



# ANNUAL REVIEW

OF THE HUMAN RIGHTS SITUATION OF LESBIAN,  
GAY, BISEXUAL, TRANS AND INTERSEX PEOPLE  
IN EUROPE AND CENTRAL ASIA

**2022**



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# INTRODUCTION

Welcome to the 11th edition of ILGA-Europe's *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe and Central Asia*. The publication includes events that occurred between January and December 2021. It provides a snapshot of what happened during the year, at national, regional and international levels, and it documents progress and trends regarding the human rights situation of LGBTI people.

While the entire Annual Review is available online, information on each country and institution can be accessed separately, via ILGA-Europe's website and our updated *Rainbow Europe* web module. In the Rainbow Europe module, you will also find information on each topic separately. We must remark that some parts may be potentially triggering for some readers.

Once again, we must stress that this document is not an exercise in apportioning blame. ILGA-Europe's goal is not to point fingers at specific countries. Instead, this publication intends to serve as a tool for the exchange of best practices and policies, and as an open invitation for enhanced cooperation between governments and LGBTI civil society.

ILGA-Europe want this publication to meet our readers' expectations and needs, and welcome any suggestions for improvement.

We hope that you will find this edition of the Annual Review informative and useful.

ILGA-EUROPE'S ANNUAL REVIEW TEAM  
FEBRUARY 2022

# A NOTE ON DATA COLLECTION AND PRESENTATION

This is our 11th Annual Review and we always strive to develop our rigorous data collection system.

However, a number of limitations remain. The use of terminology around LGBTI issues is often not harmonised across Europe and Central Asia. Nonetheless, all information within the Annual Review has been verified using original documents and the best available local knowledge. Where possible, information was checked against institutional and national reports, and reliable news sources.

For comparative reasons, the language within the Annual Review has been kept in line with ILGA-Europe's standards, and moves away from country-specific legal terms that may have a different meaning elsewhere. At the same time, we respected the variety of terms used by LGBTI communities to self-identify in different countries. For example, this is why the Annual Review does not exclusively refer to LGBTI, but also to 'LGBT', 'LGBTQ' and other formulations.

Of course, the Annual Review cannot cover every development in all 54 countries in intricate detail. When the development was not adequately reported, or the reports were confusing or contradictory, ILGA-Europe verified them with national experts' inputs. They are independent human rights defenders or legal experts in each country. We have also collaborated with regional LGBTI NGO's for their expertise on particular sub-regions or specific work areas such as trans rights, intersex rights or rainbow families.

**DO YOU HAVE QUESTIONS? REACH US OUT AT [INFO@ILGA-EUROPE.ORG](mailto:INFO@ILGA-EUROPE.ORG)**

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# OVERVIEW AND TRENDS

There are two sides to the story that clearly emerges from this, our 11<sup>th</sup> Annual Review of the Human Rights Situation for LGBTI people in Europe and Central Asia. On one hand, there was **a severe rise in 2021 of anti-LGBTI rhetoric** from politicians and other leaders, which has **fuelled a wave of violence**, with anti-LGBTI hate crime reported in every country this year, while on the other the response to this has been **an allied determination** in many countries, and at the European level, **to tackle hatred and exclusion** of LGBTI people.

The continuing COVID-19 pandemic throughout the year was undoubtedly an influencing factor, with some leaders exploiting the limitations it transposed onto populations, while at the same time the **socio-economic disparities** of particularly vulnerable groups, including those within LGBTI communities, were **brought further into relief**. The majority of states have failed to address the needs of LGBTI communities during the pandemic and civil society organisations continued to fill the gaps this year, providing food, shelter and access to medical testing, and responding to an enormous demand for mental health support. Activists reported exhaustion while struggling with **funding shortages**.

A core finding for ILGA-Europe from this narrative report is the **anomaly between our Annual Review and** the other component of this module, **the Rainbow Europe Map**, which ranks countries based on legislative change. The **situation for LGBTI asylum seekers**, for instance, is almost **invariably fraught** with specific difficulties and injustice, despite some countries placing high in the rankings for positive legislative change. Denmark, Estonia, France, Germany, Greece, Malta, The Netherlands, Portugal, Spain, Sweden and the UK are among the countries where LGBTI asylum seekers face double discriminations.

The report also shows **the impact of erosions of democracy** and political instability in countries including Azerbaijan, Belarus, Kazakhstan and Turkey, both on LGBTI people in these countries and in neighboring countries, **as many flee persecution**. In Belarus the brutal crackdown on civil society that began amid mass anti-government protests in January 2021, has increased to include targeting of LGBTI organisations, publications and human rights defenders, while high-profile perceived enemies of the state have been filmed making forced confessions of homosexuality. LGBTI people are wanting to leave or are fleeing oppressive situations in, for example, Albania, Hungary, and Poland.

Another stark element in this report is the **emerging instrumentalisation of the rainbow flag** as a symbol of division rather than unity. Created over 40 years ago by a member of the LGBTI community as a dignified representation of its diversity and coherence, over the course of 2021, the rainbow flag was used by both supporters and detractors of LGBTI people. This was brought into sharp relief in June, when during the European Football Championships UEFA refused on political grounds to allow a Munich football stadium to be lit in rainbow colours as a show of support for LGBTI people in Hungary. Throughout the following months there are reports in these pages of **rainbow flags being burned, torn down, and rainbow-painted public amenities desecrated** in countries beyond the places where we have previously reported such activity, including Croatia, Germany, Ireland, Italy, The Netherlands, Norway, Finland and Spain.

Behind this symbolic division, the human rights situation for LGBTI people in Europe and Central Asia is increasingly complex, with certain groups becoming more and more vulnerable. **Anti-gender and anti-trans rhetoric have remained widespread**, strong and steady, very **often targeting youth** in particular. Claims by opposition forces that self-determination for trans people will lead to harming minors has led to tangible changes, with several clinics in Sweden, for instance, removing service provision to trans youth who are on their waiting lists.

We have documented several **suicides and deaths of young people**, including a 14-year-old girl in France who took her own life after years of lesbophobic and Islamophobic bullying. Over half of LGBTI students in Denmark had suicidal thoughts or self-harmed, while 82% of LGBTI students in Northern Ireland have thought of suicide. 80% of LGBT students feel unsafe in school in Ukraine and 40% missed school only this past month because of this.

However, there was **mobilisation amongst young LGBTI people and their peers**, with initiatives and demonstrations in several countries, including in Norway, where eighth graders organised the first Pride in their town, and Ukraine, where hundreds of LGBTI young people held a six-hour rave outside the president's office demanding comprehensive hate crime legislation.

The false narrative pitching trans rights against women's rights also continued apace this year, including in Serbia, Spain and the UK. Amid this context there was **stagnation in legal gender recognition (LGR)** reform in countries including Andorra, Belgium, Croatia, Finland, Germany, Montenegro, North Macedonia, Slovenia, Sweden and Slovakia, and regression in Greece, Poland, Portugal and Russia. Meanwhile there was some progress in Bulgaria, Croatia, Georgia, Kosovo, Lithuania and Turkey. The Spanish government adopted its draft LGR legislation this year, setting out self-determination for those 16 or over. As the legislation was debated across the media, there was a spike in anti-trans rhetoric, including from politicians and members of government and a rise in anti-LGBTI hate crime. In moving forward with the adoption of the law, the Spanish government, however, held firm its role as defender of human rights for trans people.

A growing number of countries are recognising or beginning to address **the rights of intersex people**. Germany banned intersex surgeries and Belgium made an important step towards working on such legislation, while the Netherlands apologised to victims of sterilisation and gave some compensation. Meanwhile Finland failed to make progress on its intersex surgery ban, while a flawed amendment on banning intersex genital mutilation was tabled in France without consultations with intersex activists.

France became the third country in Europe to ban so-called 'conversion therapies' after Malta in 2016 and Germany in 2020 banning such 'therapies' for minors (in 2020 Albania adopted non-legislative medical guidelines on banning the practice), showing that this is an issue that is also gaining further prominence across the region. The Danish government continued with its plan to ban the harmful practice, a citizens initiative in Finland on banning conversion therapies will go parliament, while in Ireland civil society set up an Anti-conversion Therapy Coalition. Meanwhile legislative bans in Norway and the UK have stalled.

**Employment** is also a rising issue, **particularly for trans people** and in regard to anti-trans narratives. In Belgium, two studies found that people are either not invited for an interview, or leave their jobs because they are trans, while discrimination against trans people in the workplace is on the rise in North Macedonia, Poland, Romania and Spain. In the UK false information about Stonewall's trans inclusion policies prompted several government agencies and companies, including the BBC, to withdraw from the organisation's workplace equality scheme. On a more positive note, the new Greek Labour Code includes gender expression, while in Hungary the ombudsman said employers must provide gendered facilities in line with gender identity.

By far the most stark finding in this report is a staggering rise in hate speech and related violence on the streets of, and in homes, in every country across the region. There was hate speech from politicians targeting LGBTI people in Azerbaijan, Bulgaria, Croatia, Czechia, Cyprus (also in the northern part), Estonia, Finland, Hungary, Georgia, Greece, Hungary, Italy, Lithuania, Moldova, Montenegro, North Macedonia, Poland, Slovakia, Slovenia, Spain, Turkey, and the UK. Religious leaders spread hateful misinformation about LGBTI people in Georgia, Italy, Slovakia, Turkey, and Ukraine; while police in Denmark and Finland, and border guards in Romania did the same. Journalists and the media negatively targeted LGBTI people in Albania, Andorra, Belarus, Denmark, France, Germany, Moldova, Netherlands, North Macedonia, Norway, Portugal, Spain, Switzerland and the UK.

Violence against LGBTI people in this context was rife. Germany, for instance, had a 39% increase in anti-LGBTI hate crime, while a new app in France, where users can report anti-LGBTI hate crimes, collected reports of 3,896 incidents in its first year. In this, the second year of the COVID-19 pandemic, domestic violence against LGBTI family members continued to take place widely. There were murders in Azerbaijan, Belgium, Cyprus, France, Georgia, Russia, Spain and

Turkey. LGBTI events and/or offices were attacked in Bulgaria, Croatia, Czechia, Finland, Georgia and Serbia. Other hate crimes included assaults, corrective rapes, and anti-LGBTI police brutality. In many countries where police brutality took place, the police were not held accountable.

A particular low point of the year came on June 15, with Hungary's introduction of legislation which introduced a ban on the "portrayal and the promotion of gender identity different from sex at birth, the change of sex and homosexuality" for persons under 18. Widely compared to the Russian anti-propaganda law, it was condemned by 18 EU Member States, although Romania, Poland and Slovakia have all mooted plans to copy the law, or Hungary's 2020 LGR ban.

It is however quite clear from this report that **state-sponsored anti-LGBTI rhetoric** and legislation **is not matched by public opinion**. Support for LGBTI people has never been stronger in Hungary and polls show the public sees the new legislation as a political tool. Hardly any Serbians know trans people, but 60% think they should be protected from discrimination. 68% of Romanians think all families, including rainbow families, should be protected, while 40% of Bulgarians would support a party that is pro-LGBTI.

Meanwhile, **national human rights institutions (NHRIs) and courts** in many countries have done a strong job **protecting the rights of LGBTI people**. Many LGR denials were overturned in Hungary, while *Bell v. Tavistock*, the case before the Court of Appeal on the question of whether puberty blockers could be prescribed to under-18s with gender dysphoria was quashed in the UK. Several countries issued fines and prison sentences over hate speech and hate crime incidents. The courts in Turkey ruled against the conviction of students for taking part in the METU Pride march, in a case that had lasted for over two years. NHRIs found discrimination in Hungary, North Macedonia, Serbia, and many other countries.

The European Court of Human Rights delivered **several positive judgments** this year, on hate crimes, freedom of assembly, LGR and family rights. The Court of Justice of the EU ruled in the case of baby Sara, the daughter of Bulgarian and British lesbian parents, that if one EU member state recognises a parental relationship between a child and its parents, then all member states should, in order to give the child its right to freedom of movement. The court said baby Sara should be issued a Bulgarian passport, and her **family should have free movement in all member states** of the European Union.

In March, the European Parliament adopted a resolution declaring the **EU an LGBTIQ freedom zone**. The resolution condemned the fact that in Poland regions had adopted 'LGBT free zone' resolutions, as well as other persisting LGBTI rights violations in some EU member states. Six months later, the European Parliament adopted its **resolution on LGBTIQ rights in the EU**, welcoming the EU LGBTIQ Strategy, strongly supporting the EC's objective to propose legislation in several areas of protecting LGBTI rights, and condemning where member states have not been respecting EU law and CJEU judgements as regards LGBTI rights.

By far the strongest commitment to LGBTI human rights from European Union level came when the Commission in July opened **landmark infringement procedures** against both Hungary and Poland. The procedures against Hungary concern the censorship of a children's book portraying LGBTI characters, and the anti-LGBTI legislation that entered into force in June. The procedures against Poland concern a refusal to clarify whether LGBTI people are discriminated against in the labour market in the country's so-called 'LGBT Free Zones'.

In this and other respects, this report narrates an unparalleled year in Europe, with regional and national institutions and courts taking their obligations to the human rights of LGBTI people with utmost gravity amid the now crystal clear escalation of the instrumentalisation of hatred against LGBTI people for political gain and expanded power.

In all five countries that comprise **Central Asia**, however, it has been a year of **further regression**.

A campaign for the repeal of Article 120 of the Uzbekistan Criminal Code, which criminalises consensual same-sex conduct between men, gained traction across Europe, bringing wide visibility to the persecution of LGBTI people in

the country. However the Uzbeki Prosecutor General failed to decriminalise consensual same-sex conduct, instead moving the provision from Article 120 to Article 154, which is now listed under a new chapter called “Crimes against family, children and morality”.

**Hate speech** by politicians and the media remains a serious issue and **brutal hate crimes** were documented in all five countries, including in Uzbekistan, where in March a group of people perceived to be LGBTI were attacked and beaten by a large gang of men. The pro-LGBTI rights blogger Miraziz Bazarov was also severely beaten and hospitalised. The police blamed Bazarov for the attack. He was arrested upon his release from hospital and is currently facing prosecution. After the March attack, the authorities launched a targeted search for LGBT activists and interrogated many human rights defenders.

Arrests, detention, **police brutality** (including extortion, threats, violence, torture) continued this year in Tajikistan, Uzbekistan, and Turkmenistan, while a number of new laws were introduced and/or are planned that could further restrict LGBTI rights in Kyrgyzstan and Uzbekistan. Tajikistan dropped sexual orientation and gender identity from the most recent drafts of its anti-discrimination law.

Activists in every Central Asian country have remained courageously active despite backlash, threats and attacks.

This overview only focuses on some particular trends and learnings we have pulled from the wealth of information our Annual Review pulls together, with the help of committed country experts across Europe and Central Asia. There would not be space to cover the many other trends and learnings to be gleaned from this report.

Last year, we identified that while many people within the movement are talking about intersectionality, and taking steps to work on intersecting inequalities that affect LGBTI people, very few groups were articulating their work and commitments. This year we are **encouraged to see intersectionality emerging** into the narrative of our review. For instance there has been progress in Roma and disability rights and LGBTI cooperation in Albania; the introduction of a deaf LGBTI resource in Hungary; while in Finland there was the establishment of an association for older LGBTI people. This is a trend we expect to see more reporting in the coming years.



# EUROPEAN UNION

## ACCESS TO GOODS AND SERVICES

In its [resolution](#) on the gender perspective in the COVID-19 crisis and post-crisis period, adopted on January 21, the European Parliament specifically stressed the impact the pandemic and the lockdown had on LGBTI people and emphasised the need for support services for LGBTQI+ persons, including mental health support, peer support groups and support services for victims of gender-based violence.

## ASYLUM

In July, the EASO [announced](#) its intention to develop a separate training module on SOGIESC in the asylum context, to be published in 2022.

In November, the EASO [published](#) an updated COI Research Guide on LGBTIQ people. The updated version includes guidance on gender identity, gender expression and sex characteristics for country of origin researchers.

There has been some progress at technical level both at Parliament and the Council, but no political agreement on key elements of the [EU Pact on Migration and Asylum](#) has been reached. The only exceptions are the [EU Blue Card Directive](#) and the [Regulation on EU Asylum Agency](#), which were adopted in October and December, respectively.

## BIAS-MOTIVATED SPEECH

In 2021, the sixth evaluation on the Code of Conduct was [published](#) and LinkedIn joined the Code of Conduct. In this monitoring cycle, sexual orientation along with xenophobia (including anti-migrant hatred) are the most commonly reported grounds of online hate speech (18.2% and 18% respectively) followed by anti-gypsyism (12.5%).

In 2021, the Victims' Rights Platform gathering EU level actors that will consult with the Victims' Rights Coordinator on implementation of the EU Victim's Rights Strategy was officially launched and [organised](#) a plenary meeting and several ad-hoc thematic meetings. ILGA-Europe are member of the Platform.

On 14 December, the European Parliament [adopted](#) its recommendations resolution to the Commission on combating gender-based violence: cyberviolence which explicitly includes 'all forms of gender-based violence', and calls for the EU to work on specific violence targeting LGBTI people and creating the legal base to tackle LGBTI phobic hate speech and hate crimes on EU level.

## BIAS-MOTIVATED VIOLENCE

In February, to implement its commitments under the Gender Equality Strategy and the LGBTIQ Equality Strategy, the Commission [launched](#) the 'Roadmap on Inception Impact Assessment on Gender-based and domestic violence' initiative, where it proposed three possible legislative and non-legislative options: no changes to the current legislative framework and application of various strategies; a recommendation on the prevention of harmful practises and scenario one; or a holistic legislative initiative on preventing and combating gender-based violence and domestic violence. The Communication on Violence against Women and Domestic Violence from the Commission is expected to be published in 2022.

In February, the Commission [launched](#) public consultation on the Roadmap to the initiative aiming to expand the list of EU crimes to include hate speech and hate crime. The main objective of the initiative is to have hate speech and hate crime identified as 'other areas of crime'. The Commission has proposed sex and sexual orientation as well as disability and age as grounds of hate crime and speech, in addition to those identified in the Framework Decision 2008/913/JHA. In December, the legal initiative to expand the list of EU crimes to include hate speech and hate crime was adopted by the Commission.



In March, the Working Group on Hate Crime Recording, Data Collection and Encouraging Reporting [published](#) ‘Key Guiding Principles (KGPs) on Encouraging Hate Crime Reporting: the Role of Law Enforcement and Relevant Authorities’. These KGPs were developed on the basis of evidence collected by the Fundamental Rights Agency from members of the Working Group. The key guiding principles were finalised following consultation with national authorities and other stakeholders, including CSOs that are members of the EU High Level Group.

On September 16th, the European Parliament [adopted](#) its recommendations to the Commission on identifying gender-based violence as a new area of crime listed in Article 83(1) TFEU. Throughout the text, gender-based violence against LGBTI people is clearly included and the resolution calls on the EC to extend the list of Eurocrimes under Art.83 to enable including SOGIESC as grounds in any upcoming EU legislation combating hate and violence.

In October, the CJEU [published](#) its responses to the European Parliament’s inquiries on the EU’s accession to the Istanbul Convention.

## BODILY INTEGRITY

As set out in the EU LGBTIQ Equality Strategy, the EC started work on the first EU intersex study. The study will investigate the lived experience of intersex people and their parents within the EU, including exposure to non-vital medical interventions, discrimination, and social exclusion. The study is expected to be published at the end of 2022.

## DATA COLLECTION

On 30 September, the European Commission organised a Roundtable on Equality Data. Speaking at the event, Commissioner for Equality Helena Dalli stressed the need to collect equality data in order to help design anti-discrimination measures in EU Member States and Emanuele Baldacci, Director of Resources at Eurostat stressed the need to go beyond the six EU grounds of discrimination and collect data that could feed into other dimensions of equality and look at the cross-cutting and intersectional elements.

Currently European statistics on population (ESOP) do not collect statistics on respondents’ sexual orientation, gender identity or sex characteristics. At the end of September the EC opened the consultation on how to make ESOP more inclusive, an opportunity to push for the inclusion of SOGIESC in the statistics.

On 6 October, the European Parliament adopted its [resolution](#) on the impact of intimate partner violence and custody rights on women and children, highlighting the rise in domestic violence against LGBTI people during COVID-19 lockdowns and calling on the Commission and Member States “to ensure that data are disaggregated by sexual orientation, gender identity, sex characteristics (...) to ensure that the experiences of women in all their diversity are captured.”

## EMPLOYMENT

On 10 February, the European Parliament adopted a [resolution](#) on reducing inequalities with a special focus on in-work poverty, which specifically refers to LBT women as an at-risk group.

On 10 June, the European Commission hosted a workshop on trans and intersex persons’ access to the workplace and exposure to workplace exclusion, directed at businesses as part of European Diversity Month programming.

## EQUALITY AND NON-DISCRIMINATION

In March, the meeting of the Employment, Social Policy, Health and Consumer Affairs Council configuration (EPSCO), included a discussion on the EU LGBTIQ Equality Strategy, with a focus on socio-economic inequality and LGBTI people experiencing homelessness.



On 11 March, the European Parliament adopted a [resolution](#) declaring the EU an LGBTIQ freedom zone. The resolution condemned the fact that in Poland regions had adopted LGBT free zone resolutions, as well as other persisting LGBTI rights violations in some EU member states.

On 14 September, the European Parliament adopted its [resolution](#) on LGBTIQ rights in the EU, welcoming the EU LGBTIQ Strategy, strongly supporting the EC's objective to propose legislation in several areas of protecting LGBTI rights and condemning where Member States have not been respecting EU law and CJEU judgements as regards LGBTI rights.

On 27 September, DG Justice organised a meeting with selected stakeholders to evaluate the first year of implementation of the EU LGBTIQ Strategy.

Following the adoption of the Commons Provisions Regulation ([CPR](#)) for the cohesion policy funds for the spending cycle 2021–2027 in June, the EU began to become more rigorous in its oversight of the use of its funds, to ensure the distribution abides by EU law and the rules of their implementation. The CPR includes rules that aim at ensuring respect for fundamental rights in the implementation of the funds, including LGBTI rights. These rules kick-in at different stages of the spending cycle and relate to different mechanics underpinning the use of the funds.

## FAMILY

On 14 December, the Court of Justice of the EU (CJEU) [ruled](#) in the case of *V.M.A. v Stolichna obshtina*, that a child and its same-sex parents must be recognised as a family, the child should be issued a Bulgarian passport, and the family should have free movement in all Member States of the European Union. The same-sex couple had been refused a birth certificate in Bulgaria for their newborn daughter and claimed the Bulgarian authorities are violating the rights of a European citizen on the grounds of sexual orientation, namely to free movement, and to private and family life. The Advocate General, in its opinion in April, already found largely a breach of the fundamental principles of the EU.

Following the European Commission President's [statement](#) that a parent in one country is a parent in every country, the EC is preparing legislation regarding parenthood recognition across the EU (expected to be published in the second half of 2022). In order to prepare the legislation, the EC in 2021 set up an expert group to support the development of the proposal, as well as launched a public consultation. A stakeholder consultation took place on December 14th.

On 22 March, the European Parliament's Petition Committee organised a hearing on petitions regarding the free movement of Rainbow Families, at which also the EP study on obstacles to the free movement of rainbow families in the EU was presented.

The EU Child Rights Strategy was launched in March. The Strategy is inclusive of LGBTI rights, linking the strategy to the EU LGBTIQ Equality Strategy. In its [resolution](#) on children's rights in view of the EU Strategy on the rights of the child, the European Parliament called for an intersectional approach in implementation of the strategy and to ensure full consistency with the objectives and proposals in the EU LGBTIQ Equality strategy (amongst others).

## FOREIGN POLICY

In its [resolution](#) on human rights and democracy in the world and the European Union's policy on the matter – annual report 2019 (adopted 20 January), the European Parliament uses strong language to condemn a list of ongoing violations of LGBTI rights across the world and call on EU and member states to use all tools available to combat these human rights violations. The EP also explicitly calls on EU and member states to include the needs of LGBTI people when promoting gender equality and SRHR globally.



The EU has accepted Uzbekistan as a beneficiary country of the special incentive arrangement for sustainable development and good governance (GSP+) under the unilateral Generalised Scheme of Preferences (GSP). The EU started applying preferential tariffs for products imported from Uzbekistan under this arrangement from 10 April onwards .

On 19 May, the EU External Action Service organised a meeting for its staff to discuss the situation of LGBTI rights in Europe and globally to mark IDAHOBIT day. ILGA-Europe was invited to present the main findings of the 2021 Rainbow Map. The meeting was online and was attended by EEAS staff and delegation staff from many countries.

## HEALTH

On 10 May, the European Commission and DG-SANTÉ hosted a High-Level European Conference on the mental health impact of COVID-19, including a strong focus on LGBTI people.

On 20 May, the European Parliament adopted a [resolution](#) on accelerating progress and tackling inequalities towards ending AIDS as a public health threat by 2030, calling on EEA, EC and member states to make full use of all programmes to combat HIV and to specifically support services responsive to the needs of key populations and other priority populations facing unique challenges in accessing HIV services, including by providing youth-friendly sexual and reproductive health services for young people.

The European Commission [held a public consultation](#) on the revision of its Directive on blood, tissue and cell donation, and specifically sought input from LGBTI civil society in the discussions.

## HOUSING

On January 21, the European Parliament adopted a [resolution](#) on access to decent and affordable housing for all. The resolution highlights the fact that LGBTI people are overrepresented amongst people experiencing homelessness or being affected by the housing crisis, and invites the Commission to create tools for enhanced data collection, to foster research across the EU, and facilitate good practice exchanges on tackling the problem of LGBTIQ homelessness between Member States.

On 21 June, the European Platform on Combating Homelessness was launched by the European Commission and the Portuguese EU Presidency. In the launch session, a number of speakers referred to the high number of LGBTI people experiencing homelessness and the need for the Platform to specifically look at the needs and situation of LGBTI homeless people.

## HUMAN RIGHTS DEFENDERS

The European Commission set up an Expert Group on Strategic Lawsuits Against Public Participation (SLAPPs), which is helping the EC to prepare legislation providing protection from such lawsuits. Four meetings were held in 2021. A legislative proposal is expected for March 2022.

On November 11, The European Parliament adopted its resolution on strengthening democracy and media freedom and pluralism in the EU: the undue use of actions under civil and criminal law to silence journalists, NGOs and civil society, specifically naming the targeted attacks against LGBTI human rights defenders and calling on the EC to include these attacks in all their work going forward.

In December, the EC launched a new funding call under the [Citizens, Equality, Rights and Values Programme \(CERV\)](#), with the objective to protect, promote and raise awareness of EU fundamental rights and values by supporting local, regional and/or national civil society organisations (CSOs) and increasing their capacity, including through providing them with financial support (regranting), with an overall budget of 50 million euro for a three-year period.



## INSTITUTIONAL SUPPORT

In the framework of the implementation of the EU LGBTIQ Equality Strategy (2020–2025), the European Commission's (EC) set up a LGBTI subgroup of the EU High-level group on Non-discrimination and started working on guidelines for the groups work, focusing on an exchange of good practices on protection from discrimination on grounds of sexual orientation, gender identity and expression, and sex characteristics (SOGIESC) in Member States. First conversations have also started on how to engage European LGBTI organisations in the work of the subgroup.

On 12 May, the Portuguese EU Presidency organised a conference to mark IDAHOBIT Day.

## INTERSECTIONALITY

On January 21, the European Parliament voted to include sex workers in the EU Strategy for Gender Equality, urging the European Commission to establish a concrete framework for the rights and protection of sex workers. In its resolution of 21 January on the EU Strategy for Gender Equality, the European Parliament calls on the EC to develop guidelines to ensure an intersectional approach for the implementation of the strategy, and explicitly calls on the EC to close the gap on protection on the ground of gender identity in the light of the rise in hate against trans people.

On 10 March, the European Parliament adopted its resolution on the implementation of Council Directive 2000/78/EC, establishing a general framework for equal treatment in employment and occupation in light of the UNCRPD. The resolution mainstreams LGBTI rights throughout, highlights specifically higher rates of LGBTI PwD being discriminated against in employment, being bullied, abused and forcefully outed, and calls for disaggregated data collection, including SOGIESC.

On 19 March, the European Commission organised the first EU Anti-Racism Summit, and the meeting of the Subgroup on National Implementation of EU Anti-Racism Action Plans.

In January, the European Commission published the Green Paper on Ageing, in which LGBTIQI older people are recognised as having a specific vulnerability.

## POLICE AND LAW ENFORCEMENT

On 23 June, to improve the understanding of and the response by law enforcement officers dealing with victims of hate crimes, in particular of those motivated by SOGIESC, CEPOL organised a webinar on hate crime against members of the LGBTQ community.

## SEXUAL AND REPRODUCTIVE RIGHTS

On 24 June, the European Parliament adopted its resolution on the situation of sexual and reproductive health and rights (SRHR) in the EU. The resolution calls for inclusive SRHR and sex education including SOGIESC, to make trans-specific healthcare accessible and reimbursed across the EU, reaffirms its call to ban non-medically necessary surgeries and treatment on intersex infants and children, calls for banning sterilisation requirements for LGR across the EU and instead full respect trans peoples' right to self-determination, and uses trans inclusive language in all paragraphs regarding SRHR and pregnancy.



# UNITED NATIONS

## UN INDEPENDENT EXPERT ON SEXUAL ORIENTATION AND GENDER IDENTITY

In its resolution 41/18 during its 47th session, the Human Rights Council decided to extend the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (IE SOGI) for a period of three years and requested the Independent Expert to continue to report annually on the implementation of the mandate to the Council.

In 2021, the IE SOGI issued Reports on Gender Theory: The Law of Inclusion & Practices of Exclusion. The first part concluded that gender identity and expression are protected under international human rights law and the second remarked that anti-gender narratives put all women's rights at risk, including lesbian, bisexual and trans women, and contribute to the perpetuation of violence and discrimination based on SOGI. The IE SOGI called on states for urgent action to push back against anti-gender narratives.

## ASYLUM

From 07-29 June 2021, the United Nations High Commissioner for Refugees (UNHCR) and the Mandate of the IE SOGI co-convened the 2021 Global Roundtable on Protection and Solutions for Lesbian, Gay, Bisexual, Transgender, Intersex, and Queer (LGBTIQ+) People in Forced Displacement. Summary Conclusions of the 2021 Global Roundtable on Protection and Solutions for Lesbian, Gay, Bisexual, Transgender, Intersex, and Queer (LGBTIQ+) People in Forced Displacement can be accessed here.

In February 2021, in case A.B. v. Finland, the Committee on the Rights of the Child concluded that the State party failed to adequately take the best interests of the child as a primary consideration when assessing the author's asylum request based on his mothers' sexual orientation and to protect him against a real risk of irreparable harm in returning him to Russia. The Committee found that Finland violated articles 3, 19, and 22 of the Convention. This is the first case reviewed by UN human rights treaty bodies concerning LGBTI families in the asylum context.

The Committee on the Elimination of Racial Discrimination (CERD) recommended that the Netherlands engage in a dialogue with civil society organisations working with and on the issue of LGBTI asylum seekers to avoid stereotyping and explore possible improvements to assessments of LGBTI claims of asylum seekers.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

In March 2021, Fourteenth United Nations Congress on Crime Prevention and Criminal Justice adopted the Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development. The Declaration includes in its paragraph 91 the first ever UN commitments specifically addressing hate crime, and provides UNODC with a mandate to develop programmes on hate crime.

In 2021, Georgia, Greece, Hungary, Estonia, Latvia and Tajikistan reported to the Universal Periodic Review (UPR) and received recommendations to legislate and improve protection for LGBTI people from violence, including hate crime and hate speech. Tajikistan received for the first time recommendation from Italy to take concrete measures to combat all forms of discrimination and violence, including domestic violence, based on gender, sexual orientation and gender identity.

The Committee on the Rights of the Child (CRC) noted in its Concluding Observations on Switzerland that the government should develop national programmes to prevent bullying against LGBTI children, and the Committee on the Rights of Persons with Disabilities (CRPD) concluded that Estonia should adopt a comprehensive strategy to prevent and combat all forms of violence and exploitation against persons with disabilities, including LGBTI persons with disabilities.

On 6 July, UNAIDS released a statement calling on Hungary to immediately remove amendments discriminatory to LGBTI people from the so-called "anti-propaganda" law.



At World Pride on 17 August, United Nations High Commissioner for Human Rights Michelle Bachelet [spoke at the Copenhagen Human Rights Forum](#), stating that “No region is immune. Right here in the European Union, for example, more than half of LGBT people have reported threats and harassment.”

## BODILY INTEGRITY

During its review under the UPR, Austria [received](#) a recommendation to strengthen the legislative framework to expressly prohibit any practice that modifies a person’s sexual characteristics without well-founded medical reasons or without the full consent of that person. Ireland [received](#) a recommendation to enact legislation to prohibit so-called “conversion therapies”. Similarly, several treaty bodies – including the CRC, CRPD, and the Human Rights Committee (HRCtee) – published Concluding Observations urging the [Czech Republic](#), [Finland](#), [France](#), [Luxembourg](#), and [Switzerland](#) ensure that intersex children are not subjected to non-vital treatments without their personal, fully informed consent. [Luxembourg also received a Concluding Recommendation from CRC](#) to ensure that children have their best interest taken as a primary consideration, including for intersex children.

On 20 January, the UN Special Procedures sent Communications to [Poland](#), [Pope Francis](#), and [Archbishop Stanislaw Gadecki](#) regarding the 2020 Polish Episcopal Conference (Konferencja Episkopatu Polski), which resulted in the adoption of a “position on the questions of LGBT+” including a position in favor of so-called “conversion therapies” and a call for the formation of clinics to offer these practices; the Polish government [replied](#) on 18 March.

## EDUCATION

During its UPR review, Georgia [received](#) several recommendations to implement educational and awareness-raising campaigns to combat discrimination on the grounds of sexual orientation and gender identity. Hungary [received](#) a recommendation to guarantee the right of children to comprehensive sexuality education, including on the full diversity of sexual orientations, gender identities, and sex characteristics. Additionally, [Poland received a Concluding Observation from CRC](#) and [Finland from CESCR](#) on developing inclusive education materials and prohibiting discrimination and bullying in schools.

## EQUALITY AND NON-DISCRIMINATION

During their review by the UPR in 2021, [Austria](#), [Belarus](#), [Belgium](#), [Denmark](#), [Estonia](#), [Georgia](#), [Greece](#), [Hungary](#), [Ireland](#), [Latvia](#) and [Tajikistan](#) received recommendations to adopt or improve existing comprehensive anti-discrimination legislations addressing direct and indirect discrimination based on sexual orientation and gender identity. Hungary received multiple recommendations to repeal the legislation banning the “promotion of homosexuality” among minors and enact legislation to protect LGBTI persons from discriminatory practices. Similarly [Estonia](#), [Finland \(1, 2\)](#), [France](#), [Latvia](#), and [Switzerland](#) received treaty body Concluding Observations from CRC, CRPD, the HRCtee, and the Committee on Economic, Social, and Cultural Rights (CESCR), encouraging stronger anti-discrimination protections.

On 22 March, seven UN Special Procedures mandate holders wrote a [Communication](#) to the government of Hungary on the abolition of the Equal Treatment Authority; the government [replied](#) on 19 May.

For IDAHOBIT (May 17), a group of UN Special Procedures mandate holders [called on religious leaders](#) to show respect and compassion for LGBT persons, and the High Commissioner for Human Rights [drew specific attention to the situation of LGBTIQ+ youth](#) and called for defense of the trans community.

On 04 March, three UN Special Procedures mandate holders [urged](#) Uzbekistan to decriminalise consensual same-sex sexual conduct between adult men; the government has not replied at time of writing.



## FAMILY

During its UPR review, Greece received recommendations to pass and implement laws that recognise same-sex marriage and the possibility to adopt children.

## FREEDOM OF ASSEMBLY

On 24 March, six UN Special Procedures mandate holders showed concern to Belarus on the arbitrary arrests, detention and the excessive use of force and ill-treatment against protesters and the repression on journalists and media personnel, including with specific LGBTI issues; the Belarussian government has not responded at the time of writing.

## FREEDOM OF EXPRESSION

On 26 February, six UN Special Procedures mandate holders expressed serious concerns to Poland about the charges brought against women human rights defenders in response to their distribution of posters displaying the Virgin Mary with a rainbow halo, symbolising the LGBT flag; the Polish government replied on 23 April.

On 04 June, three UN Special Procedures mandate holders wrote a Communication to Uzbekistan regarding alleged physical attack and criminalisation of blogger and human rights defender, Mr. Miraziz Bazarov; the government replied on 24 August.

On 11 November, the Human Rights Committee (HRCtee) issued findings on Ukraine, and “expressed concern about reports of intimidation, persecution and attacks against journalists and human rights defenders in Ukraine, as well as anti-corruption, LGBTI and gender activists by various actors, including extreme right-wing groups.”

On 22 November, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression issued a statement about Hungary, expressing serious concerns at reports of recurring campaigns of hate-speech, harassment, or stigmatisation of journalists and human rights defenders working on the rights of migrants, refugees and LGBTI, the UN expert called on the Government “to promote and recognise the important contributions that these individuals make in building a more just and inclusive society”.

## HEALTH

During its UPR review, Ireland received recommendations to develop a health care protocol for intersex children, based on human rights, that ensures that children and parents are informed about all options and that children participate in decision-making, thus avoiding subjecting intersex children to interventions irreversible and medically unnecessary surgical procedures. Belgium was recommended to ensure equality and non-discrimination based on sexual orientation by lifting restrictions imposed on homosexual men from donating blood, and adopt the least exclusionary approach taking into account current scientific studies. Similarly, Poland received a Concluding Recommendation from CRC to train health professionals to support LGBTI children, and Switzerland to ensure effective implementation on the 2016 action plan on suicide prevention, which includes specific measures for trans adolescents.

## HUMAN RIGHTS DEFENDERS

On 18 November, four UN Special Procedures mandate holders shared with Poland their deep concerns over the criminalisation of an LGBTI activist, Bart Staszewski (see the chapter on Poland for more information); the government replied on 13 January 2022.



## INTERSECTIONALITY

France received a Concluding Observation from CRPD to prohibit multiple and intersectional discrimination on the ground of SOGI and adopt strategies to eliminate it. Estonia and France received Concluding Recommendations from CRPD to develop data collections systems that allow for disaggregation of people with disabilities, including on the grounds of SOGI. Also, Belgium received a Recommendation from CERD to ensure that data collection on discrimination against people of African descent could be disaggregated on the ground of sexual orientation.

## LEGAL GENDER RECOGNITION

During its UPR review, Austria received a recommendation to work towards guaranteeing access to legal gender recognition (LGR) for intersex, transgender and non-binary people to all six current existing options of gender markers, without any barriers, based on self-identification. Hungary received recommendations to reform legislation that denies the right to LGR of trans people. Finland received a Concluding Recommendation from the HRCtee to ensure that LGR is available to trans children.

On 27 September, four UN Special Procedures mandate holders called on Bulgaria to ensure that citizens have the ability to access legal gender recognition; the government has not replied at time of writing.

## POLICE AND LAW ENFORCEMENT

On 17 February, six UN Special Procedures mandate holders expressed grave concern over the alleged arbitrary arrest, detention and torture of two men purportedly due to their SOGI; the Russian Federation replied on 22 March.

On 15 July, four UN Special Procedures mandate holders showed their concerns to Kyrgyzstan regarding alleged surveillance and attempts to break into the office of non-governmental organisation (NGO) Kyrgyz Indigo; the government replied on 06 September.

Also on 15 July, five UN Special Procedures mandate holders expressed to Kazakhstan serious concern over the harassment, intimidation and alleged arbitrary detention of human rights defenders Gulzada Serzhan and Zhanar Sekerbayeva; the government replied on 10 September.

*This is a selection of mentions, reports and recommendations relevant to Europe and Central Asia. For more information, check out the work of ILGA World with the United Nations: <https://ilga.org/united-nations>*



# COUNCIL OF EUROPE

The Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI) formalised a Working Group on LGBTI issues in its workplan and budget during the plenary session in [December](#). This Working Group builds on the [European Governmental LGBTI Focal Points Network \(EFPN\)](#), which was founded in 2004 as an informal intergovernmental space. The EFPN was integrated into the CoE SOGI Unit in 2020. The integration into CDADI further formalises and institutionalises the group within the Council of Europe organisation.

Fourat Ben Chikha was re-elected as the General Rapporteur for the rights of LGBTI people in January.

## BIAS-MOTIVATED SPEECH

In March, the European Commission against Racism and Intolerance (ECRI) released its [2020 report](#), with significant focus on LGBTI issues and anti-LGBTI forces.

On 31 March, the Commissioner for Human Rights published a [country visit report on Bulgaria](#), bringing attention to the exposure of LGBTI people to bias-motivated speech and violence.

The General Rapporteur on the rights of LGBTI people of the Parliamentary Assembly of the Council of Europe (PACE) developed a report on rising hate against LGBTI people, [holding a hearing](#) in the PACE Committee on Equality and Non-discrimination in May. The report is set to be debated and potentially adopted at the PACE plenary in January 2022. As part of this report, the Rapporteur also requested an opinion from the Venice Commission on the compatibility with international human rights standards of Act LXXIX of 2021, adopted by the Hungarian Parliament in June. The Venice Commission published their [opinion](#) on 14 December; see the Hungary chapter for more details.

On 22 July, 28 members of PACE signed a [written declaration](#), calling for condemnation of Hungary's adoption of legislation akin to the Russian law against "LGBT propaganda".

## BIAS-MOTIVATED VIOLENCE

On 20 March, Turkey [announced](#) that it would withdraw from the Istanbul Convention on 1 July.

On 2 April, the SOGI Unit released the [Albanian language version of their police hate crimes manual](#).

PACE adopted a report on ["Strengthening the fight against so-called 'honour' crimes"](#) on 28 September, which included specific mention of LGBTI people.

On 14 January the European Court of Human Rights delivered a judgment in [Sabalic v Croatia](#), where it found a violation of Article 3 (prohibition of inhuman or degrading treatment) in conjunction with Article 14 (prohibition of discrimination) of the European Convention on the account of Croatian authorities' failure to respond effectively to the applicant's allegations of the violent homophobic attack against her. The European Court found that "such a response of the domestic authorities through the minor offences proceedings is not capable of demonstrating the State's Convention commitment to ensuring that homophobic ill-treatment does not remain ignored by the relevant authorities and to providing effective protection against acts of ill-treatment motivated by the applicant's sexual orientation".

In the case of [J.L. v. Italy](#) concerning allegations of gang rape of the applicant who identifies as bisexual, the European Court held in its judgment of 27 May that Italian authorities failed to adequately protect applicant's rights under Article 8, in particular from secondary victimisation throughout the entire legal proceedings. The Court stressed that the wording of the judgment played a very important role, especially the comments regarding her bisexuality, relationships and casual sexual relations prior to the events in question.



On 1 June, in the judgment of [Association ACCEPT and Others v Romania](#), the European Court of Human Rights found that Romanian authorities failed to protect a screening organised by ACCEPT in 2013, and to investigate the homophobic attacks directed against participants in violation of Articles 8 (right to private and family life), 11 (right to freedom of assembly) together with Article 14 (prohibition of discrimination). Importantly the Court pointed out that “in doing so, the authorities showed their own bias towards members of the LGBT community”. The film involved a same-sex family and cinemagoers were verbally abused by protesters, who carried far-right paraphernalia.

On 17 December the European Court delivered a judgement in the case of [Genderdoc-M and M.D. v Moldova](#) concerning homophobic attacks and violence against the peaceful demonstrators and LGBTI activists during the IDAHOBIT March in Georgia in 2013. The Court found that the authorities failed to prevent the event from the counter-demonstrators.

## BODILY INTEGRITY

The General Rapporteur on the rights of LGBTI people published a [statement](#) on Intersex Awareness Day, 26 October. The Commissioner for Human Rights also [tweeted](#) to mark the occasion.

## EQUALITY AND NON-DISCRIMINATION

At its 87th plenary, the European Commission against Racism and Intolerance (ECRI) [established a working group](#) to prepare its forthcoming General Policy Recommendation (GPR) on LGBTI, which takes over the work of a Task Force addressing these issues in 2021. The Task Force published a Fact Sheet on LGBTI Issues in March. The Task Force also hosted a series of exchanges of views during the year as part of the preparation of the GPR; the CoE [Commissioner for Human Rights made an intervention](#) at one of these meetings in March 2021.

The German Presidency of the Committee of Ministers of the Council of Europe 2020/2021, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) and the the Observatory for Sociopolitical Developments in Europe co-organised an event, [“Towards the full recognition of LGBTI rights across Europe - Strategic policy measures to implement the 2010 SOGI Recommendation”](#), on 5 May, with speeches by the Secretary General of the Council of Europe, the Vice Chair of the European Commission against Racism and Intolerance (ECRI), the Director of the Anti-Discrimination Directorate, and the Head of Sexual Orientation and Gender Identity (SOGI) Unit.

In recognition of IDAHOBIT, on 17 May, the [Secretary General of the Council of Europe](#), [Commissioner for Human Rights](#), and [General Rapporteur for the rights of LGBTI people](#) released statements.

In August, the [Commissioner for Human Rights](#), the [Deputy Secretary General of the Council of Europe](#), and the [General Rapporteur on the rights of the LGBTI people](#) participated in World Pride in Copenhagen, Denmark.

The report “Alleged violations of the rights of LGBTI people in the Southern Caucasus”, by Christoph LaCroix, was adopted in the Committee of Equality and Non-discrimination in September; it will be debated and potentially adopted at the PACE plenary in January 2022.

On 7 September, the Execution Department of the European Court of Human Rights (ECtHR) issued a [thematic factsheet](#) focusing on the execution of ECtHR judgments concerning the rights of LGBTI persons.

On 18 October, ECRI held their [annual Equality Bodies seminar](#), this time with a focus on LGBTI issues. The [CHR intervened](#) in the seminar.

On 22 October, the SOGI Unit launched a [campaign](#) to celebrate the 40th anniversary of the decision in Dudgeon v. UK, 1981, which led to the decriminalisation of homosexuality around the region.



## FAMILY

On 6 July the European Court of Human Rights ruled in the case of [A.M. v Russia](#), finding in favour of a trans woman in Russia who was denied access to her children because of her gender identity and transition. The Court found a violation of Article 8 (right to private and family life) and Article 14 (prohibition of discrimination).

On 13 July the European Court of Human Rights found a violation of Article 8 (right to private and family life) together with Article 14 (non-discrimination) in the case of [Fedotova and Others v Russia](#). The Court reiterated states' positive obligation to establish a legal framework to ensure the effective enjoyment of the rights of private and family life under Article 8. The Court acknowledged the social reality of same-sex couples' lives in and the conflict the existing legislation creates due to lack of recognition of their relationships: access to rights for a minority cannot be dependent on the acceptance of those by the majority. The case has been referred to the Grand Chamber and the hearing is set to take place on 27 April 2022.

On 16 September the European Court of Human rights found the refusing a mother custody of her youngest child on the grounds of her sexual orientation as discriminatory and a violation of Article 14 (prohibition of discrimination) in conjunction with Article 8 (right to respect for private and family life) of the applicant in the case of [X. v Poland](#). Taking into account that throughout court proceedings, the applicant's sexual orientation and relationship with another woman had been repeatedly referred to as a ground for refusal, the Court concluded that, in "refusing to grant the applicant full parental rights and custody rights in respect of [the youngest child], the domestic authorities made a distinction based solely or decisively on considerations regarding her sexual orientation, a distinction which is not acceptable under the Convention".

## FREEDOM OF ASSEMBLY

On 17 June, the Commissioner for Human Rights published a [letter](#) to Turkish authorities, calling on the authorities to fulfil the commitments enshrined in the national Action Plan on Human Rights, stop the stigmatisation of LGBTI people, and uphold their freedoms of assembly, association and expression.

On 5 March, the Commissioner for Human Rights [tweeted](#) condemning anti-LGBTI violence in Montenegro. Similarly, on 5 July, the Commissioner [tweeted](#) about anti-LGBTI violence in Georgia around Tbilisi Pride. The General Rapporteur on the rights of LGBTI people published a [statement](#) on Tbilisi Pride on 6 July.

On 16 January the European Court delivered yet another judgement concerning bans on holding LGBT public assemblies in different regions and towns in Russia. In the case of [Alekseyev and \[76\] Others v Russia](#), the Court found that the applicants suffered unjustified discrimination on the grounds of sexual orientation, which was incompatible with the standards of the Convention.

## FREEDOM OF EXPRESSION

On 30 March, the Commissioner for Human rights released a [Country Memorandum](#) on Hungary, calling for restoration of media freedoms, including references to the particularly negative media portrayals of LGBTI people in the country.

On 2 July, the Venice Commission issued an [opinion on the 2020 constitutional amendments adopted in Hungary](#), making a series of recommendations on the need for non-discriminatory implementation or, in some cases, the need for further legislation to ensure protection of the human rights of LGBTI people. The Commission took particular note that these amendments were adopted during a state of national emergency, and invited the Hungarian government to address a series of concerns.



## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

In October, the European Committee on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) held an [exchange of views](#) with the Commissioner for Human Rights on the situation of LGBTI persons in detention, among other topics.

## HUMAN RIGHTS DEFENDERS

On 9 December, the Commissioner for Human Rights published a [report](#), following a roundtable conducted in February, addressing the issues facing LGBTI human rights defenders in the region, entitled: “Human rights of LGBTI people in Europe: current threats to equal rights, challenges faced by defenders, and the way forward”.

## LEGAL GENDER RECOGNITION

PACE addressed a [written question](#) to the Committee of Ministers on human rights violations of LGBTI people in Hungary on 2 July, regarding the de facto ban on legal gender recognition. On [July 16](#), the Commissioner for Human Rights further urged Hungary’s parliamentarians to reject draft amendments banning discussion about sexual and gender identity and diversity.

The SOGI Unit, as part of the review of the Committee of Ministers Recommendation 2010/5, hosted a series of thematic roundtables in [Cyprus](#), [Spain](#), [North Macedonia](#), and [Lithuania](#), focusing on legal gender recommendation in the States. A thematic report is expected in early 2022.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

On 16 June, the Congress of Local and Regional Authorities of the Council of Europe [adopted 2 resolutions](#) on the role of local and regional authorities in protecting LGBTI persons, one focusing specifically on Poland and the other the entire region.

On 16 August, the Commissioner for Human Rights published a [Human Rights Comment](#) entitled: “Pride vs. indignity: political manipulation of homophobia and transphobia in Europe”, focusing on rising use of LGBTI-phobia for political gain in the region and condemning such practises.

# OSCE

## BIAS-MOTIVATED SPEECH

The OSCE Mission to Montenegro launched an awareness-raising campaign against hate speech on 20 December, 2021. The campaign highlights the importance of advocacy efforts to stop hate speech online.

## BIAS-MOTIVATED VIOLENCE

Civil society organisations and other non-state groups reported 2,017 anti-LGBT hate crimes in 36 states during 2020. These include 739 violent attacks against people, 352 threats and 117 attacks against property. According to the reported cases, attacks against people and threats have decreased in comparison to 2019, while attacks against property have increased more than 50%.

## HUMAN RIGHTS DEFENDERS

In July 2021, OSCE ODIHR published a report on The Situation of Human Rights Defenders in Selected OSCE Participating States that provides an analysis of findings of ODIHR's assessment visits to the Czech Republic, Georgia, Italy, Mongolia and Montenegro. The report ODIHR offers recommendations to 57 OSCE participating States on how to strengthen the protection of defenders



# ALBANIA

## ACCESS TO ADEQUATE FOOD

During this year of the COVID-19 pandemic, Aleanca LGBTI and Streha supported 300 LGBTI people with food; the PINK Embassy provided food and clothing to 30 trans people.

## ACCESS TO GOODS AND SERVICES

In April, the Green Taxi company issued a public apology after their drivers refused to drive trans people, took disciplinary action against the employees, and pledged that the entire taxi fleet would display rainbow flags on IDAHOBIT.

Three trans people were thrown out of a café in Tirana and complained to the Commissioner Against Discrimination.

It took Aleanca almost a year to find a space for their community centre, having been turned down by several property owners, saying they did not want “faggots’ money”.

## ASYLUM

Aleanca’s survey found that 79% of LGBTI respondents may leave Albania due to discrimination. Dozens of LGBTI people reached out to CSOs for support in seeking asylum in the EU, and many shared that their claims had been rejected.

## BIAS-MOTIVATED SPEECH

The LGBTI community was under continuous attack from religious groups, media and public figures.

In June, journalist Blerta Tafani made several homophobic statements on TV, saying that “it’s a great misfortune [that an LGBTIQ person] gives birth to a child”; that “life with two fathers doesn’t work, life with a gay family ends, this is offensive”; and that “an adopted child isn’t a healthy child”.

In November, the founder of the Coalition for the Traditional Family, pastor Akil Pano organised an event in his church where Italian journalist Nausica Della Valle shared her experiences as a “former lesbian” who was “cured” by the Church. Aleanca decided to show up at the event, affirming their identity. Pano and Della Valle gave an interview on national TV saying “homosexuality” can be cured.

Aleanca presented three hate speech complaints to the Commissioner Against Discrimination, who failed to establish discrimination.

A Council of Europe study found that two-thirds of hate speech incidents in Albania target LGBT people.

## BIAS-MOTIVATED VIOLENCE

Due to the COVID-19 pandemic, many LGBTI people had to stay with unsafe families, exposed to harassment and violence.

A trans person was assaulted by ten young men in Tirana in June.

PINK launched a podcast on hate crime prevention in May.

## EDUCATION

CSOs continued to experience difficulties working with the Ministry of Education and there has been no progress on including LGBTI rights issues into the curriculum. Aleanca has conducted a study on the issue.

Aleanca’s study with LGBTI high school and university students found that 65% feel unsafe at school; 93% heard homophobic slurs in school very often and almost a third have skipped or changed schools due to bullying.

PINK, Aleanca, and Streha supported the first openly trans person to attend university and was met with a welcoming attitude from teachers and students.

## EQUALITY AND NON-DISCRIMINATION

The implementation of the previous National LGBTI Action Plan remained flawed, with only the Ministry of Health and Social Protection fulfilling their responsibilities and cooperating with CSOs. The Commissioner for Protection from Discrimination has also failed to take proactive steps against discrimination and violence.

The new National LGBTI Action Plan (2021-2027) was adopted in November. PINK called for a coordination and monitoring body to oversee implementation, and the establishment of a Transgender Support Fund.

PINK published a report on the human rights of LGBTI people in Albania in the past 10 years, critical of the lack of government action, particularly on trans rights.



Aleanca LGBTI published guidelines on the implementation of the SDGs with a focus on LGBTI people.

Aleanca continued its cooperation with the municipalities of Tirana, Vlora, and Lezha to increase their capacity and help develop local LGBTI action plans. The municipality of Kukës withdrew due to the stance of the new mayor.

## FAMILY

The Ministry of Justice launched a consultation regarding amendments to the Family Code and the Adoption Law. In June, the authorities refused to register two women, who are a same-sex couple, as parents of their two children. The case is now at the Administrative Court.

## FREEDOM OF ASSEMBLY

Aleanca LGBTI held a flash mob on IDAHOT in May in Tirana. PINK held the annual Tirana Pride with 10 people due to COVID-19 restrictions, and displayed a 10-metre long rainbow flag.

## FREEDOM OF EXPRESSION

Activists raised rainbow flags on several castles in Albania on IDAHOT.

## HEALTH

Aleanca reports that the number of HIV infections doubled over the past year and services are lacking. PrEP and PEP continue to be unavailable to LGBTI people. Viral load tests are unavailable at public hospitals and private clinics remain unaffordable for most. Lastly, the National Strategy for People Living with HIV expired in 2020 and has not been renewed.

Aleanca provided rapid HIV testing to 1131 people and medical support to 30 LGBTI people.

Streha provided medical visits to 49 people and medication to 127.

## HOUSING

A number of trans people reported that they were denied rentals due to their gender identity.

Streha continued to provide shelter this year, to five trans people, nine gay men, and two lesbians; emergency

shelter to five people; and rent payments to 33. Aleanca supported 15 LGBTI people with rent.

## HUMAN RIGHTS DEFENDERS

Human rights defenders remained targets of hate. In June for instance, LGBTI activist Xheni Karaj's social media accounts were targeted, when a TV reporter suggested that LGBTI people want to remove the word "mother". During the same month, a trans activist was verbally and physically attacked. On 2 July, the European Parliament Intergroup on LGBTI Rights expressed concern about the attacks.

The report "Community (self)organising of transgender movement in Western Balkans region" features a chapter on the trans movement in Albania.

## INTERSECTIONALITY

Aleanca, Roma and disability rights organisations worked closely together, for instance by organising a theatre show and an exhibition on multiple discrimination. Trans women, Roma LGBTI people, and LGBTI with disabilities remain the most marginalised groups in the community.

## LEGAL GENDER RECOGNITION

PINK consulted CSOs and authorities and prepared a draft LGR law, which it will present to the parliament in 2022.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The manual 'Political Participation of LGBTI Persons: A Guide for Albanian Political Parties' was published in February - the first of its kind in the country.

None of the political parties running in the elections answered Aleanca's questionnaire on LGBTI right issues, or include LGBTI issues in their programmes.

Aleanca ran a social media campaign featuring photos and quotes from politicians who had used hate speech against LGBTI people.

The Being Trans in Albania exhibition was launched in May, without incidents, and is now touring the country.

Aleanca organised two theater shows, Zanafilla on interpretation of the bible from a queer perspective, and Bosh on the mental health of LGBTI people.



## POLICE AND LAW ENFORCEMENT

In March, Aleanca LGBTI and Pro-LGBTI held a training for police officers on LGBTI issues. Civil society and the police launched an informative brochure on policing anti-LGBTI hate crimes.

In September, Aleanca LGBTI co-organised a training with Dutch CSOs, for judges and prosecutors on handling anti-LGBTI hate crime cases.

PINK organised a consultation between the Chiefs of Police Stations in Tirana with the Commissioner for Protection from Discrimination and the Diversity Contact Point at the National Police Authority, to discuss better cooperation between LGBTI CSOs and the police, including through training and support.

On 24 November, the Council of Europe in cooperation with the police and LGBTI NGOs held meetings about the rights of the LGBTI+ community with the police in Vlora, Gjirokastra, Korca, Elbasan, Kavaja, and Fier. LGBTI contact points were established in each town.

## SOCIAL SECURITY AND SOCIAL PROTECTION

Streha received an award as a best practice example to end youth homelessness.



ALBANIA WEB PAGE  
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# ANDORRA

## BIAS-MOTIVATED SPEECH

A number of hateful articles and comments appeared in the media this year, for instance in response to the rainbow crossing unveiled in the capital on 28 June.

## EDUCATION

The NGO Diversand, in cooperation with the State Secretary of Equality and Citizen Participation, launched a children's book on Trans Day of Visibility on 31 March. Loan Poulet's 'Don't call me Pol, call me Sarai' is based on interviews with Andorran families.

On 28 June, DiversAnd read out its main claims at the annual Pride event (see more under **Equality and non-discrimination** and **Legal gender recognition**), including a need for inclusive education and training for key stakeholders in Andorra. The event was co-organised with other NGOs and was joined by key political leaders, such as the Minister of Social Affairs, Youth and Equality, Judith Pallarès.

DiversAnd held three trainings for primary school teachers on gender diversity and for those undertaking teacher training at the University of Andorra.

## EQUALITY AND NON-DISCRIMINATION

Andorra's anti-discrimination body, the Equality Observatory that was set up in 2020, is yet to become operational. Minister Pallarès pledged it would be by the end of 2021. The Observatory will collect data on hate crimes and will also have a specific committee on LGBTIQ+ issues.

The government's Equality Department confirmed in May that three cases were currently being handled, including one of homophobic bullying in school and two focusing on trans young people's right to legal gender recognition. All three cases were reported in 2020. DiversAnd reported that many more cases exist, but reporting is low.

In 2021, DiversAnd learned about seven other cases, one concerning discrimination in sports and six regarding trans young people's name change and social transitioning.

On 28 June, DiversAnd held a training for politicians on trans rights issues, as part of Pride Day. The attendance was lower than expected, but the attendees were

receptive and interested in the subject. The last day of Pride events was on 2 July, when the organisers held a 'Pride Dinner' at the Primavera restaurant, which was open and welcoming of all.

The National Plan for Childhood and Adolescence, which was drafted with the participation of DiversAnd, is yet to be published, but the government announced in November that it would implement it from May 2022 onwards.

## FAMILY

In February, the parliament adopted the amendments of the Law of the Person and Family, establishing that civil unions will remain available for same-sex couples, but the term "marriage" will only be used for heterosexual couples. The law recognises the parenthood of both parties who have a child via surrogacy, if the surrogacy was carried out in a country where it is legal.

## FREEDOM OF EXPRESSION

With the endorsement of the municipality in Andorra's capital, civil society painted a huge rainbow crossing between Avinguda Meritxell and Carrer Dr Molines. This was the first time that an LGBTI rights symbol was displayed by a municipality publicly.

## HEALTH

The lack of access to affordable trans healthcare in the country continued to leave many in a difficult mental and physical health state. A trans person was notified by the Andorran Social Security (CASS) that they have to cover the full cost of their hormone therapy in the last two years. CASS argued that hormones are only covered for cisgender people. Due to the intervention of the Ombudsperson's Office, CASS reversed its decision. Following the case, DiversAnd met with the Ministry of Health, who expressed their commitment to include hormones for trans people in the public health scheme.

## LEGAL GENDER RECOGNITION

Civil society continued to urge the parliament to introduce legal gender recognition legislation, but LGR is not on the parliament's agenda right now.

The parliament (General Council) is currently debating the process of name change, which would be conditional



upon a psychologist's expert opinion for those under 18, thus failing to fit a self-determination-based model. Civil society is expecting that a proposal will be tabled in parliament in early 2022.

On 28 June, on the occasion of Pride, Contracorrent, DiversAnd and the National Youth Forum of Andorra held a demonstration calling on the government to ensure that trans people can change their name and legal gender in a quick, accessible and easy administrative process that is based on self-determination. The event was brought together by young people.



ANDORRA WEB PAGE  
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# ARMENIA

## ACCESS TO ADEQUATE FOOD

Pink continued providing social and humanitarian support to LGBT people affected by the COVID-19 pandemic, particularly during the first half of 2021. As a result, more than 50 LGBT people received assistance for food, accommodation and medical expenses this year. Pink carried out a needs assessment in the community in June, identifying the high and detrimental impact of COVID-19, the war and the post-war situation on the mental health and well-being of LGBT+ people.

## ACCESS TO GOODS AND SERVICES

In 2018, two trans people and a cisgender gay man were banned from attending the Mali Sports Club. Three years later, in March 2021, the courts finally established that denying them access, the sports club was discriminatory on the basis of sexual orientation and gender identity. The Court highlighted that SOGI falls under the open list of discrimination grounds in the Constitution.

RightSide documented a case this year where a trans person was denied her prescribed hormones at a pharmacy.

## BIAS-MOTIVATED SPEECH

In 2020, the Criminal Code was amended to sanction hate speech. Although SOGIESC grounds are not explicitly included in the law, Pink continued documenting instances of anti-LGBTI hate speech and reported them to the police. Pink filed four cases in 2020 and another five in 2021. All nine were initially dropped by law enforcement authorities, who argued that no crime took place and cited freedom of speech as a reason. Pink appealed eight decisions and three are now filed as criminal cases.

In December, Pink held a camp that was attended by 25 LGBT people and was held at a hotel. The organisers and participants were verbally harassed and threatened by other guests of the hotel. The hotel cooperated with Pink to prevent any violence, and Pink changed the camp schedule to avoid further harassment.

Right Side documented online hate speech against a trans activist, Monica, and reported the case to the authorities. Monica posted about her brother whom she lost in the 2020 war, but was told in the following comments that no trans person should mention Armenian heroes.

## BIAS-MOTIVATED VIOLENCE

In 2020, the Criminal Court of Appeal ruled that the rights of the victims of the 2018 Shurnukh case, where nine LGBT activists were attacked by a group of 30, were violated when the investigator decided not to prosecute. The Court ordered a new investigation, which must consider the grounds of the attacks as SOGI and the severe harm caused. On 9 February 2021, the body conducting the investigation decided to close the criminal case, arguing that the statute of limitations expired. The decision was appealed, and the case is with the local courts.

In February 2021, the Yerevan First Instance Court found a perpetrator guilty for setting a trans woman's apartment on fire after learning about her trans status. Although the initial verdict called for over three years in prison, the defendant was granted amnesty on the "occasion of the 2800th anniversary of the founding of Erebuni-Yerevan and the 100th anniversary of the declaration of independence of the First Republic of Armenia". The appeal was denied in May 2021.

Pink documented 27 cases of physical and sexual violence, and threats of violence towards LGBT people during 2021, 14 of which were committed by the family members. These included beatings, stabbings, and other serious attacks. 18 cases of domestic violence (physical, psychological, economic) on grounds of SOGI were recorded. In three cases, the victims were minors. Of the 18, 14 were lesbian or bisexual women, four were gay or bisexual men. In most cases, the parents learned about the LGBT identity of the victims, and then beat, harassed, threatened, or locked them up.

In June, for instance, a trans woman and her friends were physically attacked in public. They were too frightened to file a police report.

A trans person, Diana, was physically assaulted and suffered several injuries. The criminal case is pending.

## EDUCATION

Civil society reported that a college student was allegedly physically assaulted by his peers due to his sexual orientation and suffered serious bodily injuries. He reported the violence to the school, to no avail, and later to the police. The police detained him and refused to start a criminal investigation.



Several trans people continued reporting discriminatory treatment in higher education, to Right Side NGO.

## EQUALITY AND NON-DISCRIMINATION

Pink documented 37 cases of discrimination based on SOGI this year, of which nine were reported to law enforcement bodies. Some of these were rejected, and others have not been processed in a meaningful way. Only one case is at court.

Trans people have increasingly suffered from discrimination and violence during the COVID-19 quarantine, according to interviews conducted by Right Side NGO.

The Ombudsman's 2020 annual report mentioned five discrimination cases based on sexual orientation. Civil society reports that the section on LGBT people should be more comprehensive and in-depth.

The NGO Center for Legal Initiatives published the first ever report on the situation of LGBT prisoners in the country.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

A criminal case was launched in April 2021 after H.A., a soldier, was physically assaulted and threatened with a gun by his superior and peers, and locked up in a cell, after they found out about his sexual orientation. The investigation is ongoing.

In May, the Criminal Court of Appeal agreed with ending the criminal investigation in the case of A.M., who was beaten, verbally abused, and threatened during his arrest and detention, due to the police's bias towards his sexual orientation. In 2020, the prosecutor dropped the criminal investigation to hold the police officers accountable, but the courts called for a new investigation.

Civil society reported an extortion case this year. The victim was too scared to report the incident to the police in fear of being outed.

## HEALTH

People living with HIV faced difficulties accessing medications and treatment due to the ongoing COVID-19

pandemic and the restructuring of healthcare services. In January, RightSide NGO organised consultations and exams for 18 trans people to facilitate their access to hormone therapy, which is unavailable in Armenia.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In 2020, Pink Armenia declared 3 August to be the National Day to Fight for LGBT+ Rights and celebrated for the second time in 2021.



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# AUSTRIA

## BIAS-MOTIVATED SPEECH

The legislative package against online hate speech entered into force on 1 January. The new laws speed up the process of removing hateful content, provide more financial and structural protection for victims, increase penalties for hate speech, and introduce fines for online platforms that do not comply with the rules. For instance, one single post or posts targeting an individual, based on their actual or perceived identity, instead of an entire group, will now amount to hate speech.

## BIAS-MOTIVATED VIOLENCE

An increased number of hate crimes took place this year. The NGO SoHo collected those between January – July 2021. For instance, a group of young people were assaulted in Vorarlberg, and the victims were hospitalised with serious injuries. Rainbow flags and other symbols were vandalised.

## BODILY INTEGRITY

In January, Austria took part in its third Universal Periodic Review, where it received and accepted recommendations to ban medically unnecessary surgeries and other treatments against intersex children. On 9 June, the parliament unanimously adopted a resolution on the protection of intersex children from non-consensual and medically unnecessary treatments. With this important move, Austria is heading toward implementing previous recommendations from the UN Committee on the Rights of the Child (2020 and 2015) and ECRI (2020). Intersex activists in Austria have been advocating for the ban since 2013.

## DATA COLLECTION

The Ministry of Interior started recording data on hate crimes in 2020. Between November 2020 and April 2021, 97 hate crimes were recorded that were committed on the ground of sexual orientation. Transphobic hate crimes are registered under ‘gender’ or wrongly under ‘sexual orientation’.

## EDUCATION

Almost 50 schools in Vienna put up rainbow flags on their buildings during Pride month in June. The action was joined by the Minister of Health in person.

Regarding education on diversity of sex characteristics and gender identity, VIMÖ held more than 60 training events across the country.

## EQUALITY AND NON-DISCRIMINATION

In June, the Minister of Justice Alma Zadić publicly apologised to victims of criminal persecution in the second Republic and called on the parliament to do the same, which was welcomed by civil society. Prior to 1971, when Austria decriminalised same-sex relations, those persecuted could be sentenced to two-to-five years in prison. The parliament has yet to issue an apology, overturn convictions, and pay compensation.

The Ombudsperson’s Office published a guide on gender-sensitive language in June, which was welcomed by civil society.

The Social Democratic Party (SPÖ) announced at this year’s party conference that the SPÖ is committed to trans-inclusive feminism.

In July, the Linz municipal council announced a program consisting of six measures to promote and protect the rights of LGBTIQ people.

In October, Austria delivered a joint statement on the human rights of intersex persons at the UN Human Rights Council, calling for concrete measures to combat harmful practices violence and discrimination based on sex characteristics.

## FREEDOM OF ASSEMBLY

Pride events were again held in person, after last year’s cancellations due to the COVID-19 pandemic. The 25th Vienna Pride took place on 19 June and brought together tens of thousands, a month after the lockdown ended. The events commemorated the 50th anniversary of Austria decriminalising of same-sex relations. Other Pride events were also held across the country, including in Linz, Graz, at the Forum Alpbach in Vorarlberg.

## HEALTH

Austria announced a blood shortage this year and launched a campaign to encourage donations. Civil society criticised the move and called for the abolishment of the restrictions that prevent men who have sex with



men to donate blood. The Red Cross in Austria has firmly stood against changing the regulations.

## HUMAN RIGHTS DEFENDERS

Civil society continued struggling with the organisational burden of moving counselling online, and also worried that those without internet access would be excluded.

## LEGAL GENDER RECOGNITION

50 civil society organisations appealed to the government on this year's IDAHOBIT (17 May), calling for legal gender recognition that is free and based solely on self-determination, and provides for access to alternative gender marker options without a diagnosis.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Initiated by TransX, 12 Christian churches raised trans flags and held a prayer on the occasion of Transgender Day of Remembrance in November.



AUSTRIA WEB PAGE  
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# AZERBAIJAN

## ACCESS TO GOODS AND SERVICES

LGBTI people working in the informal or criminalised sector, particularly sex workers, were unable to receive state assistance during the second year of the COVID-19 pandemic. For instance, tax refunds were not an option for those engaging in sex work.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

Hate crimes against the LGBTI+ community continued to be a serious issue this year. In May and June, a series of attacks took place in Baku against trans people (see [here](#), [here](#)), gay men (see [here](#), [here](#)), and a [gay couple](#). Ten incidents were reported to the police, but the response has been poor. Civil society in [Azerbaijan](#) and [internationally](#) expressed concern that the lack of police action will continue to create an atmosphere of impunity.

In August, a trans woman was brutally murdered in Baku. A dozen activists held a protest outside the Office of the Ombudsperson as a response. Another trans woman was attacked in Baku in November.

Several young women committed suicide in Azerbaijan this year. In February, 20-year-old Sevil Atakishiyeva killed herself after being subjected to threats and abuse from her family, because she wanted to study abroad, she missed a curfew, or appeared in a photo with a man. The suicides sparked hateful articles about feminism being the culprit, many of which directly blamed Gulnara Mehdiyeva, a prominent defender of women and LGBTI people's rights (see under **Human Rights Defenders**)

Hate speech also remained a serious issue. QueeRadar published its hate speech monitoring report in October, highlighting the frequency of hostile content in mainstream media.

In January, Deputy Chairman of the parliamentary Human Rights Committee, Tahir Karimli said,

*"As long as I am an MP, I will protest against the issue of sexual minorities, I will even revolt. Everything can be tolerated, but not this one. It is [...] necessary to strangle [this trend] on the spot."*

In June, a well-known blogger posted anti-LGBTI+ content on their platform, which civil society fears will encourage more hate crimes and suicides. A group of trans women

held a protest in front of a police station, demanding action. In July, the leader of the Muslim Union Movement (MBH), Tale Bagirzadeh, called LGBTI+ people "immoral and sick-minded" in an interview. In July, the Chairman of the White Party, Tural Abbasli called LGBTIQ+ people an abomination, saying that propaganda brainwashed people and that the party "will fight against it to the end."

## BODILY INTEGRITY

In February, a psychologist, Samira Babayeva, stated on social media that one of the aims of sex education is to eliminate same-sex relationships and gender affirmation. Babayeva suggested that conversion therapy is part of sex education.

## EDUCATION

A queer student reported queerphobic bullying at school No. 244, which he repeatedly raised with the headmaster to no avail. He started an online campaign to raise awareness about bullying and discrimination in schools (see also [here](#), [here](#)).

## EMPLOYMENT

Between January and August, civil society received 130 complaints of unemployment from LGBTIQ+ people, with many citing discrimination on grounds of their SOGI as a reason. The accounts revealed that the COVID-19 pandemic has further exacerbated the difficult situation of LGBTIQ+ people in the labour market.

## EQUALITY AND NON-DISCRIMINATION

QueeRadar's survey on LGBTQ+ people's well-being during the 2020 lockdowns found that many were impacted by a loss of income and housing, had to move back to unsafe family homes, lost their employment, or had difficulty accessing social benefits. The authors highlighted that trans people have been particularly at risk of discrimination and violence since the COVID-19 pandemic started, and that the police did not provide any effective support in these cases.

In April, the US Embassy in Azerbaijan published the detailed '[Report on the human rights situation in Azerbaijan - 2020](#)', highlighting discrimination, violence, and other forms of ill-treatment against LGBTI people as a key concern.



## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

Several LGBT people were arrested this year, allegedly on drug charges, including a trans woman and two gay men.

## FREEDOM OF ASSEMBLY

On 8 March, activists held a Women's Day rally again this year, after being denied a permit on 4 March. The organisers urged the government to ensure equal rights for all without discrimination on grounds of sexual orientation and gender identity, to protect women from violence, and to ratify the Istanbul Convention. The event was disrupted by the police and 20 protesters were detained. The police also shut down public transportation in some areas of Baku, falsely claiming COVID-19 restrictions as a reason.

## FREEDOM OF ASSOCIATION

The Q Collective initiative was established this year, focusing on community building and support, and capacity building.

The new Qiy vaar! podcast produces content about sex, sexuality, pleasure, sexual health, and queer-feminist activism in the country.

## HEALTH

In June, a trans woman was denied medical care and was laughed at by the personnel of a clinic.

The Gender Resource Centre launched LGBTI+ Talkline, which will provide psycho-social support to the community. The Centre also published a trans-inclusive resource about periods.

## HOUSING

On 9 June, three trans women were evicted from their homes by the police. The women had no conflicts with their landlord and filed a complaint to the Ombudsman's office, who dismissed it.

## HUMAN RIGHTS DEFENDERS

One of the last standing lawyers in the country who represents women and queer people in court was disbarred this year. The basis of stripping Shahla Humbatova from her licence was her delay in paying her fees to the Bar Association. Humbatova confirmed this was true, but that she was never notified of the issue

before hearing the news from the media. On March 5, the Baku Administrative Court upheld the Bar Association's decision. The repression against lawyers who defend victims of human rights abuse creates a gap in LGBTI rights protection as well.

On 4 August, following this year's suicides and the murder of a woman in a case of domestic violence, feminist activists and journalists held a small demonstration at a Baku police station. The victim, Sevinj Maharramova asked for help from women's rights activists and the police earlier this year, but the police failed to intervene effectively. The protesters poured red paint on the gate, symbolising the blood that's on the police's hands for failing to protect women who are victims of domestic abuse. They were holding signs saying: "Femicides are political". The demonstrators were violently detained and abused while in detention.

Social media groups for women and individual activists' social media accounts continued to be hacked, in what seem to be attacks by the authorities. Gulnara Mehdiyeva, a prominent defender of women and LGBTI people's rights, was a key target again this year. In February, her accounts were hacked and her conversations were shared widely. She received countless death threats. Mehdiyeva reported the cases to the police, who failed to launch an investigation. In May, her legal representatives filed an application to the European Court of Human Rights, which argues that the police's failure to intervene led to violations of Mehdiyeva's rights to private life and freedom of expression. Mehdiyeva lawyers also argue that state actors were involved in the February cyber attack. Civil society is concerned that such attacks have a chilling effect on human rights defenders in general.

The accounts of activist Narmin Shahmarzadeh were also hacked days before the Women's Day March, which she co-organised. Her face was also pasted on pornographic images and shared widely.

The social media pages of the new Qiy vaar! podcast received queerphobic backlash, and was hacked and blocked.



AZERBAIJAN WEB PAGE  
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# BELARUS

## ACCESS TO ADEQUATE FOOD

Due to the COVID-19 pandemic and also to the difficult political and social situation in Belarus, many lost their jobs and struggled to cover food, housing, and medical costs.

## ASYLUM

Civil society reported that several LGBT people left the country this year to seek asylum.

## BIAS-MOTIVATED SPEECH

In March, Journalists for Tolerance (J4T) published its periodic report monitoring hate speech in 2020 in Belarus. J4T found that 21% of media coverage on LGBTQ+ people amounted to hate speech in the second part of the year, which is twice as much as in the first half of 2020. The report found that hate speech incidents have risen exponentially since the COVID-19 pandemic started and then as protests began in response to the elections. Most content included accusations of LGBTQ+ people's negative influence on society or was a way to discredit political opponents.

Pro-government propagandists regularly called for the persecution of LGBT activists and the closure of LGBT organisations.

## EQUALITY AND NON-DISCRIMINATION

On 10 July, ahead of the August elections, the UN Special Rapporteur on the situation of human rights in Belarus again expressed increasing concern over the deteriorating human rights situation in the country, and the unwillingness of the government to implement previous UN recommendations.

## FREEDOM OF ASSEMBLY, ASSOCIATION, AND EXPRESSION

Since the historic protests against the government in 2020, the government has continued its brutal crackdown on protesters, journalists, and civil society, through unlawful arrest, detention, violence, and ill-treatment. On 25 March for instance, the authorities carried out mass detentions against peaceful participants of Freedom Day protests. (see more under **Human Rights Defenders**)

The parliament adopted several new bills and amendments this year, which have further restricted freedom of expression, assembly and association in Europe's last dictatorship. The new legal changes make it even easier for the authorities to control the work of journalists and civil society, including by denying them accreditation,

shutting them down, blocking their online presence, or banning them from covering demonstrations. Attending unauthorised demonstrations is now punishable by up to three years in prison; those promoting "extremist activities", which remain undefined, can face up to six years. The Special Rapporteur on the situation of human rights in Belarus called the new measures "unprecedented in scope and gravity".

On 23 July, over 50 civil society organisations learned that they were simply dissolved, in what seems a complete 'cleansing' of civil society. Over 100 searches were carried out just in July.

In December, the spokesperson of A1, the largest phone network in the country, was detained in Minsk. Nikolay Bredelev is accused of sharing sensitive company information. He was filmed in what is thought to be a forced 'confession' about his sexual orientation. The head of Hyundai was also detained and forced to make a similar 'confession'.

## HUMAN RIGHTS DEFENDERS

Belarus continued making headlines for months, due to the brutal government crackdown waged against civil society.

In January, the authorities started investigating, searching, and harassing civil society organisations. On 25 January, the police searched the office of MAKEOUT, a popular magazine about gender and sexuality. On 16 February, the authorities searched and detained over 40 human rights defenders and journalists and launched a criminal investigation against over a dozen.

On 9 November, women's rights activist Olya Gorbuna was kidnapped and detained under Article 342 of the Criminal Code, i.e. violating public order - for leading the 2020 women's marches. Gorbuna heads a shelter for victims of domestic violence and has worked with survivors for almost two decades. She is openly a member of the LGBTQ community. Civil society is concerned that Gorbuna is being subjected to torture and ill-treatment in the detention centre on Akrestsina street. Civil society is demanding adequate detention conditions, a fair investigation and a fair trial for Gorbuna, who could face up to three years in prison.



BELARUS WEB PAGE  
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# BELGIUM

## BIAS-MOTIVATED SPEECH

Sports journalist Eddy Demarez was suspended after his inappropriate statements about Belgium's national basketball team in the summer. His remarks were condemned by Flemish Minister of Media Benjamin Dalle, top athletes, and other politicians.

Anti-LGBTI stickers appeared in Ghent and Antwerp in September. The police arrested suspects.

## BIAS-MOTIVATED VIOLENCE

A presumed homophobic murder by three minors shook Belgium in March. The victim David Polfliet was a gay man, who was lured on a date via a dating app and was later found dead in a park in Beveren. Prime Minister Alexander De Croo flew a rainbow flag from his residence the next day.

LGBTI+ civil society organisations met with Flemish Minister of Society Bart Somers to come up with an action plan. On 16 June, the Flemish parliament adopted a resolution on violence and discrimination against LGBTI+ people, asking the Flemish government to invest in hotlines, helplines, awareness raising, and training in the education and welfare sectors.

Another presumed homophobic murder took place in September in Liege. In August, a gay man was spat on and beaten up in Brussels after kissing his partner.

The Rainbow House in Verviers was attacked in October.

## BODILY INTEGRITY

On 11 February, the federal Chamber of Deputies unanimously adopted the resolution on the fundamental rights of intersex persons to ban medically unnecessary and non-consensual surgeries on intersex children. The resolution was prepared with the support of local intersex activists and was welcomed by civil society. The parliament will now have to pass legislation on the matter. Nevertheless, Genres Pluriels highlighted a number of gaps in the resolution, such as the continued need to sanction surgeries, to ensure access to healthcare to intersex people throughout their lives, and access to their own medical history. Genres Pluriels was also disappointed that the Groen-Ecolo resolution from January 2020 was not discussed in the Chamber. The resolution included even stronger protections, including sanctions for non-consensual interventions.

## EDUCATION

From 1 September, in the Fédération Wallonie-Bruxelles, parents can now enrol their children in secondary school under a neutral gender. The change aims to reduce discrimination and will include measures to make bathrooms and changing rooms gender neutral.

The Flemish parliament adopted new legislation this year obliging schools to teach about sexual orientation and gender identity in secondary schools.

## EMPLOYMENT

A study commissioned by the city of Ghent found that people who indicate in their job application that they are trans were 29% less likely to be invited for an interview.

In March, StepStone's study on the employment experiences of trans people found that four in ten trans employees have left their jobs because of an unwelcoming work environment. StepStone interviewed over 100 trans people.

## EQUALITY AND NON-DISCRIMINATION

The federal government failed to have its Interfederal Action Plan on Sexual Orientation, Gender Identity and Expression and Sex Characteristics ready by the 2021 deadline.

Arc-en-Ciel Wallonie welcomed that 160 of Wallonia's 262 municipalities raised a rainbow flag on the occasion of IDAHOBIT this year, marking a 19% increase compared to 2020. The figures in the Brussels-Capital Region are close to 100%. In Flanders, all cities hung the flag.

The government adopted its Gender Mainstreaming Plan in June, which includes a total of 186 political measures.

In September, the Flemish Youth Ministry announced they would free up an additional 1.54 million euro funding for work with vulnerable youth, but did not specifically mention LGBTQ+ youth. Given the recent violent attacks, youth organisation Wel Jong expressed concern and launched the #SafetyNotFound campaign with a petition to urge the government for more funding.

## FAMILY

Johan Bonny, the Bishop of Antwerp expressed his support for same-sex couples following Pope Francis' statements in March that Catholic priests should not bless same-sex marriages.



## FOREIGN POLICY

Belgium initiated the joint action of 18 EU Member States who condemned Hungary's new propaganda law banning the discussion of LGBT topics in front of minors. The 2020 coalition agreement stated that Belgium will advocate for LGBTQIA+ rights globally. MEPs of the far-right Vlaams Belang Belgian party voted against the resolution on Hungary.

In response to the so-called LGBT-free Zones in Poland, Wallonia declared itself an LGBTQIA+ Freedom Zone in July.

## HEALTH

Following this year's homophobic murders, çavaria encouraged LGBTI people to reach out to its helpline Lumi for mental health support. This year, a record number of LGBTI people were helped by Lumi.

The pandemic continued to have a detrimental impact on LGBTI people's mental health.

Waiting lines to access trans specific healthcare in some regions continued to grow. In Flanders, a record number of trans people sought out trans healthcare services in the past year. The gender clinic of Ghent University Hospital repeatedly urged other clinics to take up this care task as well, and new gender teams have opened their doors in 2021.

Genres Pluriels's trans\*/inter\* psycho-medico-social network continued its work this year to increase the accessibility and decentralisation of healthcare services for trans\* and intersex\* people.

## LEGAL GENDER RECOGNITION

The Institute for the Equality of Women and Men shared that 414 people changed their legal gender in 2020 and 521 in 2021. The number was similar in 2019, but reached a record 742 in 2018 when the new trans law was adopted.

The federal Minister of Justice, Vincent Van Quickenborne, asked for written advice on LGR reform from the gender clinic at Ghent University Hospital, who published their advice in November. The 2020 government coalition agreement vowed to implement the 2019 court decision on the issue. A few policy proposals are being prepared in the federal parliament, but have not been made public,

shared with civil society, or tabled. Civil society expects that the legal changes, expected for 2022, will include a model where gender markers would no longer be printed on ID cards. Other details of the proposals are expected to be clarified in 2022.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Brussels' Archives and Museums encouraged LGBTQI people to share their own artefacts for an upcoming exhibition in the Brussels Rainbow House.

## SEXUAL AND REPRODUCTIVE RIGHTS

A number of trans people won disputes after they were denied reimbursement for gynaecological exams. The refusals were allegedly due to patients' legal gender, despite regulations not restricting access on this basis. The Royal Resolution on cost coverage for contraceptives and the morning after pill exclude those who do not have the legal gender 'female'. The Ministry of Health requested the regulation to be modified.

To better inform trans people who wish to have children about their options, the Transgender Infopunt collaborated with fertility centres, the Flemish centre for adoption, and Foster Care Flanders, who added and spotlighted information for trans people on their website.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The LGBTI shelter in Brussels expanded their housing capacity for young people, as did Wallonia. In Flanders a new collaboration started between the Centre for General Welfare (CAW), the institution in charge of sheltering/housing, and çavaria. The goal of this collaboration is to ensure inclusivity of all shelter opportunities for LGBTI youth in Flanders.



[BELGIUM WEB PAGE](#)  
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# BOSNIA AND HERZEGOVINA

## BIAS-MOTIVATED SPEECH

Hate speech continues to be a serious issue in Bosnia and Herzegovina (BiH). A conference in the summer was held by the NGO Sarajevo Open Centre (SOC) to identify key policy and legal measures needed.

Hate speech towards LGBTIQ persons significantly increased prior to and during the second Pride March in Sarajevo on August 14.

A member of the BiH Presidency Milorad Dodik made anti-LGBTI statements at the Fourth Demographic Forum in Budapest.

## BIAS-MOTIVATED VIOLENCE

The Canton of Tuzla appointed a staff person in the Prosecutor's Office in charge of overseeing anti-LGBTI hate crimes.

CSOs documented four cases of domestic and family violence against LGBTI people in 2020 and two in 2021.

## BODILY INTEGRITY

In March, SOC held the conference "Between the Sexes and Reality: The Rights of Intersex Children in the Healthcare System of Bosnia and Herzegovina". The panellists and participants explored ways to raise awareness and to provide inclusive health services and care without medically unnecessary surgical procedures.

## EQUALITY AND NON-DISCRIMINATION

The draft national LGBTI Action Plan, completed in late 2020, is yet to be adopted at the federal level. Republika Srpska and Brčko District governments endorsed it, but no developments have taken place since. Civil society has urged the Ministry of Human Rights and Refugees to inform them about next steps. The draft Action Plan was prepared by state and civil society representatives, and covers protection from discrimination and violence, the right to private and family life of same-sex partners, asylum, and other key areas. No further developments took place before the end of the year.

In May, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina joined SOC in holding a roundtable about gaps between laws and reality for LGBTI people, bringing together key stakeholders.

## FAMILY

The first Intersectoral Working Group on same-sex partnership and the rights of same-sex couples managed to resume its work this year and held a number of meetings. The Working Group, of which Sarajevo Open Centre is an observer, is in the process of analysing existing provisions and outlining any necessary additional provisions and legislation. The next steps would involve the creation of an official Working Group for drafting the law itself, but this process is currently stalled.

## FREEDOM OF ASSEMBLY

This year's Sarajevo Pride was held on 14 August. The march was joined by hundreds of people and went safely, despite a counter-demonstration. In the previous two years, the organisers had to self-fund protective fences and private security services to protect the participants. This year, the Ministry of Interior ordered the local municipalities to cover these costs, which was celebrated by the organisers as a victory.

## HEALTH

SOC has carried out a number of activities this year to provide mental health support to LGBTI people. SOC conducted training on peer-to-peer counselling and held several workshops for social workers and mental health professionals in several cities to improve the quality of service provision across the country.

## HUMAN RIGHTS DEFENDERS

The report "Community (self)organizing of transgender movement in Western Balkans region" was published in March and features a chapter on the state of the trans movement in Bosnia and Herzegovina.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The Sarajevo Open Centre and Tuzla Open Centre announced at the beginning of the year that the annual Merlinka international queer film festival would no longer be held, and instead will be replaced by a new summer festival called Kvirhana. The three-day cultural and educational festival was successfully held, without incidents, but with heavy police presence.



In early December, the media publicised a case of extortion of a young BiH politician, Mr Ivan Begic, based on his sexual orientation. Mr Begic worked as a counsellor at the Assembly of the City of Banja Luka. An intimate video of him was leaked to the public and it was considered a political scandal. It culminated in the resignation of Mr Begic, both from his political party and as counsellor mandate. Sarajevo Open Center sent a letter of support to Mr Begic. They also contacted the political party that Mr Begic belonged to and sent criminal charges on extortion based on sexual orientation to the Prosecutor Office in Banja Luka. Sarajevo Open Centre has not received an answer from the political party nor the Prosecutor's Office so far.

## **POLICE AND LAW ENFORCEMENT**

Sarajevo Open Centre trained police officers in the Sarajevo and Tuzla cantons on freedom of assembly and LGBTI rights. SOC continued advocating for LGBTI rights to be a mandatory part of police training.



BOSNIA AND HERZEGOVINA WEB PAGE  
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# BULGARIA

## BIAS-MOTIVATED SPEECH

Hate speech by politicians continued to be a serious issue. For instance, a member of the Bulgarian National Movement (IMRO) [called](#) the upcoming Sofia Pride, “a manifestation of group mental disorders”.

Due to the inability to form a government, three consecutive parliamentary elections and one presidential election were held during the year. During each parliamentary election, ultra-nationalist/fascist parties [made](#) anti-LGBTI election promises that if elected they would ban Pride, and that they would fight so-called ‘gender ideology’. They also made links between the LGBTI movement and paedophilia.

## BIAS-MOTIVATED VIOLENCE

Several anti-LGBT incidents took place again this year, [many](#) in the lead-up to the month-long Sofia Pride in the summer. They included the posting of anti-LGBT stickers, distribution of anti-LGBT leaflets in the capital, burning of rainbow flags, attempts to intimidate participants at LGBTI-themed events, [vandalism](#), and harassment and threats against LGBTI individuals. On 11 June, a day before Sofia Pride, activists projected rainbow colours on the parliament’s building to call for targeted action against anti-LGBT hate crimes.

The first-ever Bourgas Pride was held on 15 May, marking the [first](#) Pride march to take place outside the capital. The 40 participants were [attacked](#) by hundreds of extremists who threw eggs, stones, and smoke bombs at them and [burnt](#) a rainbow flag. The police were present and cordoned off the march, but allowed counter-demonstrators to deviate from their planned route and [failed](#) to protect the Pride participants. On the day of the march, the Orthodox Church held a special prayer service in Bourgas “in defence and support of the traditional Bulgarian family and Orthodox values”.

Both the LGBTI community centre, Rainbow Hub, and the LGBTI-inclusive space, The Steps were vandalised several times. The attacks culminated on 30 October when the presidential candidate and neo-fascist party leader, Boyan Rasate [stormed](#) into Rainbow Hub with ten others, punched a staff member in the face, and destroyed furniture and electronics. The EU LGBTI Intergroup [condemned](#) the attack. Bilitis [launched](#) a fundraiser to repair the centre. Several politicians in

Bulgaria and Bulgarian [MEPs](#) condemned the attack and called for investigation and prosecution. Civil society [held](#) a protest on 1 November demanding criminal sanctions for anti-LGBTI hate crimes and the lifting of Rasate’s legal immunity. Over 15.000 people [signed](#) a petition calling for his prosecution. Rasate’s immunity was lifted, and he was [arrested](#) on 3 November.

Civil society has [long advocated](#) for the criminalisation of anti-LGBT hate crimes, including by [filing a petition](#) with over 8,000 signatures ten days before the attack, but neither the former regular, nor the current interim government took any steps.

Bilitis translated and published [resources and strategies](#) on restorative justice in cases of anti-LGBTI crimes and trained justice practitioners on restorative justice practises.

## DATA COLLECTION

GLAS Foundation [launched a campaign](#) to encourage cohabiting same-sex couples to register this information in the National Census.

## EDUCATION

In 2020, Bilitis launched the [Live Without Bullying Platform](#), offering psychological support to youth, their parents, and teachers. Over 350 people have registered on the platform and over 40 teachers were trained.

Bilitis published a [handbook](#) on using theatre to combat hate among youth.

## EQUALITY AND NON-DISCRIMINATION

Deystvie launched a [platform](#) where victims of anti-LGBTI discrimination or violence get free legal aid and can submit complaints.

Bilitis and GLAS published e-learning modules for employers on non-discrimination (see [here](#), [here](#), and [here](#)).

Bilitis, GLAS and Deystvie launched the first [LGBTI Strategic Framework and Action Plan in Bulgaria](#), outlining five priorities for the LGBTI movement for 2021-2026.



## FAMILY

On 14 December, the CJEU ruled in the case of *V.M.A. v Stolichna obshtina* that Bulgaria must immediately provide identity documents to baby Sara, the child of a Bulgarian-British married same-sex couple. The child has a Spanish birth certificate featuring two mothers. As neither of them were Spanish citizens, the child was not granted Spanish citizenship and was also denied a Bulgarian birth certificate, thus rendered stateless. The judgement obliges EU Member States to recognise parenthood across borders.

Bulgaria's travel restrictions have affected rainbow families disproportionately, as the authorities routinely refuse to recognise them as a family unit. Deystvie requested and obtained an official statement from the Ministry of Interior and the Border Police, with which partners of LGBTI people can legally enter the country.

*Koilova and Babulkova v. Bulgaria* on the recognition of same-sex marriage formed abroad, and *Dimitrova v. Bulgaria*, on protection from domestic violence, were communicated to the government by the European Court of Human Rights. Both are litigated by Deystvie.

Bilitis published a comparative report on the daily changes of rainbow families in six EU countries (Bulgaria, Latvia, Lithuania, Slovakia, Poland and Romania) where rainbow families are not formally recognised.

## FREEDOM OF ASSEMBLY

Sofia Pride was held in person once more, following last year's cancellation due to pandemic restrictions. Civil society launched a petition a few days before Pride Month, calling on the authorities to protect the events and the march in particular. The petition, with 17,000 signatures, was handed over to the authorities on 11 June. On 12 June, Sofia Pride was attended by over 10,000 participants and no hostile incidents were recorded.

## FREEDOM OF EXPRESSION

On May 27, Deystvie presented 'Courage to be' and 'Courage to be a parent', two books for rainbow families. About 20 extremists appeared outside the building of Radio Plovdiv, where the book event was held. Deystvie held events in other towns, for instance in Bourgas in May and Varna in June.

## HEALTH

Bilitis organised and conducted training for medical professionals and students on health provision for LGBTI people.

Bilitis developed a resource guide on intersex issues and participated in a comparative study on intersex rights in Bulgaria, Greece and the UK.

## HUMAN RIGHTS DEFENDERS

Due to the COVID-19 pandemic, Rainbow Hub, Bulgaria's only LGBTI+ community centre had to close in 2020, in what seemed like a permanent closure. This year, the Hub relocated and reopened in June.

Denitsa Lyubenova of Deystvie received the European Civic Forum's Civic Pride award.

Bilitis and GLAS foundations received the Shofar Award of the Organisation of the Bulgarian Jews "Shalom" for their work in combating hate speech.

Gloriya Filipova, Manuela Popova from Bilitis Foundation and the Rainbow Hub, and Deystvie received the runner-up awards in the Human of the Year 2021 Awards of the Bulgarian Helsinki Committee for their outstanding contributions to the development of the LGBTI community in Bulgaria and the protection of human rights.

## INSTITUTIONAL SUPPORT

On 11 November, Prosecutor General Ivan Geshev hosted representatives of Bilitis and GLAS foundations, following his invitation to discuss possible collaboration regarding amendments to the Criminal Code for the inclusion of SOGI motivated hate crimes in light of the attack on Rainbow Hub on October 30.

## LEGAL GENDER RECOGNITION

Following inconsistent interpretations of the law by national courts, the Constitutional Court ruled in October that the term 'sex' in the equality clause of the Constitution is to be understood only as 'biological sex'. Nevertheless, the Court also recognised that the Constitution protects trans people's right to self-identification and that civil courts must establish whether current legislation allows for this, and if not, the parliament must fill this gap.



## **PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE**

GLAS Foundation published a book this year, featuring stories of 37 public figures who support LGBTI rights in Bulgaria.

## **PUBLIC OPINION**

A new study found that more than 40% of voters would support a party with a positive attitude towards LGBTI people.



BULGARIA WEB PAGE  
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# CROATIA

## ACCESS TO GOODS AND SERVICES

A group of LGBTI foreigners were told to leave a summer festival in Korčula. The city's mayor condemned the incident.

## BIAS-MOTIVATED SPEECH

In January, the Zagreb County Court held the ultraconservative Vigilare Association responsible for discrimination and incitement for launching a homophobic petition against “homopropaganda”. Vigilare filed an appeal, saying that the ruling judge was biased, being an open supporter of LGBTI rights. The Supreme Court accepted this complaint and the new judge, known for her anti-LGBTI bias, found no discrimination and argued for freedom of speech.

Online hate speech against LGBT people continued to be on the rise. Zagreb Pride filed six criminal complaints for online hate speech, homophobic graffiti, and hateful leaflets posted in the trams in Zagreb.

In February, a Zagreb court sentenced a young man to six months in prison, substituted with one year of probation for saying on social media that he was “sorry the consequences of a tear gas attack in a Zagreb queer party in 2017 had not been worse”.

In March, the Zagreb Municipal Court dismissed a lawsuit Trans Aid filed against the right-wing NGO GROZD, for discrimination and harassment. Trans Aid filed a complaint to the Supreme Court.

In July, a couple of days prior to the Zagreb Pride, MP Nikola Grmoja suggested tabling an ‘anti-pedophilia’ bill similar to the one in Hungary.

## BIAS-MOTIVATED VIOLENCE

On 14 January, the European Court of Human Rights ruled in the Sabalić v. Croatia case that the Croatian authorities’ failure to respond effectively to the applicant’s allegations of a violent homophobic attack against her amounted to inhuman or degrading treatment and was discriminatory. Pavla Sabalić was brutally assaulted in a bar after turning down the perpetrator’s advances. Croatia recognises homophobic hate crimes, but most cases are classified as minor offences.

In February, a woman was brutally attacked in Zagreb for her perceived sexual orientation. A dozen other minor

physical and verbal attacks were reported to Zagreb Pride, but only a couple to the police.

Zagreb Pride also documented several cases showing that small mobs had been ‘hunting’ for gay men in parks – in the first such attack in late 2020, a mob threw a Molotov cocktail at a gay man.

Rijeka saw an increase in homophobic hate crimes this year, with several people being physically assaulted and the City Hall’s rainbow flag, in support of a local queer festival, being set on fire.

In Zagreb, six of 20 rainbow flags raised to mark the beginning of the Pride Month, were torn down, stolen, or burnt. For the first time in 10 years, several participants of Zagreb Pride were attacked by extremists, who verbally assaulted, hit, beat, and spat on them and burned a rainbow flag. The attacks mostly targeted young gay men and lesbian women. Zagreb Pride called on the police to investigate.

In November, a Split Pride volunteer was physically attacked on a beach and suffered severe injuries. The police failed to react promptly and downplayed the homophobic motive.

LGBTIQ organisations blame the increasingly hostile anti-LGBT rhetoric of political leaders for this increase in hate crimes.

## DATA COLLECTION

Trans Aid’s research found that medical professionals have little to no knowledge about intersex issues, but most of the hospitals that responded do perform surgeries on intersex infants. Trans Aid will conduct further research in 2022 to map allies and main gaps in the knowledge of medical professionals.

## EDUCATION

Zagreb Pride published a guide for social workers, education and health professionals on working with LGBTI+ children and youth.

Zagreb Pride also developed the “Queer Classroom” program for young people under 30.

Civil society held an online workshop for teachers on LGBTI topics, which received so many applications that it had to be prolonged to go over several days.



## EQUALITY AND NON-DISCRIMINATION

Prime Minister Andrej Plenković said in a statement in July that all minorities should feel safe in the country and that LGBT people should be honoured, not merely tolerated. He also condemned recent hate crimes, especially violence on the day of the 20th Zagreb Pride march.

## FAMILY

The High Administrative Court ruled in April that same-sex marriage entered abroad must be recognised as registered partnership in Croatia.

On 21 April, the Administrative Court of Zagreb ruled that same-sex couples can adopt children. Local LGBTQI organisations reminded that life partners must be also included in the interpretation of the judgement, in line with the 2014 Life Partnership Act. Much to the condemnation of civil society, the Ministry of Labour, Family and Social Policy filed an appeal.

In amendments to the Foster Care Act, drafted in October, the Croatian government refused again to explicitly indicate same-sex partners as possible foster parents.

## FOREIGN POLICY

Croatia was among the few EU Member States that did not condemn the Hungarian anti-LGBT law.

## FREEDOM OF ASSEMBLY

The LGBT 'Pride Riders' held a bike march in Zagreb on 5 June - for the second year in a row, focusing on family rights.

Zagreb's new mayor Tomislav Tomašević joined the 20th Zagreb Pride march and stated his support for LGBTI rights. He is the first Zagreb mayor to attend the capital's Pride.

Split Pride took place without any incidents on 17 July.

## HEALTH

During the COVID-19 pandemic, Zagreb Pride recorded a clear rise in requests for psycho-social counselling and set up a team to meet the growing demand.

The COVID-19 pandemic continued causing large delays in trans healthcare. Even before its onset, due to a lack

of clear regulations, trans healthcare was inaccessible, pathologising, and influenced by the personal bias of medical professionals.

In October, the Zagreb County Court ruled in favour of a trans man, finding that the Insurance Fund and the hospital discriminated against him when denying him insurance coverage of his mastectomy. The man was informed of the change on the day of his surgery.

## HOUSING

Family rejection and violence continued, as many trans people had to remain with unsafe families in year two of the COVID-19 pandemic.

## HUMAN RIGHTS DEFENDERS

Trans Aid and Trans Network Balkan formed a regional feminist group and are now in the process of developing strategies against TERF movements in the region.

## LEGAL GENDER RECOGNITION

Accessing legal gender recognition (LGR) continued to be difficult this year. Trans Aid helped two trans people turn to the Administrative Court to challenge the delays in the Council's work. The Council is mandated to issue a decision in all applications within 30 days, but some people have waited for two years. Soon after the cases were filed, the Council issued a decision in both.

Trans Aid lobbied firmly against the board of psychiatrists, which was set up in violation of the ordinance and which now evaluates any trans person who wants to access healthcare or LGR.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In December, the boyfriend of Croatia's first openly gay MP Domagoj Hajduković shared a photo of them kissing, which was widely circulated on social media.



[CROATIA WEB PAGE](#)  
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# CYPRUS

## BIAS-MOTIVATED SPEECH

MP candidate of the ELAM party Andreas Themistokleous made transphobic statements and was later expelled from the far-right party, but for reasons unrelated to the incident.

## BIAS-MOTIVATED VIOLENCE

Pressured by homophobic bullies at a party to binge drink beyond his tolerance, a teen fainted and was left to choke to death in February. Three of the peers received 18 months of suspended sentence for involuntary manslaughter.

## EDUCATION

Following the tragic bullying case in February (see above), civil society urged the government to put in place sensitising training programs in schools to prevent and address the issue. The Ministry of Education has not formally responded to the request.

Accept - LGBTI Cyprus held two training sessions this year for educators on tackling homophobia and transphobia.

## EMPLOYMENT

A multi-stakeholder meeting was held in October to address LGBTI rights in the workplace, bringing together government officials, employers' bodies and companies for the first time.

## EQUALITY AND NON-DISCRIMINATION

On IDAHOBIT (May 17), the Ombudswoman released a statement warning of the danger of underestimating anti-LGBTI incidents and framing them as isolated cases. The Minister of Justice also made a public statement on condemn anti-LGBTI discrimination and violence.

On 18 May, Cyprus co-hosted an online IDAHOT+ Forum together with the UK, welcoming around 150 activists and government officials from Europe. In June, the Ministerial Council approved the National Strategy for the Protection and Promotion of Human Rights, which includes eliminating homophobic and transphobic discrimination and exclusion.

In October, Accept - LGBTI Cyprus published a draft Action Plan for LGBTIQ+ Rights. The draft was prepared by an interdisciplinary working group, consisting of

civil society, university and party representatives, the Ombudswoman's Office and representatives of the European Commission. It has not been endorsed by the government, but civil society is now advocating for its adoption.

## FAMILY

Family rights remained an important concern for civil society this year, but no developments took place despite civil society's continued advocacy.

At least one same-sex couple encountered difficulties this year with the recognition of their civil partnership in Cyprus, which they previously concluded abroad. The couple also faced hurdles attaining civil partnership in Cyprus and sent a complaint to the Ombudswoman.

## FOREIGN POLICY

Cyprus and the UK have approved the signing of a Memorandum of Understanding (MoU) on the Protection and Promotion of the rights of LGBTI+ people in Europe. In October, the UK Prime Minister's Special Envoy on LGBT Rights met up with the Minister of Justice, the Minister of Foreign Affairs, the Advisor to the President on Multiculturalism and Diversity, and other stakeholders to discuss joint actions.

## FREEDOM OF ASSEMBLY

There were no Pride events held this year due to COVID-19 restrictions.

## FREEDOM OF EXPRESSION

A scene featuring a kiss between two men was cut from the popular Greek series "Agries Melisses", when it aired in Cyprus in November.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

A Cypriot trans woman was detained in Egypt in January 2020, was released on 29 January this year and safely returned home.

## HEALTH

Accept - LGBTI Cyprus continued to advocate for the government to address healthcare inequalities, particularly on the provision of hormones to trans people.



While hormones were previously offered by the state, the new Cyprus General Health System (GESY) excludes them, which has made them unavailable for many.

## INSTITUTIONAL SUPPORT

For the first time, a joint ministerial committee dealing with LGBTI matters was formed, following approval by the Council of Ministers in December. The Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Labour and the Ministry of Interior, coordinated by the Advisor to the President on Multiculturalism and Diversity, were tasked to tackle the outputs proposed by the Cyprus - UK MoU on LGBTI+ rights.

Despite a request to the state, Accept has not received any state funding this year.

In December, the government increased its annual financial support to the Council of Europe SOGI Unit.

## LEGAL GENDER RECOGNITION

The legal gender recognition reform process continued very slowly this year, after years of being stalled. The committee, consisting of the Law Commissioner, the Advisor to the President on Multiculturalism and Diversity, and officers from the Ministry of Interiors, finalised the draft bill in November. The parliamentary Human Rights Committee announced in the autumn that it would revisit the matter at the beginning of 2022.

In October, the Council of Europe's SOGI Unit, the Law Commissioner, and the Advisor to the President on Multiculturalism, and Diversity, co-organised a roundtable discussion on LGR as part of the thematic review of the implementation of the Council of Europe (CoE) Recommendation CM/Rec(2010)5 of the Committee of Ministers. Cyprus was one of four CoE member states that voluntarily engaged in a dialogue aimed at making progress on this topic. The final review by the CoE on LGR in Cyprus is yet to be published. The event was held at the parliament, under the auspices of the Head of the Parliament, Annita Demetriou.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Accept shared a questionnaire with candidates ahead of the parliamentary elections in May and made their

responses available. The questionnaire focused on the candidates' stance on LGBTQI rights. All candidates of AKEL and Famagusta for Cyprus participated and were in support of the LGBTQI rights. Some candidates of the Democratic Rally, Animal Party Cyprus, Independents Movement, and Green Party-Citizens' Cooperation also responded - with answers including both for and against stances towards the rights raised. There were also parties without any candidate also participated in the questionnaire.

Civil society held a number of public and cultural events this year, including exhibitions, discussions and seminars for LGBTI people, to strengthen the community.

In September, the second Queer Wave LGBTQ+ film festival took place in person, in Nicosia, featuring over 40 short and feature films and selling more than 1,200 tickets.

## POLICE AND LAW ENFORCEMENT

The police made an official and in-person apology, upon the request of the Minister of Justice, to a trans person who was subjected to police harassment in May. The case was referred to the Minister by the Advisor to the President on Multiculturalism and Diversity.

In June, Accept held a seminar for police officers on LGBTI rights.

# NORTHERN CYPRUS

*\*Areas not under the effective control of the Republic of Cyprus.*

## ACCESS TO ADEQUATE FOOD

The LGBTI+ community and particularly trans sex workers were severely hit by the COVID-19 pandemic, with many continuing to lack access to basic necessities and food this year.

In February, officials from the local administration announced they would provide food and hygiene items



to those most vulnerable, explicitly mentioning LGBTI+ people. It was also clarified that support would be provided to those in need regardless of their citizenship or residence status, which was welcomed by Refugee Rights Association and Queer Cyprus Association (QCA).

Similar to last year, some political parties, the Nicosia Turkish municipality, and the Social Services Department, as well as some other NGOs, provided food for those most in need during the lockdown period. Queer Cyprus Association again provided financial support to those struggling the most, including trans and gay sex workers

### BIAS-MOTIVATED SPEECH

Despite the 2020 amendments to the Criminal Code, which criminalise anti-LGBT hate speech, civil society documented several incidents this year and a lack of action from the authorities. QCA reported several hate speech cases to the police this year, mostly from social media comments. For instance, volleyball player Ebrar Karakurt received countless hateful comments after posting a selfie with her girlfriend. QCA met with the police to urge them to investigate cases.

In September, the Media Ethics Committee established that President of the Cyprus Turkish Educators Union, Himmet Turgut's statements amounted to hate speech. Turgut had said that some "sexual identities" are "perverts, those who poison the young minds, those who spread diseases". QCA reported the case to the Committee, as well as the local education authorities. QCA met with the Ombudsperson in September, four months after it first alerted the authorities, but have not heard back.

QCA eventually met with the local "minister" of education Olgun Amcaoğlu, who affirmed the "ministry's" stance against anti-LGBTI hate speech and particularly against bullying in education. QCA reported a hate speech case in May, where a teacher posted anti-LGBT content.

### BIAS-MOTIVATED VIOLENCE

One of the billboards featured in QCA's awareness raising campaign 'My right' was vandalised in the Trikomo - Iskele region in December.

### DATA COLLECTION

QCA launched the Human Rights Platform in October to monitor human rights violations impacting LGBTI people in the northern part of Cyprus.

### EMPLOYMENT

QCA published 'LGBTIs in the Labour Market' in July. In parallel, QCA and its partners provided training and social services to LGBTI people most at risk.

### EQUALITY AND NON-DISCRIMINATION

QCA published an analysis of the legislative framework in the northern part of Cyprus in terms of discrimination against LGBTI people.

### FREEDOM OF ASSEMBLY

This year's IDAHOT event took place in person and drew attention to the adverse impact of the COVID-19 pandemic on those most vulnerable, including LGBTI+ people, refugees, women, children, the working class, health workers, the elderly and others. QCA highlighted that while many politicians used the slogan, "We are all in the same boat" during the pandemic, LGBTI+ people have faced discrimination and a lack of access to employment, healthcare, housing, and education since long before.

Due to the COVID-19 pandemic, this year's Pride parade only took place in the northern part of Cyprus in the form of a rainbow chain.

### HEALTH

QCA published several health resources this year, including the comprehensive LGBTI+ Physical Health Booklet, a leaflet on HIV/AIDS, and a brochure on STIs.

### HUMAN RIGHTS DEFENDERS

QCA continued documenting a stark increase in the number of people reaching out to their solidarity line to receive psycho-social or legal support, since the beginning of the COVID-19 pandemic.



## INSTITUTIONAL SUPPORT

At the end of the year, QCA visited 25 institutions including municipalities, party representatives, politicians, the Ombudsperson, teachers, the police, and others to discuss how to address discrimination and violence against LGBTI people.

## LEGAL GENDER RECOGNITION

QCA published a booklet on legal gender recognition in the northern part of Cyprus.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

QCA held its Queer Cyprus Film Festival online, due to the COVID-19 pandemic.

## SOCIAL SECURITY AND SOCIAL PROTECTION

QCA held an online workshop for the social welfare workers and published a report on the access of LGBTI people to social services, pointing to a lack of quality and long-term services and negative attitudes among social workers.



CYPRUS WEB PAGE  
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# CZECHIA

## BIAS-MOTIVATED SPEECH

Bias-motivated speech against LGBTIQ+ people continued to be a serious issue, by politicians, religious leaders, anti-LGBTIQ+ activists, and the media. The following are a handful of examples:

In June, President Miloš Zeman called trans people “disgusting” and compared gender-affirming medical care to self-harm, making headlines internationally. Local trans organisation Trans\*parent called for a public apology.

The marriage equality bill sparked hate speech, discriminatory remarks and stigmatisation throughout the year, from politicians from a number of parties, such as the Christian Democrats and the conservative Civic Democratic Party. The leader of the far-right Freedom and Democracy said in April that he would rather jump out of a window than be adopted by a same-sex couple.

Prior to the general election in October, marriage equality was again a highly debated topic. Incoming Prime Minister and leader of the Civic Democratic Party, Petr Fiala wrote in his book that he cannot “be forced to believe that people of same-sex may create marriage and a family that equals the natural one” as it is “against his faith”. He called for protection of the “traditional family”.

Several politicians, including those from the former Prime Minister’s ANO Movement, the Civic Democratic Party and the Christian Democrats condemned the fact that Prague financially supports Prague Pride.

The anti-LGBTIQ organisation Alliance for Family continued making hateful statements and were very active in organising the public in protesting against any measure that would support LGBTIQ+ people.

## BIAS-MOTIVATED VIOLENCE

A gay couple suffered a homophobic attack in the centre of Prague for holding hands in public.

## EMPLOYMENT

A survey among those working in the public sector found that those in the justice and education sectors were least likely to be open about their sexual orientation to their colleagues. Over half of them would not disclose their sexual orientation compared to 29% among those working in the cultural sector.

## EQUALITY AND NON-DISCRIMINATION

The coalition of conservative parties won the October

parliamentary elections, beating the previous government by a narrow margin. Liberal parties performed worse than expected and the parliament does not currently include social democratic parties.

The chairwoman of the major anti-LGBTIQ organisation, Alliance for Family and the spokesperson of the main anti-abortion organisation, Movement for Life, were both chosen as assistants by two MPs from the conservative Civic Democrats and from Movement ANO, respectively.

The Ombudsman retained his unsupportive stance towards LGBTIQ+ people, publicly questioning if they are denied any rights whatsoever. Neither the Ombudsman, nor the High Representative for Human Rights took any significant action in support of LGBTIQ+ rights this year. The High Representative co-authored the first ever national LGBTIQ+ strategy but failed to secure support and adoption of the strategy by the outgoing government.

## FAMILY

On 11 January, the Constitutional Court ruled that a section of Czech law, which fails to recognise parenthood established under foreign law, is compliant with the Constitution. Following this ruling, the Senate rejected a legislative proposal that would have removed the ban on recognising the joint parental rights same-sex couples acquired under foreign law.

On 29 April, the parliament finally voted in favour of moving the marriage equality law to its second reading. The marriage equality bill was first introduced in 2018 and civil society waited for over a 1,000 days for this step. At the time of the vote, it was likely that the bill would not be able to move forward before the October elections, due to lack of time. In addition, periods for deliberations in parliamentary committees, which are part of the second reading, were extended, further decreasing the chances of having enough time to adopt the bill before October elections. In the end, the bill did not move forward and the legislative process now has to start all over again. Another bill, attempting to place a constitutional ban on marriage equality, also moved to its second reading but, just like the equal marriage bill, was stalled before the elections.

In August, the parliament’s lower chamber rejected a bill that would have extended the right to foster to same-sex or unmarried couples.

Jsmé Fér continue to share testimonies of same-sex parent couples again this year, including of two dads who have had to split their foster rights between their three foster children. The accounts shed light on the



discrimination that same-sex couples suffer in lack of marriage equality and equal family rights. 70,000 people joined the [petition](#) in support of equal marriage in 2021, amounting to 140,000 in total.

## FOREIGN POLICY

Czechia [failed](#) to publicly condemn the hostilities against LGBTI+ people in Poland and Hungary again this year, despite joint and individual actions of EU Member States on the matter. Nevertheless, civil society [held](#) a protest in front of the Hungarian embassy.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, Prague Pride was held with restrictions this year.

## FREEDOM OF ASSOCIATION

A number of regional LGBTIQ+ groups were set up or became increasingly active this year, mostly by led youth.

## FREEDOM OF EXPRESSION

The politicisation of the Czech public TV and [radio](#) continued this year. A representative of the Roman Catholic Church was [appointed](#) to the supervisory board of Czech Radio, but later resigned and is now an assistant to a far-right MP.

The anti-LGBT+ organisation Alliance for Family filed a complaint against Czech TV claiming that its reporting on equal marriage is biased. The supervisory board partially sustained the complaint. In April, the European Broadcasting Union (EBU) [warned](#) that Czech media freedom was under threat and that an increasing number of members are affiliated with the ruling party. EBU called on Czechia to protect media pluralism.

## HEALTH

Trans\*parent continued holding [training](#) for mental health professionals on working with trans clients and publishing resources and [testimonies](#) for healthcare professionals in general.

## INSTITUTIONAL SUPPORT

The Prague mayor (Pirate party, the liberals) continued to support Prague Pride this year,. The City Hall [raised](#) the rainbow flag on the day to celebrate the event

## LEGAL GENDER RECOGNITION

The proposal of the Pirate Party to not include gender markers on IDs was [rejected](#) by the Parliament's lower house this year. Trans\*parent [asked](#) candidates in the election to state their position on trans rights issues, such as the dropping of the sterilisation requirement for legal gender recognition.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Jsmé Fér [ran](#) a successful campaign in the leadup to the October parliamentary elections, mobilising voters and encouraging them to take into account whether candidates support marriage equality or not (see under *Family*). Jsmé Fér published resources for voters (see [here](#) and [here](#)). Trans\*parent did similar actions on [highlighting](#) party positions on trans rights issues.

The documentary "[The law of love](#)", documenting several years of the equal marriage campaign and co-produced by the Czech TV, was released in cinemas.

## PUBLIC OPINION AND ATTITUDES

The majority of the population continues to support marriage equality, 65 % according to a July [poll](#) that gathered 7,000 responses.

## SEXUAL AND REPRODUCTIVE RIGHTS

Civil society remained concerned about the future implications of the growing power of anti-choice organisations and the failure of the government to condemn the events in Poland. Incoming Prime Minister Petr Fiala [praised](#) former US President Donald Trump's fight against abortion.

## SOCIAL SECURITY AND SOCIAL PROTECTION

PROUD and Prague Pride [continued](#) to work in cooperation with the Ministry of Labor and Social Affairs to ensure that social workers are better skilled to work with LGBTI clients.



[CZECHIA WEB PAGE](#)  
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# DENMARK

## ACCESS TO ADEQUATE FOOD

Due to the COVID-19 pandemic, many, especially trans people and migrants, continued struggling financially. Informal aid initiatives by queer and trans communities continued.

## ACCESS TO GOODS AND SERVICES

Trans people continued reporting to TransAktion having been denied access to spaces and services, threatened or assaulted.

## ASYLUM

LGBT Asylum and TransAktion continued documenting cases of trans asylum seekers without access to trans-specific healthcare, being harassed, and their asylum claims rejected. They also continued to criticise the border regime, the conditions in camps, and housing placement in remote towns when granted asylum.

The Minister of Foreigners and Integration announced plans to establish an asylum centre for LGBTI asylum seekers.

In June, various LGBTIAQ+ organisations called for support to asylum seekers and refugees and condemned plans to deport Syrian refugees, which has frightened many others.

LGBT Asylum, among others, lobbied against stricter border regimes, migration and asylum policy and laws - including the government's intention to establish asylum camps for case processing in third countries and the lack of protection of (LGBTI+) refugees from Afghanistan.

Various LGBTIAQ+ organisations set up a hearing on LGBTI+ Refugees in parliament.

## BIAS-MOTIVATED SPEECH

TransAktion continued receiving reports of violent, anti-queer, anti-trans, racist, anti-Black attacks by police on queer and trans people who are BIPOC. During World Pride, several cases of racism and anti-trans attacks were experienced by participants. Anti-trans violence and discourse continued in the media and parliament, especially targeting trans women, youth, and children.

Civil society urged the government to address anti-LGBTI rhetoric in the media, by extremist groups on social media, and in sports.

## BIAS-MOTIVATED VIOLENCE

The bill to amend the hate crime legislation and add gender identity, expression, and sex characteristics as aggravating factors, was successfully adopted in December and will enter into force on 1 January 2022.

“Live and Let Live” published 1,000 accounts of anti-LGBTQI hate crimes and speech.

## BODILY INTEGRITY

A Ministry of Equality study found that 8% of LGBT people were told by friends they should not be LGBT and 3% had been subjected to conversion therapy. The government plans to ban the harmful practice against minors.

## EDUCATION

LGBT+ Youth and LGBT+ Denmark's study found that more than half of LGBTQ+ students aged 13-25 have had suicidal thoughts or self-harmed. 44% were bullied or faced discrimination in school; 37% felt lonely [general student population: 6%]. Only 23% learned about different sexual orientations and 9% about gender identities.

## EMPLOYMENT

A survey found that 6% of managers know of anti-LGBT harassment against their employees in the past three years.

The Ministry of Equality launched a campaign to prevent work discrimination.

## EQUALITY AND NON-DISCRIMINATION

A report of the Ministry of Equality found that 58% of trans and 36% of intersex respondents experienced discrimination in the past year, most often in healthcare.

The government's bill to extend equal treatment legislation to gender identity, expression, and sex characteristics grounds in all areas of life and sexual orientation beyond employment was successfully adopted in December. It will enter into force on 1 January 2022.

## FAMILY

In May, rainbow families shared testimonies about being excluded from the legal system.



The government drafted and re-drafted amendments to family laws, which will give equal treatment to potential co-mothers and potential fathers and will recognise gestational trans men as fathers.

The planned amendments to the Administration of Justice Act will drop binary gender roles and the gendering of birth parents.

In February, the European Parliament's Petitions Committee examined NELFA and LGBT komiteen's petition and called on the European Commission to investigate the lack of mutual recognition of parenthood across EU borders. The case concerns a Bulgarian-Danish couple of two mothers, whose parenthood was recognised in Denmark, but not in Bulgaria.

Some rainbow families, recognised abroad as lawful parents, also lost that recognition in Denmark, for instance because their child was born out of surrogacy.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

Court cases of trans and intersex people, subjected to violence and discrimination by prison guards and other incarcerated people, are ongoing. A Black trans woman was put in a male prison cell after police harassment in the street.

## FOREIGN POLICY

LGBT+ Denmark launched a global Queer Solidarity Fund. Denmark adopted a new foreign policy strategy, which is very weak on LGBTI rights.

## FREEDOM OF ASSEMBLY

Tens of thousands joined over 1,100 events in Copenhagen and Malmö as part of Copenhagen WorldPride and EuroGames in August. MPs from across the world, MEPs, the UN Independent Expert on SOGI and the EU Equality Commissioner were all in attendance. Thousands joined WorldPride Marches and over 50,000 joined other events. Due to public pressure the organisers backtracked on Nestlé's sponsorship. Local Pride events also took place in several Danish towns.

## FREEDOM OF EXPRESSION

Months of attacks on gender and migration studies and

researchers culminated in MPs Henrik Dahl (LA) and Morten Messerschmidt (Danish People's Party) tabling 'On excessive activism in certain research environments', backed by parliamentary majority.

## HEALTH

The COVID-19 pandemic continued to severely impact LGBT+ communities. NGOs, including LGBT+ Denmark (see here and here) or TransAktion still had a huge rise in demand for support and counselling.

In June, 77 organisations signed the joint statement 'Together against loneliness' so the government would address findings of a Ministry of Equality report warning that 28% of LGBT and 46% of trans people feel lonely (general population: 3%).

The state monopoly of trans healthcare continued, split between three clinics. Trans people continue to report rigid gatekeeping, medicalisation, pathologisation, racism, binary gender regimes, anti-migrant, anti-sex worker, anti-poverty, anti-fat and ableist structures and approaches. Activists and NGOs repeatedly send opinions and recommendations on the national guidelines, which are yet to be changed, but are excluded from the process.

## HOUSING

Homeless organisations continue to report a drastic increase in homelessness among LGBTI+ youth, in part due to the COVID-19 pandemic. NGO responses often exclude the expertise of queer and trans people who have been homeless.

## HUMAN RIGHTS DEFENDERS

The COVID-19 pandemic continues to increase structural inequalities, with many organisations who work against intersectional oppression, and/or are led by trans and intersex people, BIPOC, and other marginalised groups, being underfunded. That said, Sabaah and LGBT Asylum were granted funding for the next four years.

## LEGAL GENDER RECOGNITION

The process of lowering the legal gender recognition age-limit continued to be stalled, with opposition from some political parties and the Ethical Council, which has served as an excuse for the incoming Minister to address the issue.



Amendments to the Names Act will allow for name change on the basis of a simple self-declaration, but names continue to be listed as male or female.

*\*Some of the information about Denmark was gathered through counselling work and is reported here anonymously.*



DENMARK WEB PAGE  
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# ESTONIA

## ASYLUM

The Chancellor of Justice, Estonia's National Human Rights Institution found in 2020 that migration officers violated the right to private life of a gay refugee when disclosing his sexual orientation to his wife. The man was twice denied the right to reunite with his wife and son by the Police and Border Guard Board. In 2021, he applied for reunification only with his son. Thanks to the intervention of the Estonian Human Rights Centre, the reunification was granted in November. Altogether, it took three years for the man to be reunited with his child.

## BIAS-MOTIVATED SPEECH

The process to introduce legislation criminalising hate speech continued to be stalled this year. In 2020, the European Commission launched infringement proceedings against Estonia for its failure to have hate speech legislation in place.

In June, the Estonian Centre for Human Rights launched a survey for young people aged 16-24 on their knowledge and attitudes on hate speech.

## BIAS-MOTIVATED VIOLENCE

On July 2, Vikervelo, a cycling race supporting the LGBT+ community and an equal society, took place in Tallinn. When the organiser biked around just before the event, he was attacked by two men who also tore off a rainbow flag. When the assailants arrived at the final assembly of the bike ride, they were taken into custody.

On 8 August, a young lesbian couple was physically attacked by two men.

## EDUCATION

The Estonian LGBT Association collected testimonies this year of young LGBT+ people who have experienced bullying in school. The testimonies were used in the Estonian LGBT Association's campaign to promote LGBT+ pupils' safety in schools.

## EMPLOYMENT

The Estonian Centre for Human Rights released a guide for employers on how to make the workplaces more diverse and inclusive during the COVID-19 pandemic.

## EQUALITY AND NON-DISCRIMINATION

On 2 July, Pride took place in Tallinn in the form of a bicycle march, aimed to raise awareness about inequalities still faced by LGBTQI people in Estonia.

The Estonian Human Rights Centre's annual human rights review provides a detailed overview of the situation of LGBT rights.

## FAMILY

Estonia continued to struggle with a divided debate on family rights. The coalition government resigned in January, on the day of the third reading of the marriage referendum draft. In 2020, EKRE (ed: Conservative People's Party of Estonia) announced their plans to hold a referendum on the issue, which was cancelled after the fall of the coalition.

Civil society repeatedly expressed its disappointment that the current legislation differentiates between same-gender registered partners and different-gender married couples and that the implementation of the Registered Partnership Act remains flawed. The Act was adopted in 2014, but still lacks the necessary bylaws that would make its smooth implementation possible. In May, Estonia received 24 and accepted 19 recommendations on LGBT+ issues as part of its third Universal Periodic Review, nine of which asked the government to adopt the necessary implementation provisions.

Almost two-thirds of Estonians support the implementation of the Registered Partnership Act and almost half support marriage equality (see under *Public opinion*). In 2020, the Social Democrats, and the non-parliamentary Green Party and Estonia 200 formed a pact of support on the issue. The topic was also on the agenda during the elections in the autumn.

On 9 November, the parliament's Legal Affairs Committee discussed the petition of the Estonian Greens, which gathered over 35,000 signatures and became Estonia's most successful collective appeal to date. The Committee clarified that marriage is equally guaranteed for all "able-bodied persons" who have no legal obstacles to marriage. Regrettably, the Committee did not discuss the core of the petition and decided not to send a bill to parliament, which could have extended the scope of those allowed to marry.



On 28 September, the Supreme Court declared that the Aliens Act, restricting the residence of same-sex couples in Estonia was, unconstitutional. The Act restricted this right if a foreigner wanted to reside in the country with a partner who has a residence permit. The same has applied to foreigners whose partner is an Estonian citizen.

## FOREIGN POLICY

The change of government had a positive impact on Estonia's foreign policy. The new government adopted a framework and action plan for human rights diplomacy, which includes the promotion of LGBT+ rights internationally.

In June, Estonia joined other EU Member States in condemning the Hungarian anti-LGBT law.

## HEALTH

An interview with endocrinologist Dr. Maie Väli was published in September, in which she stated that none of the almost 200 trans people who saw her as part of their medical transition have become happier. The LGBT Association published an official response and filed a complaint with the Medical Ethics Committee for making such a harmful, stigmatising, and generalising statement. The Committee found no violation of the Medical Ethics Code.

## LEGAL GENDER RECOGNITION

The Medical Examination Committee, an integral part of the legal gender recognition (LGR) procedure, disbanded itself at the beginning of the year. A new Committee was set up in July, but is yet to start its work. As a consequence, trans people have been unable to fulfil the mandatory LGR requirements and thus unable to have their documents changed.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The LGBT Association published a list of recommendations for municipalities ahead of the 2021 local elections and information for voters on each party's commitments on LGBT+ rights.

## PUBLIC OPINION AND ATTITUDES

The Estonian Human Rights Centre published its fifth opinion poll results, which found that attitudes towards LGBT people have improved significantly. For instance, the number of Estonian residents who consider same-sex attraction acceptable (53%) has risen by 12% compared with 2019. 64% thought that same-sex partners should have the opportunity to officially register their partnership according to the Registered Partnership Act and 47% supported marriage equality.



ESTONIA WEB PAGE  
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# FINLAND

## ASYLUM

In February, the UN Committee on the Rights of the Child found that Finland failed to consider the best interests of the child of a lesbian couple when rejecting his asylum request, and to protect him against a real risk of irreparable harm when the family had no other choice but to return to Russia. This was the first time that the CRC made a decision on sexual orientation issues, and the first individual communication ruling by a UN Treaty body on children in same-sex families.

## BIAS-MOTIVATED SPEECH

Several hate speech incidents took place again this year. In May, an Oulu police officer said about the local Pride event that it was a “freak circus” that brings disgrace. The police department in Oulu distanced itself from the statement. The investigation is ongoing.

In April, the Prosecutor General announced it would press charges against the Chairperson of the Christian Democrat Parliamentary Group, Päivi Räsänen, who had made several hateful statements against LGBTI people in the past years. The Public Prosecutor received quite some backlash following the announcement. In November, it was reported that the Prosecutor General has received a great number of e-mails in defence of Räsänen from all over the world, with many e-mails being aggressive and homophobic.

Anti-trans hate speech increased at the time of the Olympics, regarding the participation of trans athletes.

## BIAS-MOTIVATED VIOLENCE

In March, a trans woman was physically assaulted in Helsinki and a trans woman was verbally harassed in Tampere. The attacks came in the aftermath of a transphobic murder at a time when trans people feel unsafe - the prosecution is currently ongoing at the district court.

Several attacks took place in the summer. In July, several participants of a party organised by Seta Jyväskylä were physically assaulted by a man who said he “hated homosexuals”. On 1 July a rainbow star sign in Turku was vandalised a few hours after it was painted. In late June, a youth worker was threatened in the street when they helped young people paint a rainbow sign on the sidewalk in Hankasalmi. Rainbow flags were stolen in Lahti and Oulu, and vandalised in Järvenpää.

In February, the government introduced amendments to the Criminal Code, which add ‘gender’ as a protected ground and include it as an aggravating circumstance. In the current legislation trans persons are only included implicitly. LGBTIQ+ organisations had advocated for the inclusion of gender identity, gender expression and sex characteristics (GIGESC) to better respond to hate crime against trans, non-binary and intersex persons. LGBTIQ+ organisations criticised that the government bill does not only leave out GIGESC, but defines gender in a binary way.

## BODILY INTEGRITY

In August, a citizen’s initiative collected the mandatory 50,000 signatures in one month requesting the parliament to ban conversion therapy against children and adults and cover both sexual orientation and gender identity. The parliament will now have to debate the issue.

The government reiterated that it would ban non-consensual and medically unnecessary surgeries on intersex children, as set out in the Gender Equality Programme (2020-2023), but has made no concrete steps yet. In April, the UN Human Rights Committee recommended the government to prevent intersex surgeries.

## EQUALITY AND NON-DISCRIMINATION

1 February marked the 50th anniversary of Finland decriminalising same-sex relations.

In October, the Ministry of Justice published an overview of the human rights situation of LGBTIQ people in Finland. The report aims to support the government in its work to promote the fundamental and human rights of LGBTIQ people and includes a set of proposals to enhance them.

## FAMILY

In the spring, the government shared the first draft of the new Parental Law, which was met by firm criticism by civil society as it fails children in rainbow families entirely. LGBTIQ+ civil society had advocated for the recognition of more than two legal parents and for gender neutral parenthood recognition instead of naming parents as mothers and/or fathers. The bill was introduced to the parliament in the autumn, but it did not include these issues - a great disappointment to LGBTI organisations.



## FREEDOM OF ASSEMBLY

Pride events were held in around 20 different cities and small towns this year.

Prime Minister Sanna Marin acted as the patron of Helsinki Pride Week for the second year in a row. Pride events were broadcast on public TV, featuring interviews with Marin. The indigenous Sápmi Pride was held for the seventh time this year.

A day after the city of Turku celebrated Pride by painting a rainbow pedestrian crossing, the Police Board ordered its removal.

## HEALTH

In February, Finland changed the regulations on blood donations and lowered the mandatory deferral period for men who have sex with men from 12 to four months. As of 1 July, PrEP can be accessed for free.

## INTERSECTIONALITY

Finland's first association of senior LGBTI people was established in June.

## LEGAL GENDER RECOGNITION

In April, a citizens' initiative calling for legal gender recognition (LGR) law reform to go promptly ahead, centering young people's rights and self-determination, collected the mandatory 50,000 signatures in a day. In November, the citizens' initiative was handed to the Parliament's Committee on Social Affairs and Health after a preliminary parliamentary debate. In April, the UN Human Rights Committee recommended the government to put in place a quick and easy LGR process.

A working group to plan the law reform was appointed by the Ministry of Social Welfare and Health in June, but the process has been delayed and received much criticism from civil society. In June, the government announced that the working group would prepare a bill according to the government programme, ie. without the sterility and mandatory diagnosis requirements. This means that legal and medical transitioning will be completely separate. Nonetheless, a reflection period will be included and the age limit will be set at 18. The working group is now preparing the new draft law, to be presented in spring 2022.

The process to reform the social security number is ongoing with a deadline of the end of 2022.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Seta's deputy Chair, Alia Dannenberg, was successfully reelected to serve on the Joensuu City Council.

## SEXUAL AND REPRODUCTIVE RIGHTS

Civil society called on the government to regulate surrogacy, which is an increasing demand by same-sex couples in Finland. Civil society also shared guidelines on the issue. In September, the Family Federation of Finland also published a statement in favour of making surrogacy accessible in a non-discriminatory way also to single women and men and same-sex couples.

## SOCIAL SECURITY AND SOCIAL PROTECTION

In June, the city of Helsinki granted a plot of land for *Sateenkaariasunnott Ry* (Rainbow Apartments Association), which plans to build an apartment building of 14 to 26 housing units for LGBTQ+ people.



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# FRANCE

## ACCESS TO ADEQUATE FOOD

The pandemic continued to negatively impact LGBTI people, but with lockdowns ending, sex workers were able to resume their work.

## ASYLUM

Ghana, Benin, and Senegal were removed from the list of safe countries this year, but other countries unsafe for LGBTIQ+ people remain.

In March, the Council of State ruled that contrary to case law, LGBTIQ+ asylum seekers coming from a country that criminalises or persecutes LGBTIQ+ people, should not be automatically granted status.

In December, lawyers specialised in asylum cases held a demonstration outside the national asylum court against the abusive rejections of asylum claims, including when based on sexual orientation.

## BIAS-MOTIVATED SPEECH

Twitter will have to share detailed information about its procedures for removing hate speech.

An increase in transphobic discourse has been noticed in mainstream media, including *Le Figaro*, *Charlie Hebdo*, CNews. The magazine *Marianne* published articles attacking trans children and youth; *L'express* published two articles on so-called “trans ideology”. The far-right weekly *Valeurs Actuelles* featured a transphobic cover page - condemned by the Minister for Gender Equality, Diversity and Equal Opportunities. Two NGOs launched a formal complaint against the magazine.

Lesbian politician and writer Alice Coffin continued facing harassment.

## BIAS-MOTIVATED VIOLENCE

SOS Homophobie found a 15% decrease in anti-LGBTI hate crimes between 2019 and 2020, which civil society warned may be due to the COVID-19 pandemic, in terms of exposure and also how safe victims feel to report while in unsafe homes.

The FLAG! phone app, where users can report anti-LGBTI hate crimes, collected over 1,500 reports of 3,896 incidents in its first year.

A gay man was murdered in April, a lesbian couple in August, and a trans migrant sex worker woman in September. At least six trans people are known to have committed suicide due to transphobic harassment. Physical attacks were reported regularly, mostly targeting gay men (see here, here, here, and here).

The Public Prosecutor affirmed that the accused perpetrators will stand criminal trial for the 2018 murder of trans sex worker Vanesa Campos. The trial will start in 2022.

An attacker in a 2018 homophobic hate crime was sentenced to only four months probation, despite the maximum sentence of three years in prison and thousands of euro.

The Paris Criminal Court established the lesbophobic motif of a rape and sentenced the perpetrator to 14 years in prison.

A perpetrator in a 2019 homophobic hate crime was sentenced to four years in prison with 16 months probation. Two perpetrators will be tried at juvenile court.

The courts fined a man to 1,000 euro and a two-day citizenship training for painting swastikas on bars.

## BODILY INTEGRITY

An amendment on banning intersex genital mutilation was tabled in January, but without consultations with intersex activists. The text only bans genital surgeries, but not hormone therapy and gonadectomies.

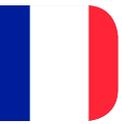
The most recent draft law on bioethics fails to ban on intersex genital mutilation.

The law on banning conversion therapy against minors and adults on grounds of sexual orientation and gender identity was unanimously adopted by the parliament and in December, by the Senate.

## EDUCATION

A 14-year-old girl committed suicide after two years of lesbophobic and islamophobic bullying.

The principal in a Lyon school was found to have discriminated against a teacher when ordering her to take



off her rainbow COVID-19 face mask.

For the past five years, SOS Homophobie has reported a steady rise in anti-LGBT discrimination and bullying in schools.

The Ministry of Education banned the use of inclusive writing in schools.

Internal guidance (circulaire) was produced by the Ministry of Education on the inclusion of trans children in schools. One concern raised by NGOs is around schools requiring parental consent for this work. This document was also challenged and instrumentalised by some political parties.

## EQUALITY AND NON-DISCRIMINATION

CSOs remain disappointed with the Ministry of Equality's pace of implementing the National LGBT+ Action Plan (2020-2023) and the Ministry's lack of cooperation with CSOs.

The National Human Rights Institution launched a new portal where victims of discrimination can report incidents.

On IDAHOBIT, several ministries and public authorities launched a campaign against anti-LGBT discrimination and its impact on health.

In July, the Interministerial Delegation for the Fight against Racism and Anti-Semitism (DILCRAH) published factsheets, in collaboration with the CIA - OII France, on the rights of intersex people.

Several LGBTI people shared their experiences of sexual abuse and harassment under #MeTooGay and CSOs called for all prevention and support measures to be inclusive of LGBTI people. The LGBTI+ Federation published resources on domestic violence in lesbian couples. #metoopolitics was launched by women in politics, endorsed by public figures, such as Alice Coffin and openly lesbian senator Mélanie Vogel.

OII Europe and others called for a new draft 'Guidelines for the promotion and implementation of gender equality', which is currently based on a binary understanding of sex and gender and excludes trans, intersex, and non-binary people.

The gender neutral pronoun "iel", which combines "il" and "elle", was newly introduced in a well-known dictionary, sparking public debate.

## FAMILY

The first same-sex (lesbian) priest couple were joined in marriage in a Protestant Church in Montpellier.

The government announced that official civil status forms will be adjusted to become inclusive of rainbow families as of March 2022.

In November, a court ruled in favour of a trans woman who wants to be legally recognised as the mother of the child she had before having her gender marker changed. The final judgement is expected in 2022.

## FREEDOM OF ASSEMBLY

Paris Pride was attended by tens of thousands in June and highlighted that President Macron's government has taken few tangible actions for the LGBTI community. Several trans women were attacked at the event by TERF activists.

## HEALTH

Public Health France's study found that experiencing discrimination and violence leads to physical and mental health disparities.

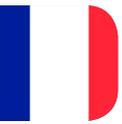
The Disciplinary Chamber of the Regional Council of Physicians published a decision in a case launched by a trans adult's parents who argued that their then minor child should not have been given access to gender affirming treatment. Activists, academics and mental health professionals stood with trans young people, demanding increased support, access to healthcare and legal gender recognition. The decision was later successfully annulled by a higher authority.

## HUMAN RIGHTS DEFENDERS

Espace Santé Trans documented a continued increase of those reaching out for mental health support.

## INTERSECTIONALITY

Trans, HIV, and disability rights organisations lobbied against regulations under which a disabled person can lose access to benefits if they have a partner earning more than minimum wage. Without benefits, many disabled people lose their financial autonomy, having to rely on their partner and/or stay in abusive relationships.



## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

NGOs filed a complaint against a dance school, whose teacher banned a young trans girl from attending as a girl.

Football player Antoine Griezmann spoke out against homophobia in sports and appeared on gay magazine, *Têtu's* cover.

Paris dedicates a public garden to theorist and lesbian activist Monique Wittig.

All amendments to the Sports Law, to tackle anti-LGBTI attitudes were dropped during the first parliamentary reading.

## SEXUAL AND REPRODUCTIVE RIGHTS

On 25 April, the first lesbian demonstration took place in Paris, demanding medically assisted reproduction for all, including lesbians and single women.

On 30 June, the parliament voted to extend cost coverage for in vitro fertilisation to lesbians and single women, but only mentioning 'women' explicitly, excluding many trans and intersex people. The law also maintains stepchild adoption for same-sex couples, which is not a requirement for heterosexual couples who use donor gametes. The legislative process was delayed again.

The European Court of Human Rights will examine over 250 sex workers' joint application about France's 2016 law, which criminalises clients and has made sex workers more vulnerable.



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# GEORGIA

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic continued to have a devastating impact on LGBTQI and trans communities. Women's Initiative Support Group's (WISG) 2021 survey, to be published in 2022, found that almost half of LGBTQI respondents experienced food shortages during the pandemic.

## BIAS-MOTIVATED SPEECH

Hate speech by religious and political leaders remained a severe issue. For instance, the Minister of Culture, Sports, and Youth, Tea, Tsulukiani made homophobic statements in March and members of the ruling party made anti-LGBT statements in June.

Preceding the Tbilisi Pride (March of Dignity), planned for July, government representatives and religious leaders made countless anti-LGBT statements. On the eve of the Tbilisi Pride March on 5 July, Prime Minister Gharibashvili stated: "95% of our population is against holding a propaganda parade, friends, we must all obey, this is the opinion of the absolute majority of our population". Civil society accused the government of contributing to the violent attacks the next day (see below) and the complete lack of police protection, investigation, and prosecution.

## BIAS-MOTIVATED VIOLENCE

Countless hate crimes took place again this year, many targeting journalists and human rights defenders (see under **Human Rights Defenders**).

Several LGBT people were physically assaulted. Trans women were attacked in June and in September. In April, a trans minor was verbally and physically assaulted - the police filed the case as 'gang violence' and the prosecution is ongoing. Two gay men were also verbally assaulted and received death threats - the police filed the case under 'threat', and established the bias motif. Several lesbian women and couples were assaulted or threatened in April. In one case, the police are treating the case as hooliganism. Civil society demanding more action from the Ministry of Interior.

In the lead-up to the Pride march in July, civil society called on the Ministry of Interior and the government to protect the participants and organisers. A day before the planned march, violent mobs started roaming Tbilisi, encouraged by political leaders. The headquarters of Tbilisi Pride was attacked on 5 July; rainbow flags were

torn apart and burnt. Around 50 journalists who were reporting on the anti-LGBT protests were also beaten up and several were hospitalised. The anti-LGBT mobs celebrated in the streets after Tbilisi Pride cancelled the event. Other offices of LGBT and human rights NGOs were also vandalised. The police failed to provide protection.

On 6 July, hundreds showed up to protest against anti-LGBT violence and the failure of the police. On 11 July, thousands came to the streets again and called for the resignation of the Prime Minister after journalist Alexander Lashkarava was found dead in his home. Lashkarava was one of those attacked by mobs the previous week. He was operated on and released on 8 July. The police are investigating the cause of his death. The Prime Minister released a statement on 12 July denying any responsibility for the violent attacks and Lashkarava's death, which was followed by firm civil society criticism. WISG published a detailed analysis of the July events. Seven NGOs jointly demanding government accountability.

In November, a trans woman was stabbed and killed and another trans woman was stabbed. The Prosecutor's Office established transphobic bias in both cases and prosecution is ongoing.

## EDUCATION

In May, the Ombudsperson issued a general recommendation for the Ministry of Education to ensure trans women's equal access to university studies without discrimination during application procedures.

## EQUALITY AND NON-DISCRIMINATION

During its third Universal Periodic Review, Georgia received 23 recommendations on SOGIESC issues in April and accepted 22, on discrimination, hate crimes, hate speech, and freedom of assembly.

On 28 April, the Venice Commission urged Georgia to ensure that the appointment process of new Supreme Court judges complies with international human rights law standards and to re-announce the competition. Disregarding the recommendations, the process, which has lacked transparency, impartiality, and independence, continued without changes. On 17 June, nine new judges were appointed.

Reports were leaked in September suggesting that civil society continues being surveilled and that the state has gathered information about people's identities and



contact information. Civil society demanded a stop to intimidation.

In a standalone chapter, the Ombudsperson's [annual report](#) highlighted the impact of the COVID-19 pandemic on the LGBTQI community and lack of adequate response from the state; including, issues related to freedom of assembly, legal gender recognition, hate crimes and discrimination; and the growing anti-gender movement. The Ombudsperson urged the government to introduce LGR regulations and address socio-economic marginalisation. The Ombudsperson [faced](#) anti-LGBT backlash for this work.

## FREEDOM OF ASSEMBLY

In December, the European Court of Human Rights (ECtHR) ruled in the *WISG and Others v. Georgia* case that Georgia [violated](#) its obligations by failing to protect peaceful demonstrators at the 2013 IDAHOBIT events from anti-LGBT violence, and by failing to conduct an adequate investigation and discriminated against LGBT people.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

To implement the 2020 ECtHR judgement in the case of *Aghdgomelashvili and Japaridze v. Georgia*, an investigation was ongoing this year under Article 333 of the Criminal Code on the abuse of official powers. The victim's representatives launched a request with the Prosecutor's Office that the investigation cover Article 151 (threats), Article 156 (persecution) and Article 144 (torture).

## FREEDOM OF ASSEMBLY

The government maintained strict curfew rules despite civil society's [calls](#) that they be [eased](#).

## HEALTH

The Equality Movement published a [resource](#) for people living with HIV.

WISG made several resources available in Georgian this year, including on psychological support for [trans and gender non-conforming](#) and [LGB](#) people.

The process of introducing trans healthcare guidelines, based on the Ombudsperson's 2020 [recommendations](#), is stalled.

## HOUSING

The pandemic continued having a detrimental impact on the housing situation of LGBTQI and particularly trans people. Despite civil society's [calls](#) in 2020, the government has not offered rental subsidies, shelter, or alternative housing options.

WISG's study on the impact of the COVID-19 pandemic, to be published in 2022, found that 13% of the respondents had housing difficulties and over a third had trouble paying rent.

## HUMAN RIGHTS DEFENDERS

The offices of Tbilisi's Pride and other NGOs were [vandalised](#) in July. Some decided to temporarily [close](#) in fear for their safety. The Council of Europe [condemned](#) the violence.

## LEGAL GENDER RECOGNITION

On 25 March, the first trans person in Georgia was [granted](#) legal gender recognition (LGR) by the Tbilisi Civil Registry Service. The applicant showed proof of surgery when applying for LGR in 2020. Georgia has no legal or administrative procedures in place for LGR and several trans people had turned to the ECtHR to have this remedied.

In October, the request of an intersex woman for LGR was denied by the authorities, who requested proof of surgery. The woman filed an appeal.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The documentary '[Midnight Frontier](#)' about Tbilisi's techno scene and clubs for LGBTQI people was [released](#) in October. Several art projects (see [here](#) and [here](#)) and [exhibitions](#) took place this year.

## POLICE AND LAW ENFORCEMENT

WISG held trainings for the police, the Prosecutor's Office, the State Care Agency and legal service providers this year on anti-LGBT hate crimes, discrimination, and victim support.

## PUBLIC OPINION

WISG conducted a study on societal attitudes towards LGBTQI persons, to be published in 2022, highlighting the



detrimental impact of institutional bias and oppression, the role of the state in anti-LGBTQ aggression, and the positive impact on education and sensitisation.



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# GERMANY

## ASYLUM

In May, civil society condemned the practice of the Federal Foreign Office for the unsafe practice of conducting investigations of asylum seekers in their home countries and outing them.

In June, the Federal Council approved a law that gives authorities access to asylum notices and judgments, countering privacy rights.

After an eight-year process a Russian asylum seeker was granted refugee status in the spring, showing that persecution by non-state actors can also be grounds for status.

## BIAS-MOTIVATED SPEECH

The ongoing legal gender recognition (LGR) reform sparked hateful anti-trans articles this year.

LesbenRing distanced itself from this year's LesbenFrühlingsTreffen (LFT), which included anti-trans, racist, and anti-human rights programs.

## BIAS-MOTIVATED VIOLENCE

Hate crimes continued to be a serious issue this year (see here and here). The Ministry of Interior's annual report found a 39% increase in anti-LGBT hate crimes in 2020 compared to the previous year. For the first time, data on anti-trans violence was specifically collected.

The Green Party and the FDP both proposed federal regulations to criminalise and tackle anti-LGBT hate crimes, but the Bundestag rejected them with the votes of the CDU, SPD and AfD.

Bremen will now collect and publish data on anti-LGBTI hate crimes, becoming the second state after Berlin to do so. The LSVD urged other federal states to follow suit.

Following civil society pressure, the Interior Ministers' Conference addressed anti-LGBTI hate crimes for the first time, urging the Federal Ministry to convene an independent expert commission and take action.

A Dresden court refused to record the homophobic nature of a murder, where a gay couple was killed.

In August, a victim of police abuse at the Cologne CSD was granted 15,000 euro compensation for pain and

suffering in a settlement with the federal state of North Rhine-Westphalia.

## BODILY INTEGRITY

On 25 March, the parliament adopted the Law for the protection of children with variants of gender development to protect intersex children from non-vital, non-emergency medical interventions. OII Europe called the law the result of 25 years of intersex activism, but gaps remain.

## EDUCATION

A study found that some religious schools taught anti-LGBT contents in North Rhine-Westphalia, for instance comparing 'homosexuality' to 'pedophilia'.

Saxony and Schleswig-Holstein banned gender-equitable language in schools (e.g. Schüler\*innen or Schüler\_innen)

## EMPLOYMENT

The Anti-Discrimination Agency published a report on intersex people's experiences in employment.

A study affirmed that lesbians face intersectional/multiple discrimination in employment.

## EQUALITY AND NON-DISCRIMINATION

CSOs continued advocating for constitutional amendments to protect LGBTIQ+ people from discrimination (see here and here).

At the meeting of the Federal Council on 28 May, seven federal states introduced a draft law supplementing Article 3 of the Basic Law with a prohibition of discriminated on the basis of 'sexual and gender identity'. The state chamber rejected the draft. In the Bundestag, there was a joint motion by the FDP, the Greens and the Left Party to add 'sexual identity'. The CDU/CSU and SPD blocked this draft in the Committee on Legal Affairs, so it was never voted on in plenary. Later in the year, civil society launched a petition. In the exploratory paper of the SPD, Greens and FDP, an addition to 'sexual identity' was agreed.

The new government's coalition treaty includes numerous actions on LGBTIQ+ rights, including adding 'sexual identity' to the Constitution and a national LGBTIQ+ action plan.



On 20 May, the Bundestag voted in favour of the rehabilitation and compensation of soldiers convicted because of being LGBT, but gaps remain.

## FAMILY

Germany is yet to abolish mandatory second-parent adoption for lesbian same-sex couples, trans, non-binary and intersex parents. Berlin tabled a proposal in the Bundesrat for the legal change to be introduced at the federal level, which was rejected in the Federal Council. In April, the LSVD launched an e-mail campaign urging members of the Bundestag of the SPD and Union to reform the law, but no developments took place. In their exploratory paper, the SPD, Greens and FDP envision the necessary legal changes.

There are now several lawsuits against the current right of descent by the Initiative #NoDoption and the Society for Civil Liberties (GFF), including before the Federal Constitutional Court.

German Catholic priests refused to comply with the ban on same-sex marriage blessings.

The case of a trans man, who gave birth and is not recognised as the ‘father’, despite having the legal gender ‘male’ is still pending at the European Court of Human Rights. The case was joined by a trans woman who is the biological parent of her child but will not be recognised as the ‘mother’ without adoption.

Parents with a non-binary gender marker also faced discrimination this year. BVT\* published a brochure on trans parenthood.

## FOREIGN POLICY

The government adopted its foreign policy LGBTI Inclusion Strategy, inclusive of trans rights issues.

Chancellor Angela Merkel criticised the Hungarian propaganda law in June.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

Berlin passed a law on trans and gender-diverse people’s placement in prisons.

The Brandenburg Memorials Foundation decided to commemorate lesbian women and girls who fell victims of Nazi persecution.

## FREEDOM OF ASSEMBLY

After threats by neo-Nazis, the first CSD in the small Saxon town of Taucha was cancelled.

## HEALTH

Civil society published a brochure on the impact of the COVID-19 pandemic on LGBTI people in Germany.

LSVD welcomed the proposal of the FDP and the Green Party to ban any restrictions on blood donations for men who have sex with men and submitted a position paper on the topic. The German Medical Association’s new regulations maintain that same-sex sexual behavior is risky and stigmatises trans people.

In April, the Federal Chamber of Psychotherapists called for the withdrawal of the statutory healthcare providers’ new regulations as they set out that gender affirming treatment would only be covered as a last resort, if psychotherapy failed to “alleviate gender dysphoria”.

## LEGAL GENDER RECOGNITION

Civil society continued campaigning for a new law that would establish legal gender recognition on the basis of self-determination, joined by INGOs. On 19 May, the parliament voted against all three drafts that were proposed by the Green Party, The Left, and by the FDP. The new government’s coalition treaty envisions LGR based on self-determination.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Two trans women won seats in the parliamentary elections. Nyke Slawik and Tessa Ganserer are both members of the Green Party.

185 LGBTQ actors joined a manifesto calling out homophobia and transphobia in their profession. Captain of the national football team Manuel Neuer wore a rainbow armband at several European Football Championship matches. UEFA did not allow the Munich stadium to be lit up in rainbow colours, but several Bundesliga stadiums in Germany did just that.



The football magazine *11 Freunde* ran a campaign against homophobia in the sport.

The German Football Association (DFB) and LSVD set up a sexual and gender diversity focal point.

## SEXUAL AND REPRODUCTIVE RIGHTS

The Free Democratic Party presented a position paper on the approval of non-commercial surrogacy and egg donation.

As of this year, same-sex couples in Berlin and Rhineland-Palatinate are able to apply for partial cost coverage for medically assisted reproduction. Civil society would like to see federal rules in place that allow all couples to be reimbursed and not just married heterosexual couples with a medical condition.



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# GREECE

## ACCESS TO ADEQUATE FOOD

In year two of the COVID-19 pandemic, the Transgender Support Association (GTSA) received support from the mayor of Athens and the Bodossaki Foundation to support 25 trans people with disabilities, and provide food and sanitary materials for 65 trans and LGBTQI people.

## ACCESS TO GOODS AND SERVICES

The FAROS study on LGBTQI+ people's access to services found great obstacles and a lack of awareness among civil servants. More than 300 professionals took part in capacity building seminars.

Following the new COVID-19 rules, introduced in November, several trans people were harassed and denied entry to stores, cafés and other spaces, because their appearance did not match their documents. Just in two months, GTSA documented 12 such cases. In another case, a lesbian was denied entry and harassed, after the guards thought she was a man.

## ASYLUM

On 7 June, a new Joint Ministerial Decision was issued categorising Turkey as a safe country. CSOs called on the government to repeal the decision.

TGSA published 'LGBTI refugees in Greece' based on interviews with refugees and case workers.

## BIAS-MOTIVATED SPEECH

Hate speech by political and religious leaders continued. In February, Minister of Justice Konstantinos Tsiras made false and homophobic statements about the well-being of children growing up in rainbow families. Civil society demanded his resignation and refuted the stigmatising statements. In July, MP Thanasis Pafilis (Communist Party) used transphobic statements in a parliamentary debate on education. In August, the Metropolitan of Piraeus made homophobic statements.

On 27 October, the publisher of *Free Time*, Giorgos Michalopoulos, was convicted of incitement to hatred or violence and received the maximum three years of prison sentence from the Athens Criminal Court. *Free Time* featured a homophobic and racist cover last year.

## BIAS-MOTIVATED VIOLENCE

The Racist Violence Case Record Network's annual report documented 30 anti-LGBT hate crimes in 2020.

Several anti-LGBT attacks, verbal and physical, were carried out on the day of the Athens and Thessaloniki Pride Parades, during and after the marches.

All year long, several attacks targeted trans people.

In December, the Prosecutor's Office of Thessaloniki ordered a preliminary investigation of homophobic harassment and threats against two students, from their peers.

## BODILY INTEGRITY

Orlando LGBT+ released a report on conversion therapies in Greece on the basis of 100 responses from survivors, highlighting that therapies were carried by mental health and health professionals, alternative healers and priests. They included corrective rape, physical abuse, psychological violence, and sexual harassment. Orlando LGBT+ called on the state to ban the harmful practice, reminding that a number of Greek MEPs had previously voted for a ban. Orlando held several events on the issue and launched a campaign.

## EDUCATION

Students and civil society reported a microbiology textbook taught in *Hygiene* class in vocational schools, which equates homosexuality with the spread of STIs. The homophobic content was part of a national exam. Deputy Minister of Education Zetta Makris failed to condemn the textbook and blamed the Central Examination Committee. In July, MP Kritonas Arsenis (MEPA25) demanded the Ministry immediately withdraw the book.

A specialised course on LGBTQI+ issues ran for the second year in the undergraduate programme of Psychology at Panteion University and Social Work of the University of West Attica, designed and instructed by Orlando LGBT+.

## EMPLOYMENT

From June onwards, unemployed trans people can apply for work assistance at the government employment agency (OAED), which now includes trans people as a vulnerable group. OAED's grant covers 90% of salaries and



social security, to motivate employers to hire more trans people. Trans people must register with the OAED to be eligible, and either show proof of having changed their gender marker, or sign a self-declaration that they are trans. CSOs had long [advocated](#) for this.

Civil society [welcomed](#) the inclusion of ‘gender expression’ as a protected ground in the new [Labour Code](#) (Law 4808/2021) in July, which marks the first time that the term appears in Greek legislation.

The first company [signed](#) a Diversity Charter to introduce a diversity policy and create a safe workplace.

## EQUALITY AND NON-DISCRIMINATION

On 29 June, the commission in charge published the [National Strategy for Equality of LGBTQI+ people](#) (2021-2023). The commission was [set up](#) in March, and included two MPs, two academics and [three civil society representatives](#). It was [chaired](#) by the former President of the European Court of Human Rights (ECtHR), Linos Alexandros Sicilianos. The commission launched a public consultation in March, which several NGOs participated in (see [here](#) and [here](#)). Greece’s President Katerina Sakellariopoulou also met with the commission on 17 May and issued a statement on the occasion of IDAHOBIT.

In September, 160 prominent figures in education, academia, and other areas [signed](#) a joint letter criticising the Strategy and particularly the inclusion of sex education in schools. Several signatories however [stated](#) that they [never](#) actually signed on.

On May 17, on the occasion of IDAHOBIT, GTSA and the municipality of Athens launched the ‘Breaking The Silence’ [campaign](#), to tackle anti-LGBTI discrimination and violence.

In August, the mayor of Athens [announced](#) that its Department of Equality & Discrimination will strengthen measures to combat anti-LGBT discrimination and called for an Inter-Parliamentary Committee on LGBTI issues.

## FAMILY

Several LGBTQ parents [shared](#) their experiences of [discrimination](#) and bureaucratic hurdles. A new Family Law was [adopted](#), continuing to exclude rainbow families, violating the [Istanbul Convention](#) and the [National LGBTQI+ Strategy](#).

In June, Syriza launched a [consultation](#) on a more progressive family law, which TGSA welcomed. TGSA [recommended](#) gender-neutral language on parenthood, marriage, partnership, and pregnancy and the inclusion of SOGIESC as protected grounds.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

GTSA continued documenting violence and discrimination against trans incarcerated people. In December, the Secretary General of Anti-Crime Policy [ordered](#) that four trans women, who had been placed in male prisons in Trikala and Corfu, be transferred to female wards.

## HEALTH

Due to GTSA’s intervention, the authorities ensured from November on that vaccination certificates will be automatically changed for trans people who had just changed their gender.

## HUMAN RIGHTS DEFENDERS

Renowned trans activist Marina Galanou of TGSA [passed away](#) this year, which came as a great loss for the trans and [LGBTQI](#) rights movements.

The murder trial of Zak Kostopoulos began after three years of adjournments, with six defendants, including four police officers, facing fatal bodily harm charges. The police’s defence lawyer was initially MP Thanos Plevris, later appointed Minister of Health. The trial is [monitored](#) by civil society. The court has so far only allowed a limited number of journalists and CSO representatives to be present, which civil society fears could undermine the process.

## LEGAL GENDER RECOGNITION

In January, the Athens Magistrate Court [denied](#) a trans man’s request to have his family name changed. The man’s application to change his first name and gender marker was approved, but his male name will now appear next to a female family name, violating his right to private life.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Nikolas Giatromanolakis, was [appointed](#) as the Deputy Minister for Contemporary Culture, becoming the first openly gay politician in the rank.



## POLICE AND LAW ENFORCEMENT

Following the intervention of GTSA, the Naval Registry reversed its denial to amend the gender and name of a trans marine following her legal gender recognition process.

The police and security forces continued to reject trans people's applications to the police academy.

## SOCIAL SECURITY AND SOCIAL PROTECTION

CSOs received state and Council of Europe funding to support those most in need.



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# HUNGARY

## ACCESS TO GOODS AND SERVICES

The Equal Treatment Authority found that the refusal of a Pécs hotel to host an LGBTQI festival in 2020 was discriminatory.

The national tax authority (NAV) amended the information section on its website to clarify that personal income tax refunds also apply to same-sex registered partners with children.

Trans people can now acquire a self-declaration, authenticated by a public notary, where they state they are trans and use a name that is different from that in their papers.

## BIAS-MOTIVATED SPEECH

The UEFA decided after investigating anti-LGBTQI hate speech by Hungarian football fans at Hungary's games, that three matches would take place behind closed doors.

The Commissioner for Fundamental Rights launched proceedings against a deputy mayor of Győr, who said on social media that an LGBTQI-themed film should be thrown in the trash.

## BIAS-MOTIVATED VIOLENCE

The perpetrator in a 2019 homophobic hate crime was sentenced to two years in prison.

Two men were sentenced to 100 and 80 hours of community work for verbally and physically harassing a gay teenager for months in 2016.

Several hate crimes were committed this year (see here, here, here, and here).

Transvanilla published "Under the radar: documenting violence against trans people" between 2015-2020.

## BODILY INTEGRITY

The authorities refused to provide data to Háttér about the number of so-called "normalising surgeries" performed on intersex children between 2015-2020.

Háttér published a comprehensive report of the experiences of intersex people in Hungary and a legal analysis of rights protections.

## EDUCATION

Hungary's new propaganda law (see under **Freedom of Expression**) bans the promotion of homosexuality and trans issues in school and sets out that schools can only invite external sexuality education programs that have undergone mandatory state registration.

## EMPLOYMENT

The Ombudsperson affirmed that employers must ensure that trans employees can access bathrooms and changing facilities matching their gender identity.

## EQUALITY AND NON-DISCRIMINATION

The parliament's 2020 decision to abolish the Equal Treatment Authority (ETA), Hungary's most important equality body, entered into force on 1 January 2021. The ETA is now merged into the Office of the Commissioner for Fundamental Rights, currently headed by Ákos Kozma, a loyal government supporter who has been silent on LGBTI issues. In June, the GANHRI Sub-Committee on Accreditation (SCA) recommended that Hungary's NHRI be downgraded from A to B status, signalling that it only partially complies with the Paris Principles.

## FAMILY

The new law on adoption entered into force in March, requiring a special permission from the Minister of Family Affairs if an unmarried person (including those in same-sex relationships) wants to adopt. While the law applies only to new adoption procedures, the authorities also started to reject earlier applications. For example, in December 2020, a request was denied arguing that a gay man falsely applied as a single individual, despite being in a relationship. The man, however, was open about his relationship throughout the procedure. In October, a gay man was denied with the justification that he would not be able to raise the child according to Christian values as required by the Fundamental Law (Constitution). In the same month, a lesbian woman was also denied on the basis of the Fundamental Law, which now says that "the mother is female, the father is male". Judicial review is pending in the first two cases.

In November, the Foundation for Rainbow Families launched the #ugyanaz/#same campaign aiming to show that despite the similarities of daily life, children living in rainbow families don't have similar rights.



## FOREIGN POLICY

In July, Hungary lost over 200 million euro of funding in grants from Norway, Iceland and Liechtenstein, which could have supported civil society, due to the government's failure to agree with the funders on how the grants would be disbursed.

## FREEDOM OF ASSEMBLY

On 24 July, the annual Budapest Pride march brought together a record 35,000 people. The 26th Budapest Pride Festival featured 82 events this year.

Pécs Pride took place on 18 September, marking the country's first Pride march outside the capital.

## FREEDOM OF ASSOCIATION

In 2020, the European Court of Justice found that the foreign agents law is contrary to EU law. A new law adopted this April gives the State Audit Office power to investigate NGOs if their budget is over 20 million HUF (55,000 euro). Civil society expressed concern that the two laws practically exercise the same power over NGOs.

## FREEDOM OF EXPRESSION

In January, the consumer protection authority found that consumers' rights would be violated if the publishers of the children's book, *Wonderland is for Everyone* did not include a warning that it contains "behaviour patterns that deviate from traditional gender norms". Labrisz Lesbian Association, the publisher, turned to the courts. On 15 July, the European Commission launched infringement procedures against Hungary, concerning the censorship.

In January, the Media Council launched an investigation against the TV channel RTL Klub for streaming a PSA about rainbow families. The investigation is pending.

In March, the Council of Europe Commissioner for Human Rights Dunja Mijatović issued a statement on the lack of media pluralism and independence in Hungary and called for compliance with international standards.

The government continued its crackdown on LGBTIQ rights. On 25 May, Fidesz tabled amendments to enable "stricter action against paedophile offenders and the protection of children". The draft text was changed five days before the planned vote, practically banning any

discussion of LGBT issues in front of minors, including in schools and media. The provisions include a ban on the "portrayal and the promotion of gender identity different from sex at birth, the change of sex and homosexuality".

More than 160 NGOs, schools, professional organisations, unions, embassies, and companies demanded that the parliament vote against the bill. Over 133,000 signatures demanded an end to the anti-LGBT crackdown. Civil society held a large demonstration outside the Parliament with over 10,000 people attending.

On 14 June, the parliament adopted the amendments. 157 MPs were in favour, including members of the Jobbik political party. One person voted against, and the other opposition parties boycotted the vote. A number of opposition parties and politicians, including the Budapest mayor, condemned the draconian law.

Civil society launched the #nemvagyegyedül (#YouAreNotAlone) campaign to support LGBTQI people in this difficult time. They also called on President János Áder not to sign the law and handed him over 350 handwritten letters from concerned citizens and 400 emails with personal stories, testimonies and worries about the possible impact of the law. Áder signed the law, which entered into force on 8 July. CSOs vow to continue their work as before. In August, a coalition of NGOs turned to the Ombudsperson to review the constitutionality of the amendments.

Several international actors spoke out against the law, including MEPs, 18 EU Member States, UN mandate holders, the Parliamentary Assembly of the Council of Europe, the Venice Commission, and the Council of Europe Commissioner for Human Rights.

Government representatives denied the anti-LGBT nature of the laws, including Prime Minister Viktor Orbán (see here and here).

On 20 July, Orbán announced a referendum on LGBT issues as a response to EU infringement procedures. On 30 July, the National Election Committee approved the proposed questions. On 26 October however, the Curia of Hungary refused to authorise the question, "Do you support that gender reassignment treatments should be available for children?". The government appealed the decision at the Constitutional Court and won.



In July, a bookshop selling the Hungarian translation of the American children's book, *Early One Morning*, which features rainbow families, was fined for stocking it amongst other children's publications. The decision was successfully challenged in court.

## HEALTH

In January, a gay man was turned away from donating blood plasma, which the Commissioner for Fundamental Rights found as discriminatory.

In September, Transvanilla published Guidelines to Human Rights-based Trans-specific Healthcare.

## HUMAN RIGHTS DEFENDERS

In September, academic and lesbian activist Dorottya Rádai was named as one of the 100 most influential people of 2021 by *TIME* magazine.

In November, LGBTQ activist and Budapest Pride organiser, Viktória Radványi received the MTV Generation Change award for her activism.

## INTERSECTIONALITY

Háttér and Silent Rainbow published a guide on making the LGBT+ community more inclusive of deaf and hard of hearing people.

Transvanilla published "Trans faces of the periphery" mapping socio-economic inequalities among trans people.

## LEGAL GENDER RECOGNITION

On 12 March, the Hungarian Constitutional Court ruled that the 2020 ban on legal gender recognition (LGR) did not apply to a case that was launched before the adoption of the law. In October, the Constitutional Court issued another ruling clarifying that its judgement applies to all such cases. Dozens of rejections of LGR applications that were made prior to the 2020 ban were overturned by the courts this year.

In April, the Commissioner for Fundamental Rights called on the Budapest Metropolitan Government Office to repeal its negative decisions. Also in April, the Hungarian National Authority for Data Protection and Freedom of Information concluded that Article 33 violates EU data protection law and should be repealed.

Transvanilla launched its 'Name From The Past' campaign to raise awareness about the impact of an LGR ban on trans people.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Colours of Tobi, a documentary about a young trans person in Hungary won several international awards.

Her Mothers, a documentary about a lesbian couple's adoption journey premiered in May.

Trans activist Blanka Vay's autobiography, "My Own Cage" was published in October.

## PUBLIC OPINION

In June, the IPSOS 2021 public opinion poll found that 59% of Hungarians thought same-sex couples should have the same right to adoption as others, and 60% thought same-sex couples were just as suitable to be parents as heterosexual couples. Also in June, Publicus found similar results.

In July, four out of ten of Publicus' respondents thought there was a real risk that LGBTQ organisations carried out propaganda in daycares and schools, and three out of ten thought it was possible that one can become 'homosexual' if they learn about it.

In July, Opinio's representative study found that 22% thought that the 'propaganda law' will serve to combat pedophilia, while close to 60% saw it as a severe restriction of LGBT rights.

In August, a public opinion survey commissioned by Háttér and Amnesty found that public support for LGBT people had never been stronger in Hungary.

## SOCIAL SECURITY AND SOCIAL PROTECTION

Háttér trained over 122 professionals who work with LGBTQI children and youth, including in education, healthcare, sports, media and child welfare.



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# ICELAND

## BODILY INTEGRITY

In 2021, activists continued to advocate for the prohibition of all non-consensual and medically unnecessary surgeries against minors, that are not necessary for the child's long-term health, and can be avoided or postponed until the person can provide informed consent. In December last year, the Icelandic parliament adopted a ban, with the exception of hypospadias and micropenis. Decisions must be unanimously agreed upon by a multidisciplinary team of medical experts and confirmed by a ministerial committee of a child psychologist, a paediatrician, and a human rights expert. Interventions, unless life saving, will be postponed in the meantime. A committee must be formed within the next three years to review and strengthen the law.

## EDUCATION

As a follow-up to their school well-being survey findings from 2020, Samtökin '78 secured a contract with the School of Education at the University of Iceland and the municipalities of Grindavíkurbær and Snæfellsbær. Samtökin '78 has rapidly expanded its education work in the last three years and hired three contractors to deliver training.

## EQUALITY AND NON-DISCRIMINATION

The 2020 Equal Gender Rights Law, which moves away from the previous wording on equality between a "male and female" and gives recognition to those registered with a gender marker beyond these two options, entered into force on 6 January.

## FAMILY

The Children's Law was amended to allow for gender-neutral registration for parents.

## FOREIGN POLICY

In February, Iceland, Norway, and Liechtenstein cancelled a major grant to Poland for its continued crackdown on LGBTI people and the public support of "LGBT-free zones".

In March, the Minister of Environment sent a public letter to Pope Francis asking him to withdraw his decision on banning Catholic priests from performing same-sex marriage ceremonies.

## FREEDOM OF ASSEMBLY

The Western region of Iceland held its first Pride march this year, in the city of Borgarnes.

Reykjavik Pride was held in person this year, but with COVID-19 restrictions to keep participants safe. Pride events were held in seven cities.

## FREEDOM OF ASSOCIATION

The West Iceland LGBT+ Association (Hinsegin Vesturland), the Western region's first LGBT+ organisation, was founded in February.

## FREEDOM OF EXPRESSION

Rainbow flags were raised across the capital on the occasion of IDAHOBIT on 17 May.

A rainbow pedestrian crossing was unveiled in August on the occasion of Pride week in the capital, along the city centre's Ingólfsstræti.

## HEALTH

The number of LGBT people turning to Samtökin '78 for counselling increased by 538% over the past five years. Between 2019 and 2020, the increase was 47%.

A new trans team at the Department of Child and Adolescent Psychiatry at Landspítali hospital was established in the summer. One of its members had worked with Samtökin '78 and Trans Ísland in the past, and civil society welcomed their inclusion. In 2020, the Department announced that the team, which has supported trans and gender non-conforming youth, including by counseling or providing them with hormone blockers, will end its work due to budget cuts.

## INSTITUTIONAL SUPPORT

Samtökin '78 received a four-million ISK grant this year, on top of the previous 15 million, to provide special counseling for trans people, professional assistance to doctors and nurses at Hospitals, information in the field of sexual health, and to combat social isolation and poorer mental health among LGBTI individuals.

## LEGAL GENDER RECOGNITION

Legal recognition for non-binary people became available from 6 January onwards. As of December, 15 people are known to have used this option and changed their gender marker.



## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In April, the Reykjavík City Council issued guidelines for managers and staff of gyms and pools on how to welcome trans people to their facilities. The Pirate Party used this opportunity to highlight that many trans people avoid sports facilities in fear of harassment, which is a public health concern.

In May, the Reykjavík City Council elected Alexandra Briem of the Pirate Party to be the Council's speaker for the next year. Briem is the first trans person to hold the position.

*"It means a lot to me personally, because it validates that as an individual and as a politician I'm entrusted to take on this position, and as a transgender woman, I am not excluded by a glass ceiling from taking part in politics and taking prestigious offices because of social prejudices."* - Alexandra Briem to the Reykjavík Grapevine



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# IRELAND

## ACCESS TO GOODS AND SERVICES

In January, a Dublin bus service was fined 7500 euro for repeatedly abusing a passenger with homophobic slurs.

The postal service launched LGBTQI-themed stamps for Pride month.

## ASYLUM

Minister for Equality, Roderic O’Gorman announced in June that his Department would develop a policy to make Direct Provision housing safer. For instance, safe accommodation for trans people will be put in place.

In January, a bisexual man from Nigeria was denied refugee status and faced deportation after the Minister for Justice questioned his claim, saying it was unrealistic that a man would have a same-sex partner if that was illegal in his home country. The High Court did not accept the man’s appeal for procedural reasons, but took issue with the Minister’s arguments and so did CSOs. In the same month, a lesbian asylum seeker who fled death threats in Zimbabwe was also denied status.

In October, 26 LGBTI+ refugees were welcomed to Ireland from Afghanistan and are supported by LGBTI+ individuals and organisations.

## BIAS-MOTIVATED VIOLENCE

Several rainbow flags and LGBTQI hubs were vandalised, including in Dublin, Carlow, Cork, Waterford, and other towns. The Minister for Equality condemned the attacks.

In April, leading trans activist was notified by the Gardaí of a treat to their life by far right aggressors.

In September, a non-binary person was physically and verbally assaulted in Galway, a week after Pride events.

In October, a man who violently assaulted a prominent LGBTQI activist in Dublin was sentenced to three years imprisonment.

Ireland is set to increase sentences for racist and anti-LGBT hate crimes - a draft legislation is expected for 2022.

## BODILY INTEGRITY

The new QUASA group started public discussion over sexual assault in queer spaces.

Civil society continued campaigning for an all-island prohibition of conversion therapy and set up the Anti Conversion Therapy Coalition. The new government prepared a scoping paper and launched a public consultation, which CSOs fear will cause further delay.

Dublin City University hosted Ireland’s first international, interdisciplinary conference on intersex issues.

## DATA COLLECTION

In May, the Department of Equality launched ‘LGBTI+ Youth in Ireland and across Europe’, highlighting research gaps related to LGBTI+ youth.

## EDUCATION

In March, Ireland announced a new LGBTI+ Youth Leadership Programme for young people between 15 and 24.

This year an additional two schools (total: 20) worked with BeLonG To, to create a safe space for LGBTI+ students in Ireland’s first Safe & Supportive Schools Project.

The Irish National Teachers’ Organisation’s (INTO) annual congress heard that thousands of teachers still fear disclosing their sexual orientation at work.

In April, the Catholic Church published its ‘Flourish’ sex education guide, which fails to educate on LGBTQI relationships and endorses heterosexual marriage only. Following criticism from civil society, parents, and others, the government re-stated its commitment to inclusive sex education, through legislation if necessary.

In November, homophobic relationship and sexuality teaching materials were removed from the Department of Education’s website. The resources asked students to debate statements including “all gays molest children” and “all gays are HIV positive”.

## EMPLOYMENT

Sex worker activists spoke about the impact of the COVID-19 pandemic on their lives, including a loss of income, a lack of access to unemployment benefits, and critiqued Ireland’s flawed quasi-legalisation on sex work.

## EQUALITY AND NON-DISCRIMINATION

Several gay men were arrested by undercover police



officers, when cruising in public bathrooms, in what resembles homophobic persecution from decades ago.

The Department of Justice established a working group consisting of representatives from the Department of Justice, An Garda Síochána, the Irish Human Rights and Equality Commission (IHREC), the Office of the Attorney General and three individuals from the LGBTI+ community, to exonerate men prosecuted when ‘homosexuality’ was still criminalised.

## FAMILY

The Family Leave and Miscellaneous Provisions Bill 2021 passed through all stages of parliament, granting male same-sex couples adoptive leave. Previously, only mothers or single fathers could take this leave.

In March, for the first time, a female same-sex couple were both recognised as ‘parents’ on their twins’ birth certificates. In December, the High Court found that a child born out of surrogacy to a same-sex couple, where one parent is a citizen, has the right to citizenship.

After delays, the Irish special rapporteur on child protection published his report on the 2015 Children and Family Relationships Act and its gaps, with recommendations on parenthood recognition and surrogacy. On 12 April, civil society launched a petition urging the government to adopt all the recommendations.

## FOREIGN POLICY

Ireland has stood firmly against Hungary’s new propaganda law.

## FREEDOM OF EXPRESSION

The Our Lady of the Assumption Church received backlash after raising the rainbow flag. Locals held a vigil to show solidarity with the Church.

## HEALTH

BeLonG To’s national survey found that 97% of LGBTI+ young people had struggled with anxiety, stress, or depression since the COVID-19 pandemic started - the worst figure in the past 10 years. BeLonG To’s annual report highlighted a 113% increase in their support service reach, totaling 1,540 individuals in 2020 compared to 717 in 2019.

Pride events were held online again. BeLonG To, Youth Work Ireland, and Foróige youth services, as part of the #BringingPrideHome campaign, prepared 1,000 self-care packs.

In March, Crumlin Children’s Hospital announcement, responding to the UK’s Tavistock case, that it would continue providing hormone blockers to trans youth. Trans youth still must wait for two-to-three years for an appointment. TENI and BeLonG To, testified in June at the Oireachtas Subcommittee on mental health hearing, warning of the lack of accessible trans healthcare, particularly since Tavistock. In April, the Irish Health Service (HSE) announced plans to hire additional staff, which did not happen by the end of the year. There remains no clinic to which young trans people could be referred - the Child and Adolescent service remains closed, with ongoing negotiations to reopen. Waiting lists for adult trans healthcare have increased to an estimated 800+, which means five or six years of waiting.

In December, CSOs welcomed the announcement that the 12-month deferral period on blood donations for men who have sex with men is to be phased out in 2022, after the Irish Blood Transfusion Service (IBTS) announced it would import blood reserves from the UK to remedy its own blood shortage.

A new clinic was opened in Dublin this year for people living with HIV who are 65 and older and a new program was launched to improve Alzheimer support services for older LGBTQ+ people.

## HOUSING

Sexual assault and family rejection were identified as some of the key reasons why young people end up being homeless in Ireland, in the ‘Empowerment to Rights’ report.

## INSTITUTIONAL SUPPORT

LGBTIQ and sex worker organisations were among Ireland’s Equality Fund recipients this year.

In June, the Department of Equality announced the 2021 LGBTI+ Community Services Funding Call, making a total of 700,000 euro available for LGBT+ groups.



## LEGAL GENDER RECOGNITION

In November, the Gender Recognition Act was amended to simplify the process of obtaining a Gender Recognition Certificate, removing several administrative and financial barriers.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

On the occasion of Pride month, the National LGBT Federation held a series of interviews with the three parties who form the government coalition, focusing on LGBTQI rights issues.

## SEXUAL AND REPRODUCTIVE RIGHTS

The government announced a list of almost 50 legislative priorities, including on assisted reproduction.

## SOCIAL SECURITY AND SOCIAL PROTECTION

LGBT Ireland launched a Telefriending service for older LGBTQ+ people aged 50 and over, to address loneliness and isolation.



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# ITALY

## ACCESS TO GOODS AND SERVICES

In August, the Sicilian Vendicari Nature Reserve apologised and took down a sign, which advertised family discounts for families consisting of a father, mother, and children.

## ASYLUM

Trans migrants, asylum seekers, refugees, and stateless persons expressed their support for the Zan law (see below).

## BIAS-MOTIVATED SPEECH

Hate speech remained common this year, including from politicians and religious figures. In January, a Napoli priest spread hate on social media by denouncing rainbow families. Italy's first openly gay mayor Giorgi Zinno was targeted by online hate. The association 'Pro Vita e Famiglia' toured Sicily this summer spreading misinformation about the Zan law. In August, Paolo Borghi of the League party conflated HIV/AIDS with the entire LGBT community. See other examples here and here. In November, parliament voted for a norm banning street advertisements with discriminatory messages against LGBTI people.

## BIAS-MOTIVATED VIOLENCE

The public debate on the long awaited changes to the Penal Code, i.e. the Zan law, continued this year, but, on 27 October, the bill was finally killed by a procedural vote after a compromise was not found. The amendments would have introduced sexual orientation and gender identity as protected grounds.

The bill was stalled due to a change of government and the far-right League party now controlling the Senate Justice Committee. In April, MEPs called on the Chair of the Justice Committee to put the Zan law to a vote so that the legislative procedure can continue. The Brothers of Italy party presented another draft law in May, which would have downgraded homophobic crimes and excluded transphobic crimes.

Civil society kept urging the Senate to hold a vote on the original bill. In May, 500,000 signatures in support of the Zan law were handed over to the Senate and protests were held in over 50 cities. Public figures spoke in support of the law. In June, a huge rainbow flag illuminated prominent buildings and monuments in Rome by night to send a message in favour of the Zan law.

Civil society was alarmed that the Vatican urged the

Senate not to adopt the law and "protect" freedom of speech.

In July, the bill eventually moved on from the Senate's Justice Committee, but the process was abruptly interrupted after 154 senators voted in favour of not moving forward with the debate and voting on individual articles of the bill. Out of 287 voting senators, 131 voted against and two abstained.

Meanwhile, anti-LGBT hate crimes continued. According to Arcigay, the media reports about an anti-LGBTI hate crime once every three days. In March, police in Catania beat up several sex workers, some of them trans women and migrants, following numerous raids earlier. Civil society mobilised online calling for a ministerial investigation into what happened. A trans sex worker was assaulted in August in Pompeii. Young lesbian girls were assaulted in Rome by teenagers. A graphic video spread of a gay couple who were assaulted in the metro in Rome in February. A young lesbian was kicked out of her home by her family and received death threats from them after coming out. An 18-year-old committed suicide due to constant bullying and a 12-year-old was beaten up on his way home in Perugia. Many other attacks took place (see here, and here). An NGO based in Rome said they receive about 60 calls on their hate crime helpline each week asking for legal or psychological support.

Several of these attacks were condemned by political parties, MPs, and local mayors.

The national observatory on lesbophobia launched a survey to collect data about lesbophobic violence. Non Una Di Meno started monitoring femicides nationwide, including 'lesbicidi', murders with a lesbophobic motif.

The European Court of Human Rights found in the J.L. v Italy case that the authorities failed when victim-blaming the survivor of a biphobic gang rape attack and questioning her credibility.

## EDUCATION

The University of Palermo introduced new regulations allowing trans students to use an alias of their choice as a first name.

## EMPLOYMENT

The Naples Trans Association launched a free 'Transgender Business School', free for trans people.



## EQUALITY AND NON-DISCRIMINATION

The municipality of Naples voted to establish a Permanent Observatory on LGBT Rights and an Interinstitutional Group in July.

## FAMILY

On 9 March, the Constitutional Court ruled on two important cases concerning family rights. First, it stated that in the case of two mothers, it amounts to discrimination that the non-gestational mother has to go through stepchild adoption. Second, it established that in the case of children born out of surrogacy, both fathers must duly be recognised as parents to that child. The Court called on the parliament to urgently legislate on the issues and prevent discrimination.

On 26 March, the Bari Court of Appeal ruled in the case of two fathers that they should both be recognised in their child's birth certificate as parents.

On 31 March, the Supreme Court ruled in the case of a gay couple who adopted their son in the US that they can both be recognised as parents on the child's birth certificate and their son will receive Italian citizenship. The family has fought for the ruling for two years.

In October, a Court in Milan ordered the Mayor to transcribe the birth certificate of the State of Florida featuring two fathers, one a US citizen, the other an Italian citizen.

## FOREIGN POLICY

In September, during an LGBTI UN Core Group event, Deputy Minister Benedetto Della Vedova called for a UN strategy to protect LGBTI rights.

In November, the Minister of Foreign Affairs and International Cooperation created the Special Envoy of the Ministry of Foreign Affairs and International Cooperation for the Human Rights of LGBTI People.

## FREEDOM OF ASSEMBLY

Several Pride events took place in person this year. The police shut down an LGBT party in Rome, claiming a violation of COVID-19 restrictions.

## FREEDOM OF EXPRESSION

Pop star Fedez accused the state TV Rai of censorship after Rai wanted to pre-approve the singer's comments

made at a live concert stream in May. Fedez eventually got the green light and called out the right-wing League party for its anti-LGBT statements and stalling of the Zan law (see under **Bias Motivated Violence**).

## HEALTH

In July, the region of Campania adopted a PEP & PrEP protocol to scale up the fight against HIV.

The Guarantor of Private Data decided that a dentist who refused to provide care to an HIV+ client in 2018 and shared this information with him in the waiting room, violated the patient's privacy. The dentist was fined 20,000 euro.

Some LGBTI organisations raised concerns about asking trans people for the vaccine certificate and documents that do not match their gender identity.

## INSTITUTIONAL SUPPORT

The Department for Equal Opportunities of the Presidency of the Council of Ministers launched a program to address discrimination related to sexual orientation and gender identity and support victims.

UNAR provided funding to 37 projects focusing on preventing discrimination on grounds of sexual orientation and gender identity.

## SEXUAL AND REPRODUCTIVE RIGHTS

In April, a bill for the regulation of surrogacy was filed in parliament. The bill was drafted by numerous jurists and associations for civil rights and reproductive health. Should the other two bills aiming at making surrogacy a crime, even if carried out abroad, start being discussed, this bill should be discussed too.

## SOCIAL SECURITY AND SOCIAL PROTECTION

Casa delle Culture, a shelter for victims of anti-LGBTQI+ discrimination and violence in Naples, opened in May. The Refuge LGBT shelter in Rome, which was under threat of closing down, will remain open thanks to a fundraiser.



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# KAZAKHSTAN

## BIAS-MOTIVATED SPEECH

The anti-gender movement got stronger in Kazakhstan this year, and particularly since the onset of the COVID-19 pandemic. NGOs, religious organisations, and right-wing radical movements advocated against “forced vaccinations” and the “propaganda of homosexuality and sex change”. The public continues to believe that LGBT rights are a ‘Western’ import and threaten the local culture and traditions.

The NGO Kazakhstani Union of Parents conducted a harmful campaign saying that anti-bullying efforts are an attempt to influence children with ‘LGBT propaganda’ and that sex and relationship education should not be introduced in schools.

The ultra-conservative group Namys called for hate and violence against LGBT people, including at an event in May and online.

In August, MP Kairat Kudaibergen called for a public boycott of Qańtar, an illustrator who has posted drawings of same-sex couples in traditional Kazakh attire. Many supported Qańtar online.

## BIAS-MOTIVATED VIOLENCE

The trans initiative ALMA-TQ published the groundbreaking research report ”Living Our Lives Unseen: Research of the Realities of Life for Transgender People in Kazakhstan”.

ALMA-TQ also documented 21 cases between January 2020 to October 2021, where trans people were subjected to discrimination and/or violence by family members, police, medical professionals, and others. It also highlights that trans people are exposed to daily microaggressions, have to hide their identity and live in isolation.

As part of their reporting on the forceful detention of two activists in May (see under **Human rights defenders**), Radio Free Europe shared the testimonies of several LGBT people in Kazakhstan, who have had to hide their identities due to violence, family rejection, and discrimination.

Kok.team organised support or fundraisers for the victims of family rejection, homelessness, extortion, and blackmail (see here and here).

A blogger posted a video of himself burning rainbow coloured pop-it toys.

## EMPLOYMENT

Following several years of advocacy by the Kazakhstan Feminist Initiative “Feminita” (see here, here, and here), the anti-discrimination centre Memorial, and others, the list of prohibited professions for women was abolished by the President this year.

## EQUALITY AND NON-DISCRIMINATION

In February, the European Parliament adopted a resolution on the human rights situation in Kazakhstan, highlighting discrimination against LGBTI people and the regressive 2020 order that limits trans persons’ right to legal gender recognition and access to trans healthcare.

On the occasion of IDAHOBIT in May, the British Embassy in Nursultan released a podcast dedicated to LGBT rights and the LGBTI+ community in Kazakhstan, and the US Embassy placed a rainbow flag on its building. Employees of 20 embassies also released a support message.

## FREEDOM OF ASSEMBLY

On 8 March, International Women’s Day, Kazakhstan saw a record number of participants at the International Women’s Day march in Almaty. For the first time, the event was allowed to go ahead by local authorities. LBQ women also joined the march openly displaying LGBTI symbols. Fought and fallen victims of police brutality and anti-LGBTI attacks for their initiatives to hold peaceful marches in Almaty.

## HEALTH

During the ongoing COVID-19 pandemic, trans healthcare services remained difficult to access. Border closures limited the possibility of trans people to receive gender affirming medical services in neighbouring countries. Trans people faced difficulties visiting medical centres for consultations or acquiring the necessary medical documents they need for legal gender recognition.

Despite ongoing criticism from national and international civil society (see for instance here and here) regarding the 2020 Ministry of Health order that raised the age limit for trans healthcare access from 18 to 21 and excludes those with a mental health or “behavioural disorder” diagnosis, the regulations remained unchanged.



## HUMAN RIGHTS DEFENDERS

Due to the ongoing COVID-19 pandemic, activities including service provision, meetings, and community support had to stay online. Activists continued reporting high rates of burnout.

Local LGBTI activists Zhanar Sekerbayeva and Gulzada Serzhan were assaulted several times this year. On 29 May, a group of 30 men attacked them as they were trying to organise an event on women's rights for a group of local women in Shymkent. A number of men came to the venue chanting religious calls and homophobic slurs. They beat Zhanar and attacked Gulzada. The police who were called for help, sided with the men instead of protecting the victims. They dragged Zhanar and Gulzada into a car (not an official police car) and took them to a police station where they were illegally detained for over eight hours. Their attackers were neither arrested nor detained. A number of embassies and NGOs condemned the incident. Similar events were disrupted by angry demonstrators in Qaraghandy in July. A demonstration was held in August in Aqtobe, where a similar event was planned. In Shymkent and Qaragandy, the police argued that they detained the activists for their own safety.

A similar attack took place on 21 November, when Zhanar and Gulzada were meeting with LBQT women in Oskemen. The activists were able to finish the meeting, but representatives of the Committee of National Security and the police asked Zhanar and Gulzada to finish earlier and escorted the activists to the airport. Local activists helped ensure the safety of the participants and cooperated with the police. Nevertheless, the police harassed and humiliated the participants, gathered their personal information, and spread misinformation about Feminita and its members.

In May, Zhanar and Gulzada were invited by the Ministry of Justice to discuss how Kazakhstan can implement its 2020 UPR recommendations. The recommendations included introducing legislation to combat discrimination and violence against LGBTI people and creating favorable conditions for the activities of civil society and human rights defenders. Feminita is alarmed that hate crimes against human rights defenders are carried out with impunity. The Ministry of Internal Affairs confirmed later in the year that they did not prosecute any of the attackers. Feminita is also concerned that instead of receiving police protection, they are harassed and surveilled by the

authorities. Gulzada and Zhanar suspect that their phones were tapped, as they keep information about locations and participants secret. The police also shared misinformation about the activists, calling Zhanar a “disruptor of public order” and claiming that they were duly protected by the police.

## LEGAL GENDER RECOGNITION

ALMA-TQ's report 'Living Our Lives Unseen' documents difficulties faced by trans people due to abusive legal gender recognition requirements. In particular, the surgery requirement puts trans people in an impossible situation where they must choose between access to correct documents or their bodily integrity. 75% of those participating in ALMA-TQ's research cited the surgery requirement as their main barrier of having their documents changed. Other requirements, such as having to go through a long list of mandatory steps, were also highlighted as a key issue. The participants shared that in lack of matching documents, they have to deal with social and economic exclusion, manifesting in difficulties in education and employment and being exposed to violence.

*\*Some of the information about Kazakhstan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous. These accounts were not publicly shared online or otherwise.*



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# KOSOVO

## EQUALITY AND NON-DISCRIMINATION

Following the establishment of the new government, Emilia Rexhepi was elected Third Deputy Prime Minister for Minority and Human Rights Issues. As Rexhepi is an opponent of marriage equality, civil society condemned her appointment.

During the first three months of 2021, LGBTI NGO Center for Social Group Development (CSGD) in cooperation with the Office of Good Governance held informational sessions with human rights and gender equality officials within the Ministries and Municipalities of Kosovo. The officials were informed about the rights and needs of LGBTI individuals.

The implementation of the National Action Plan (2019-2022) continued to be flawed.

## FAMILY

The 2020 draft Civil Code was a great disappointment for civil society, for failing to provide any kind of legal recognition to diverse families. Local civil society organisations have been advocating for an inclusive law for years.

In March, the new government was formed and was immediately urged by LGBTI organisations to respect and protect LGBTI people's human rights.

As the new government came into power, the draft Civil Code was submitted for revision. CSGD and Centre for Equality and Liberty (CEL) continued to advocate for the inclusion of marriage equality in the new draft. The Ministry of Justice held several meetings with civil society and pledged to hear out their concerns.

In the summer, civil society learned that the new draft law fails to recognise same-sex couples in any way. Civil society harshly criticised the move and called on the EU Office in Kosovo to monitor the process and hold the government to account.

## FREEDOM OF ASSEMBLY

CSGD held a youth camp that was organised in the first quarter of the year and brought together the participants for a street activity to mark IDAHOBIT (May 17). The activity included street graffiti showing same-sex love. With the support of the Office of Good Governance,

the Government Building was lit up with rainbow lights again, and several state institutions and embassies raised the rainbow flag. Several political and public figures participated in CEL's IDAHOBIT video to show solidarity with the LGBTIQ+ community and raise awareness in the public, reaching tens of thousands of social media.

CSGD, CEL, and other human rights organisations jointly organised Pride again this year. Kosovo Pride Week took place between 28 June - 1 July in Prishtina. It featured various events, including movie nights, exhibitions, discussions, and a conference with a focus on marriage equality. The conference was joined by Prishtina's mayor, who expressed his support for the LGBTI community.

## HEALTH

Border lockdowns due to COVID-19 continued to severely impact trans people's access to gender-affirming healthcare abroad, as Kosovo does not offer any trans healthcare services.

The number of LGBTI individuals seeking psychological support continued to be very high. Civil society organisations continued to provide mental health support.

## HOUSING

The construction of the shelter for LGBTI people was delayed this year and postponed to 2022, due to the municipal elections and a new mayor taking the mayoral seat. The shelter was allocated funding by the municipality of Prishtina in 2020, to accommodate LGBTI people who are survivors of domestic violence or became homeless due to family rejection.

In the meantime, CEL provided temporary emergency housing to LGBTI persons who were victims of domestic violence.

## HUMAN RIGHTS DEFENDERS

Lend Mustafa, a well-known LGBT activist was physically assaulted and received death threats in the spring. The police started an investigation, however, to date, the perpetrator has not been identified.

The report "Community (self)organising of transgender movement in Western Balkans region" features a chapter on the state of the trans movement in Kosovo.



## LEGAL GENDER RECOGNITION

The Ministry of Internal Affairs established a Working Group this year, which will work on several issues regarding the Law on Civil Registry, including legal gender recognition. The Working Group, which includes CSGD and CEL as members, has held two meetings and a workshop in October, to prepare a concept note for the necessary amendments to the Law on Civil Registry. CSGD and CEL advocated for name change and legal gender recognition to be solely based on self-determination, i.e. not include any limitations in terms of age, marital status, medical status, or similar; and not require mandatory medical treatments, diagnosis, sterilisation, or divorce. CSGD and CEL also advocated for alternative gender marker options to be included and offered. The concept note, which includes all of civil society's points, was approved by the government on 29 December.

*\* Included in this Review as a separate jurisdiction following UNSCR 1244/1999*



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# KYRGYZSTAN

## ACCESS TO ADEQUATE FOOD

Due to COVID-19 pandemic, many LGBT+ people remained without income and struggled to afford food and other basic necessities. Those most vulnerable, including trans sex workers and migrants had no access to state assistance. Between 2020–2021, Kyrgyz Indigo (KI) provided food to 132 people and hormones to 69 trans people.

## BIAS-MOTIVATED SPEECH

Fake news, misinformation, anti-LGBT trolling, and calls for violence remained widespread (see [here](#), [here](#), and [here](#)). For instance, social media posts accused the American University of Central Asia of “making Kyrgyz people gay”. Anti-LGBT hate speech was also common by politicians.

Several videos of trans women were shared, some exposing their names and social media profiles and risking their safety.

In October, State Secretary Kasmambetov compared feminism and homosexuality to Islamic radicalism in an interview, saying they are pseudo-ideologies imposed on Kyrgyzstan.

## BIAS-MOTIVATED VIOLENCE

KI documented several cases this year where LGBT people reported being lured on a fake date by undercover police, facing threats and extortion; cases of conversion therapy; physical assault; threats; and forced outing. KI provided legal assistance in 19 cases and consultation in 86.

In April, a young woman Aizada Kanatbekova was abducted and murdered, receiving nationwide attention. The police had failed to respond to Kanatbekova’s cries for help. A rally against the police’s failure and bride abduction was disturbed by provocateurs who shouted that it was organised by LGBT people. According to a video, these included police officers in civilian clothes.

A few days later, an anti-LGBT and anti-NGO demonstration was held in Bishkek. The protesters called on the state to “protect” minors from Western LGBT ideology. It was later rumoured that several protesters were police officers.

## EDUCATION

The Ministry of Culture, Information, Sports and Youth Policy presented the draft Concept of Spiritual and Moral Development and Physical Education in April, which calls for education on ‘traditional values’ and ‘family ideals’. Civil society warned that the Concept could be used to silence civil society and the media. The police referred to this decree as a legal basis for conducting raids against sex workers.

## EQUALITY AND NON-DISCRIMINATION

Labrys published their report on the needs of LGBT people, in Kyrgyz and Russian, highlighting high levels of institutional discrimination and violence. The report is based on responses from 174 individuals.

Civil society continued advocating for comprehensive anti-discrimination legislation, as part of consultations on the National Gender Strategy.

The UN Committee on the Elimination of Discrimination against Women (CEDAW) recommended Kyrgyzstan to criminalise hate speech and violence against LGBT women, ensure their freedom of assembly, and introduce comprehensive anti-discrimination legislation.

## FAMILY

On 11 April, the parliament adopted a new Constitution after a successful referendum, which retains the provision stating “marriage is between a man and a woman”.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

The UN Committee against Torture recommended that torture and ill-treatment against LGBT people by law enforcement, are investigated and prosecuted.

## FREEDOM OF ASSEMBLY

The Women’s Day March was banned by court again, but despite the difficulties and risks, the 8/365 Movement successfully held the event on 8 March. Before the event, the organisers received threats from the police that participants would be arrested.



## FREEDOM OF ASSOCIATION

Several provisions of the new Constitution, adopted in April, could restrict LGBTI activism by requiring burdensome financial reporting and restricting activities that “contradict moral and ethical values and public conscience”.

On 17 June, parliament adopted a law subjecting NGOs to additional scrutiny on financial reporting, similar to Russia’s ‘foreign agent law’, which CSOs hear might target LGBTI rights work. Despite national and international outcry, the President signed the law in July.

## FREEDOM OF EXPRESSION

In August, the President signed the law on “manipulating information”, also expected to further limit freedom of expression.

Labrys, in collaboration with other NGOs put in place funding to encourage more content on LGBT issues from journalists and activists in the region.

## HEALTH

KI published an analysis of barriers to HIV/AIDS services for key populations, including men who have sex with men. The report finds an increase in the number of people living with HIV who know their status, due to outreach programs but difficulties in accessing services due to the hostile political environment.

The CEDAW recommended Kyrgyzstan to decriminalise the transmission of HIV.

Labrys published a resource on COVID-19 vaccines.

## HOUSING

As the COVID-19 pandemic continued, many LGBT+ people remained with hostile families. Several LGBT+ people, including particularly migrants, trans people, and trans women reported being denied housing, evicted, and becoming homeless. One in three respondents in Labrys and KI’s needs assessment of trans people said that they were homeless due to being trans. Trans people also reported being unable to access state benefits as their documents did not match their appearance. The change in legal gender recognition (LGR) procedures (see below) has further exacerbated the issue. NGOs organised safe

housing for several LGBT+ people, including a trans man who was assaulted by police.

## HUMAN RIGHTS DEFENDERS

Anti-LGBTI and anti-civil society attacks have intensified since March. Several videos emerged demonising LGBT+ activists and organisations, revealing names and phone numbers, misgendering and/or publicly outing them. Several KI activists faced surveillance. A video was circulated calling for violence against LGBT activists, saying “if the authorities do not take action, we will”.

Following the 8 March demonstration, a trans activist’s information was leaked online. Kanykei’s social media page was hacked and she received countless threats. Other participants of the March also reported countless threats targeting them.

The Special Rapporteur on the situation with human rights defenders released a joint communication to the government.

In this difficult environment, human rights defender Diana Arsenyeva of Labrys spoke in a TV interview in May about the situation of LGBT people in the country.

Labrys held its second Activism Factory week in September, where 30 LGBT people learned about advocacy and community building.

## LEGAL GENDER RECOGNITION

KI turned to the Constitutional Court requesting the annulment of the 2020 amendments of the law “On acts of civil status”, which no longer make it mandatory for the authorities to approve LGR applications on the basis of a medical certificate. The Constitutional Court refused to address the case, but the Administrative Court ruled in favour of a trans applicant, who then successfully changed his gender marker. This means that trans people can now access LGR, but through a burdensome and time consuming court procedure, to challenge the initial denial of their application.



## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In February, Labrys [released](#) 'A book about happiness for young (and not so young) (not only) LGBT people'. The first book about a Kyrgyz trans person, [Adam+](#), was also published this year.

KI [prepared](#) memos for activists on what to do in case of arrest, interrogation, search, and a list of friendly lawyers and journalists.

KI also conducted an LBQ media camp for activists (see [here](#) and [here](#)).

KI held a ball in October fundraising for a rainbow house for the community.

Openly gay and internationally known mountain climber Dastan Kasmamytov [shared](#) a personal interview in April.

## SEXUAL AND REPRODUCTIVE RIGHTS

KI continued its outreach and training work on sexual and reproductive rights, including by publishing a [video](#) in partnership with a known blogger, reaching over 260.000 people. KI held three gatherings for people living with HIV, including for people from Central Asia and one for women.

*\*Some of the information about Kyrgyzstan was shared with ILGA-Europe by activists and so far had not been public.*



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# LATVIA

## BIAS-MOTIVATED SPEECH

Civil society reports that over 300 anti-LGBT posts were removed from social media platforms this year. Ten of these were reported to the police and three criminal proceedings have started.

Three individuals were found guilty of hate speech and incitement against LGBT people online, as prohibited by Section 150 of the Criminal Code.

Civil society found “No LGBT Zone” stickers in the spring, in Riga and other cities, and asked the public to remove and report them. The police are investigating.

In June, former Minister of Interior Sandis Čirģens shared false information suggesting that after the appointment of openly lesbian Minister of Interior Marija Golubeva, the police would have to wear women’s uniforms. The post was widely shared and stirred hateful comments in the media and on social media.

## BIAS-MOTIVATED VIOLENCE

The Prosecutor’s Office refused to launch criminal proceedings in the case of Professor Denis Hanovs of Riga Stradins University, who suffered a homophobic attack in 2020. The Prosecutor argued that the attack was not against sexual minorities in general, but against Hanovs only.

Newly appointed Minister of Interior, Marija Golubeva announced in June that addressing hate crimes will be among her priorities. Golubeva is Latvia’s first openly lesbian (and second LGBT) minister.

On 2 July, the Ministry of Interior set up a working group to analyze trends in hate crimes and offer ways to address them. The working group does not include members of civil society and there is no information available about their work so far.

On 6 July, the parliament adopted amendments to the Criminal Law, recognising that hate crimes committed on grounds of “social hatred” amount to aggravating circumstances, which civil society interprets as criminalising homophobic hate crimes. Previously, only sex, age and disability were explicitly mentioned. Civil society is hopeful that the new amendments will result in higher rates of investigation and prosecution in

anti-LGBT hate crimes. In the past nine years, only one homophobic incident was classified as a hate crime by the Ombudsperson’s Office.

## FAMILY

On 14 January, the parliament passed a draft law that plans to restrict the definition of family in the Constitution to effectively block same-sex partnerships and same-sex families. This contravenes international human rights law and European jurisprudence, as well as Latvia’s Constitution and the rulings of its Constitutional Court. The LGBTI Intergroup of the European Parliament immediately condemned the move. Latvia is one of only six countries in the EU that provides no recognition of partnership for same-sex couples and while there have been promising developments in the last two years, this vote is a worrying step backwards. The proposed wording of the Constitution would define marriage as a union between a man and a woman, and children’s right to “grow up in a family with a mother and a father”. The first initiative to legalise civil partnerships or same-sex marriage was launched in 1997, but all have failed to date. The latest citizens’ petition for legal recognition for same-sex couples, launched in January, has collected 23,000 signatures. 155,000 signatures, a tenth of all voters in Latvia, would have to be collected within a year for the amendment to go before the parliament. The parliament could then approve it right away, or would have to put it up for a referendum otherwise. Civil society assesses that the chances of reaching this threshold are rather slim.

On April 9, the Constitutional Court declared that regulations requiring same-sex partners to pay a higher inheritance fee on their deceased partner’s property, go against the constitutional protections awarded for families. The law set out a 60 times higher registration fee for people who are unmarried, placing same-sex couples in a disadvantaged position as marriage equality has not been introduced in Latvia. The case was referred to the Court by the Ombudsman’s Office in 2020.

Currently, three working groups, two in parliament and one at the Ministry of Justice, are preparing proposals to implement two Constitutional Court judgments, including the one from April, on the need to recognise families outside heterosexual marriage. Civil society anticipates progress on this in 2022.



On 10 December, the Senate annulled a judgment of the Administrative Regional Court that denied family recognition to a same-sex couple and returned the case back to the Court for reconsideration. The Senate pointed out that same-sex couples are entitled to be recognised as a family, in line with Constitutional Court judgments, until the parliament would decide otherwise and clearly legislate on the issue.

### **FREEDOM OF ASSEMBLY**

Baltic Pride 2021 took place in Riga between 2 and 7 August. The events were successful, and were held partly online. The Parade did not take place due to COVID-19 restrictions.

### **FREEDOM OF EXPRESSION**

On 11 November, the parliament rejected three amendments to the Law on the Protection of the Children's Rights, which would have prohibited the promotion of any materials that could "pose a threat to the psychological development of a child" and/or "pose a threat to a child's biological gender" and/or "may lead to a deviation from gender identity, interest in gender reassignment, and a predisposition to homosexuality".

### **PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE**

On 3 June, Marija Golubeva was appointed as Minister of Interior, becoming the first openly lesbian (and second LGBT) minister in the government.



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# LIECHTENSTEIN

## EQUALITY AND NON-DISCRIMINATION

In its monitoring report published in May, the European Commission against Racism (ECRI) called on the government to implement its previous recommendations and commission a study about the issues that LGBT people face, along with measures to address those.

## FAMILY

As Switzerland's September referendum ended in a win for marriage equality, debates on the topic continued in Liechtenstein as well. Liechtenstein legalised civil unions back in 2011, but with limited rights, including and in particular in the area of adoption and access to assisted reproduction. Liechtenstein's head of State, Prince Hans-Adam II stated in an interview in February that while same-sex couples should be allowed to marry, adoption should not be legal. The statement was widely criticised, including by LGBTI civil society.

The topic of marriage equality was discussed in interviews in print and on the radio several times this year.

On 29 September, the parliament expressed its support for marriage equality, but promised broad public debate before making any legal changes. Two former presidents of NGO Flay are currently serving as MPs and contributed to the positive discussions. Civil society reports that 23 out of the 25 MPs serving in the parliament support marriage equality. The only party opposing the legal change is Democrats for Liechtenstein.

On 10 May, the State Court of Justice repealed Article 25 of the Partnership Act, which had banned stepchild adoption for same-sex couples. Civil society applauded the ruling, but hopes that other limitations on adoption rights for same-sex couples will also be lifted as well. The parliament was requested in September to amend the Partnership Act in line with the State Court's position, within the next year.

## FOREIGN POLICY

Liechtenstein, alongside Norway and Iceland, cancelled grants to Poland to show its firm stand against Poland's 'LGBT-free Zones'.

## FREEDOM OF ASSEMBLY

Liechtenstein's first Pride will take place on 11 June, 2022. In the autumn, the organisers received a permit to hold the event in a central location in the capital of Vaduz.

## HUMAN RIGHTS DEFENDERS

FLAY's main annual event, which is always held on the national holiday in August, was cancelled again this year, due to the COVID-19 pandemic.

FLAY's membership meeting in June and its annual general meeting in August were able to take place.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

FLAY celebrated Coming Out Day in October with a screening of a Swiss movie about gay football players, a queer book fair, and an after party.



[LIECHTENSTEIN WEB PAGE](#)  
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# LITHUANIA

## ASYLUM

LGL received over 40 inquiries from LGBTIQ migrants and/or asylum seekers regarding poor housing conditions, lack of medical care, and anti-LGBTQI bias and/or harassment from authorities and peers alike. Applications from LGBTIQ asylum seekers were seemingly rejected *en masse*. In December, the head of the Migration department said LGBTI asylum seekers will be “tolerated” in their home countries as long as they hide their identities. Politicians called the increase in migration flow an “illegal migrant crisis” and “hybrid war”.

## BIAS-MOTIVATED SPEECH

Anti-LGBT speech by political and religious leaders remained a serious issue this year.

On 10 January, Lithuanian MEP Viktor Uspaskich (Labour Party) posted a video calling LGBT people “perverts” and “fags” and saying that LGBT marches “must not be tolerated”. The European Parliament’s liberal Renew Europe Group, of which Uspaskich is a member, immediately questioned the hateful post. Uspaskich apologised but was eventually expelled from the Renew Europe Group. In February, Uspaskich’s Labour Party also quit the Alliance of Liberals and Democrats for Europe (ALDE).

In February, a petition collected over 350,000 signatures to have openly gay MP, Tomas Vytautas Raskevičius (Liberty Party) removed from his position as chairman of the parliament’s Human Rights Committee, due to his past LGBTQ+ rights activism. In May, a UK-based Lithuanian programmer shared that he faked most of the signatures with a code, to sabotage the petition. Raskevičius received hundreds of threats, including of violence and death. In March, the Minister of Economy turned to the Prosecutor’s Office, who announced an investigation into threats, particularly a call to shoot Raskevičius.

MP and member of the parliamentary Human Rights Committee, Andrius Navickas called LGL “fundamentalists” when discussing a potential conference on same-sex family rights to take place in the parliament. LGL decided to co-host the conference with the Ministry of Justice instead.

In March, the Commission of Ethics and Procedures decided that MP Valdemaras Valkiūnas’s comments alleging that “LGBTI” is a “criminal organisation” were compliant with the principle of respect towards state and the individual.

In March, a well-known priest and author, Algirdas Toliatas urged his followers to oppose same-sex partnerships and the Istanbul Convention. Other political and religious leaders also condemned the ratification. In March, Christian religious leaders issued a statement on the issue.

In April, MP Petras Gražulis was filmed dancing and singing to a song known for its homophobic lyrics.

The hate speech and hate crime working group, established by the Ministry of Interior in 2020, met in May, but no concrete outcomes have resulted yet.

Around 10,000 people joined the Great Family Defence March on 15 May, against “aggressive genderist propaganda” and plans to ratify the Istanbul Convention. The demonstration, held a few days before the parliamentary vote on the Partnership Bill (see under **Family**), was organised by the Movement of Families, and supported by politicians, priests, and public figures. It featured a pre-recorded message from President Gitanas Nausėda who said that a family is between a man and a woman and that he will protect this concept. Media reporting suggests that a number of other pro-Russia and anti-state actors were also behind the demonstration.

## BIAS-MOTIVATED VIOLENCE

In March, rainbow graffiti in an underground passage in Vilnius was painted over with the colours of the national flag.

In April, LGL received an anonymous threat depicting in detail a clear intention to murder LGL staff. Pre-trial investigation was initiated but was soon suspended indefinitely as the perpetrator could not be identified.

On 31 May, a day before Pride month, a rainbow crossing was painted over and destroyed in Vilnius. The police launched an investigation.

## EMPLOYMENT

LGL provided IT courses for young LGBT people this year to help those with long-term unemployment find a job.

## EQUALITY AND NON-DISCRIMINATION

Lawyer and head of the Lithuanian Centre for Human Rights, Birute Sabatauskaitė was appointed with a



strong majority as Lithuania's new equal opportunities ombudsperson. Sabatauskaitė has expertise in gender equality and LGBTQ+ rights.

In May, Vytautas Mizaras, known for his support for the LGBTQ community, was appointed by parliament as a new Constitutional Court judge.

The revision of the Law of Equal Treatment continued to be stalled this year.

## FAMILY

In May, the parliament failed to adopt the Partnership Bill, tabled by the governing coalition, during its first hearing. As only half of MPs present need to vote in favour, the results were promising – 63 in favour, 58 against and seven abstentions. 15 ambassadors to Lithuania urged the parliament to adopt the bill. The bill covers inheritance, joint ownership, and a number of other benefits, but does not discuss adoption rights. While the Prime Minister supported the bill, the President vowed not to sign the bill as long as it interferes with the constitutional concepts of “marriage” and “family”.

On 29 September, the first ever high-level conference on same-sex family rights recognition was organised by LGL, the Ministry of Justice, and partners from five EU Member States.

In October, Rasa Račienė, a concerned mother of an LGBT person, petitioned President Nausėda to support LGBT people in the country. Nausėda invited her for a meeting and later announced that he will discuss the Partnership Bill only after the positive outcome of the first hearing in parliament.

## FOREIGN POLICY

Lithuania refused to join the 17 EU Member States who jointly condemned Hungary's new propaganda law. The President condemned the European Commission's scrutiny over Hungary.

## FREEDOM OF ASSEMBLY

In June, the Kaunas municipality refused to grant a permit for the city's first Pride march planned for 4 September. On 2 August, the court ruled in favour of the organisers. Kaunas Pride was attended by 2000 people, but several

counter-demonstrations and attacks took place. Civil society assesses the police's work as generally good – they arrested 22 people and launched pre-trial investigations in five cases.

Civil society continued preparing for Baltic Pride 2022, which Vilnius will host.

## FREEDOM OF EXPRESSION

In light of this year's developments in Hungary, many remained concerned about Lithuania's Law on the Protection of Minors against the Detrimental Effect of Public Information, which has been in place for a decade and has had a chilling effect on the LGBTQ community. The ECtHR's judgement in the case Macatė v. Lithuania on this law is expected in 2022.

## HEALTH

A year after launching the first ever emotional support platform for LGBTQ+ children and teens, LGL highlighted that they have received countless distressed calls about feeling isolated, unsupported, or having suicidal thoughts. LGL highlighted the particularly difficult situation of trans youth. LGL welcomed that parents also contact the platform.

On 29 December, the Ministry of Health lifted the four-month deferral period for men who have sex with men and want to donate blood.

## LEGAL GENDER RECOGNITION

On 31 December, the Ministry of Justice issued a decree eliminating the court procedure element of name change, but retaining the mandatory psychiatric diagnosis requirement.

Trans people continued to be able to access LGR through a judicial procedure, without surgery or sterilisation. Eleven cases were ongoing in 2021.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In April, artist Erikas Malisauskas turned 400 threats against MP Tomas Vytautas Raskevičius (see under *Bias-motivated speech*) into an art piece called 'Hate Speech Cloud', and raised over 5,000 euro for LGBT rights work.



## PUBLIC OPINION

News site LRT's poll found that a third of Lithuanians support legal recognition for same-sex couples.

In May, a poll launched by the President found that almost half are against the Istanbul Convention.



LITHUANIA WEB PAGE  
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# LUXEMBOURG

## ACCESS TO GOODS AND SERVICES

As part of Luxembourg Pride Week, the airline company Luxair presented a rainbow coloured plane in June featuring the Pride Week's design.

## BODILY INTEGRITY

Since last year's discussions on the topic, no developments took place this year around a potential ban on conversion therapies.

## EMPLOYMENT

Inspiring More Sustainability (IMS), a network that campaigns for corporate responsibility in Luxembourg, published a guide for employers on creating workplaces that are inclusive and welcoming of LGBTI people. Prime Minister Xavier Bettel is one those featured in the guide with their personal testimonies.

## EQUALITY AND NON-DISCRIMINATION

A number of Catholic religious leaders in German speaking countries criticised the Pope's latest hostile statements about LGBT people, in what some call a revolution. Luxembourg's clergy did not join these efforts, which was criticised by civil society in an open letter.

Subsequently, there was a meeting between Cardinal Hollerich and Rosa Lëtzebuerg, which resulted in a promise not to penalise priests who bless same-sex partnerships. Joint actions between the diocese and the LGBTIQ+ community are being considered for the first time in 2022.

## FAMILY

The Law on Parenting is undergoing review, which has stirred public debate. The draft amendments grant the right to accessing artificial insemination to different and same-sex couples, and single persons, on an equal basis. However, it only gives automatic parenthood recognition to married heterosexual couples.

There was a lot of public discussion about the proposed Law 7674 this year, which would set out the right to know one's own biological origin, i.e. whose egg and sperm cells one was conceived from. The law would impact rainbow families as it would force gametes donors to reveal their identity once the child, who was conceived with the help of their genetic material, turns 18. Civil society and a number of rainbow families turned to the Ministry of

Justice saying the law is degrading to rainbow families. The law practically bans anonymous gametes donation.

## FOREIGN POLICY

Prime Minister Xavier Bettel stood firmly against the new law in Hungary this year, which bans any discussion of SOGI issues in schools and on primetime television.

In July, Luxembourg declared itself an LGBTIQ+ Freedom Zone, in response to developments in Hungary and Poland.

The Ministry of Foreign and European Affairs participated by funding a 'Luxembourg Truck' at Cologne Pride in the summer. This action took place in the framework of a visit of Luxembourg Pride to Cologne Pride. The host city of Luxembourg Pride is Esch-sur-Alzette, Cologne's sister city.

## FREEDOM OF ASSEMBLY

Pride events took place in person again this year and featured a march, a conference, and art events.

## HEALTH

Civil society continued advocating for no restrictions on blood donations in the case of men who have sex with men (MSM). On 1 January, the local Red Cross put in place a new questionnaire, which allows for blood donation for MSM, but the sample will be 'quarantined' for four months before being used. Rosa Lëtzebuerg has advocated for the easing of restrictions for a decade, and while it welcomed the step, it wants to see more progress.

## HOUSING

In 2020, the city of Esch planned to prohibit shared flats if those cohabiting are not relatives or partners, due to increased sublet prices over the recent years. Civil society warned that this would forcibly out same-sex couples. The wording was changed this year, from the need to prove "emotional connection" to proof of a "common budget". The provision was removed for technical reasons unrelated to the privacy concern of same-sex couples, but civil society is concerned it may be included in a similar regulation in the future.

## HUMAN RIGHTS DEFENDERS

Rosa Lëtzebuerg continued its online program, '#StayAtHome - Discover queer culture' this year, featuring



live streams, articles, and a range of activities for the community during the COVID-19 pandemic.

The economic crisis caused by the pandemic resulted in LGBTQI+ groups losing sponsors and partners, which has jeopardised their financial stability.

## INSTITUTIONAL SUPPORT

Rosa Lëtzebuerg wrote a letter to all municipalities and ministries, asking them to raise rainbow flags during Luxembourg Pride Week. 16 town halls [2020: four] as well as five ministries raised a rainbow flag, namely the ministries of Social Security, Health, National Education, Economy, and of Foreign and European Affairs. The Parliament participated for the third time.

In October, a discussion arose about the status of the right to found a family in the course of the constitutional revision. In an advisory statement, Rosa Lëtzebuerg pleaded to maintain this right as fundamental and furthermore criticised the use of the binary gender model in the revision text, as well as the fact that the different discrimination motives are not explicitly mentioned.

The Pont Adolphe bridge and the water tower in Cessange, which can be seen from the A1 highway, were also lit up in rainbow colours during Pride Week.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Bar Rouge in Luxembourg City, the only exclusively gay bar in the city, did not survive the pandemic. There remain three queer-friendly bars in Esch-sur-Alzette, Differdange and Redange-sur-Attert.



LUXEMBOURG WEB PAGE  
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# MALTA

## ASYLUM

The government issued a new policy, whereby asylum seekers from “safe countries” will not be eligible for a work permit for the first nine months following arrival. The regulation will also affect LGBTIQ asylum seekers.

## BIAS-MOTIVATED SPEECH

A British lesbian singer and her partner were verbally harassed during their holiday in Malta.

Two men were fined for anti-trans hate speech against a trans woman.

## BIAS-MOTIVATED VIOLENCE

MGRM shared its concern this year that the police response to incidents of hate speech or hate crime remain flawed and insufficient. In 2020, MGRM’s online survey found that over 50% of LGTBQI respondents felt unsafe in Paceville, Malta’s main nightclub hub, and reported being denied entry into clubs or harassment. In July for instance, news articles circulated about homophobic bouncers in a club. Civil society called for more targeted action again this year, including training and awareness raising.

## DATA COLLECTION

The National Statistics Office, for the first time, included questions on sexual orientation and gender identity as well as race, ethnic origin, religion and belief in the National Census conducted at the end of the year.

## EQUALITY AND NON-DISCRIMINATION

The Minister for Justice, Equality and Governance, Edward Zammit Lewis announced a month-long campaign for LGBTIQ people’s equality in May, on the occasion of IDAHOT. Lewis thanked the Human Rights Directorate for its work and commitment to date on ensuring the implementation of the LGBTIQ Equality Strategy and Action Plan.

The process of adopting the Equality Act, which would further strengthen rights protections for LGBTI people, continued to be stalled this year while the Ministry for Equality, Research and Innovation undertook the drafting of further amendments that will mostly affect the ability of the proposed Human Rights and Equality Commission to issue penal sanctions.

The SOGIGESC Unit of the Maltese government published its annual report in September as part of its annual conference.

In October, Malta launched its first Anti-racism Strategy.

## FAMILY

Colombia joined Portugal as one of two countries from which Maltese same-sex couples are able to adopt.

## FOREIGN POLICY

Malta and its MEP Cyrus Engerer took a lead on the European Parliament’s resolution to declare the EU an LGBTIQ Freedom Zone, following the adoption of a propaganda law in Hungary and continued attacks against the LGBTIQ community in Poland.

## FREEDOM OF ASSEMBLY

Malta’s Pride events were cancelled again this year due to COVID-19 restrictions, and instead a small and symbolic demonstration was held in six different locations.

## HEALTH

Malta’s Gender Well-being Clinic shared in March that it has welcomed 200 trans people since its opening in 2018. A new plastic surgeon was appointed in the autumn, who will be responsible for providing breast surgeries.

Training on addressing barriers to healthcare for LGBTIQ persons was delivered by the Maltese SOGIGESC Unit to 180 health practitioners and sensitisation training was conducted with 300 reception staff working in healthcare settings. The website www.transhealth.gov.mt was launched in June.

Following a shortage of HIV medications towards the end of 2020, which led NGOs to crowdsource treatment for distribution to impacted persons, an updated HIV formulary was introduced towards the end of 2020. The rolling-out process continued throughout 2021. As yet PrEP and PEP remain available against payment.

Work on a sexual health policy became stalled in October as a first draft of the policy, which was submitted to the Minister for Health, was based on outdated information. MGRM called for consultation with NGOs and other stakeholders in order to avoid a similar mistake in the future.



Malta is confirmed as having one of the highest HIV transmission rates in Europe, 15.9 per 100,000 people, compared to a European average of just 3.7 per 100,000.

## HOUSING

MGRM's Dar Qawsalla (Rainbow House) was one of four special housing proposals t by the Ministry for Social Accommodation. The scheme allocates government-owned dilapidated buildings to NGOs who are tasked with, and given the necessary funds to carry out repair works. Dar Qawsalla will be the first LGBTIQ-specialised accommodation in Malta.

MGRM is currently in the process of restoring the house it was awarded in San Gwann. It is planned to open the house in 2023.

## INSTITUTIONAL SUPPORT

After announcing its support for Euro Pride 2023 last year, the Ministry for Justice, Equality and Governance signed a grant agreement with the organisers in May. The 300,000 euro grant will be disbursed over the course of the next three years. Euro Pride 2023 will be held in Valletta.

In December, the Ministry for Equality, Research and Innovation and the Ministry for Social Justice and Solidarity, the Family and Children's Rights signed a Memorandum of Understanding to provide support and community services to LGBTIQ persons and their families with a budget of 400,000 euro over three years.

## LEGAL GENDER RECOGNITION

The Maltese Government Guidelines on the Recognition of Sex, Sexuality & Gender were adopted by Cabinet and launched in November.

## POLICE AND LAW ENFORCEMENT

The Malta Police Force introduced new recruitment policies that removed differential selection criteria based on gender, and which will ensure an equal playing field for trans applicants.

## SEXUAL AND REPRODUCTIVE RIGHTS

Leading regional and national NGOs expressed support for Malta's plans to decriminalise sex work, which was first announced in 2020. The government has faced criticism

from a number of NGOs in Malta who do not agree with the plan.

In October, the Council of Europe Human Rights Commissioner called on Malta to stop criminalising abortion.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The COVID-19 pandemic has had a grave impact on the LGBTIQ community. LGBTIQ organisations have reported an increase in messages from people who feel unsafe at home during lockdown, and people unable to pay rent. Through a community call launched by a coalition of LGBTIQ NGOs in 2020, MGRM was able to assist individuals impacted by the pandemic throughout 2021, particularly where accommodation was required.

Following up on 2020 findings that called for increased support for male victims of same-sex domestic abuse, one additional staff member was hired to provide services. Although no male shelter is in place, the shelter of the national agency Appoġġ is receiving training on LGBTIQ issues and partnership violence.



MALTA WEB PAGE  
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# MOLDOVA

## BIAS-MOTIVATED SPEECH

Hate speech by politicians remained a serious issue this year. GENDERDOC-M revealed this year's anti-LGBT awards in June, featuring MP Bogdan Țirdea (Socialist Party, PSRM), member of the Chisinau Municipal Council Cojocaru Dinari (Socialist Party, PSRM), former MP Iurie Roșca, and the PSRM party itself for being the most homophobic party across the political spectrum. The satirical award ceremony was held for the third time this year.

On January 4, the newspaper *'Komsomoliskaia Pravda v Moldova'*, known for its anti-LGBT views published an article called: "Let these bastards be punished as an example! How Stalin declared war on the "blues", describing Stalin's punishment of gay men, the connection between 'homosexuality' and espionage, and how the criminal punishment for 'homosexuality' was introduced.

On April 27, the leader of the Party of Socialists of Moldova, Igor Dodon, made the following statement on the show "Interview of the Week" on the TV channel 'Primul în Moldova': "In the next few weeks, PSRM will come out with an initiative to change of the Constitution of the Republic of Moldova to prohibit the legalization of same-sex marriage in Moldova and to introduce criminal liability for PR for these things. And this is not new - both Russia and Hungary have included it in their constitutions."

On 13 May, MPs Alla Darovannaia, Vasile Bolea and Vladimir Odnostalco (Socialist Party, PSRM) held a press conference and spoke of LGBT people in a hateful manner, denouncing the Istanbul Convention, supporting a ban on same-sex marriage, and introducing a propaganda law. Civil society called for accountability and urged the Ombudsperson's Office and other authorities to take action.

On 14 June, the electoral block of the Communists and Socialists launched 'Family Week' to promote traditional values. Socialist Vladimir Bolocan said: "Next Sunday, Orthodox Christians celebrate Holy Sunday, one of the largest religious holidays. Namely on this day, [...] those who promote debauchery will organise the gay march. We are against putting it in the children's heads, that there is "sex 3", meaning it is still not clear what they are - the girl or the boy, and they will decide only after the age of majority".

In the lead-up to the early parliamentary elections on July 11, leaflets were distributed by the block of Communists and Socialists, saying that they support traditional values and the traditional family, while right-wing parties stand for the "propaganda of sexual minorities in schools and on the streets, discrediting and attacking the church and the faith."

## BIAS-MOTIVATED VIOLENCE

Several hate crimes took place this year and several LGBT people reported domestic violence cases to civil society.

A young lesbian woman was subjected to an attempted rape by her co-worker who wanted to "correct her sexual orientation".

M., a trans man reported the violence he and his daughter face from his parents with whom they live together. M. is unable to gain financial independence due to discrimination he faces in the labour market due to being trans. M. was denied help from the police.

V., a gay young person reported to GENDERDOC-M that he faces verbal and physical violence from his father since he found out he was gay.

Alex is an 18-year-old trans boy, was physically assaulted by his father and thrown out of home due to his identity. A young gay couple also turned for help to GENDERDOC-M after facing harassment, threats, and violence from one of their families.

## EQUALITY AND NON-DISCRIMINATION

Moldova elected its first female President, Maia Sandu, in late 2020. Sandu defeated former President Igor Dodon, who had criticised her for having participated in Pride marches. Nonetheless, the Action and Solidarity Party, which Sandu previously headed, seems to have failed those most vulnerable during the parliamentary elections this year, by hardly mentioning LGBT people, and other minorities in its program.

## FREEDOM OF ASSEMBLY

This year marked Moldova's 20th Pride Festival. The event was originally planned for May, but GENDERDOC-M decided to postpone it to avoid the overlap with 'family day'. The Festival was held between 15-20 June but the organisers of 'family day' decided to move their event to



that time period as well. Most of the Pride events were held online, as a COVID-19 measure. This year's motto was "I am writing the history of this country!"

## HEALTH

This year, GENDERDOC-M made additional STI testing services available as part of its health services for LGBT+ people.

## HUMAN RIGHTS DEFENDERS

GENDERDOC-M awarded three human rights defenders for their work and courage to promote LGBT rights in the region. Natalia Ozturk, of Moldova, organised the first public LGBT event in the country, before the existence of GENDERDOC-M.

Most civil society activities were held online this year, with in-person events being cancelled.

## LEGAL GENDER RECOGNITION

The civil society Coalition for Inclusion and Non-Discrimination continued its work this year, and started collaboration with the parliament and government. One of the aims of the coalition is that the government introduces a legal gender recognition law.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The TV show "Efect 9.6", hosted by LGBT activist Angelica Frolov, continued this year and has streamed four episodes with LGBT people as guests.

## POLICE AND LAW ENFORCEMENT

18-year-old soldier Marin Pavlescu suffered homophobic harassment and mockery, and a phone call with his boyfriend was circulated at the army base he is stationed at. Pavlescu released a statement online vowing not to return to the army, for which he could be fined or face up to five years in prison. In the meantime, the Ministry of Defense found no proof of homophobic harassment or discrimination, but wants to press charges against Pavlescu for having a relationship with a 17-year-old. GENDERDOC-M is alarmed by the Ministry's failure to protect Pavlescu and reminded that the age of consent is 16.



MOLDOVA WEB PAGE  
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# MONACO

## EQUALITY AND NON-DISCRIMINATION

The fourth visit of the European Commission against Racism (ECRI) to Monaco took place in May and June.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The football club Monaco AS held an auction in June to support amateur football and auctioned off a jersey for 2,500 euro. The jersey belongs to the team's player Kevin Volland and features rainbow decoration that the player wore at a game in France on the occasion of IDAHOT.



MONACO WEB PAGE  
MORE INFORMATION ON [WWW.RAINBOW-EUROPE.ORG](http://WWW.RAINBOW-EUROPE.ORG)



# MONTENEGRO

## ACCESS TO ADEQUATE FOOD

NGOs Juventas, Queer Montenegro, Spektra and Stana distributed food and hygiene packages to LGBTIQ people most in need during the COVID-19 pandemic, redesigning their organisational budgets.

## BIAS-MOTIVATED SPEECH

There was a continued increase in anti-LGBTI and misogynistic political rhetoric this year. For instance, MPs Jovan Vučurović and Jelena Božović made anti-LGBTI statements - a complaint was sent to the Ombudsperson. The parliament failed to condemn the statements. In August, the Ombudsperson urged political leaders to refrain from anti-LGBTIQ hate speech.

Nevertheless, some political leaders, namely the Minister of Internal Affairs Sergej Sekulović and Deputy Prime Minister Dritan Abazović spoke out against hate speech and acknowledged that Montenegro needs to take more targeted action, but did not indicate any clear actions to take.

## BIAS-MOTIVATED VIOLENCE

Trans, intersex and gender diverse people, who had to move back to their families due to the COVID-19 pandemic, continued reporting feeling isolated and being targeted by violence by family members or partners. The victims did not want to file formal complaints.

The Ombudsman highlighted at a roundtable in February, that anti-LGBTI hate crimes are seriously underreported and when they do end up in court, they are often mishandled as misdemeanours.

## EDUCATION

Spektra signed a memorandum of understanding with several high schools, including in Kotor, Mojkovac, Kolašin, and Podgorica, and held workshops for students and some teachers. Spektra and Juventas held a workshop for trans and non-binary students in a Cetinje high school

## EMPLOYMENT

Queer Montenegro launched the first study into the experiences of LGBTIQ people in employment. The results will be published in 2022.

Spektra and Stana held crafting workshops to support the

self-employment of LBTQ people, who sold their crafts during Pride week.

## EQUALITY AND NON-DISCRIMINATION

The number of local government focal points on LGBTI rights increased from 17 in 2020 to 21 in 2021.

Juventas, Queer Montenegro and Spectra continued to support local municipalities, in cooperation with the Ministry of Human and Minority Rights. The municipality of Mojkovac will adopt a local LGBTI action plan soon, and the municipalities of Pljevlja, Cetinje and Bar are in the drafting process.

The Ombudsman's Office published an anti-discrimination manual this year.

Civil society reports that due to political tensions, human rights issues were difficult to put on the government's agenda this year.

## FAMILY

On 25 July, the first ever same-sex partnership was concluded in Montenegro, in the town of Budva. The same-sex partnership law was adopted in 2020, making Montenegro a leader in the region as the first Western Balkans country outside the EU to adopt such legislation. Civil society hopes that all relevant bylaws will be amended speedily, so that the law can be implemented in its entirety. The Law on Social and Children's Protection was amended for instance, but amidst hateful remarks by MPs.

## FREEDOM OF ASSEMBLY

The 9th Montenegro Pride organised by Queer Montenegro in support of Juventas, Spektra and LBTQ women association "Stana" was successfully held on 16 October and was attended by several government representatives.

## HEALTH

Worsening hormone shortages and border closures due to the COVID-19 pandemic continued to have a serious impact on trans people. Many trans people have turned to self-medicating, thereby jeopardising their own health. Spektra called on the authorities, including the Ministry of Health, the Public Health Centre, and Health Insurance Fund, and others, to remedy the shortages, but has not received a response.



Juventas continued to provide medical support and HIV/AIDS and other sexually transmitted and blood borne infections prevention services and testing in the LGBTIQ Drop-in center and during outreach activities all around Montenegro in collaboration with Queer Montenegro, Spectra, LBTQ women association “Stana” and the Montenegro Pride initiative.

Trans, intersex and gender diverse continued reporting to Spektra that their medical care, relating to transitioning or HIV, were interrupted.

Civil society organisations continued responding to the growing need for mental health support in the LGBTI community in year two of the COVID-19 pandemic. Civil society resources are stretched too thin and many remain without support. Civil society has called for targeted funding.

## HOUSING

Queer Montenegro, Juventas and Spectra provided rent and utilities support together with urgent humanitarian aid in food and hygienic products packages to 70 LGBTIQ persons (each of the persons received at least 10 packages) during 2020 and 2021, as per the COVID-19 pandemic.

## HUMAN RIGHTS DEFENDERS

Some LGBTI human rights defenders were targeted by hate speech throughout the year.

The [“Community \(self\)organising of transgender movement in Western Balkans region”](#) report features a chapter on the state of the trans movement in Montenegro.

## LEGAL GENDER RECOGNITION

Legal gender recognition reform continued to be stalled this year, amidst ongoing civil society criticism. Spectra published [“Legal recognition of gender identity in the legal system of Montenegro”](#).

## POLICE AND LAW ENFORCEMENT

The new head of police, Zoran Brđanin [met](#) with LGBTI CSOs, committing to keep LGBTI people safe and work on internal capacity building in the police.

Queer Montenegro organised first education on Human Rights of LGBTIQ persons for members of the Military of Montenegro and Ministry of defence.

Juventas, Queer Montenegro and Spectra organised trainings for police officers, judges, prosecutors as well as police academy cadets on human rights of LGBTIQ persons.

## PUBLIC OPINION

Juventas’s study (not published), conducted by Kantar, found that over 70% of the population believes that being LGBT is a disease, but over two-thirds would report anti-LGBTI violence to the police.

## SOCIAL SECURITY AND SOCIAL PROTECTION

Juventas continued to provide psychological and social support in the LGBTIQ Drop-in centre established in 2011 in Podgorica, as well as legal aid support, together with peer to peer support, in collaboration with Queer Montenegro, Spectra, LBTQ women association “Stana” and the Montenegro Pride initiative.

The LGBTIQ Shelter continued to provide housing, psychological and legal aid and the SOGI Center provided psychological and social services.



[MONTENEGRO WEB PAGE](#)  
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# NETHERLANDS

## ASYLUM

The report ‘[Transcripts from the Margins](#)’ found that trans asylum seekers are routinely failed.

CSOs [urged](#) Prime Minister Rutte to protect LGBTI asylum seekers in unsafe asylum centres. COC [lobbied](#) the government to make it easier for LGBTI Iranians to seek asylum.

## BIAS-MOTIVATED SPEECH

Numerous newspaper articles called trans activists “dangerous for women”. TNN’s ‘Media Monitor’, to be released in 2022, will provide an overview of anti-trans rhetoric in media.

## BIAS-MOTIVATED VIOLENCE

Hate crimes [continued](#) to be a serious issue, and included vandalism (see [here](#) and [here](#)), [death threats](#), [arson attacks](#), and physical [assault](#).

The government [reported](#) 2,336 anti-LGBTI violence and discrimination cases in 2020, up from 2,072 in 2019. A large demonstration [took place](#) in Rotterdam calling for protection. CSOs [urged](#) the new government to [take action](#).

## BODILY INTEGRITY

In November, the outgoing Dutch government offered a repeated and public [apology](#) for the old ‘transgender law’ (1985–2014), which forced trans people to undergo unnecessary medical procedures affecting their fertility and bodily integrity. From October onwards, trans and intersex people affected can [apply](#) for financial compensation of 5,000 euro. Civil society [criticised](#) the compensation scheme for excluding people who postponed LGR because of the requirements and for the amount being a fourth of Sweden’s.

Four parties [announced](#) preparing a draft law on banning conversion therapies.

The government’s study on medically unnecessary and non-consensual surgeries on intersex children is still unpublished, without information about its release date or scope.

## EDUCATION

The Senate [passed](#) a law [obliging](#) all Dutch schools to

make sure that LGBTI youth and teachers are respected and protected, which [entered into force](#) in August. Nonetheless, alarming reports [emerged](#) alleging that the Gomarus School Community teaches that being LGBT is a sin and has forced students to come out to their parents – in some cases locking them up in a classroom until they did so. The Education Inspectorate [reprimanded](#) the school. In October, the parliament [banned](#) the use of ‘identity declarations’ whereby parents can consent to anti-LGBTI school content. The Minister of Education [pledged](#) to make LGBTQI content mandatory in all teacher training.

A study with responses from 30,000 students [found](#) that at least one in four LGBTI young people are bullied in school compared to 13% of cisgender straight peers. In December, about half a million students in 2,500 primary and high schools participated in the 12th [Purple Friday](#), organised by COC’s [GSA Network](#).

## EMPLOYMENT

All political parties [support](#) paid transition leave, following a government [study](#).

In May, Leiden municipality [signed](#) an action [plan](#) for safe and trans-inclusive workplaces.

## EQUALITY AND NON-DISCRIMINATION

On 13 March, ten party leaders and representatives signed a new [Rainbow Ballot Box Agreement](#) with COC Netherlands, committing to LGBTI equality ahead of the elections. The Agreement includes measures against violence, for respect and acceptance in schools, transition leave, the option of getting an ‘X’ gender marker, and a legal ban on unnecessary operations on intersex people without their consent. The [previous Agreement](#) (2017) was crucial for law reform over the past years and CSOs [now hope](#) the same. In December, the new government coalition [committed](#) to implementing the new Rainbow Agreement.

In May, the city of The Hague signed the Dutch Intersex Treaty.

A government report found that the state is responsible for discrimination against LGBTI people in the past century. Civil society [demanded](#) a public apology.

TNN’s annual monitoring report [found](#) a rise in anti-trans discrimination for the fourth consecutive year.



SAVE and Trans United Europe launched [‘The situation of migrant sex workers in the Netherlands’](#).

The first national [study](#) about bisexual people’s experiences highlights invisibility, exclusion and prejudice.

After almost 20 years of campaigning by COC, the Senate [adopted](#) the first reading of Constitutional amendments to cover LGBTI people in the prohibition of discrimination. The second reading will [continue](#) into 2022.

## FAMILY

Civil society continued [calling for](#) legal recognition for families with more than two parents, included in the new [Rainbow Ballot Box Agreement](#).

A court ruling [affirmed](#) in June that the right of the child to know about their donor’s identity outweighs the donor’s choice to be anonymous.

## FOREIGN POLICY

In June, civil society [held](#) a demonstration against Hungary’s propaganda law.

COC launched the government funded the [Power of Pride](#) programme, supporting LGBTI organisations in 22 countries.

## FREEDOM OF ASSEMBLY

Amsterdam Pride [celebrated](#) its 25th anniversary this year.

Some Pride events were cancelled or held online.

## FREEDOM OF ASSOCIATION

COC Netherlands [celebrated](#) its 75th anniversary.

## HEALTH

In March, TNN published a comprehensive [map](#) of services for trans people in the country, including healthcare providers, support groups, and others. TNN and Tranvisie launched [‘Gender Talks’](#), a hotline for trans, non-binary and questioning young people between 15–25.

On 26 June, 500 people [held](#) the first ever demonstration on trans healthcare, demanding care based on self-determination; that excruciating waiting times be reduced; and healthcare services be decentralised. The waiting time for an appointment is currently over 100 weeks. On 1 July,

TNN sent [recommendations](#) to parliament.

In September, one of the largest trans healthcare providers, Stepwork was declared bankrupt. TNN [urged](#) the Ministry of Health to ensure Stepwork’s clients are not left without services and [published](#) resources for trans people.

From 1 September onwards, sexually active men who have sex with men [can](#) donate blood if in a monogamous relationship.

## INTERSECTIONALITY

LGBTI CSOs [joined](#) Black Pride NL in June. Addressing intersectional discrimination is covered in the [Rainbow Ballot Box Agreement](#) and [demanded](#) by civil society.

## LEGAL GENDER RECOGNITION

In May, Minister of Legal Protection Sander Dekker [tabled](#) the legal gender recognition (LGR) bill, which provides for LGR on the basis of self-determination. Some gaps [remain](#). First, those under 16 and people who want the ‘X’ gender marker in their documents, must go to court procedure. Second, trans refugees need to present a birth certificate from their home countries. Third, gestational trans fathers would continue to be featured as ‘mother’ on their child’s birth certificate.

An Amsterdam Court [ruled](#) on 21 July that ‘X’ can be retroactively entered as a gender marker in birth certificates, instead of ‘sex cannot be determined’. Civil society continued to lobby this year to make it easier for anyone to access alternative gender markers. TNN and a law firm [published](#) an amicus curiae brief anyone can use in their court case.

An online [petition](#) calling for alternative gender markers, gathered over 5,000 signatures. The issue was included in the [Rainbow Ballot Box Agreement](#) in March. MP Lisa van Ginneken [announced](#) she would prepare the relevant bill.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Civil society prepared information for LGBTIQI voters this year, ahead of the parliamentary elections (see [here](#) and [here](#)).

Lisa van Ginneken [became](#) the first ever trans person to be sworn in as an MP. In April, Vera Bergkamp, former



COC Netherlands Chairperson, became the Speaker of Parliament - the first openly out lesbian in the position. A TNN study found that six out of ten trans people feel unsafe when participating in sports, for instance in changing rooms. More than half have experienced misunderstanding, jokes, or negative comments.

## **POLICE AND LAW ENFORCEMENT**

The Army State Secretary presented a brochure on trans people in the military.

## **PUBLIC OPINION**

In February, the government presented the first ever research on intersex people's societal acceptance, finding that 67% of the population does not know what exactly intersex is, and that knowledge about intersex increases acceptance.

Another survey found growing public awareness about non-binary people.

## **SOCIAL SECURITY AND SOCIAL PROTECTION**

A shelter was opened for young LGBTQI homeless people in Utrecht, but many more are needed.



NETHERLANDS WEB PAGE  
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# NORTH MACEDONIA

## ACCESS TO ADEQUATE FOOD

Trans people, and particularly trans sex workers, continued to be severely impacted by the ongoing COVID-19 pandemic, and without state support. Local trans group, Coalition Margins provided food packages to trans people most in need.

## ACCESS TO GOODS AND SERVICES

In July, the Commission for Prevention and Protection against Discrimination (CPPD) found that the MOTO Club Pelister's policy denying access to LGBT people, was discriminatory. The club was ordered to change its policy to provide access to all without discrimination.

In the same month, the CPPD established that the Viola Pharmacy violated a trans woman's access to goods and services when she wanted to purchase hormones prescribed to her, but was required to present extra medical documents and was outed in front of other customers.

## ASYLUM

At least one trans person and one lesbian left the country and got international protection in an EU country.

## BIAS-MOTIVATED SPEECH

Hate speech remained a serious issue. The Helsinki Committee recorded 216 cases of anti-LGBT hate speech, 42% of all hate speech incidents in 2020. Hate speech cases spiked in April after LGBTI activists appeared on the program of the National Radio-TV to talk about Skopje Pride.

Of 41 criminal complaints launched by Subversive Front, the Public Prosecutor responded to only 14, thus failing to recognise the severity of anti-LGBTI threats and violence. Subversive Front filed complaints to the Higher Public Prosecutor's Office, after the Public Prosecutor dropped criminal charges in several cases.

Coalition Margins documented and reported 15 anti-LGBT hate speech cases this year, and two based on gender and SOGI, but no action has been taken since.

Hate speech remained common by politicians, and complaints have been left unanswered. In June, the Minister of Agriculture, Forestry and Water Economy

Arjanit Hoxha, member of BESA, one of the governing parties, called LGBTI people as "immoral" and "unhealthy".

MP Ivanka Vasilevska and former MP Dimitar Stevanandzija made hateful statements concerning the ongoing education reforms (see below). Both are/were members of the opposition party VMRO-DPMNE and are university professors.

The VMRO-DPMNE official statement about Skopje Pride condemned the government's support for LGBTI people.

In August, the Agency for Audio and Audiovisual Media Services found that Alpha TV violated its professional duties when using discriminatory language about HERA's sex education program in primary schools. Alpha TV publicly apologised.

HERA was targeted by hate speech throughout the year for providing sex education. Parents were highly vocal about their stance against sex education and the inclusion of LGBTI issues. Anti-gender groups were also active.

The State Education Inspectorate found that a teacher's anti-LGBT posts were discriminatory and ordered him to attend educational workshops.

This year's *Eurovision song contest* contestant Vasil Garvanliev, came out as gay and was regularly targeted by homophobic speech.

In October, the CPDD ordered a public apology and the removal of a hateful article from three websites. The CPDD also ordered journalist Milenko Nedelkovski to remove a hateful Twitter post calling for medical treatment for LGBTI people, and to apologise.

## BIAS-MOTIVATED VIOLENCE

The implementation of the hate crime law continued to be seriously flawed, with ineffective responses from the police and judiciary.

Coalition Margins documented eight anti-LGBT hate crimes, five of which were domestic violence incidents.

The victim of a homophobic hate crime after Skopje Pride, turned to the Helsinki Committee for legal support, but did not pursue the case in the end. The police arrested the two perpetrators, but released them on the same day.



## EDUCATION

94 CSOs welcomed the government's plans to reform primary education in February, including by prioritising gender equality and efforts to combat discrimination and violence in school. The Ministry for Science and Education adopted the new Concept note on primary education in March. Nevertheless, several draft laws were withdrawn due to high public pressure and the influence of the growing anti-gender movement (see above).

The new Law on Prevention of Violence against Women and Domestic Violence was adopted in January, envisioning sex education in schools and violence prevention.

HERA's pilot program for comprehensive sex education continued in three schools at 9th grade level, but with ample backlash (see under **Bias Motivated Speech**).

Coalition Margins signed a memorandum of collaboration with the Bureau for Development of Education, to provide teacher training on preventing and reporting anti-LGBTI violence in primary schools.

HERA's report 'Peer Violence and the Role of Professional Services' found that over a third of high school students in Skopje were aware of anti-LGBT violence against another student and that only one in four victims reported cases to a professional.

## EMPLOYMENT

Coalition Margins documented a case where an openly lesbian employee was harassed at work.

In December, the CPPD found that an employer discriminated when firing their trans employee.

## EQUALITY AND NON-DISCRIMINATION

The CPPD was established at the beginning of 2021. Despite technical and administrative issues, it has issued several opinions.

The new draft Law on Gender Equality is expected to be tabled in early 2022.

## FAMILY

Civil society reported that the Ministry for Labour and Social Policy planned to change the draft National LGBTI Action Plan (2021-2025) by removing plans to legally recognise same-sex partnerships or marriage. No developments have taken place since.

## FREEDOM OF ASSEMBLY

Skopje Pride Weekend was celebrated for the ninth time, and held in-person this year.

The second Skopje Pride march was held on 26 June and was attended by thousands, including President Pendarovski, several Ministers, and politicians.

## HEALTH

The working group, set up by the Ministry of Health in 2019 to improve trans healthcare, continued to postpone its activities due to the COVID-19 pandemic.

Subversive Front launched the Skopje Queer Centre in March, to provide free counseling and social care support to LGBTI people. In its first year, the Centre provided 287 psychotherapy sessions.

The National LGBTI+ Helpline provided support in over 130 calls this year.

## HOUSING

The Helsinki Committee's annual report highlighted that many LGBTI people had to move back to unsafe families and/or faced heightened risk of homelessness. The Safe House Shelter Centre shared in its annual report that it provided housing to six gay men and two trans people in 2020.

## HUMAN RIGHTS DEFENDERS

LGBTI human rights defenders continued to be targeted by hate speech, harassment, and threats.

On 19 November, LGBT United Tetovo's office was vandalised - three weeks after the radical national party won the local elections and activists received hundreds of death threats.



[‘Community \(self\)organising of transgender movement in Western Balkans region’](#) features a chapter on the trans movement in North Macedonia.

## INSTITUTIONAL SUPPORT

Subversive Front received 6,000 euro state funding for the National LGBTI+ Helpline. The cooperation with the Ministry of Labour and Social Policy continued and resulted in the opening of the Skopje Queer Center (see under *Health*).

## LEGAL GENDER RECOGNITION

The [process](#) of putting in place a legal gender recognition (LGR) law has been stalled since June, when the draft Civil Registry Law was passed by one of the parliamentary committees.

The draft law limits access to LGR to citizens; over 18; with full legal capacity; and those unmarried. This means that divorce will be a mandatory requirement. The draft does not mention alternative gender markers.

Following the 2019 European Court of Human Rights judgement in [X v. FYROM](#), four trans people were able to change their legal gender in 2021. Ten other cases are pending at administrative bodies or courts.

## SEXUAL AND REPRODUCTIVE RIGHTS

Medical abortion (not surgical) is now [available](#) in Skopje.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The Network for Protection against Discrimination published [Human rights of marginalised communities](#) during COVID-19, highlighting the government’s failure to support those most marginalised.



NORTH MACEDONIA WEB PAGE  
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# NORWAY

## ASYLUM

A member of parliament questioned Norway's family reunification policy, which asks for proof of marriage of two years of cohabitation, which is close to impossible for LGBTQ asylum seekers to obtain.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

Trans people continued to be targeted by the growing anti-gender rhetoric and campaigning among religious conservatives, the far right, anti-trans feminists, and LGB activists.

The amendments to the Penal Code, which criminalise hate speech and hate crime on grounds of gender identity and expression, entered into force on 1 January. Enforcing the law, in December the Hordaland District Court convicted a man for transphobic hate speech on social media and sentenced him to a suspended prison sentence and a fine. The judgement is not legally binding as of January 2022, as it may go to the Court of Appeal.

Following the entry into force of the new law, FRI launched the Fri-sone campaign to encourage the reporting of hate crimes.

The 2020 hate crimes report of the police showed a decrease in anti-LGBTI hate crimes from 122 to 97 cases, for the first time since 2016. The police suspect one reason may be the COVID-19 pandemic.

The national competence centre against hate crimes, which will support the police and encourage cooperation with CSOs, was launched in October.

## BODILY INTEGRITY

Civil society published written feedback to the proposal from several parliament members from The Socialist Left Party regarding a public apology and providing financial compensation to trans people who were forced to undergo sterilisation in order to access legal gender recognition (LGR) before 2016. The government has been reluctant to make a move while court cases are ongoing. In March, the Court of Appeals ruled against a trans man who was required to undergo sterilisation as a requirement for LGR.

The government reaffirmed its commitment to ban conversion therapy in the new LGBTQI Action Plan and

released a draft text for consultation. In October, FRI submitted feedback, calling for an absolute ban, more clarity in the law, higher penalties, the sanctioning of advertising such therapies, and the clear inclusion of anti-trans therapies. Some conservative forces called for anti-trans therapies not to be banned.

## EQUALITY AND NON-DISCRIMINATION

In June, the government presented its new LGBTQI Action Plan (2021-2024). The Action Plan includes numerous measures, but civil society is concerned that it lacks clearly defined goals and the necessary funds to implement the measures. Civil society has also warned that in terms of conversion therapy, only assessment and knowledge acquisition are listed, and not a ban. The issues of children and young people are not specifically addressed either.

A number of important studies about the situation of LGBTI people in Nordic countries were published this year, including Mapping and analysis on LGBTI in the Nordics. For the first time since 2013, the government also commissioned a study on the living conditions of LGBTI people in Norway. The study 'Sexual orientation, gender diversity and living conditions' showed some alarming findings, including a third of trans people having experienced sexual abuse and a third have attempted suicide. Overall, trans people scored lowest on living conditions and bisexual people scored very low on mental health and other indicators. Cisgender lesbians and gay men reported living conditions similar to cisgender heterosexuals.

## FAMILY

FRI called on the government to ensure that the review of the Children's Act makes it simple for same-sex parents, trans parents, and families with more than two parents to be recognised.

## FOREIGN POLICY

Nordic countries agreed to cooperate on a number of initiatives to address discrimination against LGBTI people in the region, including when moving from one Nordic country to another. The activities include the sharing of good practises with a focus on education, healthcare, and employment.

Norway withdrew over two billion NOK worth of EEA funding from Hungary this year, following the erosion



of the rule of law, Hungary's new propaganda law, and the unwillingness of the government to agree on an independent oversight body to manage civil society funds.

The new government program highlights continued support to combat persecution and discrimination based on sexual orientation in Norwegian Foreign Policy.

## FREEDOM OF ASSEMBLY

Following last year's cancellation of Pride events due to the COVID-19 pandemic, this year's Pride was held on waters in addition to Pride Park, with the participation of hundreds of boats. For the first time, a navy boat joined and raised a rainbow flag. The National Broadcasting Channel (NRK) had a historic first official Pride broadcast live from Pride Park.

Three eighth-graders organised the first Pride march in the town of Steigen, which was supported by the mayor. The teenagers made signs to speak out against hate speech against LGBTI people and girls. More small towns followed with their own Pride parades.

## FREEDOM OF ASSOCIATION

Trans-inclusive women's organisations are targeted by anti-gender forces and accused of being influenced by the "LGBT-lobby".

## FREEDOM OF EXPRESSION

Several rainbow flags were torn down during Pride month in June, including from outside the Oslo municipality and from several Oslo schools. The schools and authorities repeatedly replaced the flags, and some communities provided rainbow flags for households in the area.

The issue of gendered indigenous Sámi clothing was discussed this year.

## HEALTH

The report Health, well-being and living conditions among young LGBTI people in the Nordic countries concluded that trans youth are most vulnerable to mental health problems, loneliness, or suicidal thoughts or attempts. The new government program covers mental health and living conditions, but in vague terms.

Following the 2020 guidelines on trans healthcare, which centre user participation and an individualised approach to care, care provision remained centralised this year. The guidelines envision the setting up of regional clinics, but it is unclear what services they would provide and who would be in charge of training their staff.

In September, the County governor decided that Oslo University Hospital was wrong to deny treatment to a trans client only because their referral came from their GP - an important precedent to facilitate decentralised care.

Only one hospital, in Vestfold, provides therapy and gender-affirming aids to non-binary people, such as wigs and prosthetics, but not hormones or surgeries.

## HOUSING

Trans people reported difficulties accessing gender-specific shelters during the COVID-19 pandemic. Sex worker organisations are concerned that migrant sex workers are also facing obstacles getting the support they need during the crisis.

## INSTITUTIONAL SUPPORT

Oslo Pride was granted funding in the 2022 state budget, and promised funding in the years to come. Queer Youth's school project "Restart" and the organisation Salam were also granted funding in the budget.

## LEGAL GENDER RECOGNITION

Civil society urged the government to introduce alternative gender markers beyond 'male' and 'female'. The parliament failed to adopt respective regulations in February and the new government program also omits this measure - much to civil society's disappointment.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Ahead of the parliamentary elections in September, FRI released a voters' guide showing the level of support of political parties on various LGBTQI rights issues.

## POLICE AND LAW ENFORCEMENT

Norway's first Prison Pride was organised by Røverradion in Eidsberg prison.



## SEXUAL AND REPRODUCTIVE RIGHTS

It is unclear whether under the new trans healthcare guidelines (see under **Health**) a trans man with the legal gender of 'man', or non-binary people, would be able to have their gametes frozen, or access IUI or IVF. Practice is that the preservation of gametes is allowed for trans women, but not trans men.



NORWAY WEB PAGE  
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# POLAND

## ASYLUM

An increasing number of Polish LGBTQ people are leaving the country as the political situation continues to worsen.

## BIAS-MOTIVATED SPEECH

The hate campaign against the LGBTI community continued. This year, a number of towns lost funding from other EU countries or had their ties severed with their twin cities, stirring doubt as to whether adopting the hateful resolutions was a good idea.

In January, Campaign against Homophobia (KPH) launched the Twitter campaign #InfringementNOW, following up on over 350,000 signatures from 2020. On 11 March, the European Parliament adopted a resolution declaring the entire European Union an “LGBTIQ Freedom Zone”, in reference to the situation in Poland.

The United Nations and the Council of Europe also continued to speak out, including UN Special Procedures in January and the Council of Europe’s Congress of Local and Regional Authorities in June.

On 15 July, the European Commission (EC) launched an infringement procedure against Poland and suspended EU funding talks with several Polish regions, including five ‘LGBT-free zones’ Świętokrzyskie, Podkarpackie, Małopolskie, Łódzkie and Lubelskie.

As a result of local and international pressure, more than a dozen of local municipalities have withdrawn anti-LGBT resolutions or Family Rights Charters. In September, four regions (Świętokrzyskie, Podkarpackie, Małopolskie and Lubelskie) withdrew their status as ‘LGBT-free zones’, alongside a number of local municipalities, and released statements affirming their support for equality and fundamental rights. The Małopolska Regional Assembly first decided to stay ‘LGBT-free’ in August, but eventually withdrew the status in September and adopted a resolution “oppose any discrimination against anyone for any reason” and support “every Małopolskie family”. The repeal of anti-LGBT resolutions in these regions reduced the number of ‘LGBT free zones’ in Poland by half when it comes to the territory. Civil society welcomed these developments, but has highlighted that the regions should follow suit beyond just avoiding withdrawal of funding and actually abide by the principle of non-discrimination fully respecting EU treaties and legislation.

Additionally, nine of the “anti-LGBT resolutions” were challenged by Human Rights Commissioner Adam Bodnar and four were directly annulled by local courts.

Hate speech by the central government remained a serious issue. The Deputy Minister of Justice, Michał Romanowski, called the wedding ceremony of a gay couple in Bydgoszcz “clownery” that should be stopped. In April, chairman of PiS Jarosław Kaczyński said in an interview that Poland “must resist LGBT ideas” that are “weakening the West” and “against all common sense.” In June, the Minister of Education and Science Przemysław Czarnek called the Rainbow Pride an “offence to morality” and said it “will not be accepted as it is not in Hungary and other civilised countries”. Czarnek also stated that Poland should follow in Hungary’s footsteps and “should copy these regulations on Polish soil in their entirety!”. He also added that “satisfying sexual desire in a way different from the accepted norm is called perversion and deviation.” In September, Minister of Justice Zbigniew Ziobro called the infringement procedure “blackmail” and “economic terrorism”.

Several NGOs submitted open letters to media outlets about their anti-LGBT or anti-trans content, such as in the case of Wysokie Obcasy or Gazeta Wyborcza. Alarming, anti-trans rhetoric has spread over liberal media outlets as well, often due to the rise in trans exclusionary radical feminists (TERFs).

## BIAS-MOTIVATED VIOLENCE

Several hate crimes were carried out again this year.

In February, a gay couple holding hands was attacked in Warsaw: the aggressor stabbed one of them with a knife shouting “don’t do this in front of the kids!”

In March, an LGBT+ sports team was attacked in Gdansk by a violent group. Two people were hospitalised.

On Independence Day (11 November), two flats with rainbow flags in their windows were attacked – one with an air gun and one with a brick. One person was injured. At the nationalist Independence March on the same day, rainbow flags were burned and some carried homophobic banners.

KPH’s report on the ‘Social Situation of LGBTI people in Poland 2019 and 2020’ highlighted that the rate of



physical violence slightly increased since 2017 and that only 2.5% of hate crimes victims reported the incident to the police.

## DATA COLLECTION

40 civil society organisations turned to the Central Statistical Office (CSO) in April, concerned that this year's census does not recognise same-sex marriages conducted abroad, or allow trans and non-binary people to indicate their true gender. Those providing "false" information according to the Office, including on gender, could be held criminally liable. The CSO answered in July, affirming that same-sex marriages will be recognised in the survey, but provided a negative answer on the issue of gender identity.

## EDUCATION

In January, UN Special Procedures questioned Poland on the crackdown against Rainbow Fridays and restrictions on sexuality education in schools. KPH published resources for schools and young people planning to celebrate the annual Rainbow Friday, on the last Friday of each October. Several schools participated this year, but most did so under the radar to avoid backlash.

New amendments to the Education Law were tabled this year, initiated by the Minister of Education and Science, Przemysław Czarnek, known for his anti-LGBT views (see under **Bias-Motivated Speech**). 'Lex Czarnek' would take discretionary power away from schools and could mean dismissal or even criminal sanctions for teachers or school management who openly support LGBT+ students or discuss LGBT issues in school. The law would practically ban sex education.

Civil society fears the detrimental impact the law could have on LGBT+ young people. Lex Czarnek has a much broader impact as well, by placing limitations on what can be taught in schools and creating an atmosphere of intimidation for any teachers or principals, whose beliefs may not align with those of the conservative government. Civil society organisations launched a campaign #WolnaSzkoła [Eng: Free School], providing information on the proposed limitations and uniting those against the law.

Constitutional Court judge and former PiS politician Krystyna Pawłowicz posted the first name, age, and

primary school of a trans child on social media, violating the girl's right to privacy and exposing her to danger. Pawłowicz made hostile remarks about the school for using the girl's name that aligns with her gender identity in school.

This year's LGBTQ+ school ranking identified the most inclusive and accepting schools in Warsaw, Olsztyn, Dąbrowa Górnicza, Elbląg, Toruń and Łódź. The schools all received Equality Diplomas, which were signed by civil society and municipalities.

## EMPLOYMENT

In April, Prosecutor General Zbigniew Ziobro filed an extraordinary appeal to the Supreme Court regarding a 2020 court ruling that established discrimination on grounds of gender identity in the case of a trans woman, Joanna Żelek. Miss Żelek interpreted the appeal as a politically motivated act to discourage people from fighting injustice.

## EQUALITY AND NON-DISCRIMINATION

Several trans people took part in KPH's Trans Day of Visibility video campaign in March this year.

In April, the Committee of the Parliamentary Assembly of the Council of Europe rejected the entire list of Polish candidates for the European Court of Human Rights, including Aleksander Stępkowski, the founder of the far-right Ordo Iuris.

More than 100 civil society organisations condemned the parliament's move in April to remove the Ombudsperson in an unlawful political process lacking transparency, independence, or impartiality. Adam Bodnar's mandate expired in September 2020, but the law sets out that he should stay in office until his successor is appointed. In April, the Constitutional Tribunal, which lost its independence years ago, ordered Adam Bodnar's removal. Bodnar had petitioned to have the head of the court Julia Przyłębska removed from the position, due to her political affiliation with the ruling PiS party. Bodnar embodied one of the last standing pillars of Polish democracy.

A few days before the EC launched an infringement procedure against Poland, the European Court of Justice (ECJ) ruled that Poland's new disciplinary chamber, a judiciary oversight body, was contrary to the EU law.

The body is mandated to discipline judges, including by sanctioning them for certain judgments or for referring cases to the ECJ

KPH gave out its third annual Equality Crown awards to several LGBT+ people and allies, including politicians, lawyers, and influencers. KPH also released a list of companies who support LGBT+ rights.

Open For Business published a new report 'The Economic Case for LGBT+ Inclusion in Central and Eastern Europe (CEE): Hungary, Poland, Romania and Ukraine', finding that anti-LGBT+ discrimination comes at a high economic cost and that inclusion contributes to economic growth.

Dunja Mijatović, the Council of Europe's Commissioner for Human Rights issued a Human Rights Comment in August on the worrying trend of anti-LGBTI backlash across Europe, highlighting the increasingly hostile political rhetoric in a number of countries, including in Poland.

## FAMILY

In March, the Minister of Justice and Prosecutor Ziobro, announced a draft law that would ban adoption by same-sex couples and place strict scrutiny over single applicants, to make sure they are not actually in a same-sex relationship.

In June, the Deputy Minister of Justice talked about plans to ban legal gender recognition.

In August, two well-known doctors from Bydgoszcz got "married", receiving official congratulations from the President of the city, once again inspiring a debate on marriage equality in Poland.

In a judgement released on 16 September on the case of X. v Poland, the European Court of Human Rights found that refusing a mother custody of her child because of her sexual orientation is discriminatory and a violation of the right to private life.

Prosecutor Ziobro requested the annulment of parental rights of a trans man.

## FOREIGN POLICY

France's Minister for EU Affairs was allegedly refused entry to Kraśnik in March, one of Poland's 'LGBT-free zones', which Poland denied.

In May, the family affairs ministers of the Visegrád Four (Czechia, Hungary, Poland and Slovakia) signed a 'Declaration Pro Familia' to commit to supporting 'families'. Poland was the only EU country to openly endorse Hungary's new propaganda law. 17 EU Member States jointly condemned the law.

## FREEDOM OF ASSEMBLY

Civil society space continued to be increasingly repressed.

UN Special Procedures questioned Poland on its failure to protect Pride march participants over the past years.

Warsaw Pride was held in person, after last year's cancellation due to the COVID-19 pandemic. The Pride march took place without incidents on 19 June and brought together thousands, affirming that the Polish LGBTQ+ community is standing strong against repression. It was supported by Warsaw's liberal mayor Rafał Trzaskowski, who walked at the front of the march. Pride marches were held in a number of other cities, such as Gdansk and Czestochowa, protected by police.

The 'Stop LGBT' citizens' initiative gathered over 140,000 signatures this year and was tabled in parliament. The legislative initiative was discussed on 29 October and moved to the interior affairs commission. The law would ban public gatherings which promote LGBT rights - similar to the law already in place in Russia, for instance. Polish and international civil society condemned the bill and several demonstrations were held in the capital.

## FREEDOM OF EXPRESSION

Three activists, Joanna Gzyra-Iskandar, Anna Prus and Elżbieta Podleśna, who created stickers of the Virgin Mary with a rainbow halo, were acquitted on 2 March. The activists could have faced two years in prison. Prosecutor Ziobro appealed the ruling, with a new hearing planned for 2022.

The four creators of the Atlas of Hate, an online map launched in 2019, which tracks which municipalities have adopted anti-LGBT resolutions, had their first court hearings in July and October, facing up to 36,000 euro in fine. Atlas of Hate is facing seven lawsuits.

In a resolution adopted on 16 September, the European Parliament condemned the continuing deterioration



of media freedom and the rule of law in Poland, and its impact on LGBTI rights.

## HEALTH

KPH's [report](#) (see under **Employment**) found that almost half of the respondents reported severe depression (2017: 44%); that LGBTI people living in areas where anti-LGBT resolutions were adopted were more likely to have suicidal thoughts.

## HOUSING

KPH's [report](#) (see under **Employment**) found that 17% of respondents have experienced homelessness at least once and one in five have run away from home.

## HUMAN RIGHTS DEFENDERS

Karolina Gierdal (KPH) [received](#) the Supreme Bar Council's Advocate of the Year award.

## INSTITUTIONAL SUPPORT

The newly chosen Human Rights Commissioner, Marcin Wiącek, has shown his support for the LGBT community on several occasions, for instance, by questioning Ziobro's extraordinary appeal on trans rights in employment (see above) or criticising the 'Stop LGBT' draft bill.

Continuing last year's trend, several local municipalities, such as Szprotawa, Bydgoszcz, and Wrocław, adopted declarations of solidarity with the LGBT+ community.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In May, the pop star, Andrzej 'Piasek' Piaseczny came out as gay.

After winning a silver medal at the Tokyo Olympics, Katarzyna Zillmann [thanked](#) her girlfriend for her support, coming out as queer.

## PUBLIC OPINION

According to the [latest survey](#) prepared by Ipsos for OKO. press and Wyborcza, 56% of Poles would support *at least* civil partnership for same-sex couples.

## SEXUAL AND REPRODUCTIVE RIGHTS

The death of a pregnant woman, whose foetus had numerous defects but was denied abortion, [inspired](#) a new wave of protests demanding reproductive rights.

The 'Stop Abortion' bill, which would have equated abortion with murder, was [rejected](#) by parliament.

## SOCIAL SECURITY AND SOCIAL PROTECTION

In March, four NGOs [opened up](#) Poland's first ever shelter for homeless LGBT young people in Warsaw, responding to the increasing need. The NGOs reported that the demand doubled during the COVID-19 pandemic, going from one-to-two requests per month to three-to-four.

The Lambda Warszawa Association and the municipality opened an emergency shelter for LGBT people in September.



[POLAND WEB PAGE](#)  
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# PORTUGAL

## ASYLUM

ILGA Portugal, in partnership with Queer Tropical and AMPLOS, carried out [training](#) for LGBTI+ organisations on migration and asylum issues this year and will deliver training on LGBTI+ issues to NGOs working on migration and asylum.

In August, ILGA Portugal [issued](#) a statement urging the government to proactively act and safeguard the security and integrity of Afghan women, activists and LGBTI+ people. Portugal has already received Afghan asylum seekers, and ILGA Portugal and Associação Plano i are cooperating to support one LGBTI family.

## BIAS-MOTIVATED SPEECH

In October, a well-known news commentator made transphobic remarks while addressing [the walkout of Netflix employees](#) demanding better support of its trans and nonbinary employees. This sparked a larger conversation on [‘cancel culture’](#) in Portugal.

## BIAS-MOTIVATED VIOLENCE

Between January and early November this year, ILGA Portugal received a total of 725 requests for contact or immediate support in cases of violence at home, loss of income, and evictions. Of these, 254 came from people who reached out for the first time. 98 cases of domestic violence and assault have been reported this year, of which 50 are cases of gender-based violence.

## EDUCATION

In January, NGO Plano i published the [results](#) of their 2020 survey, finding that 9% of their respondents experienced bullying because of their sexual orientation and 4% because of their gender identity.

AMPLOS, the Parents of LGBTI people organisation, published a [guide](#) for schools on LGBTI issues.

## EQUALITY AND NON-DISCRIMINATION

Civil society [expressed](#) serious concern about the appointment of João Caupers as the president of the Constitutional Court in February. Caupers is known for homophobic and anti-human rights positions, including about marriage equality.

## FAMILY

AMPLOS, the Parents of LGBTI people organisation, published three guides to support families of LGBTI people.

## FOREIGN POLICY

Portugal signed the joint statement of 18 EU Member States condemning the Hungarian propaganda law, but [only after](#) its Presidency of the Council of the European Union ended in late June. Initially, Portugal only condemned the law, saying it [needed](#) to be ‘neutral’ holding the Presidency.

In June, ILGA Portugal participated in the [LGBTI Citizenship Seminar](#) organised by the National Commission of Human Rights and Citizenship of Cape Verde. The seminar took place to celebrate Pride and brought together local LGBTI activists and organisations with members of Cape Verde’s government and other stakeholders.

On 2 November, the Portuguese Embassy in Bulgaria signed a [joint statement](#) condemning the anti-LGBTI attacks against the Rainbow Hub community centre in Sofia.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, the organising committee of Lisbon Pride decided to [cancel](#) the Pride march this year. ILGA Portugal also cancelled Arraial Lisboa Pride, originally planned for June. Instead, in July ILGA Portugal [sent](#) 75,000 postcards to those living in and around Lisbon, to celebrate the estimated number of participants and affirm that every day is Pride Day.

## FREEDOM OF ASSOCIATION

In October, TransMissão, the trans and non-binary organisation, opened [Espaço TRANS](#), the first trans community centre in the country. The space is located in Almada and provides peer-to-peer support as well as organising activities and events directly related to trans and non-binary issues.

## HEALTH

In March, the General Health Directorate [abolished](#) the deferral period for men who have sex men and want to donate blood, which was [welcomed](#) by civil society who



had lobbied for this change for years. In January still, several gay men reported being barred from donating. In October, the parliament adopted a number of bills that prohibit discrimination on grounds of sexual orientation, gender identity and sex characteristics in the context of blood donations.

## HUMAN RIGHTS DEFENDERS

ILGA Portugal celebrated its 25th anniversary this year.

## INSTITUTIONAL SUPPORT

The government did not take steps to implement that parliament's 2020 recommendations on the need to provide financial support to organisations that serve vulnerable groups during the COVID-19 pandemic.

In October, the Secretary of State for Citizenship and Gender Equality and the Commission for Citizenship and Gender Equality formalised a 60,000 euro grant to LGBTI-focused work, which resulted in 10 funded projects.

## LEGAL GENDER RECOGNITION

On 29 June, the Constitutional Court ruled on the constitutionality of regulation 7247/2019, which was adopted as an implementing measure of the 2018 legal gender recognition law. The Court ruled that the regulation should have been adopted by the parliament as legislation, and not introduced by the government as an implementing measure. The 2018 law introduced the right to self-determination of the identity of gender and gender expression and the protection of each person's sexual characteristics. Regulation No. 7247/2019 called for "measures in the educational system, at all levels of education and cycles of study, which promote the exercise of the right to self-determination of gender identity and gender expression and the right to protection of the sexual characteristics of people". The Court's ruling was widely misinterpreted as striking down the law and declaring it unconstitutional, which is not the case:

*"[this] decision leaves untouched the guarantee of the right to gender identity and gender expression and the prohibition of discrimination in the education system"* - Constitutional Court

On 1 July, civil society urged the parliament in a joint letter to immediately start the legislative process in order to protect trans and intersex children and youth.

Rede ex aequo created the first peer to peer national support group for trans youth and published a guide for trans people this year about how to access their human rights, including the right to legal gender recognition, trans specific healthcare, and education, and others.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In September, ILGA Portugal organised five online debates with representatives from Faro, Setúbal, Lisboa, Coimbra and Porto, ahead of Portugal's local elections. In Lisboa, and contrary to provisional results, a new right-wing oriented executive was appointed, with Carlos Moedas - former EU Commissioner for Research, Innovation and Science - being elected as mayor. Well-known journalist, Laurinda Alves, who has previously made homophobic and transphobic remarks, was elected City Councilor for Social Rights.

## POLICE AND LAW ENFORCEMENT

On 20 November, the Commission for Citizenship and Gender Equality, the Inspectorate-General of Home Affairs, the Secretariat-General of Home Affairs and the three police forces in Portugal (PSP, GNR and SEF) signed a memorandum of understanding on capacity building on LGBTI issues, including preventing hate crimes and improving investigation and support to LGBTI victims.

## SOCIAL SECURITY AND SOCIAL PROTECTION

A group of organisers started a fundraiser to establish a shelter for trans migrants in Lisbon, called 'Casa T'. They were later formally established and secured funding.



[PORTUGAL WEB PAGE](#)  
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# ROMANIA

## ACCESS TO ADEQUATE FOOD

Romania became ineligible to many humanitarian programs after being classified as a high income country in 2020 and the state has done little to support marginalised groups during the COVID-19 pandemic. An increasing number of people have turned to LGBTQ+ associations seeking help with basic needs regarding shelter, repatriation, and employment.

## BIAS-MOTIVATED SPEECH

On 15 June, a Romanian trans woman was publicly humiliated and targeted by transphobic slurs by border guards at the Cluj Napoca airport. The Romanian branch of the Europol Police Syndicate (CESP) released an online statement denying the claims.

## BIAS-MOTIVATED VIOLENCE

In December 2020, a Roma trans woman was forcibly pulled off a bus, knocked to the ground, immobilised, handcuffed and shoved in a police car. On the way to the precinct, the police officer made numerous transphobic statements and threats. The victim claims that she was beaten continuously until they reached the precinct, where several police officers joined in the abuse, including taking pictures of her while she was humiliated. ACCEPT is representing the victim in the investigation.

The 2016 European Court of Human Rights (ECtHR) judgement M.C. and A.C. v. Romania, regarding the failure to investigate a possible homophobic hate crime, is now under enhanced supervision.

## EDUCATION

The right-wing nationalist AUR party announced in July that it would seek to introduce legislation similar to the one adopted in Hungary to ban any discussion of SOGIESC issues in schools and in the media. A number of other parties also proposed propaganda laws. On 28 July, ACCEPT requested the Government to stand firmly against such initiatives. On 23 December, a group of UDMR (Democratic Alliance of Hungarians in Romania) MPs tabled a draft bill in parliament.

## EMPLOYMENT

In November, MozaiQ released the first study on trans, non-binary, and intersex people's experiences in employment, finding that over 50% of respondents had

to take out loans to cover food and basic necessities in the past year. 70% felt anxiety while job-hunting and 48% had negative experiences at their workplace due to their gender identity.

## FAMILY

In March Romanian and regional civil society expressed serious concern about the lack of action from the European Commission since it started a pre-infringement procedure against Romania in 2020, regarding the lack of implementation of the Coman judgement. ACCEPT submitted a new complaint as Romania continues to refuse to acknowledge the judgement. The Commission stated that to start an infringement procedure, it would have to establish a 'general and consistent' non-application of EU legislation, which is difficult.

Currently, the ECtHR is assessing the COMAN and Others v. Romania and the A.B. and K.V. v. Romania case, on the same issue.

## FREEDOM OF ASSEMBLY

Despite the minimal COVID-19 incidence rate in the summer, the government maintained strict restrictions over public gatherings such as demonstrations, limiting the number of participants to 100. Such limitations had already been lifted in the case of sports, cultural, religious, or family events. In July, more than 65 civil society organisations urged the authorities to stop silencing civil society.

Bucharest Pride events kicked off on 6 August, celebrating 20 years since the decriminalization of 'homosexuality' in Romania. The Bucharest Municipality originally refused to authorise the Pride March, but reversed its decision. In the end, the Pride march was held in the scheduled time and place, on Calea Victoriei on 14 August.

ACCEPT disregarded the government's abusive restriction over the number of participants, set at 500, and 10.000 people joined the march. The organisers were fined with 7,000 ron (1,414 euro), but ACCEPT is taking legal action to challenge the fine and abolish the restrictions. Similarly, Cluj Pride organisers were fined 2,000 ron (404 euro).

The Bucharest Transport Company withdrew its contract with MozaiQ to organise Pride on the Tram, but backtracked after a protest outside its headquarters



The first [Iași Pride](#) was held on 1 October. The authorities first denied the request to hold the event. A second application was approved by a municipal committee, but denied by the mayor. ACCEPT and Rise Out filed a complaint against the mayor for abuse of public office motivated by discrimination, an act punished by the Criminal Code. In the end, Iași Pride took place safely, with police protection, with fewer than 100 participants as per COVID-19 regulations.

Timișoara Pride Week was held between 7–14 August in collaboration with local authorities. The organisers received threats, as before, but no violent incidents took place.

## FREEDOM OF EXPRESSION

On 1 June, the ECtHR [found](#) a violation of the right to private and family life, freedom of association and assembly, and the prohibition of discrimination in the case of ACCEPT Association and Others v. Romania, which is under enhanced supervision. The case concerned a protest against a screening of a film involving a same-sex family during ACCEPT's LGBT History Month in 2013. The protesters were carrying far-right paraphernalia and abused cinemagoers. The Court ruled that the Romanian authorities had failed to offer adequate protection and to effectively investigate, and that "in doing so, the authorities showed their own bias towards members of the LGBT community".

## HEALTH

Access to hormone replacement therapy remained severely limited and unsafe this year, with pharmacies only providing a limited number of options for testosterone and estrogen treatment. In July, the law on illicit drugs was [amended](#) and it now criminalises the possession, commercialisation, and purchase of testosterone with a fine of up to 15,000 RON (3,031 euro) for possession and up to seven years in prison for bringing in testosterone from abroad. The trans community in Romania relies on websites to order hormones from abroad, due to the lack of accessible and affordable supplies.

Since August, a severe lack of ART medication has hit Romania. National Healthcare programs, including the HIV program ran out of funding, resulting in anguish and frequent treatment plan changes, which can induce drug resistance and pose a serious threat to people living with

HIV. During Bucharest Pride 2021, civil society [held](#) a protest at the Ministry of Health, calling for a solution and the adoption of a National HIV Strategy. The Minister of Health committed to adopting a strategy, but Romania's governing coalition was overturned in September, leaving uncertainty about the next steps.

## LEGAL GENDER RECOGNITION

On 19 January, the European Court of Human Rights [found a violation](#) of Article 8 of the European Convention on the right to private and family life in the X and Y v Romania case, because Romania lacked a clear and foreseeable legal framework for legal gender recognition. The implementation of the judgement is under enhanced supervision.

A second similar case was communicated to the government in September, showing that these violations continue to this day.

## PUBLIC OPINION

ACCEPT's public opinion study [found](#) that 68% of Romanians think all families should be protected by law, including same-sex families. 71% thought introducing marriage equality would not have an impact on their own lives. 43% thought that same-sex families should have some form of legal recognition and 26% agreed with introducing same-sex marriage.

Between August - October ACCEPT ran [#ComeOutWithMe](#), the first national coming out campaign. The campaign brings personal stories of LGBTQIA+ people to the public, as 81% of Romanians say they don't know any LGBTQIA+ person. It features 14 LGBTQIA+ storytellers, over 20 influencers, and 300 anonymous coming out stories, and has generated over 15 million views so far.



ROMANIA WEB PAGE  
MORE INFORMATION ON [WWW.RAINBOW-EUROPE.ORG](http://WWW.RAINBOW-EUROPE.ORG)



# RUSSIA

## ACCESS TO ADEQUATE FOOD

Several NGOs continued supporting LGBTI people most affected by the COVID-19 pandemic, by raising funds, supporting relocations, or distributing groceries. For instance, the Moscow Community Center for LGBT + Initiatives provided food and medication. The Center also published a report about the situation of LGBT people during the pandemic.

## ACCESS TO GOODS AND SERVICES

Coming Out collected countless testimonies of LGBT people this year who were harassed by taxi drivers and launched a campaign called #НОЛЬЗВЁЗД: [Eng: #zerostars].

## BIAS-MOTIVATED SPEECH

Coming Out launched a temporary helpline for LGBT\* people during the European Football Championship, which took place in Russia in July.

Dunja Mijatović, the Council of Europe's Commissioner for Human Rights issued a Human Rights Comment in August on the worrying trend of anti-LGBTI backlash across Europe, highlighting the increasingly hostile political rhetoric in a number of countries, including Russia.

The courts ordered the removal of six Telegram channels, which shared the private information of LGBT\* people and exposed them to hate and threats.

In October, the Yeltsin cultural centre issued a statement in support of human rights and equality after a performers during their music festival made anti-LGBT+ statements on stage.

## BIAS-MOTIVATED VIOLENCE

Hate crimes against LGBTI people, including murder, physical violence and extortion were committed again this year (see for instance here and here). The authorities failed to classify them as anti-LGBTI hate crimes.

Coming Out published its 2020 annual report of hate crimes in St. Petersburg, finding a steady rise in numbers.

Helping queer women in the North Caucasus (QWNC) published a monitoring report on violations of the rights of non-heterosexual women and transgender persons

in the North Caucasus. Most violations were recorded in Dagestan and Chechnya; those most vulnerable were between 18-30; and a sharp increase in physical violence has taken place since 2013.

In May, TikTok users who filmed a drag scene in St. Petersburg were assaulted. Activists holding signs that men can also wear dresses were attacked in September.

Several people became victims of fake dates again this year. For instance, two men were detained for assaulting a trans woman on a fake date in February.

A number of positive court judgments were issued this year. Members of a criminal ring abusing LGBT people on several fake dates were sentenced to four and six and a half years, respectively. Another perpetrator in a 2020 fake date case received three years and nine months. A perpetrator in a case of extortion on a set-up date was sentenced to a four and a half year prison term and to pay compensation to the survivor of the crime.

Coming Out filed a case at the European Court of Human Rights (ECtHR) concerning the failure of the authorities to investigate the death of Yelena Grigoryeva, a well-known LGBT activist, who was murdered in St. Petersburg in 2019.

## BODILY INTEGRITY

Stimul LGBT's 2020 annual report documented five cases of conversion therapy just in the Moscow region.

The Moscow Community Centre for LGBT+ Initiatives conducted a survey and interviews with 17 survivors this year and published 'Practices of Conversion Therapy in Russia' in September. The study finds that conversion therapy to change one's sexual orientation or gender identity was most often carried out through religious, psychiatric or medical practices, and sometimes also by school staff.

## EDUCATION

On 5 April, President Putin signed the amendments to the Law On Education, which add the concept of 'educational activities' in formal and informal education and place them under state control. 'Educational activities' are defined very broadly in the law and could cover podcasts, YouTube and other outreach platforms. The law was first tabled in 2020 and caused outrage among academia, scientists,



and civil society. Several NGOs condemned the law and a petition against it gathered close to 250,000 signatures.

In June, the Russian LGBT Network released their findings on school bullying on the basis of 2,000 responses from LGBTI youth aged 13-20. The final study found that many experienced bullying directly from their teachers; that bullying resulted in the plummeting of academic performance; and that students rarely received help - due to the 2013 'propaganda law', teachers and social workers are scared to step up.

## EMPLOYMENT

In February, the courts upheld a 2020 court ruling, which said that firing a trans woman because of her identity and her having changed her gender marker is discrimination.

Coming Out published a resource for employers on the impact of the propaganda law, entitled 'Business as an Ally: A Guide to Creating Inclusive Jobs for LGBT + People in Russia'.

+ QWNC published a study on barriers for LBT people in employment in the North Caucasus.

## EQUALITY AND NON-DISCRIMINATION

The fifth Trans\* Camp took place in Krasnodar in June, bringing together 20 people.

T\*Revers made a number of resources available this year, including for parents of trans people, medical professions working with trans people, and others. In May, Revers also published the book 'Helping Competently, Helping Meaningfully, Helping Carefully, Helping Everyone', for mental health professionals.

Coming Out released a study on the needs of the most vulnerable LGBT\* communities in St. Petersburg with a focus on poverty and access to humanitarian aid. The study included sex workers and people who use drugs, and featured 50 in-depth interviews.

The annual report of the St Petersburg Ombudsman for human rights mentioned human rights violations against LGBT+ people, highlighting threats and insults, the restriction of freedom of expression and assembly, domestic violence, and discrimination as the most common violations.

Stimul LGBT's 2020 annual report documented 74 cases of hate crimes and discrimination based on SOGI in the Moscow region.

QWNC published a study on the coping strategies for non-heterosexual women and transgender people in the North Caucasus, where living conditions and survival paths were recorded.

## FAMILY

On 6 July, the ECtHR ruled in favour of a trans woman in Russia who was denied the right to see her children because of her gender identity and transition. The A.M. and Others v. Russia case marks a landmark in the Court's jurisprudence, being the first case where the Court found a violation of the prohibition of discrimination (Article 14) because of a person's gender identity.

On 13 July, the ECtHR delivered a judgment in the case Fedotova and Others v Russia reiterating states' positive obligation to establish a legal framework for the recognition of same-sex unions, to ensure the effective enjoyment of the rights of private and family life under Article 8. The judgment acknowledged the social reality of same-sex couples' lives in and the conflict the existing legislation creates due to lack of recognition of their relationships: access to rights for a minority cannot be dependent on the acceptance of those by the majority.

In February, the Moscow City Court upheld the legality of the police searching the apartment of a rainbow family in July 2020. In September, Coming Out filed a complaint to the ECtHR concerning the continued persecution of the family, two fathers and their two children, who have since fled to the US.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

On 4 February, brothers Ismail Isaev (17) and Salekh Magamadov (20) were arbitrarily arrested at a shelter in Western Russia, where they had fled to from Chechnya in 2020. Back then, the brothers were detained because of their Telegram channel Osa! Nakh 95, critical of the Chechen authorities, and also because of their perceived SOGI. The brothers were detained and transported back to Chechnya and have been held since - under false terrorism charges and without proof. They have been subjected to psychological torture, physical abuse and held without



access to a lawyer. The case received close international attention: on 8 February, the ECtHR ordered Russia in an urgent appeal to allow the men access to their lawyers and family, and have them examined by independent medical professionals. Isaev and Magamadov were briefly given access to their lawyer, but were later forced to sign a waiver form refusing contact with them, and memorise confessions. On 17 February, six UN Special Procedures mandates questioned Russia on the arrest, detention, abuse, and torture of the two men. In March, their mother turned to the High Commissioner for Human Rights in the Russian Federation, Tatyana Moskalkova. In late March, some of the two men's relatives were also briefly detained in Chechnya.

A similar abduction happened in June, when Chechen police ambushed Khalimat Taramova at the domestic violence shelter and took her back to Chechnya. Taramova fled because of domestic abuse she suffered due to her sexual orientation. On 14 June, the ECtHR requested the authorities to provide information about Taramova's whereabouts and condition. It is feared that she is subjected to abuse and 'corrective rape' and may become a victim of 'honour killing'. In a video, Taramova said she was fine, but she is thought to have been pressured to speak. Taramova is the daughter of a close associate to long-time Chechen leader, Ramzan Kadyrov.

The Russian LGBT Network and the European Center for Constitutional and Human Rights (ECCHR) launched a criminal complaint against five officials who have taken part in the 'anti-LGBT purge' in Chechnya.

## FREEDOM OF ASSEMBLY

Organisers and participants of public events on LGBTI rights continued to face harassment and violence (see under **Freedom of expression**). Activists report that COVID-19 restrictions have become a tool for political repression against human rights organisations and events. In March, 20 teenagers were detained at a cosplay event in St. Petersburg for taking pictures with rainbow flags.

Trans\*fest, organised by T-Action in Saint Petersburg in April, faced harassment when member of parliamentary Committee for the Development of Civil Society, Nikolai Georgievich Zemtsov requested the Prosecutor General to investigate whether the event amounted to propaganda.

Anti-LGBT extremists threatened and then showed up the ArtDoc film festival in Moscow in April, which ended up cancelling their screening of 'Silent Voice', a documentary about a Chechen gay mixed martial arts (MMA) fighter from Chechnya, who fled to Belgium. Authorities and anti-LGBT activists showed up at the opening evening of the St. Petersburg part of the festival, which was later cancelled in its entirety.

Several of Alyona Shvets's concerts were disrupted in different cities by anti-LGBT activists. In July, an LGBT football tournament in Saint Petersburg was disrupted by the police.

On 13 October, the ECtHR ruled in the Sozayev and others v. Russia case that Russia violated the right to freedom of assembly of LGBT+ activists by arresting, detaining, and fining them in 2013 at a protest against the "propaganda" law. On 20 July, ECtHR ruled in the Yartsev v. Russia case that Russia violated Article 10 of the Convention by an unlawful interference with the activist's right to freedom of expression and assembly. On 1 December, the Court ruled in the Berkman v. Russia case that Russia failed to ensure the peaceful conduct of a public meeting in St. Petersburg on Coming Out Day in 2013 and that activist Yelena Berkman's arrest and detention was arbitrary, unlawful, and discriminatory.

## FREEDOM OF ASSOCIATION

For Russian LGBTI groups, along with the rest of the civil society in the country, 2021 started with the arrival of new barriers to their work. On 30 December 2020, several amendments to the existing 'foreign agents' legislation were signed into law. It includes new restrictions to civil society, such as extending the law on 'foreign agents' to individuals and unregistered groups and bringing criminal liability for those repeatedly failing to comply with this law.

Those failing to comply with the law can be sentenced to a maximum of five years in prison. The same day, President Putin signed another law and thus amended the current federal laws on public assemblies which regulate fundraising and spending for public events by law.

On 27 January, the Parliamentary Assembly of the Council of Europe adopted a resolution that urges to "repeal and/or amend legislation that interferes with NGOs' ability to work freely and independently", highlighting Russia as an example.



On 19 February, the Expert Council on NGO Law of the Conference of INGOs of the Council of Europe published an [opinion](#) warning that the new legal changes and those still planned fail the test of compatibility with European standards.

The authorities added numerous NGOs, media outlets, and journalists to their foreign agents registry in the following months. Over 260,000 people [signed a petition](#) against the new provisions of the foreign agents law.

In November and December, the Ministry of Justice [labelled](#) four non-registered LGBT groups as ‘foreign agents’: [Russian LGBT Network](#), [Mayak \(Lighthouse\)](#), [Coming Out](#), and [Revers](#).

## FREEDOM OF EXPRESSION

There were several attempts again this year to block LGBTI-themed websites, including the Russian LGBT Network’s [social media accounts](#), the news and health site [Parni PLUS](#), and social media of the Alliance of Heterosexuals and LGBT for Equality. Parni PLUS was [fined](#) 300,000 rubles. The blocking of Alliance’s social media was successfully appealed in court by Stimul LGBT group. Their social media pages had to be [unblocked](#); the case continues in a local court.

Three out of four venues cancelled on [QueerFest](#) after receiving threats from anti-LGBT activists.

The Russian LGBT Network [reported](#) in January that the Federal Security Service (FSB) was involved in launching at least four ‘propaganda’ cases, including that against Yulia Tsvetkova (see below). Such actions fall clearly outside the mandate of the FSB. The Network filed a complaint to the Prosecutor. The reports also flag that the FSB has requested that its mandate is extended to cover “activities to ensure the information security of the Russian Federation in the information and psychological sphere”, which remains undefined as of now.

On 10 March, a Moscow District Court ordered the blocking of a video about same-sex adoption. In July, the Moscow City Court [overturned](#) the ruling and returned the case to the District Court. In September, the District Court [agreed](#) and the prosecutor dropped the charges.

The UK film ‘Supernova’ was first [censored](#) by a number of Russian cinemas, by cutting a three-minute sex scene

between a married gay couple, but due to public pressure was then re-released in its original form in April. A film about the Swedish author Tove Jansson was [released](#) in cinemas this year - no difficulties were reported.

In May, a prosecutor [filed charges](#) against Dolce & Gabbana, asking the courts to ban their ad, which featured two women kissing.

The food shop VkusVill featured a rainbow family on their ad for ‘Family Happiness Recipes’ and received serious backlash from customers and commenters. The family itself received countless death threats and [fled](#) the country soon after. VkusVill [published](#) an apology to its customers in July saying the ad was a “mistake”, which was criticised by LGBTI people and allies.

On 1 July, the President [signed](#) into law an amendment that introduces criminal liability for links with ‘undesirable organisations’. Previously, only leadership or repeated activity was punishable, but the new amendments also cover any ‘participation’ and ‘financing’.

[Yulia Tsvetkova](#), artist and activist, [continued](#) to be persecuted this year for her drawings of rainbow families and the feminist blog and social media group she ran. Yulia’s social media work focuses on bodies, menstruation, and other harmless topics. On 12 January, she was [again](#) charged with ‘distribution of pornography’ in connection with online dissemination of her feminist drawings. This is the fourth time that the Investigative Committee indicted Yulia on these charges. Yulia spent several months under house arrest in 2020, and was put through dozens of interrogations and a psychiatric examination. She is still under gag order and cannot leave her town. In May, Yulia went on a six-day hunger strike to demand a speedy and fair trial after two years of investigation. During the latest hearing on 6 May, the judge denied Yulia’s request to bring in a public defender. The trial was once again postponed due to absence of prosecution’s witnesses. Yulia could face up to six years in prison. She continues to regularly receive death threats, and her formal complaints to the police are met with complete indifference and inaction. Over the past few years, Yulia’s case was closely followed by national and international [media](#), the public, and human rights organisations (see [here](#), [here](#), [here](#), and [here](#)).

In November, TV channel Muz-TV [was fined](#) 1 million roubles for “propaganda” during a live-streamed Muz-TV Award ceremony. The expert statement that informed the court decision referred to appearance, clothing, and



statements of some of the celebrity guests of the ceremony as “promoting non-traditional sexual relations”. In November, the website and online movie theatre by Side by Side LGBT Film Festival were blocked in Russia by the Russian media monitoring agency. Later the Ministry of Culture denied the Festival’s request to be listed among accredited international festivals of 2022. Festivals outside of this list need to apply for rental licences for each film separately - a barely implementable procedure. Side by Side will appeal both decisions in court.

## HEALTH

Mayak held four training sessions for doctors throughout the year on working with LGBT clients and made a number of resources (see here and here) available.

COVID-19 lockdowns continued to dramatically impact LGBTI people, and particularly young people. CSOs continued providing mental health support.

T\*Revers launched a helpline for LGBT people in January, providing psychological and legal aid.

From 1 September onwards, sexology is no longer listed as a medical activity in Russia, which means that those with non-medical training can also provide services. Civil society expressed concern about the new regulation, fearing it will result in substandard care, for instance for trans people who need an expert opinion of a sexologist to access legal gender recognition. NGOs filed an appeal.

T-Action continued partnering with state institutions to run professional training courses for medical professionals, psychologists, sexologists, and other helping professionals. Dozens of professionals across Russia and neighbouring countries have participated and learned about trans-ethical care.

## HUMAN RIGHTS DEFENDERS

Journalist Anna Mongait faced threats after she released an interview with a lesbian couple.

Human rights defender Valentina Likhoshva received death threats after receiving the 2021 Stoltenberg Prize. The police refused to investigate.

Co-founder of the Russian LGBT Network and former director of its partner - Sphere Foundation, Igor

Kochetkov, was designated a ‘foreign agent’ by the Ministry of Justice and was subject of a smear campaign in state-funded media.

## LEGAL GENDER RECOGNITION

Trans people continued to experience difficulties accessing legal gender recognition during the pandemic.

The case of a trans woman in Yekaterinburg was reported in August, who was denied the right to change her first name. Russian regulations allow for name change, and does not prohibit name change prior to legal gender recognition. The authorities argued that not everything is allowed that is not prohibited by law.

The government has not responded to Coming Out and T-Action’s 2020 plea for the simplification of the LGR process.



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# SAN MARINO

## HEALTH

On 26 August, the parliament approved the new Welfare Plan for the period of 2021-2023, which includes general anti-discrimination measures but not targeted actions regarding LGBTI people.

## SEXUAL AND REPRODUCTIVE RIGHTS

On 26 September, San Marino's referendum on abortion resulted in 77% of voters supporting legalisation. Minister of Interior Elena Tonnini called on the parliament to amend the relevant laws. On 11 October, the government requested three Secretaries of State (Interior Affairs, Justice, and Welfare) to prepare the necessary legal changes.

## BIAS-MOTIVATED VIOLENCE

In July, a well-known radio DJ of San Marino spoke publicly about a homophobic attack he suffered in neighbouring Italian town, Pesaro, 50 kilometres away from San Marino. A group threw fruit at him and a friend on the street. The DJ received words of support and solidarity online.



SAN MARINO WEB PAGE  
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# SERBIA

## ACCESS TO GOODS AND SERVICES

On 13 April, the Novi Pazar High Court determined that a restaurant in Pazarisht discriminated against a group of women who had participated in the Impuls festival and carried rainbow flags, when it denied them entry. In 2020, the Commissioner for Protection of Equality had already issued a similar opinion and requested the restaurant to issue a public apology, which has not happened to date.

## BIAS-MOTIVATED SPEECH

Trans exclusionary radical feminists participated in the Belgrade Pride march, with anti-trans banners.

## BIAS-MOTIVATED VIOLENCE

In its annual hate crime report, NGO Da se zna! documented 52 cases of anti-LGBT hate crimes, hate speech, and discrimination in 2020, marking a decrease compared to 2019 (63). Civil society believes this could be due to the COVID-19 pandemic and restrictions in place.

On 17 September, Belgrade Pride's location was vandalised by a far-right group. The police detained the suspects.

On 23 December, the Pride Info Centre was vandalised with graffiti and pictures of Ratko Mladić. Inscriptions read "Ratko Mladić Serbian Hero" and the Belgrade Pride - EuroPride 2022 logos were crossed out. This is the 11th time the Pride Info Centre has been vandalised, and so far there have been no prosecutions, despite being located in an area with heavy security due to proximity to government buildings. Despite camera footage, there have been no arrests thus far.

## DATA COLLECTION

In January, NGO Da se zna! published "The right to leave you alone: A Guide to the Protection of the Personal Data of the Queer Community".

Despite numerous recommendations from the European Commission against Racism and Intolerance (ECRI), the Council of Europe, and the EU, Serbia still does not gather data on anti-LGBTI hate crimes.

## EQUALITY AND NON-DISCRIMINATION

In May, the parliament amended the Law on Prohibition of Discrimination and added 'sex characteristics' as a protected ground. The process started back in 2019, so civil society welcomed the step.

The parliament also adopted the Law on Gender Equality

in the same month, prohibiting discrimination on grounds of sex, gender, and sex characteristics and lists among vulnerable groups those who "find themselves in an unequal position" due to their sexual orientation or gender identity.

There is still no new Anti-discrimination strategy in place, since the previous one expired in 2018. On 10 December however, Minister of Human and Minority Rights and Social Dialogue Gordana Čomić announced the government would adopt a Human Rights Strategy.

## FAMILY

The Working Group, set up by the Ministry of Human and Minority Rights and Social Dialogue in February, presented a draft Law on Same-Sex Unions in the spring. The Working Group conducted brief public consultation and only met six times. Civil society raised a number of concerns about the draft law and reiterated its recommendations several times. Labris for instance, presented a Model Law on Civil Unions in 2020.

The 2021 draft law establishes different standards for same-sex couples entirely. First, registered partnership could only be dissolved through a public notary, rather than a state registrar, which means same-sex couples would have to pay for this service. Second, same-sex partners would not have the right to maintain personal relations with the child of their former partner. Third, non-registered unions would be regulated differently. An unmarried (heterosexual) couple is considered after one year to have the same rights as married (heterosexual) couples if their relationship is deemed more "permanent", for example if they want to have a child or buy an apartment together. For same-sex couples this made possible under the draft law, but with a longer waiting period of 3 years.

In May, the Council of Europe published a legal opinion on the law, upon the request of the Serbian government, and reiterated these concerns - among others.

In May, the Serbian President stated that if the same-sex partnership law were to pass in Parliament he would veto it.

In November, Minister Čomić said that the draft law, which includes all comments from the Council of Europe, is ready for adoption by the government. Civil society is concerned however that the draft has not been made public or shared with the Working Group.

In December, Labris held a meeting with Prime Minister



Brnabić, who said the law should be adopted in May 2022, after the elections.

## FOREIGN POLICY

In May, Serbia's Ambassador to Poland, Nikola Zurovac was fired after expressing support for the Polish LGBTI community.

## FREEDOM OF ASSEMBLY

June's Pride month was held both in-person and on Zoom and featured a great variety of events and topics, such as intersex people's rights, safer sex, LGBT+ history in Serbia, and others.

Belgrade Pride week was held between 13-19 September. The Pride march on 18 September took place without incidents. There was heavy police presence at the march, which drew criticism from civil society. Pride events were attended by government representatives, MEPs, international institutions, and civil society.

Civil society fears that the new Law on Environmental Noise Protection, adopted on October 7, may be an obstacle to obtaining approval to hold public gatherings.

## FREEDOM OF ASSOCIATION

Collective Wave TIGV (Kolektiv Talas TIRV), run exclusively by trans, intersex and gender variant people, was formally registered as an NGO in July.

Trans-led L-Communio, founded in 2020 and catering to LBT women, non-binary, genderfluid and intersex people, was formally registered in December.

## HEALTH

Labris published "A handbook on protection measures during the COVID-19 crisis for LGBTI people", covering healthcare, free legal aid, housing, unemployment, and vaccine access, among other key topics.

The COVID-19 pandemic continued to have a serious impact on the trans community. Similar to other countries in the region, Serbia continued to struggle with a shortage of hormones. Due to their socio-economic marginalisation, trans women in particular have reported being unable to access and afford hormones. Civil society reports that medical appointments continued to be difficult to schedule and surgical procedures were postponed.

## HUMAN RIGHTS DEFENDERS

The report "Community (self)organizing of transgender movement in Western Balkans region" was published in March and features a chapter on the state of the trans movement in Serbia.

CSOs continued experiencing funding problems due to the COVID-19 pandemic as many funders withdrew or put their funds on hold. CSOs had to continue with new ways of functioning, adjusting activities to online spaces, finding new channels of communication with communities, creating new forms of activities and support.

Labris held the 'LGBTI Activism in Serbia, Today' conference between 19-21 November, focusing on same-sex partnership legislation, the security of LGBTI people, trans rights issues, LGBTI youth, and others.

## LEGAL GENDER RECOGNITION

Civil society continued calling for a legal gender recognition law that provides for a model based on self-determination.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The 13th Merlinka Queer Film Festival was held in December, in both Belgrade and Novi Sad, showing over 80 films.

## PUBLIC OPINION

A 2021 report of the UCLA Williams Institute (based on 2017 data) found that despite only 0.01% of Serbians knowing they have a trans friend or family member, 60% thought that trans people should be protected from discrimination and 64% thought that trans people should have access to gender-affirming surgeries.

## SEXUAL AND REPRODUCTIVE RIGHTS

The Ministry of Health amended the Rulebook on criteria and conditions for donating gametes or embryos, which now allows for LGBTI people to be donors.



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# SLOVAKIA

## BIAS-MOTIVATED SPEECH

Dunja Mijatović, the Council of Europe's Commissioner for Human Rights issued a Human Rights Comment in August on the worrying trend of anti-LGBTI backlash across Europe, including in Slovakia. The National Council became a space for anti-LGBTI hate speech this year. MPs called LGBTI people "deviants" and their families "perverted environments" where children are victims of sexual abuse. The LGBTI Rights Committee, a governmental advisory body, called for a code of ethics for the parliament and waiving MPs' immunity in the case of hate speech.

Polish priest Dariusz Oko's book on how the "homolobby" threatens the Church was endorsed by the Slovakian Christian Foundation and published with a preface by the Archbishop of Trnava, Ján Orosch. Oko was invited to present his book in several cities.

## BIAS-MOTIVATED VIOLENCE

Civil society warned about the consequences of the growing anti-LGBT political rhetoric and the inadequate response to hate crimes by law enforcement. In July for instance, teenagers verbally harassed and then beat up two men they perceived as gay, in Bratislava.

In December, the Ministry of Justice issued accreditation to inPoradňa, the first ever counselling centre for LGBTI people in Slovakia, operated by the Iniciatíva Inakosť. The centre will provide counseling to victims of anti-LGBT hate crimes.

## DATA COLLECTION

Inakosť encouraged cohabiting same-sex couples to mark their relationship status in the census. While the census only asks about whether respondents are in a marriage, which is only possible for heterosexual couples, it does ask respondents if they live with anyone and if that person is a man or a woman.

## EQUALITY AND NON-DISCRIMINATION

Extremist rhetoric across the political spectrum has greatly increased over the past two years, since the 2020 elections. During the October parliamentary session, five legislation proposals were tabled by MPs, who were previously members of the far-right party ĽSNS (People's Party Our Slovakia) and now represent the far-right

Republika party. These include proposals to amend the Constitution saying that gender at birth cannot be changed and that a father is a man and a mother is a woman; to establish that the state can protect gender at birth and the the promotion of "homosexuality, gender reassignment and deviation from gender identity acquired by birth" must be banned from schools, in advertising or broadcasting; to ban legal gender recognition; to ban the display of rainbow flags on state buildings (see under **Family** and **Legal Gender Recognition**).

In lack of clear support from the centre right governing party OĽaNO, none have been passed yet. Nonetheless, the proposals resembling the Hungarian propaganda law received votes from dozens of MPs, including the leader of the social democrat Smer, Robert Fico. Several MPs from ruling parties Sme rodina and OĽaNO have publicly declared their support for the repressive laws. The further tabling of such laws is expected in the near future.

The Slovak National Centre for Human Rights, Slovakia's equality body, published an expert opinion finding that excluding those who have a psychiatric diagnosis of being trans from insurance of mortgages or other loans is discriminatory. The Centre called on insurance companies to remove the restriction. Incoming director Silvia Porubánová was the first representative of the Centre to speak at Dúhový PRIDE Bratislava this year.

## FAMILY

In March, 44 MPs supported Constitutional amendments that would define family as a unit of a man/father and a woman/mother, following Hungary's example. Those in support included MPs of ĽSNS, and also 26 members of the government and three MPs of Smer. More than 4,000 professionals, including school psychologists, social workers, and teachers condemned the move. A petition was also launched by parents, family members, and friends of LGBTI+ people, and was signed by almost 10,000 people. President Zuzana Čaputová met with some of the parents and pledged not to sign the law.

The Ombudswoman again called for legal recognition for same-sex couples in her IDAHOBIT statement on 17 May and her annual report.

Following the new government's 2020 promise to adopt legislation on inheritance and property rights for couples cohabiting and same-sex couples, little to no progress



took place this year. A group of MPs from the governing party Freedom and Solidarity (SaS) planned to publish a draft law in September, but the process was delayed. In the end, opposition MP Tomáš Valášek (Progressive Slovakia) submitted a bill in October, to recognise life partnership for couples of any gender. Only seven MPs supported the proposal, the lowest number in the history of similar proposals.

## FOREIGN POLICY

On 13 May, the family affairs ministers of the Visegrád Four (Czechia, Hungary, Poland and Slovakia) signed a 'Declaration Pro Familia' to commit to supporting 'families'.

Slovakia did not join the 17 EU Member States who jointly condemned Hungary's new propaganda law banning the discussion of LGBT topics in front of minors. Nonetheless, President Zuzana Čaputová spoke out against the law in July.

Pope Francis' visit to Slovakia in September received some pushback from conservatives in the country who are concerned about the Pope's accepting stance towards LGBT people.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, Bratislava Pride was celebrated both online for the second year. Ombudsperson Mária Patakyová supported the event again this year and raised a rainbow flag outside her office and the President also participated in some events. Bratislava's Mayor Matúš Vallo, the governor of Bratislava Self-Governing Region Juraj Droba (SaS), Justice Minister Mária Kolíková (Za Ľudí, now SaS), MEP Michal Šimečka (Progressive Slovakia), and State Secretary of the Culture Ministry Radoslav Kutaš were all in attendance and contributed with speeches.

## HEALTH

In 2020, the third Minister of Health refused to sign the Professional guidelines to unify medical procedures for issuing medical opinions on gender reassignment. Medical professionals state they do not want to provide trans healthcare services, without the guidelines being adopted. In March, civil society sent a joint letter urging the Ministry to sign the guidelines, highlighting the mental health toll of the delay on trans people.

## LEGAL GENDER RECOGNITION

In mid-March, one third of Slovakia's MPs supported amendments to the Constitution that would ban legal gender recognition (LGR), following Hungary's example. Hundreds of professionals, including psychologists, school psychologists, social workers, educators, lawyers signed a joint statement condemning the move. Civil society demanded the parliament to take a stand against the amendments. Inakost sent a letter to each MP and shared testimonies of young trans people about the possible impact of a ban on LGR. Inakost kept publishing testimonies throughout the summer.

The Minister of Health's refusal to sign the Professional guidelines to unify medical procedures for issuing medical opinions on gender reassignment (see under **Health**), means that trans people's access to legal gender recognition (LGR) has continued to be jeopardised. The guidelines abolished forced sterilisation and other medical interventions as requirements for legal gender recognition (LGR), and were developed jointly by medical professionals and trans advocates.

The Ombudswoman called for LGR legislation in her IDAHOBIT statement on 17 May.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Jakub Pružinský, the 2018 winner of Slovakia's music competition "Superstar" came out as gay in February.

The Slovak Queer Film Festival took place in October under the auspices of the President, who also attended the event.

## PUBLIC OPINION

A survey in March on public attitudes in Czechia and Slovakia found that Slovaks are less accepting of LGBT, but more accepting of immigrants.



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# SLOVENIA

## BIAS-MOTIVATED SPEECH

In March, MP Branko Grims (Slovenian Democratic Party - SDS) stated during a parliamentary debate that all “LGBTI and cultural marxist indoctrination” must be banned from school and instead, “real” Slovenian tradition and culture should be taught.

The organisers behind the Family Festival stated in an interview in August that although they were not against same-sex couples, they were against ‘LGBT ideology’ as it aims to “appropriate children” and “adopt children” by “skipping the line”. Igor Vovk is the director of Institute Iskreni, who are known for their anti-LGBTI beliefs. The Institute says that homosexuality “can be cured”, that abortion should be banned, and has also advocated against COVID-19 vaccines.

## BIAS-MOTIVATED VIOLENCE

Legebitra documented six and TransAkcija three hate crimes this year, through their online platforms.

## EDUCATION

Legebitra’s study ‘LGBT youth – let’s break the silence in schools!’ found that one in four LGBT young people in Slovenia witnessed anti-LGBT remarks in school and that in most cases teachers either did not intervene or did so inefficiently.

In June, Legebitra and Ljubljana Pride held an event focusing on the results of the study as well as best practises and recommendations.

## EQUALITY AND NON-DISCRIMINATION

The government, led by far-right Janez Janša, continued the crackdown on journalists and civil society this year. Civil society continued holding mass demonstrations. Civil society remains concerned that Slovenia is following in the footsteps of Hungary and Poland.

TransAkcija published its report on ‘LGBTQI+ people and coming out’, which presents the main findings of a coming out survey in which 477 LGBTQI+ persons participated. The survey examined how people come out, finding for instance that 22% came out through the usage of emojis on social media and 18% through social media posts. Respondents said it was the hardest to come out to their mother (62%) and father (58%).

Transakcija also shared another publication this year, featuring the answers to their coming out survey question: “What would you say or advise someone who has not come out?”. The resource is an empowering collection of supportive messages.

## FAMILY

On 1 March, the government and the Legislative and Legal Service of the National Assembly presented their position on family rights issues, stating that the current legislation does not discriminate against same-sex couples in terms of marriage or adoption rights. Civil society responded with criticism.

## FOREIGN POLICY

Slovenia refused to join other EU countries in speaking out against Hungary this year after the Hungarian government introduced a propaganda law to ban the discussion of LGBT issues in front of minors. Slovenia’s opposition criticised the government.

## HEALTH

In April, Legebitra launched its report ‘Transgender people during the Covid-19 pandemic: access to health services’. The report calls for demedicalising legal gender recognition, training healthcare professionals, and guidelines on trans healthcare facilitate the work of the interdisciplinary team set up by the Ministry of Health and the University Psychiatric Clinic Ljubljana in 2020. The interdisciplinary team met once in 2021, namely in January - further meetings were planned, but always postponed, much to civil society’s concern. TransAkcija also reported difficulties in cooperation, for instance when requesting information about medical procedures only the team knows about.

## HUMAN RIGHTS DEFENDERS

The increasingly hostile political situation (see under **Equality and Non-discrimination**) continued to place a lot of burden on LGBTI organisations. In February for instance, the governing party SDS sent out a questionnaire to all Slovenian households with stigmatising and scapegoating language about NGOs and the media.

Civil society remained concerned about the negative attitude of the new government towards LGBTI organisations and how that has played a role in the



distribution of funds, for instance in the case of Norwegian grants. Civil society reported that while funding calls did not specifically exclude LGBTI organisations, they made it very difficult for smaller organisations to apply. For instance, some funding calls required that the applicant had at least 50 members and provided documentation proving this. Civil society successfully lobbied for the removal of this requirement, which was not part of the original agreement between Norway and Slovenia, and was also a violation of GDPR regulations.

In October, a European Parliament delegation visiting Slovenia issued a [statement](#) of concern over the ongoing intimidation and pressure on civil society. Prime Minister Janez Janša [called](#) the MEP delegation “Soros puppets”.

## LEGAL GENDER RECOGNITION

Civil society continued to be excluded from the legal gender recognition (LGR) working group this year, which was [set up](#) by the Ministry of labour, family, social affairs and equal opportunities in 2019. The working group is reported to have finalised its analysis on the legal situation, but this was not published and no further developments took place.

On a positive note, the Government published official forms in July, through which individuals can request their gender marker change. These forms did not exist before, either in physical or online form. The form is also accessible for minors, which civil society saw as an important affirmation that minors can indeed access LGR and not just on an ad hoc basis as before.

## POLICE AND LAW ENFORCEMENT

Legebitra continued its cooperation with the police on hate crime training this year, and the establishment of LGBTI liaison officers. Legebitra reported that the training is going well and hopes that leadership within the police will maintain and strengthen its commitment to the program.



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# SPAIN

## ACCESS TO GOODS AND SERVICES

A gay couple was told to stop displaying affection in a San Sebastian bar in July.

## ASYLUM

The situation of LGBTI asylum seekers did not improve this year. The NGO Kifkif warned about a new rise in HIV infections among trans asylum seekers, the underreporting of discrimination and violence that LGBTI asylum seekers must endure, and a lack of access to social and healthcare services. Kifkif and many other NGOs also criticised the draft legal gender recognition (LGR) law (see under **Legal Gender Recognition**), which does not include migrants, asylum seekers, and refugees in its scope.

## BIAS-MOTIVATED SPEECH

Anti-trans rhetoric continued to gain more ground in Spain as the negotiations about the legal gender recognition law (see below) resumed this year. In January, the Observatory Against Homophobia of Catalonia (OCH) filed a complaint against the historic feminist leader Lidia Falcón for linking homosexuality with pedophilia. In March, the Women's Day poster of 8M and its creator, were targeted by transphobic speech and harassment in Zaragoza. In April, trans organisations called for the resignation of Deputy Prime Minister Carmen Calvo, who made anti-trans statements in relation to the trans law (see under **Legal Gender Recognition**). In July, Calvo was one of seven ministers removed from office, but it is not known whether her removal was connected to her anti-trans stance.

As a positive development, over 500 women and 80 feminist organizations published a manifesto in January to stand in support of trans people.

An alarming video emerged in July, where four young people are talking about how they would kill and hurt LGBT people.

A neo-Nazi demonstration was held in September in Madrid's Chueca district, supposedly to protest against the Government's 2030 and 2050 Agenda, but featuring homophobic and racist chants.

Lambda launched the AI Loro page, where online hate speech incidents can be reported.

Two police officers were convicted of homophobia by the

Supreme Court, and one will serve three years and five months in prison.

## BIAS-MOTIVATED VIOLENCE

Hate crimes continued to be a serious issue in Spain this year.

The annual report of the Ministry of Interior documented 277 anti-LGBT hate crimes in 2020 (2019: 278), while NGOs continued calling for comprehensive hate crime legislation that protects LGBTI people. The Ministry published a guide on good practises in the fight against hate crimes.

Coruña's Observatory against LGBTI-phobia published its third annual report, finding an increase in cases.

Several hate crimes took place again this year in Madrid, Vitoria, A Coruña, Alicante, and Barcelona.

A young gay man, Samuel Luiz was brutally murdered by a group of seven in A Coruña in July. The homophobic murder sparked demonstrations and public outcry across the country, some of which were met with police violence. Following the murder, the office of the HIV Committee of A Coruña was attacked during the local Pride celebrations. The anti-LGBTI murals and graffiti were also common this year. Several benches painted with the LGBTI flag colours were vandalised in small villages.

The police arrested parents in Valencia after they threatened to kill their daughter's girlfriend, a minor.

A 20-year-old girl committed suicide in December, after facing continued homophobic cyberbullying and having filed the first police report in August.

## DATA COLLECTION

In March, Catalonia's Parliament included for the first time four gender options in the registration form of new deputies. These options were 'man', 'woman', 'non-binary' and 'prefer not to answer'. The move is to implement the Gender Equality Plan, which sets out the inclusion of a gender perspective in data collection efforts.

## EDUCATION

In January, the NGO Chrysallis published "Guide for Teachers: Education in Diversity and Equality", focusing on creating a safe and inclusive school environment for trans youth.



Thanks to Chrysalis's continued advocacy, Andalusia's online school platform finally provides recognition for trans students, who can enter the name and gender that corresponds to their identity.

Students taking university entrance exams are now able to use their social name on their application form.

Chrysalis, FELGTBI+ and Fundación Triángulo urged the Minister of Equality to ensure students' rights to relationship and sex education and to prevent the parental veto, as proposed by the far-right Vox party, from being introduced.

The University of Barcelona Faculty of Medicine introduced a new subject this year on the provision of healthcare services to trans people.

A Castellón substitute judge ordered the removal of 32 LGBTI-themed books from libraries and educational centres, following the request of an ultra-conservative association. The ruling was overturned a few days later. FELGTBI+ and others are filing a complaint to the General Council of the Spanish judicial authority.

## EMPLOYMENT

On International Lesbian Visibility Day in April, FELGTBI+ published a study finding that one in ten had left their jobs because of discrimination and that one in every four LBTQ women were discriminated against at work.

The City of Madrid, in cooperation with the trans NGO Transexualia published guidelines for employers on trans inclusion in May.

FELGTBI+ launched a nationwide trans-focused job inclusion program called 'YesWeTrans', which aims to reduce the alarming unemployment rates amongst trans people and raise awareness of the problem with the 30 or so companies involved in the program.

On 2 June, the Supreme Court ruled in favor of sex workers and affirmed their right to form unions.

## EQUALITY AND NON-DISCRIMINATION

FELGTBI+ welcomed the overruling of a problematic judgment in June, which imposed a fine on a man who hid his sexual orientation from his wife.

## FOREIGN POLICY

In January, the government presented its 2021-2024 Foreign Action Strategy and Feminist Foreign Action Strategy, which mainstreams gender and LGBTI issues in its actions.

## FREEDOM OF EXPRESSION

Legal rows over the display of rainbow flags continued this year. Courts in Zaragoza and Sevilla ruled that the municipalities cannot raise the rainbow flag. Using the Supreme Court's ruling as an excuse, the City of Madrid did not display the flag at the city hall this year and did not use the 700-metre rainbow flag the municipality purchased in 2020.

## HEALTH

The mental health toll of the COVID-19 pandemic continued to be concerning and the poor state of mental healthcare was debated widely this year. FELGTBI+'s helpline reported a 266% increase in the number of trans people, especially youth and elderly, calling in for help during the COVID-19 pandemic and supported 7,153 in 2020.

FELGTBI+'s study found that only 12% of people living with HIV were open about their HIV status in all areas of their life, and that the most common reason for non-disclosure was fear of rejection.

In January, FELGTBI+ published a comprehensive report about the experiences of trans women in accessing trans healthcare services.

Hormone shortages have caused problems in several European countries this year, including in Spain. Trans organisations called on the Ministry of Health to urgently remedy the shortage.

Even though there are several regional laws in Spain that depathologise 'homosexuality' and being trans, in the absence of a comprehensive law, pathologisation is ongoing. For instance, a gynecologist in Murcia diagnosed a patient with 'homosexuality' this year.

Conversion therapies continued to be reported.



## HUMAN RIGHTS DEFENDERS

Civil society reported the harsh impact of the COVID-19 pandemic on LGBTI people and particularly trans people, in terms of loss of income, isolation, and loneliness. LGBTI helplines reported an increase in the number of those reaching out for support.

In March, the Madrid headquarters of the LGBTI group COGAM were vandalised with transphobic slurs.

## LEGAL GENDER RECOGNITION

In January, the Equality Minister presented a new government draft of a federal LGR law, which was backed by civil society. Nonetheless, the process was stalled afterwards, and a group of trans activists and their families went on hunger strike until another draft bill was finally registered in March by a group of regional political parties. This draft bill, which included non-binary markers in identity cards, was rejected on May 18th.

The socialist party proposed to require witnesses, reports, documentation and the approval of a civil servant. These limitations were criticised by civil society in April. Countless demonstrations took place demanding a human rights-based LGR law. The campaign Exigimos la igualdad trans, to circulate the trans flag across the 17 autonomous regions continued and was signed by representatives of more than 30 public institutions, including regional parliaments and governments.

Eventually, the government draft bill was adopted on 29 June, setting out self-determination for those 16 or over. Trans people will have to register their application, wait for up to three months, and then re-affirm their desire for LGR. Trans youth between 14-15 will need to apply with their legal guardians present and a judicial process is proposed for those aged 12-13. LGR will not be available to those under 12. Migrants residing in Spain and non-binary people will also be unable to access LGR. These limitations were highlighted by civil society as a failure of the government.

In May, the Canary Islands joined nine other Spanish regions that have a self-determination model in place.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

A street in Sevilla will be named after Mar Cambrollé, a famous trans activist in Andalusia. Similarly, the outstanding trans activist and first trans woman working as a member of a regional parliament in Spain, Carla Antonelli, also had a street named after her in her hometown, Güímar (Tenerife).

In April, the Swimming Federation suspended a waterpolo player for calling an opponent “fag”. This was the first such suspension. The new draft Sports Law sets out that discrimination against LGBTI people in sports is prohibited. Víctor Gutiérrez, the openly gay waterpolo player who suffered the insults and reported them to the federation, was appointed as LGBTI Secretary within the executive board of the socialist party (PSOE).

## POLICE AND LAW ENFORCEMENT

A military court in A Coruña has ruled against four members of the Guardia Civil, a police force which is part of the military, for slandering and humiliating a gay colleague for four years.

Following the brutal murder of Samuel Luiz, the Ministry of Interior called the Monitoring Committee for the Action Plan against Hate Crimes, chaired this time by the Prime Minister. As an outcome, two hate crime groups were set up in the civil guard and the police, Spain’s two law enforcement bodies.

## SEXUAL AND REPRODUCTIVE RIGHTS

In November, the Health Ministry extended access to IVF treatments for single, lesbian and bisexual women and trans people.



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# SWEDEN

## ASYLUM

New asylum regulations were adopted in June, despite civil society's concerns on the changes over the past months. The law makes temporary residence permits the default for refugees and makes it significantly more difficult for anyone to acquire permanent residence in the country. Sweden has made its migration policies stricter in general, sparking concern among non-EU citizens this year.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

A study on the National Partisan Movement, a new international hate group that emerged in 2020, found that two out of three of its leaders are Swedish youth.

The 2020 national hate crime statistics report found that the police documented 471 anti-LGBTI hate crimes last year.

## BODILY INTEGRITY

RFSL published the anthology "Us too" ("Vi också"), including testimonies of sexual abuse among LGBTQI people.

In July, a staff member of RFSL Stockholm was convicted of rape and sexual assault against a number of asylum seekers who turned to the organisation for support. The perpetrator was sentenced to three years and four months in prison. The case received a lot of public attention, including internationally. RFSL has responded by introducing new guidelines and training within the organisation. RFSL Stockholm is said to have received internal reports before the cases were reported to the police.

## EDUCATION

RFSU and RFSL's sex ed guide for trans people was found in a middle school in Umeå and sparked harsh debate. RFSU affirmed that the guide was not aimed at middle school students and offered other materials that are age appropriate.

## EQUALITY AND NON-DISCRIMINATION

In January the government presented its LGBTQI Action Plan for 2020-2023, which includes measures to address discrimination against intersex people and to respond to suicide rates. Civil society expressed concern about the

lack of clear prioritisation of the legal gender recognition law reform and improvements on asylum.

## FAMILY

In June, the parliament voted on a new law, which will make the presumption of parenthood automatic for all couples who are married and have a child in Sweden, regardless of gender. The law takes effect on January 1, 2022. This is a huge step forward and will stop the current discrimination of trans men who become parents in Sweden.

Sweden still differentiates between same-sex and different-sex couples when it comes to parenthood recognition to a child born and registered abroad. An investigation has suggested a new law that would change this for the better if it is adopted. In April, RFSL filed a case to the European Court of Human Rights in the case of UK-Swedish lesbian couple, who have struggled to have their parenthood recognised for years.

The government commissioned a study this year as part of the investigation into the Family Act to address the situation of children who have more than two important adults in their life. Interviews were conducted with families containing both legal and social parents.

## FREEDOM OF ASSEMBLY

World Pride took place in Malmö (SE) and Copenhagen (DK) this year with a range of events running in August.

## HEALTH

The waiting times for trans-specific healthcare remained very long, with a roughly two-year wait period for a first appointment at the gender clinics. In the beginning of the year, the National Board for Health and Welfare decided to classify gender-affirming care as so-called "national specialised health care" from 2022 onward and the number of teams working with trans people will be reduced from seven to three. The aim is to make this care more equal and to better connect it to research. However, civil society expressed severe concern about the consequences on trans people's well-being.

The Swedish National Board of Health and Welfare was expected to publish its new guidelines on hormone treatment for youth this year, but the publication is now planned for 2022.



A number of Swedish hospitals stopped giving puberty blockers and gender affirming hormones to trans youth, followed by [criticism](#) and [concern](#) among civil society. Persons with an ongoing treatment were not affected – only minors waiting to access hormone treatment. Karolinska Hospital was the first to do so, stating it would resume care in the context of a clinical trial, but no such research project is yet planned. The Swedish Association for Transgender People's Health (SFTH) wrote an [open letter](#) to Karolinska regarding its harmful decision, which has been already [replicated](#) by three more healthcare units in the country. The SFTH called on the hospital to revoke the policy change and provide trans healthcare services to trans youth.

Sweden's plan to reduce the mandatory deferral period for blood donation among men who have sex with men was [reduced](#) from one year to six months, instead of the four months that was the original suggestion. Civil society [remains](#) concerned and has continued to lobby for a much shorter deferral period, and for a focus on risky behaviours instead of risk groups.

RFSL's new study [found](#) that a third of those who would need PrEP do not know where they could access it.

## INSTITUTIONAL SUPPORT

The government [allocated](#) targeted funding for LGBTQI organisations' meeting places, particularly [for](#) LGBTQ youth. The government also [continued](#) to allocate funding this year to combat increased vulnerability during the COVID-19 pandemic, supporting organisations who work on domestic violence or support abused women and children, LGBTQ communities, or victims of honour-related violence.

The parliament increased the national HIV budget by 25 million SEK this year (approx. 243,000 euro), to be used mainly for regional prevention measures from 2022 onwards.

## LEGAL GENDER RECOGNITION

Legal gender recognition reform continued to be stalled for most of the year and civil society continued to be concerned about the delay. In September however, Prime Minister Stefan Löfven affirmed at the opening of the parliament's autumn session that a new law shall be adopted before the general election in 2022. A draft bill

was presented by the Government in November, and is out for commentary until Feb 2022.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The Swedish Athletics Association announced in June that young trans people will be able to [compete](#) on sports teams that reflect their gender identity. Those over 18 will still need a medical certificate. Loui Sand became the first trans man to play for an elite men's handball team.

Lina Axelsson Kihlblom was [appointed](#) Education Minister on 30 November, becoming Sweden's first trans minister.

## PUBLIC OPINION AND ATTITUDES

The trans organisation FPES's report on public attitudes towards trans people [found](#) that the Swedish public has a relatively high degree of knowledge about trans people and an overwhelmingly positive in their attitude towards them, but perceive anti-trans prejudice as common.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The Swedish Agency for Youth and Civil Society Affairs [found](#) that there were a total of 66 meeting places for young LGBTQ people, none of which is located in a rural municipality (see more under **Institutional Support**).



[SWEDEN WEB PAGE](#)  
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# SWITZERLAND

## ACCESS TO GOODS AND SERVICES

In October, the Grand Council of Friborg asked the State Council to allow for gender-neutral bathrooms in the canton.

On 16 December, the City of Luzern parliament voted in favour of gender-neutral bathrooms, changing rooms and showers in schools and sports facilities.

## BIAS-MOTIVATED SPEECH

Opponents of marriage equality mobilised voters throughout the year, calling the day of the gender-neutral marriage referendum a “black day” [sic!] for children. Some political parties were against marriage equality - for instance, the Schweizerische Volkspartei (SVP) argued that sperm donation is controversial and harmful for children.

A number of anti-trans articles were also published this year.

A National Council member called the organisers of a feminist demonstration “lesbian association” in June, in an effort to insult. The organisers and lesbian organisations denounced (and mocked) the statement.

In June, the Federal Chancellery banned the use of language explicitly inclusive of non-binary persons (such as gender\_gap) in any German texts issued by the Federation.

## BIAS-MOTIVATED VIOLENCE

Anti-LGBT attacks continued to be an issue in 2021. On the eve of IDAHOBIT on 17 May, 100 rainbow posters were torn down in the city of Buchs.

The joint report by TGNS, LOS, and Pink Cross, published on the same day, documented 61 anti-LGBTQ hate crimes in 2020 - more than one each week. In 18% of the cases, the victims were physically assaulted. Less than 20% of the victims reported the case to the police. Civil society warned that prevention and awareness raising measures are sorely missing across the country and continued to lobby.

Six cantons and the city of Zurich, based on parliamentary initiatives, decided to collect data about LGBTI based discrimination and hate and some have already started this year.

In its first state report on the implementation of the Istanbul Convention, Switzerland officially recognised that the Convention applies to trans persons.

## BODILY INTEGRITY

On 5 May, an interpellation on the legality of parental consent to medical changes on sex characteristics of intersex children not yet able to consent themselves was handed in in the National Council. The Federal Council replied in September, clarifying the current law and affirming that treatment can only be administered if it is medically necessary and cannot be postponed; that medical associations are to explain what this means in practice; all decisions should be made on a case-by-case basis.

## EDUCATION

In March, a vast majority of the Bern parliament (111:27) voted against a proposal to ban educational programs by lesbian and gay organisations in public schools.

On December 13, the Canton of Vaud minister of education signed into law a directive on supporting trans and non-binary pupils in obligatory and post obligatory schools.

## EQUALITY AND NON-DISCRIMINATION

In February, the Council of States law commission launched a public consultation on revising the sex offences legislation, which could incorporate gender-neutral definitions.

The first parliamentary LGBTI intergroup was set up in June, with members from all parliamentary groups.

During the fall session, the parliament approved a law to establish Switzerland's first National Human Rights Institution.

The Constitutional Council of the canton of Appenzell Ausserrhoden presented its draft constitution, which would make it the first canton to explicitly prohibit discrimination on grounds of GIESC (SO is also covered).

In February, the City of Zurich presented its new Equality Action Plan (2019-2022), including a campaign against gender-based and anti-LGBT violence.



In May, the Basel-Stadt government council elected long-time TGNS volunteer and trans rights expert Étienne Rembold as a member of the Equal Opportunities Commission, who was later appointed its president. In August, the government council presented a revision of the cantonal equality act to make it explicitly inclusive of SOGIGESC and launched a public consultation on the law proposal.

In June, the Luzern government council launched for public consultation its planning report 2022-2025 to promote gender equality and LGBTI rights, the first of its kind.

In December, the City of Lausanne presented its first LGBTIQ+ strategic plan.

## FAMILY

On 16 April, the Federal Supreme Court ruled that non-gestational parents can continue to have visitation rights of their children even after the dissolution of their registered partnership, despite not being legal parents. Same-sex female partners have to go through second parent adoption, which at the earliest could start once a child turned one and could take several years of legal procedure. During this time, non-gestational parents did not enjoy parental rights on paper and their relationship with the child was not protected in the case of a breakup. Civil society welcomed the judgement.

On 26 September, Switzerland held a referendum on a law granting marriage and full adoption rights to same-sex couples. Almost two-thirds (64%) of voters supported the reform and all 26 cantons voted in favour. The Swiss Civil Code will from July 2022 use the gender-neutral language “the engaged” and “two people”. In terms of rights, the most important change is that same-sex couples will be able to jointly adopt, and that medically assisted reproduction and sperm donation will be available to same-sex female couples, leading to the gestational mother’s spouse being automatically recognised as parent at the birth of their child. The law also allows for same-sex spouses to get expedited residence rights, on an equal basis with heterosexual couples. Surrogacy is banned by the Constitution and therefore not covered in the law. Those in a civil partnership will be able to choose whether to retain that legal status or switch to marriage. Pink Cross published an FAQ about the changes. The government welcomed the result and the fact that Switzerland became

the 17th European country to have marriage equality.

Leading up to the referendum, tens of thousands held demonstrations in support of marriage equality, with the slogans “Ja, ich will” [Eng: “Yes, I do”] and “You can do it. Marriage for everyone now.” Several other events were held across the country to show support.

In reaction to the vote, two motions (here and here) were tabled to make sure that “paternity leave” will become gender-neutral “parental leave”, in order to benefit all parents.

## HEALTH

An association, established this year to block trans minors’ access to trans healthcare, sued two doctors.

## LEGAL GENDER RECOGNITION

The new legal gender recognition procedure, consisting of a simple self-determination based declaration and approved by the Council of States and the National Council in December 2020, will be available from 1 January 2022 onwards. The People’s Party had tried to push for a referendum on the issue, but failed.

In a landmark judgment on 29 March, the Aargau Higher Court ruled in favor of a Swiss non-binary trans person, whose gender marker is struck out in the German register, but the Swiss authorities refused to make the same change to the person’s Swiss papers. The case was appealed by the federal administration and is currently at the Federal Supreme Court. TGNS launched a crowdfunding campaign to fund this strategic case and raise awareness about non-binary people.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Several exhibitions took place this year in major museums, including on gender and queerness.

In August, Rainbow House Zurich was opened with several members of the city and the cantonal governments present.



## POLICE AND LAW ENFORCEMENT

The Swiss Competence Center for Prisons published guidance and recommendations on LGBTIQ+ prisoners, marking the first time the cantons worked on this issue.

## PUBLIC OPINION

A representative study found that 53% of the Swiss population are (rather) in favour of introducing non-binary gender markers on official documents.



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# TAJIKISTAN

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic continued having a serious impact on LGBTQI+ people this year and many need financial help. Due to the COVID-19 pandemic, the rise in the cost of tickets to Russia, as well as lockdowns in Russia, migrant workers have been unable to go there to earn money.

## ACCESS TO GOODS AND SERVICES

Living costs, including goods such as food, medication, and transport have increased significantly, making life difficult for members of the LGBT community.

## ASYLUM

Leaving Tajikistan has become more difficult due to COVID-19 travel restrictions.

## BIAS-MOTIVATED SPEECH

'Homosexuality' is used by both the government and unofficial political parties to shame and degrade each other. For instance, unofficial opposition parties routinely use their social media to "out" people who work for the government, calling their sexuality a disgrace. They often accuse the the current government of allowing and promoting 'homosexuality' in Tajikistan.

In response, the documentary "Besharaf" (Eng: "Disgrace"), which equates 'homosexuality' with psychopathology and terrorism, was streamed on state television channels and in universities this year, sparking homophobic discourse.

A number of hateful comments were sparked this year about the sex education of minors, with hateful language about same-sex relationships.

After reports on Radio Ozodi about 29 LGBT people from Tajikistan getting asylum in Germany, anti-LGBT hate speech was on the rise.

A Tajik psychiatrist stated on TV that "homosexuality is a disease that leads the 'sick person' to lose track of control and eventually they end up living with this 'immoral condition' for the rest of their life".

## BIAS-MOTIVATED VIOLENCE

Civil society reports that violence against LGBTQI+ people continues to be carried out on a daily basis.

The courts failed to make any meaningful development in a 2020 hate crime case, where a gay man was brutally assaulted by his colleagues after they had learned about his sexual orientation. The victim was ridiculed by the police after reporting the violence.

Life for Tajik LGBTQI+ people remained unsafe, even in cases where they had left the country. In March, a Tajik man was found guilty and sentenced to several months in prison for physically assaulting a Tajik gay man in Moscow, Russia. The case is one of many where LGBTQI+ immigrants are being "hunted", blackmailed, threatened, and/or assaulted.

## EQUALITY AND NON-DISCRIMINATION

In March, the draft of Tajikistan's first anti-discrimination law was sent to the parliament for a hearing. The initial draft, prepared by the working group that includes the Ombudsperson, representatives of the Ministry of Justice, and Members of Parliament, listed sexual orientation and gender identity as protected grounds. Civil society reported in July that the most recent draft omitted sexual orientation, and gender identity was also dropped by the end of the year.

Previously, Tajikistan received several recommendations from UN actors to introduce comprehensive and inclusive anti-discrimination legislation.

## FREEDOM OF EXPRESSION

This year, several Tajik bloggers addressed LGBTQI+ issues on their platforms and had live streaming sessions with members of the LGBTQI+ community. For instance, prominent blogger Shoira Pulatova had an open conversation with LGBTQI+ people on her page, discussing sexuality, gender, and societies.

## HEALTH

Local activists conducted a survey among doctors in Tajikistan about their knowledge, attitude and practices in relation to trans and intersex people. Most health practitioners had negative attitudes and some refused to participate in the research. The activists will publish a manual in 2022 to support medical professionals in providing quality care and services when it comes to trans specific healthcare, and also to legal gender recognition.



## HUMAN RIGHTS DEFENDERS

Activists continued to report being pressured, harassed, and detained by the authorities, often under false charges.

## LEGAL GENDER RECOGNITION

A trans person reported being denied legal gender recognition at the first instance court, but will appeal the judgment.

Local activists published the first ever legal analysis focusing on legal gender recognition in the country. As part of the process, activists approached the Ministry of Health to learn about their commitment on the issue. The Ministry gave vague answers and noted the lack of surgical interventions in Tajikistan.

## POLICE AND LAW ENFORCEMENT

Activists reported again this year that the police continue to threaten, blackmail, harass, and detain LGBT people.

*\*Some of the information about Tajikistan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous.*



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# TURKEY

## ASYLUM

Hevi LGBT published “[LGBTI+ refugees and their rights violations during the Covid-19 pandemic](#)”, finding that LGBTI+ individuals without legal residence are almost never able to access healthcare services except for cases of emergency.

## BIAS-MOTIVATED SPEECH

Political leaders and pro-government media outlets continued [reporting](#) about LGBTI people with hate. On 2 February, Justice Minister and the Interior Minister Süleyman Soylu [called](#) LGBT people “perverts” on Twitter. Others called LGBTI people a “disgrace” or “dirty”. These remarks prompted a wave of hate speech on social media. This continued hate campaign took place in the context of rising hateful rhetoric against the LGBTI+ community by representatives of high-level religious and political institutions, as well as actions and legislation attacking human rights defenders and civil society organisations.

In March, a defamation case [ended](#) in settlement and compensation for the victim, who was targeted by homophobic hate speech after posting about Ali Erbaş’s COVID-themed sermon in 2020. The imam, Turkey’s Religious Affairs Directorate blamed ‘homosexuality’ for the pandemic, [saying](#) that it “brings illness.”

Olympian Ebrar Karakurt was [targeted](#) by lesbophobic comments and threats after posting a photo with her girlfriend.

Kaos GL’s Annual Media Watch for 2020 [observed](#) that more than half of the news about LGBTI people on printed national and local media amounted to hate speech, marking an increase from 2019.

## BIAS-MOTIVATED VIOLENCE

Countless hate crimes took place against LGBTI people again this year. For instance, a trans woman, a refugee from Syria, was [attacked](#) by her ex-girlfriend in Beyoğlu and suffered severe burns on her face in March. A trans woman, who was reported missing by her family, was [found](#) murdered in her home in Izmir in March. Trans women were assaulted in the street in [March](#) and [July](#). A group of LGBTI+ activists were severely [assaulted](#) in March in Newroz. In July, several gay men were [attacked](#) by violent groups - one person was [stabbed](#).

In November, four trans women were [attacked](#) in two separate incidents, three survived with injuries, and one died.

A video of a homophobic assault was [posted](#) by the perpetrator on social media - he was later identified and [detained](#) by the police.

A number of court cases, focusing on anti-LGBTI attacks or murder, continued to be [pending](#) or [stalled](#) this year - some for over 10 years.

## EDUCATION

On 1 January, President Erdoğan appointed Melih Bulu as the new rector of Boğaziçi University in Istanbul. Academic staff and students held a series of protests, as Bulu is the first appointed rector from outside the University, which marks a next step of the government’s crackdown on academic freedom in Turkey. Bulu is a long-standing ally of President Erdoğan, who has supported anti-LGBTI+ statements over the past years. The university’s LGBTI+ student group was shut down, students were detained, and the police assaulted many demonstrators. In February, 328 civil society organisations in Turkey issued a [joint statement](#) to support the students and staff. 12 students [stand](#) trial for violating the law.

The European Commission [condemned](#) the violent repression of the protests, the mass detention of students, and the Istanbul governor’s ad hoc ban on all meetings and protests in the university’s neighbourhood. In July, the new acting rector of the university [dismissed](#) professor Can Candan, an avid supporter of LGBTI rights. Candan directed the film “My Child”, a documentary about LGBTI+ families in Turkey. Candan’s supporters launched social media campaigns to stand with him in solidarity.

In March, Genç LGBTI+ published “[Monitoring LGBTI+ Equality in Universities](#)” and found that institutions in Turkey score alarmingly low. The report recommends universities to support students in their freedom of expression, to provide safer and inclusive spaces for LGBTI+ and specifically for trans students, to mainstream SOGIESC issues in the curriculum, provide counseling, and other key measures.

During the graduation ceremony of Dokuz Eylül University in October, two students were [forcibly removed](#) from the event and beaten up for wearing face masks with the



slogan “Istanbul Convention Stays Alive”. Turkey withdrew from the Convention earlier this year (see under **Equality and Non-Discrimination**).

## EMPLOYMENT

In May, a trans man reported having been rejected when applying for work as a trained physiotherapist. The clinic argued that they “wanted a male employee”.

## EQUALITY AND NON-DISCRIMINATION

In March, Turkey withdrew from the Istanbul Convention, sparking outcry among local civil society and the Council of Europe. Turkish civil society organised under the United 4 Istanbul campaign, expressing grave concern about the spillover effects of the government’s regressive move. Several rallies took place on 1 July, which marked Turkey’s official withdrawal. The International Day for the Elimination of Violence against Women (25 November) was marked by women’s rights and LGBTI+ activists protesting in various cities in Turkey. In Istanbul protesters were met with police violence, including rubber bullets and tear gas.

## FREEDOM OF ASSEMBLY

Turkey continued to severely violate the right to freedom of assembly in the country this year, with bans, violent attacks on demonstrations, mass detention, and violence.

*“We Are Here, Get Used to it, We Are not Going Anywhere!  
Release our activists!”*

A number of Women’s Day marches, held were censored (see under **Freedom of Expression**), dispersed and/or attacked by the police this year. On 6 March, the demonstration in Kadıköy was dispersed by the police after some of the speakers introduced themselves as trans. The police followed several trans women activists afterwards, physically assaulted and detained them.

The Istanbul Pride event was repeatedly banned and then violently attacked and dispersed by the police on 26 June. 50 participants were detained and assaulted, in what some activists said was the most violent crackdown in years. The police staged violent interventions on Pride marches in Izmir, Ankara and Eskişehir as well, arresting many activists and journalists. The Council of Europe Commissioner for Human Rights Dunja Mijatović called for an absolute ban on restrictions on freedom of assembly and urged the

Turkish government to protect LGBTI people’s human rights.

The court case against 19 students and teachers who participated in the Middle East Technical University (METU) Pride March in 2019, continued this year, with hearings taking place in July and October. At the hearing on 8 October, all defendants were acquitted, and only one was given a financial penalty for insulting a police officer.

In 2020, the court lifted the ban on Izmir Pride events, except for the march - the judgment has been criticised by civil society. In January 2021, ban on the Parade was also annulled, and the court affirmed the participants’ right to freedom of assembly and stated that the march “contribute[s] to pluralism and peaceful coexistence in a democratic society.”

## FREEDOM OF EXPRESSION

On 5 March, the Adana Security Directorate announced that any display of signs about LGBTI+ rights or the Boğaziçi University protests, are banned for the duration of the 8 March Women’s Day demonstration. The police in Kadıköy and Beşiktaş enforced the same censorship on Women’s Day marches.

In May, the Radio and Television Supreme Council (RTÜK) fined Acun Ilıcalı’s digital platform Exxen for streaming an episode featuring trans woman Çağla Akalın. RTÜK ordered the removal of the piece.

In July, MP Oya Ersoy (Peoples’ Democratic Party (HDP)) made a statement in parliament in support of Pride and LGBTI+ people’s rights, and showed a picture of the rainbow flag.

A number of INGOs launched a billboard campaign in July, calling for freedom from violence and equality for LGBTI+ people.

A British young adult novel “Heartstopper”, whose protagonist is gay, is being sold in envelopes in Turkish bookstores, with the sign “Harmful for children” upon the order of the Family and Social Services Ministry. On 10 September, the Ministry of Family and Social Services Protection of Minors officially classified the book as “obscene”.



Boğaziçi University trials involving LGBTI+ students continued: two are for the general protests against appointed Rector Melih Bulu, one is against the LGBTI+ Club for the LGBTI+ themed artwork, another is for students holding rainbow flags during a protest, and another for students protesting the arrest of those holding rainbow flags.

Hornet, a dating and partnership network, was removed from the Turkish App Store by a court ruling.

## HEALTH

SPoD's annual report on their LGBTI+ hotline found that the need for psycho-social support significantly increased during the COVID-19 pandemic.

## HOUSING

The police evicted a number of trans women in Istanbul's Bayram Sokak and Küçük Bayram Sokak in July.

## HUMAN RIGHTS DEFENDERS

Human rights defenders continued to be targets of police violence (see under **Freedom of Assembly**) and hate campaigns by the media. Some activists received death threats.

## LEGAL GENDER RECOGNITION

On 22 April, the Constitutional Court passed a positive ruling, stating that the rejection of a trans person's name change, because they had not undergone any surgeries, was a violation of private and family life. The Court cited the case law of the European Court of Human Rights. SPoD released a FAQ guide on legal gender recognition.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The 10th Queer Fest Film Festival took place in the autumn, in Istanbul and Ankara.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The COVID-19 pandemic has continued placing unprecedented hardships on LGBTI people, in employment and healthcare, and amidst growing levels of violence at home during lockdown. SPoD's "LGBTI+ people's access to social services during the pandemic", on the basis of over 800 responses, found that LGBTI+ people by large

have lacked access to social services and experience discrimination on the basis of their SOGI. SPoD also launched a manual on positive and inclusive social work practice with LGBTI+ people.



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# TURKMENISTAN

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic continued exacerbating the complex and difficult social and economic situation in Turkmenistan, having a dire impact, including LGBT people. The country is in a serious crisis – people are struggling with food shortages and hunger. There is a lack of adequate jobs and salaries vary between 24 to 45 euro. Many are quarantined without access to work. In addition to the pandemic, poverty and hunger have resulted in deaths. In some regions, a large number of thefts have taken place in food stores.

## ASYLUM

The government has restricted immigration, giving access only to ‘pure Turkmen’ to enter the country. The government control over LGBT people who are trying to leave the country continues to grow. Visa restrictions are also a barrier. It is unknown how many people have managed to leave.

## BIAS-MOTIVATED VIOLENCE

In the end of 2020, the government noted its plans to revise Article 135 of the Criminal Code which criminalises consensual same-sex relations and to study the option of introducing anti-discrimination legislation. The plans were included in a state report to the UN, which has since been removed. Article 135 of the Penal Code, criminalising consensual same-sex relations between men, which has allowed for arrest, intimidation, extortion, blackmail, and violence against members of the LGBT community, including by the authorities, continues to be in place.

## EQUALITY AND NON-DISCRIMINATION

In January 2021, Kyrgyz Indigo published the milestone report “Life of LGBT Persons in Turkmenistan”, finding high levels of fear and distrust in the LGBT community and experiences of extortion, blackmail, and harassment by authorities.

Group of men and male couples willing to check-in hotel rooms were reportedly questioned and, in some cases, not allowed to stay together in the same room. An anonymous witness told about the incident when a group of men “representing the cultural sector” came to Daraganata town to participate in the local festival, they were forced to register in separate rooms at one of the local hotels, and were forewarned to be questioned by the police if they decided to room in together.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

Article 135, criminalising consensual same-sex relations between men, continued to be in place this year, allowing for arrest, intimidation, extortion, blackmail, violence and torture against LGBT people, and particularly against gay men. Most cases remain undocumented, but mass raids on gay people are routinely carried out in the country. Most recently a raid and acts of torture against 30 gay men were reported in September.

In September, several members of the Parliamentary Assembly of the Council of Europe adopted a declaration calling upon the European Union and the Council of Europe to ensure that decriminalisation of same-sex relations in partner countries (Uzbekistan and Turkmenistan) is a cornerstone of the Council of Europe’s Central Asia Rule of Law Programme.

Kyrgyz Indigo’s ‘Life of LGBT Persons in Turkmenistan’ reported several disappearances of LGBT people over the past years.

## FREEDOM OF EXPRESSION

Most international social media sites, including YouTube, Facebook, Google, Instagram, even messaging apps, such as Whatsapp and Telegram, are blocked in the country. People access these sites through VPNs. The availability of TV channels is controlled.

## HEALTH

The government continued to deny that COVID-19 exists in the country, urging people to wear masks because of “dust” in the air. Turkmenistan has reported zero cases and zero deaths to date. COVID-19 vaccines however are mandatory, but are not free of charge, and restrictions have also been in place. The Prosecutor’s Office has checked vaccine records of government workers and those without a vaccination are fired. It has also been reported that medical workers are forbidden to leave of their own accord.

## POLICE AND LAW ENFORCEMENT

Following the news about the police raids against gay men in Turkmenistan that became viral on the Internet in September, some news outlets continued reporting about more incidents of gay men being targeted by the authorities. On 2 October the news outlet Mediazona



reported that the police detained and interrogated group of men convening in teahouses. The police were also interrogating men spotted together inside vehicles.

## HUMAN RIGHTS DEFENDERS

The government does not tolerate criticism and routinely detains people who expose, or even hint at, its rampant corruption, injustices, and incompetence. Human rights defenders continued to face arrest, detention, and violence again this year (see [here](#), [here](#), and [here](#)).

*\*Some of the information about Turkmenistan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous.*



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# UKRAINE

## BIAS-MOTIVATED SPEECH AND VIOLENCE

Anti-LGBT hate speech and hate crimes continued to be a severe issue this year. Nash Mir's annual report documented 80 hate crimes against LGBT people in 2020. In July, Nash Mir's study also found that in 27% of anti-LGBT hate crimes the police called to the scene did nothing and in 38% of cases they did not record the crime or start an investigation. The LGBT Human Rights Nash Mir Centre's case on Ukraine's lack of action on hate crimes was admitted by the European Court of Human Rights (ECtHR).

In May, the Ministry of the Interior finally introduced a bill to criminalise hate crimes committed on the grounds of, inter alia, "sexual orientation and gender identity." The measures were set out in Ukraine's previous Human Rights Action Plan from 2015. The European Commission against Racism and Intolerance (ECRI) had repeatedly called on Ukraine to make this important move.

On 4 August, hundreds of LGBTQ+ young people held a six-hour rave outside the president's office to call for legislation and other measures that protect LGBTQ+ people from hate crimes and discrimination. The event was organised by the newly established UkrainePride. Demonstrations for legislation against hate crimes were held earlier in the year. A participant after a demonstration in Kyiv June was severely assaulted on his way home, suffering from a concussion and long-term health impairments.

A man was sentenced to five years in prison (two years probation) for a homophobic hate crime in Odesa.

In November, the district court in Lviv sentenced a man to four years and one month for a homophobic attack committed in July. This is the first case in Ukraine, where the homophobic motif of the crime was clearly indicated in the court judgment and the perpetrator was sentenced to a prison term without probation.

Religious leaders made far fewer "anti-propaganda" statements this year and instead focused on the protection of freedom of speech and the traditional family mode. On 4 June, the All-Ukrainian Council of Churches and Religious Organisations urged the parliament not to adopt the hate crime bill as it may violate freedom of speech and religion.

In July, Archbishop Sviatoslav, the Head of the Ukrainian Greek Catholic Church, said that homosexual relations

were "a grave sin" and condemned "gender ideology". The Archbishop and other religious leaders also spoke out against same-sex marriage this year.

## EDUCATION

A survey found that 80% of LGBT students feel unsafe in school and 87% feel excluded. Just in the month preceding the survey, 40% of LGBT students missed school because they feared for their safety. 70% of LGBT students heard anti-LGBT remarks made against them and two-thirds of them were also targeted by teachers. 55% said they had not a single adult in school they could turn to for support.

A lecturer at Lviv Polytechnic National University made hateful statements this year, for instance that lesbians and gays are sick.

## EQUALITY AND NON-DISCRIMINATION

In March, Ombudsperson Lyudmila Denisova presented her annual report, highlighting that her office received 11 reports on anti-LGBT+ discrimination in 2020.

Ukraine adopted a new Human Rights Strategy (2021-2023) and Action Plan this year. The Strategy includes weak references, but the Action Plan retains all LGBT rights components, which had not been implemented in the previous period. These include the criminalisation of hate crimes on SOGI grounds and the development of a draft law on registered partnership for both different-sex and same-sex couples.

## FAMILY

The Ombudsperson Lyudmila Denisova's annual report called for legal recognition for same-sex couples. The new Human Rights Action Plan retains legalising civil partnership as a priority. At the same time, the ECtHR will hear the case of a gay Ukrainian couple regarding the lack of legal recognition of same-sex families.

The ECtHR will also hear the case of a trans woman who was unable to change her marriage certificate after having changed her legal gender.

## FREEDOM OF ASSEMBLY

Several events and demonstrations were disturbed and attacked again this year. In May, extremists raided an LGBT+ film screening, broke windows and threw tear gas



into the premises. Other events were also attacked in Kyiv and Odesa. Far-right members of Tradition and Order threw bottles and held a counter-demonstration against the LGBTQ+ rave on 4 August in Kyiv.

The Trans March in Kyiv took place without incidents and was heavily guarded by police.

Freedom House published a resource on safety at LGBT+ events.

Following its cancellation due to the COVID-19 pandemic in 2020, Kyiv Pride was held in person, joined by 4,000 people, and took place without any violent incidents.

Following last year's violent attacks against the participants of a Pride event in Odesa, the police deployed 1,000 officers at the march on 28 August this year. The police detained over 50 members of the far-right Tradition and Order. Dozens of police officers were injured. No Pride participants were harmed. After the arrests, anti-LGBT aggression by far-right groups sharply decreased. Three criminal cases were opened following these detentions, citing violence against law enforcement, riots, and disorderly conduct, but not hate-motivated violence.

The Equality March in Kharkiv was also held with heavy police protection this year and a record number of over 2,000 people joined the march. No incidents were recorded.

## FREEDOM OF EXPRESSION

A number of MPs petitioned to Prime Minister to ban a children's book "Princess + Princess" which that discusses same-sex relationships. Public criticism also concerned a Swedish sex education book for young boys, which was set to be released in Ukraine.

At the end of December, a group of MPs appealed to the Cabinet of Ministers and the Ukrainian State Film Agency to withdraw state funding from "My Young Prince" - a film featuring a gay romance story. In the explanatory note, they stated that "an open, erotic, homosexual context using Christian symbols and allusions to biblical works" causes outrage among Ukrainian citizens. They also claimed that the film promotes foreign, non-traditional values. The State Film Agency responded that withdrawal of funding awarded through a competitive selection is outside their mandate. The Agency also reminded that

according to the Constitution, the national cultural policy should be based on ensuring creative freedom and equal rights and opportunities.

The film's director, a Ukrainian of Armenian origin, Khachatour Vasilian reported an avalanche of hate speech and threats against him, following the release of the trailer.

## HEALTH

The adoption of the new trans healthcare protocol continued to be stalled this year, mostly due to the COVID-19 pandemic and the frequent changes in the staff of the Ministry of Health and the Minister itself. In November, Insight hosted an online meeting with trans healthcare experts and the Ministry of Health. The Ministry agreed to continue cooperation to improve trans healthcare as part of efforts to implement ICD-11.

In February, the Public Health Centre of the Ministry of Health opened a tender for research into behaviors of 'homosexual' and bisexual men to inform HIV prevention programmes.

In April, the Ministry of Health removed blood donation restrictions on people "who have homosexual contacts". The new regulations focus on 'risky behaviour' instead of risk groups.

NGO Fulcrum published a handbook for mental health professionals on how to support LGBT clients.

## HUMAN RIGHTS DEFENDERS

The LGBT+ community, feminists and other social groups were constantly facing attacks and intimidation again this year from conservative and ultra-right groups. NGO Insight and LIGA were both attacked. Individual LGBTQ+ activists also reported ongoing harassment and intimidation campaigns against them.



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# UNITED KINGDOM

## ASYLUM

The government held a consultation on its [New Plan for Immigration](#), which was harshly [criticised by NGOs](#). First, asylum applicants might be placed in reception centres abroad, possibly even in the country they are fleeing from – this would expose LGBTQI asylum seekers to unprecedented risk of violence. Second, appeal procedures would also be fast tracked. Third, evidence of someone’s SOGIESC would have to be provided at the beginning of the procedure, which is virtually impossible for LGBTQI people as they are fleeing from countries where having such evidence could be life threatening. In July, the government [responded](#) to these concerns by [saying](#) it would train all relevant staff.

CSOs [expressed](#) concern about the flawed Aspen cards, which have [left](#) thousands of asylum seekers unable to access their allowance.

## BIAS-MOTIVATED SPEECH

Anti-trans rhetoric continued to cause serious damage in the UK again this year. Civil society reports that mainstream newspapers ran one or more anti-trans articles every day. In November, trans people and allies [held](#) a protest outside BBC’s office for its [transphobic](#) articles. A number of LGBTQ employees [quit](#) the BBC due to concerns over its transphobic reporting. The National Student Union [continued](#) to stand with trans people in the ever escalating wave of anti-trans hate speech, including in academia.

With anti-trans and anti-LGBTQ+ hate rising in the UK and across the world, 39 LGBTQ+ organisations released an [open letter](#) on 18 May, calling on the UK’s Equality and Human Rights Commission’s (EHRC) to step up for LGBTQ+ communities.

Civil society is alarmed that the Charity Commission [approved](#) the registration of the ‘LGB Alliance’ as a public charity, despite several NGOs and politicians having called it an anti-trans “hate group”. Mermaids, with [support](#) from other CSOs, [filed](#) an appeal.

A Scottish parliamentary candidate [spread](#) misinformation that Stonewall and LGBT Youth Scotland groups would want to lower the age of consent to 10.

## BIAS-MOTIVATED VIOLENCE

Hate crimes [remained](#) a serious issue. The UK Home

Office annual hate crime statistics report [highlighted](#) that homophobic hate crimes increased by 7% and transphobic hate crimes by 3%, in England and Wales. Media [reported](#) that the increase of hate crimes based on sexual orientation was higher, 12%.

In March, the Scottish parliament successfully passed a [new hate crime law](#) which covers LGBTI people as protected groups and strengthens protections. It will enter into force in 2022. The Crown Office (COPFS) published its annual [Hate Crime in Scotland](#) report in June, finding that the number of homophobic hate crimes continued to [increase](#) in Scotland for the sixth year in a row.

Galop’s 2021 [Hate Crime Report](#) found that three in five LGBT+ people in the UK experiencing hate crime wanted and needed help, but only one in five were able to access support.

Civil society [continued](#) advocating for comprehensive hate crime legislation in England and Wales.

Several hate crimes were committed against LGBTI people again this year. For instance, a trans woman [suffered](#) serious stabbing injuries in Birmingham in September.

The Police Service of Northern Ireland [highlighted](#) in its annual report that the number of homophobic incidents increased by 16% in 2021/2022, reaching a record high since 2004/2005. Transphobic hate crimes have also been on the rise, but the law only covers sexual orientation, so they must instead be pursued as homophobic incidents.

The Northern Ireland Department of Justice is currently working on pre-consultation on a new Hate Crime Bill, which will [include](#) “age, sex/gender and variations in sex characteristics”, and trans people under “sex/gender”.

## BODILY INTEGRITY

The process of banning conversion therapy was further [stalled](#) this year. In March, members of LGBTI groups in several parties [urged](#) the UK government to speed up the process. Several people [shared](#) their experiences of being subject to therapies. In April, Mermaids [published](#) a study on Gender Identity “Conversion Therapy” documenting accounts of “verbal abuse, isolation, beatings, forced feeding or food deprivation, corrective rape and forced nudity”.

In May, the UK government affirmed its support for the ban



again, but not without holding a consultation on the issue first. The commitment was also included in the Queen's speech at the State Opening of Parliament in May. Civil society continued lobbying for a ban.

Several religious groups warned that the ban would criminalise church leaders and limit freedom of religion and freedom of thought. Other religious groups expressed support for the ban.

On 1 October, senior lawyers, academics, MPs and civil society groups signed the Cooper Report on how to effectively legislate for a ban, including by broadly defining the therapies as “any practice that seeks to suppress, ‘cure’ or change a person’s sexual orientation or gender identity”.

In the May Scottish parliamentary election, all parties elected promised to ban conversion therapy. In September, the Scottish Parliament equality committee began an inquiry, and took evidence from survivors, LGBTI organisations, human rights organisations, and religious groups. On 18 November, the Scottish Government announced an expert advisory group to develop proposals for a ban.

On 21 April, Northern Ireland Assembly passed a non-directive motion on a ban on conversion therapy practises. Work is currently being undertaken by the Department for Communities in research and draft legislation to bring this about.

## DATA COLLECTION

The census in England, Wales and Northern Ireland took place on 21 March. Several LGBTI organisations encouraged the community to answer the voluntary questions on sexual orientation or gender identity to have a better idea of the size of the community. Gendered Intelligence advised trans people to answer by self-identifying. The census guidance initially said that the respondents could enter the gender marker from their passport, which can be changed in the UK without a legal process. Anti-trans groups lobbied to have this section changed. In March, the High Court ordered to remove ‘passport’ from the list. Accordingly, respondents were asked to indicate the ‘sex’ on their birth certificate or gender recognition certificate.

The anti-trans group Fair Play for Women began court action in November to challenge the 2022 Census in Scotland, which would allow trans people to self-identify.

## EDUCATION

The government decided to cut funding for anti-LGBT+ bullying programmes despite an alarming 46% of LGBT+ students feeling unsafe at school.

In June, Just Like Us released the ‘Growing up LGBT+’ report finding that LGBT+ students are twice as likely to have been bullied than their cisgender heterosexual peers and that 91% have heard negative language about being LGBT+ just in the past year. Over 1,000 LGBT+ students aged 11-18 participated in the survey. The study also found that LGBT+ students in Northern Ireland fared the worst. 82% of them have contemplated suicide compared to a fourth of that rate among non-LGBT+ peers. They were also more likely to have suicidal thoughts than LGBT+ youth in England (67%), Scotland (79%), or Wales (73%).

The Scottish government made available new resources on how schools can support trans students.

Relationship and sex education reform is ongoing in Northern Ireland, seeking to have better inclusion of LGBTIQA+ issues.

## EMPLOYMENT

In May, Minister for Women and Equalities Liz Truss encouraged the government to withdraw from Stonewall’s employment scheme, which promotes a safe and inclusive workplace for LGBT+ staff. A number of government entities, such as the Ministry of Justice, the Equality and Human Rights Commission, and media outlets have pulled out.

## EQUALITY AND NON-DISCRIMINATION

In March, Jayne Ozanne, a survivor of conversion therapy, James Morton, and Ellen Murray all quit the government’s LGBT+ Advisory Panel due to their concerns of the government’s growing hostility towards LGBT+ and particularly trans people. The Advisory Panel was disbanded in April. Minister for Women and Equalities Liz Truss said a new panel would be set up soon.

In March, the Court of Session ruled that the Scottish Government acted lawfully in including trans women in an equal opportunities measure to improve women’s representation on public boards.

The UK government postponed the deadline for its



consultation on gender neutral bathrooms, sparking criticism from trans groups.

## FAMILY

In February, the UK parliament tabled a bill on parental leave for Ministers, but the final wording uses the term ‘mother’ instead of the original ‘pregnant people’, erasing all pregnant people who do not identify as women.

## FOREIGN POLICY

As co-chairs of the Equal Rights Coalition, the UK and Argentina launched the ERC’s first strategic plan for the period of 2021-2026.

## FREEDOM OF ASSEMBLY

The new ‘Police, crime, sentencing and courts’ bill passed almost all legislative phases by the end of the year, and has been criticised nationally and internationally. The law would give powers to the police to disperse events that ‘cause serious annoyance’ for the neighbourhood.

Omagh held its first Pride parade this year, highlighting the need for rural LGBTQI visibility.

## HEALTH

In January, the Care Quality Commission (CQC) published a report on the provision of trans healthcare by the NHS Tavistock, concluding that the NHS is violating its obligations by imposing excruciatingly long waiting lines on trans people. While the law sets out that specialist care should be provided within 18 weeks, most trans people wait for over a year to get their first appointment and 26% wait for two years. CQC warned that those waiting are at risk of self-harm and mental health problems. Gendered Intelligence highlighted that the responsibility to reform the system falls on the NHS, and not on care providers like Tavistock. The UK government had previously planned waiting lists to be significantly cut by 2022.

A study conducted with 13 families with trans and gender-non-conforming children in England affirmed that families struggle with lengthy waiting lists, geographical inaccessibility, and a lack of knowledge from clinicians who also fail to value family expertise.

Access to gender affirming healthcare for trans adults in Northern Ireland continued to be almost completely non-

existent. A consultant was hired this year to help with the backlog, but the waiting times average three to five years.

In August the Scottish Government promised to overhaul trans healthcare in Scotland in 2022-2024, bringing waiting times down to 18 weeks, and improving support and delivery, and on 20 December published a plan for progressing this.

On 26 March, the High Court ruled in the AB v Tavistock and Portman NHS Foundation Trust case that if a young person, their parents, and their doctors all consent to them accessing puberty blockers and think it is in the best interest of the child, the minor does not need to get the approval of a court. The judgement practically reversed the 2020 Bell ruling.

This judgement restates the rights of the child, but children without supportive parents still need to go to court. In mid-April, the NHSE published its new puberty blockers guidelines to fall in line with the March ruling. The Court of Appeal quashed the Bell v Tavistock ruling on 17 September, confirming that it is ultimately “for clinicians to exercise their judgement” around the referral of patients for puberty delaying treatment, seeing as they are already “subject to professional regulation and oversight”.

The three-month blood donation deferral period for men who have sex with men was abolished on 1 March. From June, those wanting to donate in England, Scotland, and Wales are asked about risky behaviours instead. In Northern Ireland, the regulation came into force in September. The regulations still include anti-Black language by imposing a three-month deferral period on “anyone who has slept with someone from parts of the world where HIV and AIDS are ‘very common’”.

In July, the All-Party Parliamentary Group (APPG) on HIV and AIDS launched a report on how to increase and normalise HIV testing across the UK.

Metro published its study on the access of sexual health services of those over 45, finding fear of stigma, a lack of awareness of health risks, and lack of access to services.

## HOUSING

Akt released ‘the lgbtq+ youth homelessness report’ and thematic briefings, highlighting that the most common reason among for homelessness was family rejection:



61% felt threatened or scared by their family before becoming homeless. Half of the respondents feared that expressing their LGBTQ+ identity to family members would lead to them being evicted; and 17% said they felt they had to engage in casual sex to find somewhere to stay while they were homeless. CSOs called on London's mayoral candidates to put a strategy in place to address homelessness among LGBTIQ+ people. Sadiq Khan was reelected as mayor and promised to invest into emergency housing for those most vulnerable, including LGBTIQ+ people.

## HUMAN RIGHTS DEFENDERS

Activists were targeted by hate and smear campaigns. The BBC for instance, ran an entire smear podcast series on Stonewall. A number of staff quit the organisation due to such attacks and burnout.

The Kaleidoscope 'LGBTI+ People in the Commonwealth in the Covid Era: An Update report found that 61% of the participating organisations had no financial reserves and more than half have lost earnings during COVID-19.

## LEGAL GENDER RECOGNITION

In May, the UK government rejected the plea of over 136,000 people who signed a petition calling for legal gender recognition (LGR) for people whose identity does not fit in the gender binary, saying it would have too "complex practical consequences" and will not be on the agenda in the coming years.

The gender recognition certificate fee was reduced from £140 to £5. While a positive step, it is one of the few positives in the UK government's LGR law reform process for England and Wales.

The Scottish government promised improvements in terms of non-binary people's rights and hosted a Non-Binary Working Group, made up of non-binary people and allies. The Group's recommendations will help the government publish its action plan by spring 2023. In September, the Scottish government published the analysis of consultation responses on the draft Gender Recognition Reform Bill, concluding that most contributors envisioned a statutory declaration-based system. Minister Nicola Sturgeon confirmed that LGR reform will be on the parliament's agenda in 2022.

In May, the Northern Ireland High Court ruled the diagnosis of having a 'disorder' can no longer be a legitimate requirement of LGR.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The new trans inclusion policy of the Rugby Football Union (RFU) includes limitations on trans women.

LGBT+ veterans will be able to reclaim medals they were awarded before being expelled from the army for being LGBT+.

## POLICE AND LAW ENFORCEMENT

The High Court ruled in July that trans women are lawfully housed in women's prisons.

## SEXUAL AND REPRODUCTIVE RIGHTS

Although abortions were legalised in Northern Ireland in 2020, services remain inaccessible. The Department of Health has failed to issue any guidance to health and social care trusts on the provision of abortion services, including when and in what circumstances medical staff may exercise their freedom of conscience when delivering a service.

Westminster issued a formal direction in July to the Department of Health to set up full abortion services by no later than March 2022. The current First Minister Paul Givan MA tried to introduce a bill to prevent abortions in NI in cases of non-fatal disabilities, but this fell after a close vote in December.



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# UZBEKISTAN

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic continued to have a serious impact on LGBT people, with many losing their income and struggling to cover food costs.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

Article 120 of the Criminal Code, which criminalises consensual same-sex conduct, continued to serve as justification for anti-LGBT violence and impunity. Due to criminalisation, LGBT people cannot report such cases to the authorities. State officials openly express anti-LGBT views, and the ongoing Islamisation of the region has also perpetuated a hostile environment.

In March, the leader of the political party Milliy Tiklanish (or “National Revival”) and MP Alisher Kadirov [spoke](#) in favour of Article 120 and “stripping LGBT people of their citizenship and their deportation from Uzbekistan”. Kadirov made similar statements in June, [adding](#) that without citizenship LGBT Uzbeks can go and get refugee status elsewhere.

In March, MP Rasul Kusherbayev, a deputy of the Legislative Chamber (UzLiDeP party) [said](#) that same-sex relationships will never be accepted in the country.

On 28 March, a large group of men violently assaulted people they perceived to be LGBT and attacked a blogger who spoke in favour of equal rights for LGBT (see under **Freedom of Assembly** and **Human Rights Defenders**). LGBTQ+ Uzbeks [reported](#) going into hiding, as mobs kept cruising the streets and questioning people about their sexual orientation.

*“Many want to leave the country [...] They are afraid to step outside. Some have left their home cities, fearing for their lives.” - testimony shared with Reuters*

## EDUCATION

In April, students took photos and compared the length of their socks in Tashkent’s school no. 110 [alleging](#) that boys with ankle socks were gay. The Ministry of Education said the students’ activity was an attack against LGBT people. Nonetheless, some thought that negative LGBT propaganda is also propaganda and should not take place in school.

Civil society reports that in many higher education institutions the professors include anti-LGBT content in their classes. In some institutions LGBT issues were covered in a non-hostile way to some extent, but that was no longer the case since this year.

## EMPLOYMENT

The COVID-19 pandemic continue to severely impact the community, and particularly trans sex workers.

## FOREIGN POLICY

Uzbekistan continued to lobby for the protection of the “traditional family” in its foreign policy work and to consider the LGBT community a destructive force of the Western world aimed at undermining the country.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

State actors continued to threaten, intimidate, psychologically and physically torture, and detain LGBT people.

Uzbekistan had been repeatedly urged by international human rights bodies to repeal Article 120 of the Criminal Code, which criminalises consensual same-sex conduct between men. Under Article 113, which criminalises the transmission of HIV infection and is used to persecute LGBT people, those detained and charged under Article 120 continued to be subjected to mandatory HIV tests.

On 22 February, the Prosecutor General’s Office [released](#) the draft of the new Criminal Code for public discussion. The draft failed to decriminalise consensual same-sex conduct and merely moved the provision from Article 120 to Article 154, which is now listed under a new chapter called “Crimes against family, children and morality”. No explanation was given by the Prosecutor General’s Office about the changes or the failure to decriminalise.

In March, ILGA-Europe launched the campaign [#Repeal154](#) to urge the government to make the right move, uniting dozens of NGOs from the region and worldwide and featuring a [testimony](#) of an Uzbek gay man.

In March, Human Rights Watch [released](#) a brief report, on the basis of interviews with nine LGBT people in Uzbekistan, including accounts of arrest, kidnapping,



intimidation, extortion, threats, forced medical tests, violence and imprisonment.

For the first time, the Ministry of Interior published data about convictions under Article 120: six people were convicted in 2016, 15 in 2017, seven in 2018, also seven in 2019, nine in 2020. As of April 2021 as many as 49 people were reported to be in prison for ‘homosexuality’. Previously, Uzbek officials would deny convictions under article 120.

In the beginning of the year, two men were subjected to forced anal examinations, which are routinely used to produce ‘evidence’ for prosecution under Article 120. The men, who previously lived together, were sentenced to two years of house arrest, were forced to move 500km apart, and are forbidden to use the internet. In August, nine international NGOs called for an immediate ban on such examinations.

In September, several members of the Parliamentary Assembly of the Council of Europe called upon the EU and the Council of Europe to ensure that decriminalisation in Uzbekistan and Turkmenistan is a cornerstone of the Council of Europe’s Central Asia Rule of Law Programme.

Open For Business published a report in November, highlighting that repealing Article 120 and increasing LGBT+ inclusion could improve Uzbekistan’s economic standing.

## FREEDOM OF ASSEMBLY

The political climate has remained restrictive in terms of freedom of assembly.

On 27 March, a public gathering of anime and K-Pop fans was held in Tashkent, initiated by a famous blogger Miraziz Bazarov (see also under **Human Rights Defenders**). Bazarov had been actively speaking up on LGBT rights and decriminalisation. The next day, nearly 100 men took to the main square chanting religious slogans, following violent attacks against perceived LGBT people. The extremists claimed that Bazarov’s gathering was an “LGBT event”. The police intervened and detained 12 people for violence.

## FREEDOM OF ASSOCIATION

Due to Article 120, LGBT organisations continue to be unable to register. Other human rights organisations must

regularly report to the authorities about their activities. Establishing and/or participating in an unregistered organisation is prohibited and subject to up to three years of imprisonment.

## FREEDOM OF EXPRESSION

Article 120 is perceived in civil society as a ban on LGBT people and any expression of LGBT issues.

At the end of March, the parliament adopted a bill criminalising “insult and slander” against Uzbek leaders and prohibiting “disrespect for society, the state, state symbols (national and universal values)” and calls for demonstrations “in violation of the established order.” While the law does not mention LGBTQ+ issues specifically, activists have warned it could further persecute them.

## HEALTH

The level of healthcare access continued to decrease during the second year of the COVID-19 pandemic, with many unable to see doctors. LGBT people continued to report that they hid their identity in healthcare settings, fearing for their safety.

Civil society reports that LGBT people are often denied medical care, including ART, if their sexual orientation or gender identity becomes known. Some medical professionals report LGBT patients to the authorities.

## HOUSING

Due to the COVID-19 pandemic, many LGBT people had to stay with their hostile families and be exposed to physical and psychological violence.

## HUMAN RIGHTS DEFENDERS

Human rights defenders continued to work under difficult circumstances, facing state surveillance, intimidation, physical and psychological torture. All activities were conducted in secret.

Miraziz Bazarov (see under **Freedom of Assembly**) was severely beaten and hospitalised on 28 March. The police blamed Bazarov for the attack, stating that he provoked the disturbances in Tashkent with his blogs. While his attackers have not been identified by the police, Bazarov was arrested upon his release from hospital and is



currently facing prosecution on three counts, including for 'slander'.

After the March attack, the authorities launched a targeted search for LGBT activists and interrogated many human rights defenders.

## **POLICE AND LAW ENFORCEMENT**

The police continued to be the main perpetrators of anti-LGBT violence.

*\*Some of the information about Uzbekistan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous.*



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