of persecution. This includes:

- **Hassan, a gay man from North Africa, survived years of severe violence and torture because of his sexual orientation.** After fleeing to the United States, he applied for asylum and was waiting for his case to be adjudicated when the government abruptly ordered him removed to Uganda under the ACA, a country where consensual, same-sex intimacy is criminalized, and LGBTQI+ people face imprisonment, violence, and possible capital punishment under the Anti-Homosexuality Act.

- **Lucia, a Salvadoran trans woman, survived brutal sexual violence and death threats based on her sexual orientation and gender identity.** Lucia applied for protection in the United States but was denied the opportunity to seek asylum based on DHS's plans to remove her to Guatemala and Ecuador under the ACAs, despite evidence of widespread trans violence in these countries.

Key Actions for Policymakers

Federal agencies and Members of Congress – alongside state and local elected officials, to the degree applicable – should:

- Prohibit forced transfers of LGBTQI+ individuals to countries where they face criminalization, persecution, torture, detention, or severe discrimination based on sexual orientation or gender identity.
- Reject any legislative bills, provisions, or amendments that ban, block, or deny access to a fair U.S. asylum process, support necessary funding and staff for timely asylum

adjudications, and urge the administration to end policies and withhold funding to enable such policies that ban or turn away asylum seekers to unsafe places.

- Press the administration to comply with the laws enacted by Congress and the treaties the U.S. has pledged to uphold, and restore and protect vital life-saving asylum and refugee resettlement.
- Demand the public release of the texts of all third country agreements and continue oversight of the egregious use of U.S. taxpayer funding allocated to governments agreeing to accept third country nationals.

- Take steps to uphold the human rights of, and enact and uphold laws that protect the human rights of migrants, people seeking asylum, and members of the LGBTQI+ community.

- Mandate the restoration of reporting on human rights abuses targeting LGBTQI+ persons in the State Department's annual Country Reports on Human Rights Practices to help inform LGBTQI+ asylum cases, highlight the relative safety – or lack thereof – of third country destination countries, and evaluate the risks to LGBTQI+ persons in existing and future ACA countries.

The Council for Global Equality is a U.S.-based coalition of organizations working at the intersection of U.S. foreign policy and the human rights of LGBTQI+ people. We partner with civil society organizations, government officials, and multilateral institutions to advance a more coordinated, human rights-centered approach to protecting and promoting equality worldwide.

