Ceuta: Spain must protect trans asylum seekers, not return them to danger

article, statement & call to action, asylum, asylum, freedom of movement

More than two months after tens of thousands of people crossed from Morocco into Ceuta, many remain in precarious conditions, with inadequate access to shelter, essential services and international protection. Among them are trans asylum applicants who have fled persecution, only to face further violence, insecurity and the threat of being returned to danger. Their situation is part of a wider humanitarian crisis affecting people on the move in Ceuta, all of whom deserve safety, dignity and access to protection.

We are deeply concerned by reports of physical assaults, harassment and mistreatment of people seeking protection in Ceuta. A **report by Border Resistance**, a grassroots collective working at the border, documents at least seven alleged incidents of violence against LGBTI people between 21 August and 6 September. One trans woman described being assaulted by police officers after being expelled from a reception centre, stating, *"We are trans, we cannot live on the street because we are attacked."* Another described fleeing Morocco after receiving death threats from her family. These testimonies expose the grave risks facing trans and other LGBTI people who seek protection in Ceuta, only to encounter further violence and insecurity. We also reject the racist and dehumanising portrayal of people arriving in Ceuta as an ***'invasion'***, language that fuels discrimination and hostility and undermines the right to seek asylum.

"Trans people in Ceuta face specific and severe risks within a wider humanitarian crisis. Our solidarity is with all migrants in Ceuta: everyone deserves safety, dignity and real access to asylum."

– Tayri Fadil (she/her), TGEU Board member

For people fleeing persecution because of their gender identity, access to asylum can be a matter of life or death. Morocco continues to criminalise consensual same sex sexual activity, and trans people face serious risks of violence, discrimination and exclusion. Court documents indicate that seven LGBTI people arrested in Fès in August 2026 were each sentenced to eight months in prison, to be served immediately, and fined, while another person received a three-month suspended sentence. Yet Morocco's inclusion on the EU list of so-called *'safe countries of origin'* risks obscuring these dangers and exposing people with legitimate protection needs to accelerated procedures and removal. As **we warned in February**, treating a country as safe based on general assessments can conceal the specific and sometimes life-threatening persecution experienced by trans people.

"Seeking asylum is already one of the most painful journeys a person can undertake. When you are a BPOC trans person, you may not even make it to safety alive, but to see Spain forcibly return asylum seekers across its borders is unconscionable and constitutes a gross violation of human rights that should alarm all of us."

– Purity Tumukwasibwe (she/her), TGEU Board member

These concerns are particularly urgent following reports of proposed changes to Spain's asylum procedures that would further restrict safeguards for applicants from countries considered safe. Such proposals reflect the wider shift towards accelerated removals and weakened protection safeguards seen in the EU Returns Regulation, which **we condemned in July**. Any measure that allows applicants to be removed before an effective assessment of the

risks they face, including while challenging a negative asylum decision, would expose trans applicants to irreversible harm.

Spain has an obligation under European and international law to ensure effective access to asylum, assess each claim on its individual merits and uphold the principle of non-refoulement, which prohibits returning people to places where they face persecution or other serious harm. These obligations apply regardless of how someone entered the country or whether their country of origin has been designated safe.

We call on the Spanish authorities, with the support and oversight of the European Commission, to take immediate action to:

- Guarantee immediate safety and protection for trans and other LGBI asylum seekers in Ceuta, including safe and dignified accommodation, access to essential services and urgent transfers to mainland Spain for those at risk, in coordination with specialist civil society organisations.
- Ensure fair and accessible asylum procedures, including confidential identification of protection needs, independent legal assistance, qualified interpreters and individual assessments that fully consider persecution based on gender identity.
- Prevent unsafe returns, reject any measures that undermine effective legal remedies and ensure that no one is removed to a country where they face persecution, violence or other serious harm.
- Investigate reported violence and mistreatment, ensure independent and impartial investigations into allegations involving security personnel, hold those responsible accountable and provide effective protection and remedies for survivors.

Spain and the European Union must act now. No one seeking safety should be forced to choose between violence at Europe's borders and persecution in the country they fled. The right to asylum must be protected in practice, not sacrificed to political pressure or administrative expediency.

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