



# ANNUAL REVIEW

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

2021



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# Table of contents

[ACKNOWLEDGEMENTS](#)

[INTRODUCTION](#)

[A NOTE ON DATA COLLECTION AND PRESENTATION](#)

[HIGHLIGHTS, KEY DEVELOPMENTS AND TRENDS](#)

## COUNTRY REVIEWS

[ALBANIA](#)

[ANDORRA](#)

[ARMENIA](#)

[AUSTRIA](#)

[AZERBAIJAN](#)

[BELARUS](#)

[BELGIUM](#)

[BOSNIA AND HERZEGOVINA](#)

[BULGARIA](#)

[CROATIA](#)

[CYPRUS](#)

[CZECHIA](#)

[DENMARK](#)

[ESTONIA](#)

[FINLAND](#)

[FRANCE](#)

[GEORGIA](#)

[GERMANY](#)

[GREECE](#)

[HUNGARY](#)

[ICELAND](#)

[IRELAND](#)

[ITALY](#)

[KAZAKHSTAN](#)

[KOSOVO\\*](#)

[KYRGYZSTAN](#)

[LATVIA](#)

## INSTITUTIONAL REVIEWS

[EUROPEAN UNION](#)

[COUNCIL OF EUROPE](#)

[UNITED NATIONS](#)

[ORGANISATION FOR SECURITY  
AND COOPERATION IN EUROPE](#)

[LIECHTENSTEIN](#)

[LITHUANIA](#)

[LUXEMBOURG](#)

[MALTA](#)

[MOLDOVA](#)

[MONACO](#)

[MONTENEGRO](#)

[NETHERLANDS](#)

[NORTH MACEDONIA](#)

[NORWAY](#)

[POLAND](#)

[PORTUGAL](#)

[ROMANIA](#)

[RUSSIA](#)

[SAN MARINO](#)

[SERBIA](#)

[SLOVAKIA](#)

[SLOVENIA](#)

[SPAIN](#)

[SWEDEN](#)

[SWITZERLAND](#)

[TAJKISTAN](#)

[TURKEY](#)

[TURKMENISTAN](#)

[UKRAINE](#)

[UNITED KINGDOM](#)

[UZBEKISTAN](#)

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# Introduction

Welcome to the tenth 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 2020. 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.

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 2021



# A note on data collection and presentation

This is our tenth 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. In this unprecedented period, country experts run the extra mile while navigating lockdowns, personal losses, community emergencies, additional workloads and stress, and/or loss of funding. We hope this Annual Review reflects the difficult year so many of our frontline LGBTI activists have had.

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



# Highlights, Key Developments and Trends

There is a message emerging from our *10th Annual Review of the Human Rights Situation of LGBTI People in Europe and Central Asia* that, given the impact on communities of the unprecedented global events of 2020, is unsurprising, yet at the same time is a glaring clarification that progress we have taken for granted in many ways is not only increasingly fragile, but particularly vulnerable to exploitation by anti-human rights forces.

The COVID-19 pandemic and its consequences have highlighted all the gaps in terms of lived realities of LGBTI people across Europe and Central Asia. In reports from country after country, we see a stark rise in **abuse and hate speech** against LGBTI people; many who became vulnerable to homelessness have been forced to move back in to hostile family and community situations; LGBTI organisations have had to skew their work towards provision of basic necessities like **food and shelter** while many governments leave LGBTI people out of their relief packages; and there has been a resurgence of authorities and officials using LGBT people as scapegoats while authoritarian regimes are empowered to isolate and legislate without due process.

At the same time, this report clarifies that **the way we define progress is evolving**. In a lot of countries there are still more progressive laws on the books than there were five years ago, but in too many places we're still waiting for those laws to translate into real change in the lived experience of LGBTI people. While more actors in the political realm have begun to voice the need to take bolder action so that lived experiences become more in line with legislative progress, for the time being we are observing **more people turning to the courts** for the recognition of their human rights, or for the clarification of existing legislation that is meant to protect them. Meanwhile, in a substantial number of countries, legislative change is lagging, stagnant or backsliding.

Drilling down further, this report shows a significant growth of opposition towards trans rights across Europe, and this is beginning to have a wide and negative impact on **legal gender recognition (LGR)**. There is regression in Austria, Croatia, Finland, Hungary, Lithuania, Russia, Slovakia and Slovenia and the UK, and stagnation in Germany, Andorra, Cyprus, Czechia, Georgia, Germany, Kosovo, Montenegro, North Macedonia, and Sweden. In many of these countries, opposition forces have become louder, pretending that advancing the protection against discrimination and self-determination for trans people would harm women's rights or 'the protection of minors'. While there are some countries making progress in terms of self-determination across the age-spectrum, where there is progress reported in LGR, it excludes minors.

There has also been a substantial rise in **hate speech**, both from official sources, in the media and online. The trend of politicians verbally attacking LGBTI people has grown sizeably and spread in countries including Albania, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Czechia, Estonia, Finland, Hungary, Italy, Kosovo, Latvia, Moldova, North Macedonia, Poland, Russia, Slovakia, and Turkey; and religious leaders have propagated hate-speech in Belarus, Greece, Slovakia, Turkey and Ukraine, many of them directly blaming LGBTI people for COVID-19. Hate speech on social media has risen in Belgium, Bulgaria, Croatia, Czechia, Malta, Montenegro, Russia and Turkey, and in the general media in Slovenia and Ukraine, while hate speech is an ongoing issue in Georgia, Ireland, Netherlands, North Macedonia, Portugal, Romania, Slovakia, Spain and the UK. Many courts and governmental institutions are beginning to have a larger awareness of this growing trend, and beginning to talk about regulating online hate speech, including on the EU level.

For much of this annual report's ten years, reporting on **family rights** has generally focused on same-sex partnership registration or marriage rights and in this context there continues to be stagnation in several countries, including Andorra, Bulgaria, Czechia, Estonia, Latvia, Lithuania, Romania, Serbia and Slovakia. However, the growing trend is that more countries are moving on parenthood rights rather than partnership rights, either positively or negatively, taking the focus away from LGBTI rights themselves. Markedly in 2020, Montenegro became the first Western Balkans country to introduce civil partnership; while in Serbia the government promised steps toward introducing civil partnership in 2021. Switzerland and Northern Ireland (UK) both introduced marriage equality.

Annual Pride events have always been part of this report under the **Freedom of Assembly** heading, but this year, due to the COVID-19 lockdowns, Prides were cancelled all across Europe. The absence of Pride events matters not just as a test of free



assembly, but because of the potential longer-term impact on the visibility and presence of LGBTI people and communities in the public space, which will only be seen as we move into the years beyond the pandemic.

Having said that, attacks on freedom of assembly continue to be a growing trend. Demonstrators were detained in Azerbaijan; there was a brutal crackdown in Belarus for months, including arrests, detention, violence, and torture of LGBTI people; events were attacked or disturbed by extremists in Bulgaria; in France police brutality against protests rose; Greece denied a permit for LGBTI police conference to be hosted; and in Poland anti-LGBTI and anti-abortion rallies were rampant, while activists were arrested. In Russia activists were detained; in Turkey there are ongoing court cases against peaceful Pride marchers and other cases against human rights defenders, and in Ukraine the Odessa Pride event was attacked. On a positive note, courts struck down bans on three Pride marches in Turkey last year.

Overall there has been a **crackdown on democracy and civil society**, and not just in Poland and Hungary, which made all the headlines in 2020. We are seeing this in Turkey, Azerbaijan, and across Central Asia. Contributors to this report in several countries have expressed fears of their governments following in the footsteps of Poland and Hungary. Pending legislation in Russia to limit the work of NGOs takes the Russian propaganda law, which has been instrumental in influencing crackdowns in other countries, one step further.

**In Central Asia**, LGB rights are in stagnation, while trans rights are backsliding. In Kazakhstan we saw a step backwards in LGR, when legislators introduced a discriminatory norm in the healthcare law, raising the age limit for trans healthcare access from 18 to 21 and excluding those with a mental health or “behavioral disorder” diagnosis. Similarly in Kyrgyzstan, a new version of the law “On acts of civil status” came into force in autumn, erasing provision on LGR and making it no longer possible for trans people to change their legal gender marker.

At the same time, in Tajikistan, Uzbekistan and Turkmenistan, we see windows of opportunity for advancing LGBTI rights: inclusion of SOGIESc in the anti-discrimination bill currently being drafted in Tajikistan, and for the decriminalisation of consensual same-sex relations in Turkmenistan and Tajikistan, as both countries are in the process of revising their Criminal Codes.

What is surprisingly absent in this latest review, but which ILGA-Europe knows in an important conversation for many LGBTI groups, is a focus on **intersectionality** within LGBTI communities and in our wider society. 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 articulate their commitment to intersectionality in the public sphere. For example, while we know from our work that many LGBTI activists took part in the Black Lives Matter (BLM) demonstrations in 2020 (as the few mentions in this report suggest), few connect their support to the BLM movement to their own work, for example on police violence against LGBTI people, which is a topic identified in this Review.

Beyond LGBTI organisations, we have yet to see national authorities adopting specific measures that would take into consideration the realities of LGBTI people who experience exclusion because of other aspects of their lives - be it their race, their ability, their faith, to name a few. One notable exception in 2020 is the **EU LGBTIQ Equality Strategy 2020-2025**, published in November, which explicitly adopts an intersectional approach, and which will serve as a model for national governments to follow.

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. This 2020 review of the human rights situation for LGBTI people in Europe and Central Asia is a stark reminder that achieving equality in both law and real life is a multi-layered, non-linear and long-term endeavour. Forgetting the fragility of the progress makes us vulnerable, while seeking to see and understand the complexity makes us all better equipped to continue to advance towards our goals.







# European Union

## ACCESS TO GOODS AND SERVICES

The [EU LGBTIQ Equality Strategy \(2020-2025\)](#), adopted in November, reaffirms the European Commission's (EC) commitment to ensure EU-wide protection against discrimination by working towards the adoption of the horizontal non-discrimination directive, and initiating 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.

## ASYLUM

On 23 September, the EC [published](#) its proposal for a New Pact on Migration and Asylum, which include revisions to the Reception Conditions Directive, the Qualification Directive and the Return Directive.

As part of its efforts to improve implementation of EU asylum policies relating to LGBTI people, the European Asylum Support Office (EASO) organised two online webinars on identification, outreach and reception of LGBTI applicants for members of the Vulnerable Expert Network, bringing together civil society, experts and Member states.

As part of the [EU LGBTIQ Equality Strategy \(2020-2025\)](#), the EC commits to organising good practice exchange between Member States in the area of asylum, focusing on safe reception, protection standards and assessment of applications of LGBTIQ refugees, and for EASO to improve training for protection officers and interpreters on assessment.

## BIAS-MOTIVATED SPEECH

On 22 June, the EC [published](#) the results of its fifth evaluation of the voluntary '[Code of Conduct on countering illegal hate speech online](#)', including hate speech targeting people on grounds of sexual orientation and gender identity (SOGI) on Facebook, Twitter, YouTube, Instagram and Jeuxvideo.com. Hate speech targeting sexual orientation was most commonly reported (33.1%) and had risen compared to 15.6% reported in 2019. In September, the EC expanded the scope of the Code of Conduct to include TikTok.

In December, the Commission [proposed](#) an ambitious set of new rules for the digital space, including social media, online marketplaces and other online platforms that operate in the EU: the [Digital Services Act](#) and the [Digital Markets Act](#). Under the Digital Services Act, EU citizens will be able to notify illegal content, including hate speech, that they encounter and contest the decisions made by online platforms when their content is removed.

In the frame of the [EU LGBTIQ Equality Strategy](#), the EC committed to putting forward a proposal to extend the list of EU crimes to cover hate crimes and hate speech on the grounds of sexual orientation, work on the Digital Service Act and the full implementation of the Audiovisual Media Services Directive and the EU strategy on victim's rights, as well as funding opportunities in the area.

## BIAS-MOTIVATED VIOLENCE

On 24 June, the EC published the [EU Strategy on victims' rights \(2020-2025\)](#). The strategy includes specific measures on advancing protection of LGBTI victims of crime, such as training of law enforcement, awareness raising for victims of crime, and the creation of rainbow desks at police stations. The Strategy also sets out the creation of the Victims' Rights Platform.

On 8 October, the European Parliament [adopted](#) a resolution on the rule of law and fundamental rights in Bulgaria, condemning acts of hate speech against the LGBTI community and calling on the Bulgarian authorities to amend the *Protection against Discrimination Act* to explicitly include gender identity as a ground of discrimination, as well as amend the current Criminal Code to encompass hate crimes and hate speech on SOGIESC grounds.

## BODILY INTEGRITY

For the first time, the EU collected large-scale data on intersex people via the EU Agency for Fundamental Rights (FRA). [Published](#) in the EU LGBTI II survey (see under **Data collection**), the data set included responses from 1,519 intersex people across 30 countries.





In November, the [EU LGBTIQ Equality Strategy](#) made focused commitments to the advancement of the rights of intersex people, including commitments to conduct intersex-specific research and to develop an EU-wide harmful practices framework which includes intersex genital mutilation.

## DATA COLLECTION

On 14 May, the EU Agency for Fundamental Rights (FRA) [published](#) the results of the EU LGBTI II survey. The survey of 140,000 lesbian, gay, bisexual, trans and intersex (LGBTI) people reveals that, overall, more LGBTI people felt discriminated against in the previous year (43%), compared to when the first survey was taken in 2012 (37%). The survey included data on socio-economic inequality, LGBTI homelessness and included intersex in the survey.

## DIVERSITY

On 17 September, the European Parliament [adopted](#) a resolution on the implementation of National Roma Integration Strategies: Combating Negative Attitudes Towards People with Romani Background in Europe. The resolution calls on the EC and Member States to take action regarding the situation and the rights of individuals at the intersections of discrimination grounds in the EU, and specially names LGBTI people in this context.

In November, the German EU Presidency organised a conference on "[Intersectionality and LGBTI Policies in Europe](#)", focusing on lesbian visibility, the rights of rainbow families, intersectionality, and the EU LGBTIQ Equality Strategy.

## EDUCATION

As part of the [EU LGBTIQ Equality Strategy](#), the EC announced to setting up of an expert group on gender stereotypes and bullying, regarding education. In September, the EC also [committed](#) to develop a European Education Area (EEA), which includes a section on "inclusive education and gender equality", using the language of people "in all their diversity".

## EMPLOYMENT

In a judgement delivered on 23 April, the European Court of Justice (CJEU) [held](#) that statements made by a lawyer during a radio programme in Italy, saying he would never recruit a "homosexual" or wish to use the services of such persons, fall within the material scope of EU Directive 2000/78, establishing a general framework for equal treatment in employment and occupation ('the anti-discrimination directive') (Case C-507/18). The case was brought by Rete Lenford Avvocatura Per I Diritti LGBT (Lawyers For LGBT Rights), and in the judgement the Court noted that the lawyer's statements may fall within the ambit of the anti-discrimination directive, even if no recruitment procedure had been opened or planned at the time when the statements were made, where the link between the statements and the conditions for access to employment is not hypothetical.

The [EU LGBTIQ Equality Strategy](#) sets out a number of initiatives to fight discrimination in employment, including gathering data on discrimination in access to the labour market, particularly for trans and intersex people, and guidance to Member States on the issue; the implementation report on the Employment Equality Directive; and possible following legislative proposals to tackle discrimination in the labour market on SOGI.

## ENLARGEMENT

On 5 February, the European Commission [adopted](#) the 2020 Communication "*Enhancing the accession process – A credible EU perspective for the Western Balkans*". In March, the European Council decided to open accession negotiations with North Macedonia and Albania. The EC accession progress continues to be an important driver for progress on LGBTI equality in the region.





The European Commission's [Enlargement Progress Report 2020](#), published in October and covering 2019, recommended a number of steps regarding the improvement of LGBTI rights across the region of the Western Balkans, focusing on combatting hate-crime and hate-speech, especially against trans people, improving legal protection against discrimination, and the lack of legal gender recognition procedures and the invisibility of intersex people. The EC continued to highlight the very serious situation for LGBTI people in Turkey, citing the restrictions on LGBTI NGOs, violence targeted at LGBTI organisations, smear campaigns and hate speech by political and religious leaders, as well as the ongoing need to lift blanket bans on LGBTI events, adopt an anti-discrimination law that is inclusive of SOGI, and amend the hate-crime law to include SOGI. It also noted that Turkey has an extremely high murder rate of trans people.

## EQUALITY AND NON-DISCRIMINATION

In March, EC Vice-President Jourova and Commissioner Dalli held a meeting with representatives of LGBTI organisations in Europe to assess the impact of the COVID-19 pandemic on the LGBTI community and LGBTI rights in the EU, in preparation for the EU LGBTIQ Strategy.

On 5 March, the EC adopted the [Gender Equality Strategy 2020-2025](#). The Strategy sets out to protect and advance the rights of “women and girls in all their diversity” and specific actions. “In all their diversity” is explicitly defined in the Strategy to refer to people regardless of their “sex, gender identity, gender expression, or sex characteristics”.

In June, the EC's Directorate General (DG) for Employment and DG Regional Development wrote a letter to five regional Polish governments regarding their use of cohesion funds as regions which adopted Family Charters, which discriminate against LGBTI people and their families.

On 28 July, EC Commissioner Dalli announced the decision to stop funding applications of six Polish municipalities and cities who had applied for the twinning programme of the Europe for Citizens project, because they had adopted Family Rights Charters.

On 17 September, the EP [adopted](#) a resolution that names the ongoing discrimination against LGBTI people in Poland and condemns the arrests of Polish LGBTI human rights activists as well as the so-called ‘LGBT-free zones’. It calls on the Council and the Commission to use the Rule of law procedure under Article 7(1) TEU to its full potential by also addressing violations of fundamental rights including LGBTI rights.

In October, the European Parliament [adopted](#) a resolution on the establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights that calls for the systematic inclusion of violations of fundamental rights as set out in the Treaties, including LGBTI rights, into any rule of law procedures on EU level.

On 26 November, the European Parliament [adopted](#) a resolution on the situation of Fundamental Rights in the European Union for the years 2018 – 2019, addressing anti-LGBTI hate speech and hate crimes, as well as the shrinking space for human rights defenders and civil society. It also recalls that vulnerable groups of prisoners, including LGBTI prisoners, have special needs that need to be taken into account.

On 3 December, coinciding with the EU Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) meeting, 16 Member States came together upon the invitation of the Luxembourg minister for Family and Integration, to publicly [welcome](#) the EU LGBTIQ Equality Strategy.

## FAMILY

In her state of the Union address in September in the European Parliament, EC President Ursula von der Leyen clearly [committed](#) to put forward legislation to ensure mutual recognition between EU Member States on parental relations. The commitment was included in the [EU LGBTIQ Strategy](#), and a legislative proposal was announced for 2022.





*"If you are parent in one country, you are parent in every country."* - Ursula von der Leyen, EC President, State of the Union Address

## FOREIGN POLICY

On 25 November, the EU adopted the [Gender Action Plan III](#) – putting women and girls' rights at the heart of the global recovery for a gender-equal world. The Plan commits to an intersectional approach and states that it should be read in conjunction with the new EU LGBTIQ Equality Strategy. Its initiatives will be open to organisations and projects working at the cross section of LGBTIQ rights and women's rights, in order to protect LGBTIQ women in external relations.

## HEALTH

In the frame of the [EU LGBTIQ Equality Strategy](#), the EC sets out to support intersectional research, including on health as well as encouraging member states to organise trainings for healthcare professionals in the care needs of LGBTIQ people, as well as ensuring mainstreaming of LGBTIQ rights in all health portfolios, like for example the [RU Beating Cancer Plan](#).

On 26 November, the European Parliament [adopted](#) a resolution on the de facto ban on the right to abortion in Poland. The text includes a specific mention of trans and non-binary people amongst most vulnerable groups disproportionately affected by limits and barriers in accessing sexual and reproductive rights.

## LEGAL GENDER RECOGNITION

In August, the EC published the study [Legal gender recognition \(LGR\) in the EU](#). The study examines the relationship between the existence of LGR measures and the wellbeing of transgender people, as well as their socio-demographic and socio-economic position in society. The study recommends, among other things, that Member States implement fully human rights-compliant LGR mechanisms to ensure the protection of human rights of trans people.





# Council of Europe

The COVID-19 pandemic dramatically impacted the work of the Council of Europe in 2020; the Parliamentary Assembly of the Council of Europe (PACE) cancelled three of its four-part sessions, replacing them with meetings of the Standing Committee, which meant in practice that debates, written declarations, and questions from the floor during session were dramatically curtailed. Furthermore, the European Commission against Racism and Intolerance (ECRI) rescheduled many of its country visits and delayed planned reports, as did the General Rapporteur on the rights of LGBTI people.

The Council of Europe created a new Steering Committee - the [Steering Committee on Anti-Discrimination, Diversity and Inclusion \(CDADI\)](#), in 2020, which includes in its mandate further formalisation and integration of SOGI issues into the non-discrimination framework. Additionally, the Secretariat of the [European Focal Points Network](#) was relocated to be formally hosted within the SOGI Unit, adding weight to this long-standing intergovernmental space and opening a path to formalised intergovernmental dialogue on SOGIESC issues.

## ASYLUM

In a judgement delivered on 17 November in the case of *B and C v. Switzerland*, the European Court of Human Rights (ECtHR) found that State's failure to assess the risks of ill-treatment for a gay person in The Gambia, and the availability of State protection against ill-treatment emanating from non-state actors, give rise to violation of Article 3. Although the laws criminalising same-sex relations may not be imposed, they are however an indication that State protection of LGBTI individuals would not be available putting the person.

## BIAS-MOTIVATED SPEECH

On 14 January, the European Court of Human Rights [found](#) in the case of *Beizaras and Levickas v. Lithuania* that Lithuania's failure to investigate online hateful comments against a gay couple to have violated their rights to private and family life, as well as being discriminatory on the ground of sexual orientation.

On 15 May, the Commissioner for Human Rights of the Council of Europe published a [statement](#) for IDAHOT+ entitled Hate mongering against LGBTI people has no place in today's Europe.

On 10 June, in the case of *Liliendahl v. Iceland*, the European Court Of Human Rights [found](#) that Iceland acted in compliance with the Convention by convicting and fining the author of homophobic comments. The Court found that such prejudicial and intolerant comments, which promoted intolerance and detestation of gay persons, fell within the definition of hate-speech under Article 10 of the Convention, and did not enjoy protection as a form of freedom of expression.

The General Rapporteur on the rights of LGBTI people for the Assembly issued a [statement](#) on 25 June entitled "Poland: 'stop the rhetoric of hate against LGBTI people' says PACE General Rapporteur". Additionally, on 26 June a [motion for a resolution](#) on Combatting rising hate against LGBTI people in Europe was tabled. It was approved by the Bureau, and the General Rapporteur on the rights of the LGBTI people was assigned as rapporteur. A hearing was held on the resolution on the Committee on Equality and Non-discrimination on 24 November, and a country visit to Poland was approved by the Committee for fact-finding.

## BODILY INTEGRITY

OII Europe, the Finnish Permanent Representative to the Council of Europe, and the SOGI Unit hosted a [webinar](#) on 30 June, to launch a [report commissioned by the Finnish government](#) and raise awareness about the situation of intersex people in Europe. Additionally, the SOGI Unit hosted a [webinar](#) on 20 November on intersex issues in Serbia.

ECRI included intersex issues in its investigative and released country reports with intersex-specific content on [Albania](#), [Austria](#) (with recommendation), [Czechia](#) (with recommendation), [Germany](#) (with recommendation), [Slovakia](#), and [Switzerland](#) (with recommendation).

The General Rapporteur on LGBTI published a [statement](#) calling for an end to intersex genital mutilation to mark the occasion of Intersex Awareness Day on 26 October.





## EQUALITY AND NON-DISCRIMINATION

On 16 September, the Committee of Ministers took note of the report prepared by the SOGI Unit on the review of the Committee of Ministers Recommendation (2010)5, which was previously adopted by the Steering Committee on Human Rights (CDDH) in November 2019, on measures to combat discrimination on grounds of sexual orientation or gender identity.

A report, resolution, and recommendation were adopted on Preventing discrimination caused by the use of artificial intelligence, which took note of the ways in which LGBTI people may be vulnerable in the context of AI.

The draft resolution on Supporting people with autism and their families, published in November, took note of the joint civil society submission highlighting the unique challenges for LGBTI people with autism, including social isolation, limitations in access to medical care, and ableism in LGBTI communities.

## FAMILY

The Commissioner for Human Rights of the Council of Europe submitted a third party intervention to the European Court of Human Rights concerning the case of Florin Buhuceanu and Victor Ciobotaru v. Romania and 12 other cases, noting with concern the lack of access to partnership rights for same-sex couples.

## FREEDOM OF ASSEMBLY

In January 2020, the 22 members of the Assembly signed a written declaration insisting that *The Turkish authorities must drop all charges against LGBTI activists who participated in Pride*. Similarly, following her country visit to Turkey, the Commissioner for Human Rights of the Council of Europe issued a report on 19 February stating that *Turkish authorities must restore judicial independence and stop targeting and silencing human rights defenders*.

On 13 October, the European Court of Human Rights issued a judgment in Sozayev and Others v. Russia, establishing that arrests of LGBTI activists protesting the so-called gay propaganda law had violated Articles 5, 6, and 11 of the Convention. 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 RELIGION

During the January 2020 Part Session of the Assembly, a resolution on *The protection of freedom of religion or belief in the workplace* was successfully amended, with collective effort from LGBTI and SRHR civil society organisations, to ensure that freedom of religion was not manipulated to allow for discrimination against LGBTI people or those seeking access to abortion or contraception.

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

On 8 October, the European Court of Human Rights in the case of Aghdgomelashvili and Japaridze v. Georgia found that the 2009 humiliating police raid in the office of an LGBT NGO based in Tbilisi followed by inappropriate investigations by the domestic authorities constituted a violation of Article 3 (prohibition inhuman and degrading treatment), taken in conjunction with Article 14 of the Convention.

## HEALTH

In the context of the COVID-19 pandemic, the General Rapporteur on the rights of LGBTI people issued a statement on 15 May, around the commemoration of IDAHOT+, entitled *COVID-19: No time for silence at critical moment for LGBTI people*. On the same day, the Commissioner for Human rights of the Council of Europe signed a joint statement with UN and IACHR mandates entitled *COVID-19: The suffering and resilience of LGBT persons must be visible and inform the actions of States*. The Assembly adopted an LGBTI-inclusive report, Upholding human rights in times of crisis and pandemics: gender, equality and non-discrimination, on 13 October. ECRI released a brief statement noting the impacts of the pandemic on LGBTI people.





## HUMAN RIGHTS DEFENDERS

In October, the Standing Committee adopted a [report and resolution](#) on *The principles and guarantees of advocates*, which acknowledged the persecution of lawyers who represent LGBTI clients or work on LGBTI issues and called for this to cease.

## LEGAL GENDER RECOGNITION

On 22 May, in response to the tabling of the omnibus bill in Hungary which, once adopted, made legal gender recognition impossible in the country, the General Rapporteur on the rights of LGBTI people issued a [statement](#) entitled “*Depriving trans and intersex people of legal gender recognition in Hungary is intolerable*”, says General Rapporteur.

On 9 July, the European Court of Human Rights [issued a judgement](#) in the case of Y.T. v Bulgaria, finding violation of Article 8 (right to private and family life). Domestic authorities’ refusal to grant legal recognition to Y.T.’s gender reassignment, without giving relevant and sufficient reasons, and the rigidity in the domestic courts’ reasoning, which lasted for an unreasonable and continuous period, resulted in applicant’s feelings of vulnerability, humiliation and anxiety.

On 16 July, the European Court of Human Rights [established](#) Hungary’s positive obligation under Article 8 to secure the right to respect for private life to provide a procedure allowing asylum seekers to have their gender identity legally recognised.

ECRI recommended [Czechia](#) and [Slovakia](#) to remove the mandatory sterilisation requirement of LGR.

## SEXUAL AND REPRODUCTIVE RIGHTS

On 26 June, the Assembly adopted an LGBTI-inclusive [resolution](#) on access to contraception in the Council of Europe region.

On 21 July the Commissioner for Human Rights of the Council of Europe published an LGBTI-inclusive [human rights comment](#) calling for comprehensive sex education in schools.

In a speech on 12 November, to commemorate European Day Against Sexual Exploitation and Sexual Abuse of Children, the Commissioner for Human Rights pointed out that LGBTI people, among others, were wrongfully scapegoated in discussions of prevention of this violence.





# United Nations

Advocacy in general in the UN was severely impacted by the COVID-19 pandemic in 2020. Processes were delayed, and many of the expected outcomes of 2020 have been pushed to future work plans.

## UN INDEPENDENT EXPERT ON SEXUAL ORIENTATION AND GENDER IDENTITY

The Independent Expert, [Victor Madrigal-Borloz](#) released two thematic reports in 2020. One focused on so-called “conversion therapy”, and the other on COVID-19 and its impact on the human rights of LGBT people. Both reports were preceded by public consultations. Following from the report on COVID-19, on 18 June, the Independent Expert released the [ASPIRE Guidelines](#) (Acknowledgement, Support, Protection, Indirect discrimination avoidance, Representation, Evidence-gathering) on COVID-19 response and recovery free from violence and discrimination based on sexual orientation and gender identity.

On 27 April, the Independent Expert [published](#) his report on his 2019 country visit to Ukraine, highlighting that legislation is adequate but implementation is lacking; that LGBTI people are by large mandated to secrecy as a result of stigma; that attacks against public events are of serious concern; and that political leaders must show public support to the community. The Independent Expert’s country visits to Sri Lanka and Tunisia were postponed to 2021.

On 17 May, on the occasion of the International Day Against Homophobia, Transphobia, Biphobia, and Interphobia (IDAHOT+), the Independent Expert released a [joint statement](#) on COVID-19: *The suffering and resilience of LGBT persons must be visible and inform the actions of States*, co-signed by human rights experts within the UN, as well as the Council of Europe and the Inter-American Commission on Human Rights.

## ASYLUM

The Special Rapporteur on freedom of religion or belief urged the [Netherlands](#) to address tension between LGBTI asylum seekers and others in reception centers. The [Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance](#) also noted with concern the inappropriate questioning of LGBTI asylum seekers from Muslim-majority countries, and the denial of claims on the basis of prejudice and stereotypes.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

The Committee on the Rights of the Child (CRC) recommended to [Belarus](#) and [Hungary](#) that they develop SOGI-inclusive strategies to prevent violence against children, and additionally to [Hungary](#) that it implement anti-bullying measures.

The Human Rights Committee (HRCttee) recommended [Portugal](#) to implement efforts to combat intolerance, stereotypes, prejudice and discrimination and to prevent hate speech and hate crimes against LGBT persons.

As part of the Universal Periodic Review (UPR), [Armenia](#) and [Sweden](#) accepted, and [Kyrgyzstan](#) and [Turkey](#) noted recommendations to step up efforts to combat hate speech and incitement to anti-LGBTI violence.

The Special Rapporteur on violence against women recommended [Bulgaria](#) to include ‘gender identity’ as a protected ground in its anti-discrimination and hate crime legislation.

The Special Rapporteur in the field of cultural rights noted with concern the backlash against the cultural expression of LGBTI people in [Poland](#) and urged the government to speedily adopt legislation to protect LGBTI people from discrimination, hate speech, and hate crimes.

## BODILY INTEGRITY

The Committee on the Elimination of Discrimination against Women (CEDAW) recommended [Bulgaria](#) to implement a human rights based healthcare protocol for intersex women.

The CRC recommended to [Austria](#) that it implement measures to prohibit unnecessary interventions on intersex children, and the HRCttee issued a similar recommendation to [Portugal](#). Additionally, the Committee on Economic, Social and Cultural Rights (CESCR) issued a detailed recommendation to [Belgium](#) regarding individual consent to medical interventions, training of healthcare providers, and ensuring that intersex-led civil society is meaningfully engaged in all relevant processes.







As part of the UPR, [Sweden](#) accepted a recommendation to protect children's right to bodily autonomy and ensure that non-vital surgical or other medical procedures are not performed without the individual's personal informed consent.

The Special Rapporteur on the sale and sexual exploitation of children highlighted the vulnerability of LGBTI children to punitive placement to residential institutions, sexual abuse, and commercial sexual exploitation in [Bulgaria](#).

## EQUALITY AND NON-DISCRIMINATION

On 24 February, CEDAW issued a [decision](#) against the Russian Federation in the case of O.N. and D.P. v. Russian Federation, finding a violation of the right of access to justice and effective remedy / violence and discrimination against women on the basis of their sexual orientation. Further, CEDAW recommended [Latvia](#) and the [Republic of Moldova](#) to ensure effective access to justice, full inclusion and accessibility for LGBTI women/persons.

CEDAW recommended [Bulgaria](#) to ensure substantive equality for women facing intersecting forms of discrimination, including LGBTI women.

On 7 April, the CESCR released [General comment No. 25 \(2020\) on science and economic, social and cultural rights](#), which includes specific reference to discrimination in access to technology and scientific progress on the basis of sexual orientation and gender identity.

The CRC recommended to [Belarus](#) and [Hungary](#) that they implement SOGI-inclusive anti-discrimination laws. CESCR made a similar recommendation to [Ukraine](#), and HRCttee to [Uzbekistan](#).

As part of the UPR, [Armenia](#) and [Kyrgyzstan](#) accepted and [Turkey](#) noted recommendations to combat discrimination against LGBTI people and to implement existing anti-discrimination legislation (Turkey). [Spain](#) accepted a recommendation to continue its reform efforts.

The CRC released its [Draft General Comment No. 25](#) on children's rights in relation to the digital environment, which includes discussion of sexual orientation and gender identity as protected grounds for discrimination.

## EDUCATION

The Working Group on discrimination against women and girls urged [Greece](#) to increase content on SOGI issues in school curricula.

## EMPLOYMENT

The Working Group on the issue of human rights and transnational corporations and other business enterprises urged [Georgia](#) to promote workplace diversity and LGBTI standards of conduct for businesses, and eliminate discrimination.

## FAMILY

The Special Rapporteur on violence against women highlighted that the lack of legal recognition for same-sex couples discriminates against LGBTI people in [Bulgaria](#).

## FREEDOM OF ASSEMBLY

The HRCttee issued [General Comment No. 37](#) on Article 21 of the ICCPR (the right of peaceful assembly), which makes explicit reference to protection of the right to peaceful assembly on the grounds of sexual orientation and gender identity.

## FREEDOM OF ASSOCIATION

As part of the UPR, [Armenia](#) accepted and [Turkey](#) noted recommendations regarding protecting the rights of all citizens to freedom of association and assembly, including LGBTI persons.





## HEALTH

In April, CEDAW developed a [Guidance Note on CEDAW and COVID-19](#), which calls on States to “address discrimination against lesbian, bisexual and transgender women in access to health care and ensure that they have access to safe shelters and support services whenever exposed to gender-based violence during home confinement.”

On 15 May, the Equal Rights Coalition released a [statement](#) on coronavirus (COVID-19) and the human rights of LGBTI persons, calling on governments to address the specific vulnerabilities of LGBTI people during the pandemic. The LGBTI Core Group released a similar [statement](#) including specific calls for government action on 21 May.

On 2 October, Mr. Ghanshyam Bhandari, Deputy Permanent Representative of Nepal, [intervened](#) on behalf of the UN LGBTI Core Group at the 75th Session of the General Assembly Third Committee General Debate regarding the impact of COVID-19 on LGBTI people.

On 27 November, CESCR released a [Statement on universal and equitable access to vaccines for COVID-19](#), which demands non-discrimination on sexual orientation and gender identity, among other protected characteristics.

## HOUSING

The Special Rapporteur on adequate housing highlighted that due to the lack of emergency shelters in [France](#), LGBTI people who are unwelcome in their family homes are left desperate and unsafe.

## HUMAN RIGHTS DEFENDERS

The Special Rapporteur on the sale and sexual exploitation of children and the Special Rapporteur on violence against women highlighted the detrimental impact of the anti-gender rhetoric on LGBTI civil society organisations in Bulgaria.

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism noted that LGBTQ organisations are denied registration in [Kazakhstan](#) and are negatively impacted by rights-limiting measures.

## LEGAL GENDER RECOGNITION

As part of the UPR, [Spain](#) and [Sweden](#) accepted recommendations to adopt demedicalised legal gender recognition legislation.

## POLICE AND LAW ENFORCEMENT

CEDAW recommended [Ukraine](#) to implement training for law enforcement officers and judiciary personnel regarding SOGI issues.

The Working Group on Arbitrary Detention urged [Greece](#) to ensure LGBTI people receive individualised treatment in places of detention.

## SEXUAL AND REPRODUCTIVE RIGHTS

The CRC recommended [Belarus](#) to implement SOGI-inclusive sexual education and training of health professionals to support LGBT children.

## THE AGENDA 2030: SUSTAINABLE DEVELOPMENT GOALS

The LGBTI Stakeholder Group held its first formal side-event at the July [High Level Political Forum](#) (HLPF), the central platform for follow-up and review of the 2030 Agenda for Sustainable Development. The Group also published a formal position paper, [2020 High Level Political Forum Position Paper “Accelerated action and transformative pathways: realising the decade of action and delivery for sustainable development”](#), in June. The UN LGBTI Core Group also [intervened](#) during the 2020 HLPF on 7 July.





# Organisation for Security and Cooperation in Europe

## BIAS-MOTIVATED VIOLENCE

On 16 November, the Office for Democratic Institutions and Human Rights (ODIHR), the principal institution of the Organisation for Security and Cooperation (OSCE), published its hate crime data for 2019. In 2020, 39 OSCE participating states submitted information to ODIHR and 19 of these included statistics on the number of recorded hate crimes targeting LGBT people.

Civil society organisations and other non-state groups reported 1,272 anti-LGBT hate crimes that were reported in 2019, in 35 states [2019: 27]. These include 797 violent attacks, 401 threats and 74 attacks against property.

In November, ODIHR highlighted that documenting hate crimes and offering support to those affected is a key to ensuring the security of individual victims, their communities, and society as a whole. ODIHR also emphasised that a large number of states did not provide police and prosecutors with the tools and knowledge they need in order to recognise, record and effectively investigate such crimes. This frequently deprives hate crime victims of the opportunity to access much-needed specialist support.

On 2 and 3 December, the International Network for Hate Studies together with the ODIHR, and the University of Plymouth organised a two-day conference on 'Hate, Democracy, and Human Rights'. Representatives of governments, academic institutions and civil society gathered to discuss the ways in which human rights and democracy are challenged by hate.







# Albania

## ACCESS TO ADEQUATE FOOD

Between March - December, Aleanca LGBTI and Streha LGBTI supported 117 LGBTI people with 800 food packages. Aleanca's [study](#) on the impact of COVID-19 on LGBTI people found that one in every four LGBTI respondents struggled to cover their basic needs, such as food, medication, clothes and shelter, without their family's support.

## ASYLUM

[Streha's](#) study found that 80% of 200 LGBTI respondents had considered leaving Albania because they faced difficulties as an LGBTI person.

## BIAS-MOTIVATED SPEECH

In [June](#), Kujtim Gjuzi, MP and head of the Conservative Party, a small opposition party, criticised Prime Minister Edi Rama on TV saying: "Rama likes to eat men's head scarves. I did not know he was a supporter of the LGBTI group."

Pro-LGBT's study found that there was no representation of any minorities, including LGBTI people on prime time TV in Albania. The study also found that 3% of online articles featured discriminatory or hateful speech about LGBTI people, mostly in the comments section.

## BIAS-MOTIVATED VIOLENCE

The number of discrimination and violence cases significantly increased since the onset of the COVID-19 pandemic. Many had to move back or stay with their families, and were exposed to harassment and violence.

Aleanca's survey [to be published], which gathered 276 responses from LGBTI people, found one in two have experienced psychological violence and bullying and one in five have been sexually harassed. The survey documented 33 cases of physical violence and 16 cases of rape. 25 people have been blackmailed because of their sexual orientation or gender identity and 16 fired from their jobs. A mere 7% reported the incidents to the authorities.

In June, LGBTI activist Xheni Karaj was physically attacked while on a beach with her partner. The perpetrator was a doctor who said he should have left "people like you" to die when he had the chance in hospital. Xheni reported the crime to the police. The Prosecutor's Office response was that there was no ground of hate crime and the case was closed.

## BODILY INTEGRITY

In May, the order of psychologists [banned](#) conversion therapy aiming to change a person's sexual orientation or gender identity. The decision is legally binding and all therapists must be registered with the order. Albania is now the third European country to ban this practice.

In July, the Albanian Ministry of Health released a "Medical Protocol for the Assessment of Children with Atypical Genital Development" as binding guidelines and a practical guide for health professionals. Civil society had been [urging](#) parliament to ban medically unnecessary and nonconsensual surgeries on intersex infants, and Albania received a UPR recommendation on the issue in 2019.

On a positive note, the protocol affirms the right of intersex children to truth about their body, the importance of affirming their dignity, and tackling stigma and discrimination. However, as OII Europe [highlighted](#) with concern, Albania missed the chance to ban harmful practices against intersex children and fully align the protocol with human rights standards. The protocol allows for non-vital interventions to be carried out, including interventions that can be safely deferred or are purely cosmetic. It recognises that intersex children might develop a gender identity different from that assigned to them at birth, but still advises that surgeries are carried out during infancy.

The Tirana Legal Aid Society [welcomed](#) the protocol, saying they are "fully dedicated to advance protection and propose reformations of the legal framework in other crucial areas such as protection from discrimination, legal gender recognition in identity documents and presentation of flexible procedures to change gender markers."

## EDUCATION

According to [Streha's](#) study (see under **Asylum**) 72% of the respondents experienced school bullying due to being LGBTI.

## EMPLOYMENT

Aleanca's COVID-19 [study](#) found that 47% of LGBTI respondents were currently unemployed, with half having lost their jobs during the state of emergency. The striking rate of unemployment might be explained by the marginalisation of LGBTI people in the labour market, even before the pandemic. Trans people have been hardest hit by the pandemic. Sex workers lost their source of income and were unable to cover their basic needs.



## EQUALITY AND NON-DISCRIMINATION

In June, the European Commission against Racism and Intolerance (ECRI) recommended that Albania provide all the adequate funds needed for the implementation of the National Action Plan on LGBTI Persons (2016-2020) (see more under **Family, Health** and **Legal gender recognition**).

On 29 June, PINK Embassy expressed its concern to the Special Parliamentary Commission for Electoral Reform and the Assembly of Albania that the Electoral Code does not include SOGIGESC grounds to protect LGBTI persons running for office from discrimination.

In October, the Parliament amended the anti-discrimination law to include sex characteristics and HIV status as protected grounds.

## FAMILY

ECRI called on Albania to provide legal recognition for same-sex couples, without discrimination (see more under **Equality and non-discrimination, Health** and **Legal gender recognition**).

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, the ninth Tirana Pride was held online this year.

## HEALTH

ECRI called on Albania to regulate the provision of trans healthcare. (see more under **Equality and non-discrimination, Family** and **Legal gender recognition**). Trans people continued to report a lack of access to basic trans healthcare services.

Due to lockdown measures between March and May, LGBTI people living with HIV were not able to travel to Tirana for medication. Many had to discontinue their treatment.

## HOUSING

Aleanca's study found that one in every four LGBTI respondents struggled to pay rent during the COVID-19 pandemic, with many having to move back to their families and suffering from increased psychological, verbal, or physical violence.

## LEGAL GENDER RECOGNITION

ECRI urged Albania to put in place a legal gender recognition procedure that is quick, accessible and transparent, and a simple administrative process. (see more under **Equality and non-discrimination, Family, Health** and **Legal gender recognition**).

## POLICE AND LAW ENFORCEMENT

Aleanca, Pro LGBTI in collaboration with COC Netherlands, the Helsinki Committee, and the Police Academy worked on including LGBTI issues in the Academy's curriculum this year, and held two training of trainers events.

Several trans people reported being discriminated against or harassed by the police when going out during lockdown periods. Aleanca reported these cases to the Commissioner against Discrimination.

## PUBLIC OPINION AND ATTITUDES

In February, a study by the University of Tirana showed that Albania's political parties are not hostile to LGBTI equality, but lack information on the main issues and are also hesitant to make their supportive stance public. The study focused on the Socialist Party, the Democratic Party, the Socialist Movement for Integration, and other smaller parties.



[ALBANIA WEB PAGE](#)

[MORE INFORMATION ON WWW.RAINBOW-EUROPE.ORG](http://WWW.RAINBOW-EUROPE.ORG)





# Andorra

## BIAS-MOTIVATED VIOLENCE

On 11 January, a young gay man was verbally harassed and physically assaulted by two men at a club in Santa Coloma. The police investigation is ongoing.

## EQUALITY AND NON-DISCRIMINATION

Andorra's anti-discrimination body, the Equality Observatory was set up in February. The body will have a specific committee on LGBTIQ+ issues. LGBTIQ+ advocates have played an important role in the process and will continue to work with the newly established body.

DiversAnd was involved in the drafting of the National Plan for Childhood and Adolescence this year, giving a voice to LGBTI children and youth. The draft Plan will be published in 2021.

## FAMILY

A draft bill on amending the Law of the Person and Family was tabled on 10 March, establishing that civil unions will remain available for same-sex couples, but the term "marriage" will only be used for heterosexual couples. The law will recognise 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

On 4 November, the youth movement Contracorrent held the "day of the skirt", inviting anyone regardless of gender identity to wear a skirt to school that day. The aim was to tackle stereotypes and fight the mandatory gender binary. In most schools, the action was successful. One high school threatened students wearing skirts with expulsion. As a response, the students wore a skirt on the following day also.

## HEALTH

The lack of access to affordable trans healthcare in the country continued to leave many in a difficult mental and physical state of health. Two trans people launched fundraisers to collect money for their gender affirming surgeries, highlighting the issue of Andorran public insurance not covering these interventions. One of them, Monterosso Nile, a 15-year-old trans boy, who has suffered from severe depression due to his dysphoria, said:

*"This is not an aesthetic operation, but an operation for my health and particularly my mental health."*

## LEGAL GENDER RECOGNITION

DiversAnd continued to urge MPs on an individual basis to reform legislation on legal gender recognition. On 28 June, on the occasion of Pride, DiversAnd held a small protest 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 joined by Miss Trans Spain 2019, Michelle Relayze, who said:

*"What we are demanding is not a gift, we are demanding our rights like anyone else."*



[ANDORRA WEB PAGE](#)

[MORE INFORMATION ON WWW.RAINBOW-EUROPE.ORG](http://WWW.RAINBOW-EUROPE.ORG)

# Armenia

## BIAS-MOTIVATED SPEECH

In February, a Yerevan court ruled that *Iravunk*, a news website, used discriminatory and inciting language when it claimed in 2014 that two singers supported the “international homosexual lobby”.

In April, the Criminal Code was supplemented with Article 226.2, criminalising calling for, justifying, or promoting violence against a particular group. The list of grounds is not exhaustive, allowing for the implicit inclusion of sexual orientation and gender identity under “other personal or social circumstances”. Between May-June, Pink documented several social media posts falling under Article 226.2 and submitted four applications to the police. The police denied all four. Three were appealed and one is now filed as a criminal case.

A working group on hate speech prevention, initiated by the governing party, was established in January. The group, including Pink as a member, held its first meeting in May, bringing together civil society and MPs with the aim of introducing hate speech legislation.

## BIAS-MOTIVATED VIOLENCE

In April, far-right organiser, Narek Malyan posted photos of two trans women’s passports and personal information. RightSide NGO reported the case to the General Prosecutor, who initiated a criminal investigation.

On 4 August, the Criminal Court of Appeal ruled that the rights of the victims of the 2018 Shurnukh case, where nine LGBTI people were attacked by a group of 30, were violated when the investigator decided not to prosecute. The investigation will have to start anew, and consider the bias motif of the attack on grounds of SOGI, and the severe mental and physical harm caused. Another similar ruling was passed on 16 September by the Criminal Court of Appeal.

Pink documented 21 cases of physical and sexual violence, and threats of violence towards LGBT people during 2020, 11 of which were committed by the family members. These included beatings, stabbings, and other serious attacks. 16 cases of domestic violence (physical, psychological, economic) on grounds of SOGI were recorded. In six cases, the victims were minors. Of the 16, six were lesbian or bisexual women, seven gay or bisexual men, and three trans and non-binary persons. In most cases, the parents learned about the LGBT identity of the victims, and then beat, harassed, threatened, or locked them up.

Armenia was in armed conflict between September-November. Many LGBT people were also mobilised to protect the borders. Opinion leaders, including Naira Zohrabyan, Head of Human Rights Committee of National Assembly, spoke about LGBT people in a discriminatory manner. Zohrabyan stated that if LGBT people were deployed and injured in armed conflict areas, the international community would react immediately. Zohrabyan’s mandate was terminated by a secret vote (78 to 4) on 29 December.

## EDUCATION

A lesbian student was expelled from the military university because of her sexual orientation, as stated by the Director.

## EMPLOYMENT

A bisexual woman was fired this year, presumably because of her sexual orientation. In Armenia, many are employed without a contract in place, which makes it difficult to process discrimination cases. The woman did not want to pursue the case.

## EQUALITY AND NON-DISCRIMINATION

Pink documented 41 cases of discrimination based on SOGI this year. 21 victims reported their cases to the police. Some of these were rejected, and others have not been processed in a meaningful way. Trans people have increasingly suffered from discrimination and violence during the quarantine, according to interviews conducted by Right Side NGO.

Armenia’s third Universal Periodic Review (UPR) took place in January. Civil society highlighted that Armenia had failed to implement its earlier UPR recommendations on adopting comprehensive anti-discrimination and hate crime legislation (see under **Bias-motivated crime**).

The Ombudsperson published his annual report in April, failing to highlight the situation of LGBT people.

The Court of Appeal sided with Pink, striking down the ruling of the First Instance Court that found no violation by the government in not considering Pink’s social advertisements in 2017. The First Instance Court will now have to re-examine the decision of the Ministry of Culture.

## HOUSING

Pink documented three cases between January and October, where trans people were evicted from rentals due to their





gender identity. In two cases, the landlords explicitly said they did not want trans people living in their properties. None of the victims pressed charges, partly because rent contracts are rarely concluded in Armenia.

## HUMAN RIGHTS DEFENDERS

Pink launched a social support initiative when lockdown measures deprived LGBT people, who lived on daily wages, from their income and ability to cover the costs of food, accommodation and healthcare. Pink used some of its own resources, and further grants were secured from the Urgent Action Fund, the Women's Fund Armenia, and Open Society Foundations-Armenia. A total of 85 people received financial support and the support activities are ongoing. The LGBT+ Shelter showed its support by providing shelter to victims of domestic and gender-based violence.

Right Side NGO launched a similar initiative to support a total of 400 trans people with food, medicine, hygiene items, and financial support for rent costs. Some were supported in accessing trans healthcare. Right Side also held a webinar on the rights of sex workers and trans people and their situation during the pandemic.

In June, Pink Armenia and the Women's Resource Centre launched an online fundraiser to support LGBT people and women, who have been worst affected by the COVID-19 pandemic, in terms of economic resources.

Having exhausted all domestic remedies, the case of Lilit Martisoyran, a trans human rights defender who was targeted by hate speech and death threats by politicians and the public in 2019, was filed at the European Court of Human Rights.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

On the occasion of IDAHOBIT, Pink Armenia launched a "Queerantine" photo competition about equality and non-discrimination. The winning photos will be featured on leaflets and postcards.

Pink Armenia declared 3 August to be the National Day to Fight for LGBT+ Rights.

*"We have decided to accentuate the struggle for equality of LGBT people, which has been lasting for decades in Armenia. [...] This struggle is sometimes discouraging and exhausting, but we are sure that only this struggle*

*can lead to a society, where every person's rights are defended equally, and everyone is free regardless of their sexual orientation and gender identity."* - Pink Armenia

## POLICE AND LAW ENFORCEMENT

Pink conducted a brief study on police attitudes towards LGBT people, finding that most officers lack knowledge about SOGI issues. Some were quite neutral, but others mocked and insulted LGBT people.



[ARMENIA WEB PAGE](#)

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# Austria

## ASYLUM

Parliament adopted a resolution in July to ensure fair asylum procedures fully respecting the rights and needs of vulnerable groups, including LGBTI people, calling for regular training and awareness raising for stakeholders, with civil society involvement. As of December, housing has not improved. Transfers have become more difficult as individuals must present a negative COVID-19 test, not older than four days and paid out of pocket.

## BIAS-MOTIVATED SPEECH

In July, anti-LGBTI graffiti was painted on a St. Polten church.

In Vienna on 5 September, LGBTI advocates and allies held a rally in response to a demonstration against COVID-19 measures, during which anti-LGBT slogans were chanted and a rainbow flag was burnt. An investigation into incitement to hatred is ongoing.

## BIAS-MOTIVATED VIOLENCE

Parliament adopted another resolution in July on gathering and disaggregating data on anti-LGBTI hate crimes and urged the government to introduce preventive measures, such as awareness raising.

## BODILY INTEGRITY

In February, the UN Committee on the Rights of the Child reiterated its 2015 recommendation for Austria to ban the practice of medically unnecessary surgeries and other treatments on intersex children. In July, the European Commission against Racism and Intolerance (ECRI) made the same recommendation in its 6th periodic report on Austria.

The Ministry of European and International Affairs led the Vienna Declaration, signed by 33 countries, to protect intersex people's bodily autonomy. However, the government took no concrete steps towards banning the harmful practice of intersex medical interventions.

## DATA COLLECTION

The Ministry of Interior launched a project to expand systematic hate crime data collection, to better implement international obligations, including Article 14 of the European Convention of Human Rights.

## EDUCATION

24 schools in three states put up rainbow flags on their buildings during Pride month in June.

Regarding education on diversity of sex characteristics and gender identity, VIMÖ began implementing 40 training events across the country.

## EQUALITY AND NON-DISCRIMINATION

The Green and Austrian People's Party (ÖVP) coalition presented its new government program in January. LGBTIQ organisations criticised the plan and the Green Party for compromising their priorities on LGBTIQ issues, failing to ban surgeries on intersex children, prohibit discrimination on grounds of SOGIESC, or provide redress to those convicted of sex crimes before the age of consent was lowered for LGB people in 2002.

In March, the Austrian Catholic Church established a fundamental rights charter, saying all church members must be treated equally, regardless of sexual orientation or gender.

## FOREIGN POLICY

The city of Innsbruck announced that it would break its ties with its Polish sister city, Krakow, if Krakow declared itself as an "LGBT-free zone".

## FREEDOM OF ASSEMBLY

Many Pride events were cancelled this year, due to the pandemic. Several other demonstrations were held with limited participation, including Rainbow Conwoy by HOSI, a bike event accompanied by placing rainbow flags on windows; the QueerDo! protest against the previous right-wing government; a Pride demonstration in Graz; and VIMÖ's intersex block at Salzburg Pride.

## HEALTH

The hormone ambulance at the Vienna General Hospital, the only certified medical centre to serve trans people in East Austria, closed for two months due to the pandemic and has run with half capacity since. Intersex clients are also impacted.

A study on the pandemic's impact on access to trans healthcare found that in German speaking countries (Austria, Germany, Switzerland), almost half of the respondents feared the pandemic's impact on their access to hormones, surgeries (17%). 15% reported surgeries being cancelled. One in three respondents belonged to a risk group.

## HUMAN RIGHTS DEFENDERS

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



## LEGAL GENDER RECOGNITION

After four years of legal battle, the Constitutional Court ruled in favor of Alex Jürgen in July, granting them the right to have a birth certificate with 'inter' as their gender marker. This is the first such birth certificate in Austria. In 2018, the Court ruled in Jürgen's case that gender markers must reflect an individual's own self-determined gender identity. In 2019, Jürgen was granted a passport with "X" for their gender, and a birth certificate with "divers". Jürgen requested the latter with the wording "inter", and will now have that on their birth certificate.

Local intersex advocates continued to fight for access to non-binary gender markers this year, which despite the 2018 ruling has not been ensured. In June, 64 NGOs demanded that Minister of Interior Karl Nehammer ensure introducing a self-determination based model.

In September, a new government decree established that six gender marker options will be available, 'female', 'male', 'inter', 'diverse', 'open', as well as the option to delete. Non-binary options however will only be available to intersex people, and with a medical diagnosis. The medical expert group 'VdG-Board' will no longer issue expert opinions, a sign of progress, but the continued medicalisation of intersex people has been harshly criticised by civil society. The self-determination model would have granted access to non-binary gender markers to both intersex and trans people. With the adoption of the decree, Austria missed taking this step.

In September, Vienna City Council member Jürgen Czernohorszky announced that the capital city will no longer require that trans people present a psychiatric diagnosis for legal gender recognition. A letter from a psychologist will still be needed.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Having secured a win at Vienna's local elections in October, the Social Democratic Party (SPÖ) formed a coalition with New Austria and the Liberal Forum (NEOS) and presented their program on 17 November. The coalition committed to establishing a centre for young queer people, fund LGBTQI projects, conduct a large scale study on queer life in Vienna, introduce LGBTQI-checks for government offices, and found a queer museum. Regarding intersex rights, it calls for the federal government to "ban medically and surgically unnecessary interventions on intersex children". Furthermore, a 'Vienna Package for the Support of Equal Treatment of Intersex People' is planned, which will implement the decision of the Constitutional Court regarding the third gender entry at all levels

and in the entire Viennese administration. This package will also include the areas of language, forms and statistics and the needs-based support and counselling for intersex people.

Ahead of the elections, local LGBTQI organisation, HOSI held a panel discussion with representatives of five political parties, to learn more about their stance on LGBTQI rights.

## SOCIAL SECURITY AND SOCIAL PROTECTION

Vienna's City Council announced that the first centre for LGBTQI youth will be opened soon. A previous study by the Council showed the rate of suicide to be four-to-six times higher among LGBTQI youth than other young people.



[AUSTRIA WEB PAGE](#)

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# Azerbaijan

## BIAS-MOTIVATED SPEECH

A young gay couple shared a post of themselves on [Valentine's Day](#), which quickly went viral. The couple received multiple death threats and some people offered to pay money for their murder. The couple contacted the police, who [refused](#) to help them or start an investigation. The couple had to go into hiding and plan to move from their town.

Hate speech was rampant after the Women's Day [rally](#) in March (see under **Freedom of assembly**). Dozens of hostile articles were written, [calling](#) the rally an "attack on national and religious values and the institution of the family"; saying it was "propagating prostitution and LGBT rights in the name of feminism"; or calling calling the participants "immoral AIDS viruses in the streets of Baku".

A media outlet tried to discredit Rabiyya Mammadova, an independent candidate in the 2019 municipality elections, claiming that she was a member and defender of sexual minorities.

In [May](#), members of the Azerbaijani opposition, the National Council of Democratic Forces (NCDF) made homophobic statements in a meeting that was leaked online. Members of the NCDF scolded Ismail Djalilov, an Azerbaijani journalist living in the US, for being openly gay. Rafik Manafli, a board member of the Civil Unity Party, said that "it's a pity that Hitler did not wipe out all gays in his time". Nafas LGBT Azerbaijan Alliance, Minority Azerbaijan and AZAD LGBT Collective released a [joint statement](#) condemning this hateful rhetoric by the country's political leadership.

In May, Sabir Rustamkhanli, MP of the Civic Solidarity Party (VHP) [compared](#) being LGBTQI to an "incurable disease".

Shaig Kalbiyev, a gay activist of Gender and Development, died in the armed conflict over Nagorno-Karabakh between Azerbaijan and Armenia. Tural Museyibov, previously press representative of the State Maritime Agency, [said](#) on social media:

"What a shit an LGBT person that dares to go and protect our land? Why do you remember them with such respect? It's so insignificant to remember them. You could find a normal source, type, person to compare. [...] Do not equate them with our heroic martyrs." The hateful statement caused national debate, with many public figures standing up for Kalbiyev. As a response, Museyibov made a video of Kalbiyev's brother alleging that his brother was not gay.

## BIAS-MOTIVATED VIOLENCE

Hate crimes against the LGBT community continued to be a serious issue this year. In May, two gay men were [attacked](#) in Baku. The police did not investigate.

On [June 18](#), Aysu Mammadli, a trans woman and sex worker, was stabbed to death in Baku by an alleged client. A criminal case was opened under Article 120.1 of the Criminal Code on premeditated murder. One day later, another trans woman was [stabbed](#) in Baku, but managed to escape.

Sevgia-Subkhani Ismayilova (18) was [subjected](#) to family violence after coming out to her mother. Ismayilova was studying in Russia, and was forcibly brought back to Azerbaijan by her family in January. She said her family "chained her like a dog for three days". Ismayilova was later [taken](#) to a shelter in Baku.

The police detained a group of trans people in July, alleging that they were promoting drug use on their TikTok account. The police [shared](#) their testimony, which was then streamed on state media, in an attempt to discredit LGBTIQ people and create a negative public image.

## FREEDOM OF ASSEMBLY

On 8 March, activists [held](#) a march to mark International Women's Day in Baku, under the slogan: "March 8 - the streets are free for us". The organisers urged the government to ensure equal rights for all without discrimination on grounds of sexual orientation and gender identity, including in employment and education. They also reminded the government of its obligations under the Committee on the Elimination of Discrimination Against Women (CEDAW). At least 10 participants were detained (see more under **Bias-motivated speech**).

## FREEDOM OF EXPRESSION

[QueeRadar](#), a platform to identify, fight, and make anti-LGBTIQ+ attacks visible in the media, and to improve media representation, was launched in May. On 23 July, it released its first [report](#) on hate speech towards LGBTIQ+ people in the media between 2017 and 2019. QueeRadar also held a workshop for journalists.

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

On 26 March, the Baku Main Police Office shared that it [detained](#) a number of sex workers and "sexual minorities" in Sabunchu. Those allegedly belonging to sexual minorities were subjected to medical examinations.





## HEALTH

On 30 July, a trans woman with multiple stab wounds was denied appropriate medical help, and had to leave hospital while still bleeding.

In October a 21 year-old trans person, passed away due to a lack of appropriate medical treatment for her TB, Hepatitis C, and related health issues. Ayan was rejected by her family as a young person, and had worked as a sex worker since she was 13. Over the years she faced arbitrary arrests, discrimination, and homelessness because of her gender identity.

## HOUSING

Strict quarantine restrictions imposed due to the COVID-19 crisis had a dramatic impact on LGBTIQ+ people, particularly trans sex workers who lost their income for several months. Many could not pay their rent and had to leave their homes.

*“... now, during the pandemic, we are nearly starving. Regulations only allow you to go outside for two hours and even then, you must gain permission via SMS. This isn't nearly enough time to find even one client. Now our landlord is trying to evict us. Even in normal times, we change houses nine to ten times a year, none of us have permanent accommodation, but now the pandemic has really shaken us” - Testimony to [IWPR](#)*

On 18 September, a trans woman was threatened with eviction due to her gender identity. The case was reported to the Ombudsman's office.

## HUMAN RIGHTS DEFENDERS

In March, LGBTI organisations Nafas and Minority Azerbaijan were hacked online, in what seems to have been an attack by the authorities. Some of their members were also targeted after they participated in the Women's Day March in Baku. Minority Azerbaijan and Nafas managed to regain access to their accounts, but the latter lost all their content since 2012.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

On 28 February, Chai Khana, a multimedia platform on the South Caucasus celebrated its five-year anniversary and included a special photo exhibition on LGBTIQ+s people in the region. In April, Mavi (Blue) Thought Circle, an online platform on research and educational projects related to sexuality and gender, queer theory, and politics, was launched.



[AZERBAIJAN WEB PAGE](#)

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# Belarus

## 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

Belarus continued making headlines for months, due to the brutal government crackdown waged against anti-government protesters. The protests broke out on 9 August, following the national elections, which Alexander Lukashenko, Europe's "last dictator", claimed to have won. It is estimated that over a million people have joined demonstrations since then to protest against rigged elections. On 16 August, the largest protest in the history of the country brought 200,000 people together in Minsk. The protests continued until the end of the year.

LGBTQI people and activists have participated in and supported the protests from the first day. Some have brought rainbow flags to the protests. LGBTQI activists warned that even if Lukashenko resigned, their fight would be far from over:

*"Being a peaceful protester these days in Belarus means to be a target of violence, to be terrorized, detained, attacked, beaten up, injured and murdered on the streets, or tortured in jail. But for my "pidor" ["faggot" in English, reclaimed by the community], that's nothing we're not used to. We've been fighting for our rights since before this election. We've been fighting for our rights ahead of this election. And we'll be fighting for our rights after this election." - Andrei Zavalei, queer activist in Politico*

*"LGBT people are calling for freedom. We are tired of living in a dictatorship where we simply didn't exist." - Anna Bredova, one of the rainbow flag bearers to the AFP*

Belarusian women have been key voices of dissent as leaders of the opposition, with thousands participating and hundreds detained in a wave of police brutality. Some have called the events "Belarus's female revolution".

Over the weeks of protests, thousands were unlawfully arrested and detained, several were tortured, sexually abused, beaten, kicked, and some were reported abducted and missing. These measures were condemned by UN, Council of Europe, and European Union leaders. The EU considered sanctions against

the country, but was blocked by Cyprus on 21 September. In October, Cyprus withdrew its veto threat. In September, the Moscow Mechanism of the Organisation for Security and Co-operation (OSCE) was invoked with regard to the violations and the resulting report was published in November.

## FREEDOM OF EXPRESSION

Uladzislau Valahovich, director of the anti-abortion organisation Open Hearts, Archbishop Tadeusz Kondrusiewicz, and priest Andrei Lemeshonak launched a petition addressed to the Prime Minister to ban "LGBT propaganda", which gathered over 52,000 signatures. Similar initiatives happened in previous years. A number of orthodox priests distanced themselves from the petition. The Catholic Church supported this initiative and proposed to introduce criminal liability for "LGBT propaganda". In February, Archbishop Kondrusiewicz said that "homosexuality is curable with God's help".

The actions were followed by wide civil society criticism, including a coalition of human rights and LGBT organisations, the Belarusian Youth Council, and the Belarusian National Platform of the Eastern Partnership Civil Society Forum, which unites over 70 groups.

## HEALTH


In February, Radio Liberty reported that the Ministry of Health was planning to ban LGBT "propaganda" and raise the age of consent from 16 to 18 for those engaging in same-sex relationships. No developments have happened since.

## HUMAN RIGHTS DEFENDERS

On 26 September, local LGBT+ activist Victoria Biran was arrested and placed under administrative detention for 15 days, on grounds of Article 23.34 of the Code of Administrative Offences for organising or holding mass events. Biran was on her way to the Minsk Women's March at the time of her arrest. While detained, the police told Biran to identify other LGBT+ activists from a list of names, which they later denied, saying they didn't know Biran was an LGBT+ activist herself. Biran, a prisoner of conscience, was eventually released on 11 October.

Several other LGBT+ rights activists were detained on 26 September. In Mogilev, Kanstantin Chernov was beaten up and unlawfully detained by three people dressed in black. Chernov was forced to strip naked at a police station. The police confiscated his materials on LGBT+ rights, called him "pidoras" [faggot], verbally insulted him, and said that "people like him needed to be killed". Chernov was later released, but fined





about 350USD, a month's worth of salary. Days later, Chernov's personal data and photo were leaked online.

Zhenya Velko, a trans man, was detained at the Women's March in Minsk and subjected to sexual and verbal abuse during his two-day detention. Zhenya was also told that people like him should be shot.

Two LGBT activists and bloggers were detained in November. Anton was released pending trial, and Denis was sentenced to 15 days. Feminist activist Svetlana Gatalskaya, a member of the MAKE OUT LGBTQ+ initiative, was also placed under administrative detention for 15 days.

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

In June, LGBT+ groups compiled a list of questions from the LGBT community to aspiring politicians, and published it as an open letter. Oppositional candidates faced severe repression after the publication of the list. None of the running politicians ended up including LGBT rights in their campaign.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

In June, the Open Heart organisation, known for its anti-LGBT rhetoric and focus on traditional family values, requested for the Ministry of Health to ban the display of condoms in stores, and make them available only in pharmacies.



[BELARUS WEB PAGE](#)

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# Belgium

## ASYLUM

In September, 16 months after the 2019 election, Belgium adopted a coalition [agreement](#) and [formed](#) a government. The agreement envisions specific attention to LGBTQIA+ asylum seekers in policies and measures. Nonetheless, the COVID-19 pandemic has exacerbated many existing issues, such as trans asylum seekers' lack of access to trans specific healthcare.

## BIAS-MOTIVATED SPEECH

In August, Leuven authorities [opened](#) an investigation into a Telegram group chat called Criminal System, for hate speech and promotion of anti-LGBT violence. The police got involved after a video of a young person being beaten up went viral.

## BIAS-MOTIVATED VIOLENCE

In September, a young pansexual woman was physically [assaulted](#) in Brussels after having kissed another woman. The aggressor called her a "dirty lesbian". The investigation is ongoing.

## BODILY INTEGRITY

The Groen-Ecolo parties presented a draft resolution [on the fundamental rights of intersex persons](#) in January, following up on UN recommendations urging Belgium to ban medically unnecessary and non-consensual surgeries on intersex children, provide them and their parents counseling and support, and effective remedies. The proposal was prepared with the support of local intersex activists. In the following months, three hearings were held on the topic. The new Secretary of State for Gender Equality, Equal Opportunities and Diversity also affirmed her commitment on the issue.

On Intersex Solidarity Day, November 8, the Institute for the Equality of Women and Men launched a new [information brochure for parents of intersex children](#), and an informative video to raise awareness among young people.

## DIVERSITY AND INTERSECTIONALITY

The new Secretary of State also affirmed in a policy note that policies against violence against women must be intersectional, and include trans migrants, sex workers, and others.

## EDUCATION

The Flemish government [approved](#) the new mandatory curriculum goals for second and third grade high school students in November, which now cover SOGIESC topics.

## EMPLOYMENT

The COVID-19 lockdown measures had a severe [impact](#) on sex workers, who lost their source of income and/or had to work in unsafe conditions.

With support from Transgender Infopunt, the National Belgian Railway Company (NMBS/SNCB) put in place a trans policy to foster inclusion and diversity in November, and guidelines for supporting those transitioning.

## EQUALITY AND NON-DISCRIMINATION

On 30 March, Parliament [amended](#) the 2007 gender equality legislation, adding sex characteristics to the list of protected grounds.

## FOREIGN POLICY

The September coalition [agreement](#) states that Belgium will advocate for LGBTQIA+ rights globally, focusing on decriminalisation.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, Pride marches and other events were cancelled.

## FREEDOM OF ASSOCIATION

During mandatory lockdowns, some groups introduced online meetings, but those without stable Internet were excluded.

## HEALTH

In April, çavaria launched a survey on the impact of the COVID-19 pandemic and proposed a [set of recommendations](#) based on the findings. They recommend to include LGBTI people in all COVID-related measures, to ensure accessible healthcare services to all, to pay particular attention to the protection of asylum seekers, and to support LGBTI organisations in their efforts to support the community during the pandemic.

The pandemic had a detrimental impact on LGBTI people's mental health. Many had to move back or stay at their unsupportive family homes. Feelings of loneliness and isolation have reportedly increased. Local trans and intersex organisation Genres Pluriels, for instance, reported that many of their beneficiaries were unable to join online counseling sessions, for fear of being overheard by their family members. Between March and May, çavaria's hotline recorded a 65% increase of incoming calls, and twice as many calls about loneliness, fear, depression,





and suicidal thoughts, as during the same period last year.

Waiting lines to access trans specific healthcare in some regions grew significantly during the pandemic, with appointments and “non-essential” surgeries postponed. In Flanders, surgeries were continued and other appointments were moved online, saving time and money for all. TIP also released pandemic-related [resources](#) for the community.

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. The network took part in the June parliamentary hearing on intersex issues and advocated for access to healthcare and a ban on genital mutilation.

Belgium Pride [dedicated](#) this year’s Pride events to the theme of physical and mental health.

## HOUSING [NEW]

Many trans people were pushed into housing insecurity during the pandemic, and shelters proved to be unprepared to support and accommodate them.

## HUMAN RIGHTS DEFENDERS

Genres Pluriels reported that they struggled to meet the growing demand for support from trans and intersex people during the pandemic, with a lack of resources to provide sufficient support.

## INSTITUTIONAL SUPPORT [NEW]

All structural funds to LGBTI organisations were renewed, and new funding for KLIQ will be provided from 2021 onwards. The coalition agreement sets out key actions, such as legal gender recognition law reform, targeted measures to protect LGBTQIA+ asylum seekers, an intergovernmental LGBTI action plan, and international solidarity.

## LEGAL GENDER RECOGNITION

The coalition agreement (see above) states that every person in Belgium has the right to determine their gender identity. It also vows to implement the [2019 Court decision](#) that found the principle of irreversibility of legal gender recognition (LGR) and the absence of any recognition for non-binary persons unconstitutional. The government will investigate “accompanying implications”. In November, the federal Minister of Justice launched a [policy note](#), briefly mentioning LGR reform.

Regrettably, LGR will continue to exclude those under 16.

Youth under 18 must present a statement from a child or youth psychiatrist that they are capable of making their own decision, and proof of consent from both parents. Name change is only possible for those 12 years or older. Civil society hopes that the LGR reform will abolish age limitation.

The commune of Verviers briefly suspended LGR procedures during the COVID-19 pandemic, but was pressured by civil society to reverse the decision.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In [January](#), Matthias De Roover, football player and Mister Gay Belgium 2019, launched a campaign for diversity in sports, involving top athletes. In [May](#), a study of the Belgian Football Federation showed that one of six referees had faced homophobia in their work.

In [July](#), RTBF, public broadcaster for the Wallonie region, announced a call for audiovisual projects that challenge the stereotypes around the LGBT+ community.

Petra de Sutter, a trans politician, was [appointed](#) as Belgium’s Deputy Prime Minister in October.

## SEXUAL AND REPRODUCTIVE RIGHTS

Two trans men were denied reimbursement this year, one for the morning-after pill and the other for a pap smear test, as the law only [provides](#) coverage for those whose legal gender is female.



[BELGIUM WEB PAGE](#)

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# Bosnia and Herzegovina

## BIAS-MOTIVATED SPEECH

In February, the secretary general of a basketball team posted a homophobic message to the winners of the female basketball finals. The Ministry of Family, Youth and Sports of the Republic of Srpska condemned the statement.

In May, hateful slogans were painted on buildings in the centre of Prijedor, featuring symbols of the far-right organisations “Krv i čast” [Eng: Blood and Honor] and “Borba 18” [Eng: Fight 18]. At the beginning of the year, the name of the organization “Borba 18” was written on the facade of the Prijedor high school.

Adna Pandžić, mayoral candidate of Novo Sarajevo (Democratic Front (DF) and the Citizens Alliance (GS) called Pride a shameful march and made hateful comments about the LGBTI community in August. In September, the Central Election Commission (CIK) established that her post amounted to hate speech, violating the Election Law. Pandžić and her nominating parties were both fined, 1,500 euro and 750 euro, respectively. The decision was later annulled by the state Court of Bosnia and Herzegovina, as the post appeared before the official start of the election campaign.

## BIAS-MOTIVATED VIOLENCE

Domestic and family violence remained key issues for the LGBTI community this year. Five out of 14 cases of biased-motivated violence and harassment that were reported to SOC were cases of domestic violence.

## EQUALITY AND NON-DISCRIMINATION

The informal working group, consisting of state and civil society representatives, and set up with the support of the Council of Europe, prepared the draft LGBTI Action Plan this year, the first of its kind in the country. The Plan covers protection from discrimination and violence, the right to private and family life of same-sex partners, asylum, and other key areas. It is expected to be adopted in 2021. Civil society has welcomed the Plan and looks forward to its adoption.

## FAMILY

In March, Sarajevo Open Centre was asked by the Federal Government to participate in the first Intersectoral Working Group on same-sex rights and partnership. Due to the COVID-19 pandemic, the activities were later put on hold.

## FREEDOM OF ASSEMBLY

The second Sarajevo Pride was planned for 23 August, but was cancelled due to the COVID-19 pandemic. During the preparation, organisers faced the same difficulties as last year, including having to plan self-funded fences and private security services to protect the participants. In the end, Pride was held as an online event, alongside Pride on Four Wheels, where activists formed a motorcade through the city centre, waving rainbow flags, honking horns and chanting slogans from their cars. The route was secured by the police.

## INSTITUTIONAL SUPPORT

In October, the Ministry of Human Rights and Refugees announced that it plans to include 8 September, the date of the first Pride march in Bosnia and Herzegovina, on the list of important dates related to human rights. The request originally came from the Sarajevo Open Centre. The plan needs to be approved by the Council of Ministers.

Sarajevo Canton adopted a Gender Action Plan in February, inclusive of LGBTI people. The plan aims to establish procedures for cooperation between the police and the Prosecutor’s Office on hate crimes, protection in the area of sexual and reproductive health, and measures to make policies trans-inclusive.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

On 6 February, the Sarajevo Open Centre held the 8th annual Merlinka international queer film festival, named after Vjeran Miladinović Merlinka, a trans person who was brutally murdered in Belgrade in 2003.



[BOSNIA AND HERZEGOVINA WEB PAGE](#)

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# Bulgaria

## BIAS-MOTIVATED SPEECH

In May, the Supreme Administrative Court (SAC) annulled a decision by the Commission for Protection against Discrimination (CPD), which previously refused to process a complaint on homophobic threats and insults on a social media platform. The threats were posted on the occasion of the exhibition, 'Balkan Pride', organised by GLAS foundation, which took place in Plovdiv in 2019. The court ruling obliges the CPD to duly process the complaint. The CPD dismissed the application again in November. An appeal is pending.

The anti-gender rhetoric continued to gain more space in Bulgaria this year, to a large extent due to the efforts of the nationalist and populist Bulgarian National Movement (IMRO) party, which is the coalition partner of the ruling conservative GERB party. Speaking about anti-government protesters in September, deputy Minister for Public Order and Security, Minister of Defence and leader of IMRO Krasimir Karakachanov said:

*"We cannot let a few Sorosoid NGOs and small parties, that are not even in the parliament, get in power and destroy the country. In the name of what? To introduce gay marriage and to create a gender republic."*

He further stated that the government should protect Bulgaria from the "introduction of a third, fifth, or a 30th gender" and that mandatory military service will save children from "the dangerous influence of gender ideology." Local NGOs submitted a complaint to the CPD.

In October, the leader of parliamentary opposition, Kornelia Ninova, chair of the Bulgarian Socialist Party, criticised the European Parliament's resolution on fundamental rights in Bulgaria, which called on the government to ratify the Istanbul Convention. Ninova claimed that the Convention promotes 'gender ideology.'

## BIAS-MOTIVATED VIOLENCE

In July, a group of masked men set a large rainbow flag on fire, which was displayed on the facade of the Walltopia building in Sofia.

In August, banners that were part of a campaign in support of minorities, including LGBTI and Roma communities, were vandalised in the centre of Sofia.

On the last weekend of September, a group of teenagers called

on others on social media to "clean up" Plovdiv and assaulted a group of young people because of their perceived sexual orientation. They verbally and physically assaulted several girls because of their appearance. The case is being investigated by the Prosecutor's Office. Solidarity events were held in Burgas, without incidents, and in Plovdiv. The latter met with a counter-protest, but there was a fast police response.

In August, Deystvie submitted a proposal to relevant institutions, including the parliamentary Judicial Commission, to criminalise hate crimes committed on grounds of sexual orientation and gender identity. No response has followed.

Bilitis and Deystvie launched a series of tools to address anti-LGBTI hate crimes, including workshops materials for the police, a website, a handbook, and videos.

## DATA COLLECTION

The FRA EU LGBTI Survey II showed that over half (54%) of LGBTI people in Bulgaria were almost never out about their identity. Bulgaria had one of the highest rates of discrimination when looking for work (17%) and while at work (29%). 40% of Bulgarian respondents said they often or always avoided certain places or locations for fear of being assaulted, threatened or harassed.

## EDUCATION

In March, Bilitis and Single Step's report, 'Attitudes towards LGBTI students in Bulgarian High schools' found that 71% of LGBTI student respondents have been verbally harassed, 34% physically harassed and 19% physically assaulted. 57% heard homophobic remarks from teachers.

In August, Bilitis launched the Live Without Bullying Platform, offering psychological support to youth, their parents, and teachers.

## FAMILY

In late 2019, Deystvie, Bilitis and GLAS launched the "Family for Everyone" campaign, advocating for registered partnerships for all. On 14 February 2020, Deystvie invited couples of any sexual orientation to file their applications at the Sofia Municipality - 220 applications were submitted.

In September, Deystvie filed the first complaint for recognition of marriage concluded abroad before the European Court of Human Rights.



In October, another complaint reached the European Court of Justice, concerning the refusal of the Bulgarian authorities to issue a birth certificate to a child born abroad to two mothers. The mothers are both featured on the child's Spanish birth certificate, but as neither of them are citizens there, the child was not granted Spanish citizenship. Currently, the child is stateless.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, Sofia Pride was held online on 13 June. The organisers [held](#) a live concert online, and embassies and companies sent [video statements](#) in support.

On 14 July, participants in the mass protest in Sofia for the resignation of the government and the Prosecutor General, were verbally and physically attacked for carrying the rainbow flag. At least one of the attackers was wearing a t-shirt featuring a modified version of the Nazi eagle clutching a proto-Bulgarian rune instead of a swastika.

30 LGBTI, Roma rights and disability rights organisations [joined](#) the anti-government protests in August as part of the "[March for Equality](#)", organised by the League of Equality in Sofia. The aim was to put minority rights issues back on the agenda, amidst the broader protests. The participants published a "[Manifesto for Equality](#)", endorsed by 28 different civil society organisations.

## HEALTH

GLAS and Bilitis' [joint study](#), gathering 420 responses, found that one in two respondents have suffered from depression and anxiety, and one in four have had panic attacks and suicidal thoughts or attempts. Another joint study later [found](#) that 28% felt their mental health deteriorate during the COVID-19 pandemic and 11% have lost their jobs.

In March, Bilitis launched [#WithCareForThyself](#), a free online psychological support service during the pandemic.

## HUMAN RIGHTS DEFENDERS

In April due to the COVID-19 pandemic, Rainbow Hub, Bulgaria's only LGBTI+ community centre had to permanently close.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

GLAS's exhibition 'Shit Storm: A Collection of Online Hate exhibition' was held in November, focusing on online hate speech.

## POLICE AND LAW ENFORCEMENT

Deystvie trained over 100 police officers in cooperation with the Ministry of Interior and the National Police Academy, and an online event on policing hate crimes with the Council of Europe was [held](#).

## PUBLIC OPINION AND ATTITUDES

In July, a research study by Pew centre [showed](#) that only 32% of Bulgarians accept LGBT people, showing regression compared to previous years.

In November, Noema's national representative [survey](#) launched by GLAS found that half of Bulgarians are unaware that the Constitution does not recognise the LGBTI people's equality and over half think "gender" is a synonym for "gay".



[BULGARIA WEB PAGE](#)

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# Croatia

## BIAS-MOTIVATED SPEECH

Online hate speech against LGBT people was on the rise this year. Zagreb Pride filed nine criminal complaints in 2020, but most were rejected. One resulted in a conviction for inciting hate and violence on the basis of sexual orientation.

In October, “death to faggots” was painted on the windows of an art gallery, where local lesbian organisation LORI celebrated its 20th birthday. Liberal and leftist political parties condemned the attack. LORI launched a criminal complaint.

## BIAS-MOTIVATED VIOLENCE

A few days after a ruling by the Supreme Court on the right of same-sex couples to foster children (see under Family), an effigy of a gay couple and a child was burnt at a festival in Imotski. President Zoran Milanovic and other politicians condemned the incident and demanded an apology. LGBT organisations launched a criminal complaint.

In six different incidents, rainbow flags were torn down and burnt in Zagreb and Split, mostly by youth. The police arrested some and the Public Prosecutor pressed hate crime charges - a positive development, as similar cases had normally been processed as vandalism.

In May, Zagreb Pride published the preliminary results of a 2019 survey finding that 64% of the 800 LGBTIQ respondents had experienced physical or verbal violence. More than 60% reported always adapting their behaviour in public for fear of harassment. 40 billboards displayed the results across Croatia.

## DATA COLLECTION

Trans Aid conducted research among 30 hospitals this year, on the treatment of intersex people. In light of their experiences with a similar study in 2017, Trans Aid adjusted its methodology, and avoided using the term ‘intersex’. The response rate significantly increased, from 14 to 21 hospitals responding and reporting a total of 2,502 cases. Trans Aid is in the process of analysing the results.

## EQUALITY AND NON-DISCRIMINATION

Zagreb Pride’s survey has found that 60% of LGBTIQ respondents had been discriminated against in the past five years.

## FAMILY

In January, the Social Welfare Center in Zagreb rejected the application of a gay couple to foster a child, despite the

Administrative Court ruling in their favour in December 2019.

This was the second time that the Center blocked the fostering process for the couple. On 7 February, the Supreme Court passed a positive judgment, affirming that denying same-sex couples’ right to foster children is discriminatory and a clear violation of the Constitution. Local LGBTIQ organisations reminded that in addition to registered partners, life partners must be also included in the interpretation of the judgment, as the 2014 Life Partnership Act granted them the same rights as married couples have. The couple is now successfully fostering two children.

## FREEDOM OF ASSEMBLY

Despite the COVID-19 pandemic, the 19th Zagreb Pride march was held outside the Parliament in September, with over 2,000 participants demanding a Constitutional amendment to ensure equal rights and responsibilities for all families. Zagreb Pride’s manifesto called on lawmakers to recognise that the 2013 referendum and consequent Constitutional amendment are “discriminatory, obsolete and absurd”. They reminded lawmakers that the Constitutional Court had just affirmed this by its ruling on fostering (see under Family). There was a large presence of young people at the march.

## FREEDOM OF EXPRESSION

Due to public pressure, a government proposal on mobile phone and location surveillance during the COVID-19 pandemic was dropped.

## HEALTH

Civil society launched a website to support LGBTI people with information during the COVID-19 pandemic.

During the spring lockdown, Zagreb Pride recorded a clear rise in requests for psycho-social counseling and set up a team to meet the growing demand.

The COVID-19 pandemic caused large and further delays in trans healthcare. Even before the onset of the pandemic, due to a lack of clear regulations, trans healthcare continued to be inaccessible, pathologising, and influenced by the personal bias of medical professionals. Given the lack of transparent information about insurance coverage, the National Health Insurance Fund has claimed that trans healthcare costs are not covered. In some cases, NHIF warned doctors that they would have to pay for hormone costs themselves.



Trans Aid prepared a draft trans healthcare protocol, supported by the Ombudsperson for Gender Equality.

## HOUSING

Many trans people reported having to move back home and endure family rejection and violence, due to a loss of income during the COVID-19 pandemic and/or a loss of their homes, due to the 2020 earthquakes.

## HUMAN RIGHTS DEFENDERS

Due to the COVID-19 pandemic, the Zagreb Pride March was postponed from June to September (see under **Freedom of assembly**). The 10th Split Pride was cancelled, but local activists held some actions to mark its anniversary.

Other organisations have also been impacted. For instance, Trans Aid's planning now revolves around the information shared by the government about the pandemic, and their work has moved online.

## INSTITUTIONAL SUPPORT

The left-green coalition (Možemo, Nova ljevica and Radnička Fronta) made it to parliament for the first time this year. Most of the seven MPs have a background in human rights, feminism, green activism, and are allies of the LGBTIQ community.

## LEGAL GENDER RECOGNITION

Accessing legal gender recognition (LGR) continued to be increasingly difficult this year, with waiting times getting longer and the process more complicated. The National Health Council, which has the final say in each LGR application, started requesting an expert opinion from an endocrinologist, even when someone applies to LGR on the basis of "living in another gender identity". This opinion had only been required when the application was made on the basis of "sex change". The only endocrinologist issuing these opinions has also started requiring one year of hormone therapy as a prerequisite. Trans Aid has documented the increase in discriminatory treatment and waiting times in its recent research. Trans Aid is working on a proposal on LGR regulations.

## PUBLIC OPINION AND ATTITUDES

Social Democrat politician, Domagoj Hajduković came out in June, becoming the first gay Croatian MP. Hajduković was supported by the public and was re-elected in July.

In December, the prominent feminist Centre for Women Studies (CŽS) in Zagreb appointed a new executive director, known to have taken up and defended anti-gender positions. Critical reactions swiftly followed by the leftist feminist collective Faktiv and by Zagreb Pride in support of trans people.

## SEXUAL AND REPRODUCTIVE RIGHTS

Following the 2017 Constitutional Court decision affirming that abortion may not be banned, there was no progress this year on adopting an abortion law. The main anti-abortion march in Zagreb was cancelled due to the COVID-19 pandemic, but smaller ones were held in Rijeka and for the first time in Sisak. Both encountered counter-protests by feminist organisations.



[CROATIA WEB PAGE](#)

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# Cyprus

## BIAS-MOTIVATED VIOLENCE

Two young trans people were attacked in March in Nicosia by a group of seven, and suffered serious bodily harm.

*"We demand the drafting of strict legislation concerning hate crimes that protects people, regardless of sexual orientation, gender identity or sex characteristics."*

- Accept Cyprus

## EQUALITY AND NON-DISCRIMINATION

On the occasion of IDAHOBIT, Ombudswoman Maria Stylianou Lottides said in May that daily acts of discrimination against LGBT people are still a reality in Cyprus. She noted that Cyprus has made important progress in the recent years, but that a number of steps were outstanding. She specifically highlighted the importance of criminalising anti-LGBT hate speech, ensuring access to legal gender recognition, ensuring that school books are not discriminatory or hateful, and that same-sex relationships gain legal recognition.

## FAMILY

A trans woman from Brazil was deported in September, despite being the spouse of a Cypriot citizen. The deportation is in violation of the Civil Union Law, which extends family rights to LGBTQI+ people. Civil society also reported that the woman was held in isolation, instead of a mainstream facility for migrants. Accept urged the government to reunite Nanda with her spouse. The case is currently being legally challenged.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, Cyprus Pride was celebrated online. The events were particularly important for the community this year, as many had to stay home with hostile family members during the lockdown. On 27 June, Queer Cyprus Association and Accept LGBTI Cyprus organised the first online joint Pride events.

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

In January, a Cypriot trans woman was detained in Egypt and has been held in solitary confinement since. Tina's legal gender is male, which exposed her to harassment in Egypt. Tina has been denied access to her hormones while in detention. Accept learned about the detrimental impact of the situation on the woman's mental and physical health, and urged the Ministry of Foreign Affairs to ensure she is promptly released.

## HEALTH

The informational workshop for healthcare providers on intersex children's rights, organised under the auspices of the Ministry of Health, had to be cancelled due to the COVID-19 pandemic.

## HUMAN RIGHTS DEFENDERS

Accept had to cancel the in-person Pride events this year, but launched a two-week media campaign on LGBTI rights that ran on the radio, online, and in printed media.

In September, Accept established its first ever official space, which will be utilised as a safe space for the community and an information point on LGBTI rights in the country.

## INSTITUTIONAL SUPPORT

Accept requested financial support from the government in July, in part due to the COVID-19 pandemic and the cancellation of Pride events. The government has not responded.

## LEGAL GENDER RECOGNITION

The legal gender recognition reform continued to be stalled this year.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Accept conducted a study on political representation and participation of the LGBTQI+ community, and held an online workshop where political parties discussed LGBTI rights and necessary legislative changes. Accept was disappointed about the low level of interest among politicians and also found that most party representatives were under the impression the LGBTQI+ rights are fully secured in the country.

Accept held the Queer Perspectives exhibition, providing an opportunity for the LGBTIQ community to express themselves through art and come together.

The first LGBTQ+ film festival in the Republic of Cyprus took place this year. Due to the pandemic, the Queer Wave festival was held online, allowing viewers to stream the movies.

The local magazine Downtown featured a rainbow cover page for the first time this year.



## SEXUAL AND REPRODUCTIVE RIGHTS

In July, the Ministry of Health announced that it would cover the costs of in vitro fertilisation (IVF) and surrogacy for married couples and single individuals. The move aims to remedy the low reproduction rates in the country. Same-sex couples who cohabit or are in a civil union, are excluded from the measure.

# Northern Cyprus\*

## ACCESS TO ADEQUATE FOOD

The LGBTI+ community and particularly trans sex workers, were severely hit by the COVID-19 pandemic, with many lacking access to basic necessities and food. The Nicosia Turkish municipality, Gönyeli municipality and the Social Services Department provided food for those most in need during the lockdown period. Queer Cyprus Association also provided financial support to those struggling the most, including trans sex workers.

## BIAS-MOTIVATED SPEECH

On 9 March, the Turkish Cypriot community amended the Criminal Code to criminalise hate speech on the basis of gender identity and sexual orientation. The amendment was passed unanimously in the parliament and came into force in March.

Since March, a number of hate speech cases were documented and have been reported to the Prosecutor's Office.

## DATA COLLECTION

Queer Cyprus Association became a member of the newly established Human Rights Platform, which will monitor and report on human rights violations.

## DIVERSITY AND INTERSECTIONALITY

As part of the Black Lives Matter Movement, QCA initiated an Anti-Racist Network in the northern part of Cyprus.

## FAMILY

This year's amendment on the law on visa permits allows non-citizens, who are "partners" to a Cypriot citizen to be exempt from visa obligations. Civil society welcomed the gender neutral wording.

## FREEDOM OF ASSEMBLY

Following the first bicomunal Pride festival in 2019, Queer Cyprus Association and Accept LGBTI Cyprus organised the first online joint Pride events in June this year. The event was planned to take place in the buffer zone to unite the communities, but was moved online due to the pandemic.

This year's Diversity in Academia Conference was held online, organised by QCA.

## HUMAN RIGHTS DEFENDERS

QCA documented a stark increase in the number of people reaching out to their solidarity line to receive psycho-social or legal support.

QCA moved all its events online this year, due to COVID-19. It held a weekly live stream called "The Other Chats".

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

QCA launched the "LGBTI+ Friendly Presidency Candidate Protocol" for the October elections, consisting of practical commitments that candidates make for LGBTI+ rights. Two candidates signed the protocol, but neither of them were elected in the end.

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



[CYPRUS WEB PAGE](#)

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# Czechia

## BIAS-MOTIVATED SPEECH

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

On May 17, the Ministry of Foreign Affairs raised the rainbow flag to mark IDAHOBIT, [sparking hateful comments online](#).

A far-right political party, Trikolora, was formed this year and campaigned with anti-LGBTI slogans in the October regional elections, such as “traditional family is the basis of our region” and “girls have pussies and boys have penises”. Trikolora failed to secure any Senate seats and got only two of the 675 mandates in the regional elections.

In August another far-right party, Freedom and Direct Democracy, issued a [statement](#) during Prague Pride against “the promotion of the gender ideology of homosexuality”, and condemned the fact that the city financially supports the event.

While some religious leaders welcomed Pope Francis’s comments on same-sex civil unions, the Prague Archbishop Dominik Duka [called them](#) an attempt to destabilise the Catholic public.

The anti-LGBTI organisation Alliance for Family continued making hateful statements, including in support of conversion therapy. They also proposed restricting sexual and reproductive rights.

## BIAS-MOTIVATED VIOLENCE

In May, a district court in Pilsen sentenced a neo-Nazi organiser to 300 hours of community service for wearing a shirt featuring a known Nazi figure at last year’s Pride march. Both parties appealed. In August, the Regional Court in Pilsen [overturned](#) the judgment, increasing the man’s sentence to six months in prison.

The first instance Criminal Court of Prague sentenced a man to the maximum possible punishment of five years probation and a 1,000 euro fine for [burning](#) a rainbow flag and shooting firecrackers at participants during Prague Pride 2019.

## EQUALITY AND NON-DISCRIMINATION

In February, Stanislav Křeček, known for his anti-LGBTI views, was [appointed](#) as the new head of the Ombudsman’s Office. Civil society is concerned that Křeček will not build on the legacy of his predecessor, Anna Šabatová, and will not protect LGBTI+ people from discrimination.

## FAMILY

In January, Jsme Fér [Eng: We are fair] and a number of political parties [called on](#) MPs to adopt the marriage equality bill, first introduced in 2018.

In March and September, two motions were filed in Parliament for the debate to continue. During the March vote, 54 MPs voted in favor and 51 against, but the 60 abstentions tilted the balance to a ‘no’. The same happened in [September](#), with fewer MPs attending due to distancing rules.

Of the nine political parties in the House of Representatives, only the Pirate Party is fully in support of the bill. The far-right Freedom and Direct Democracy and the Christian Democrats are against it, and the other six parties have shown various degrees of support in their votes.

*“Many MPs just want the whole issue to go away [...] They don’t believe it’s important enough to go out on a limb for and they are scared of the vehement opposition from the far-right and Catholic Church.” - Adela Horakova, Advocacy Director at Jsme Fér to [Balkan Insight](#)*

[Litigation](#) is pending at the Constitutional Court concerning the rights of same-sex partners and their families. Two pending cases were merged by the court in the one proceeding. The government opposed the applicants in one case, but did not join the proceedings in the other. The [Roman Catholic Church](#) and the Alliance for Family filed hostile [amicus curiae](#) briefs.

## FOREIGN POLICY

Most political parties in parliament, and the government failed to publicly condemn the hostilities against LGBTI+ people in Poland and Hungary this year. Instead, the Prime Minister [supported](#) a conference organised by the Alliance for Family, featuring conservative ministers from the two countries. The event was postponed due to the pandemic.

In August, Czech LGBTI+ activists [organised](#) a demonstration in support of prosecuted Polish LGBTI+ activists. In October, feminist activists [protested](#) in support of Polish women’s right to bodily integrity.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, the Prague Pride parade was [held on boats](#) this year. A number of events also took place [online](#).

## FREEDOM OF EXPRESSION

MPs elected several representatives of the Roman Catholic Church to the monitoring board of public TV and [radio](#) this year. The ballot was secret, but it is assumed that the appointments were supported by the ruling party, the far-right Freedom and Direct Democracy, the Social Democrats, and the Communist Party. In November, at the initiative of new members, board fired members of the Administrative Board of the Czech Television - a move considered [unlawful](#) by the Senate Committee on Public Media. Opposition MPs and civil society fear what the future holds.

## HUMAN RIGHTS DEFENDERS

Human rights defenders are [concerned](#) that Czechia might go down the path of some of its neighbours, such as Poland or Hungary.

The COVID-19 pandemic put a halt to many activities of LGBTI+ associations, including the marriage equality campaign. Several events were held online.

Jsme Fér was one of the [most active](#) NGOs in tackling the COVID-19 pandemic, sharing information, organising volunteers, and making face masks. Lawyers with Jsme Fér also [monitored](#) COVID-related regulations to ensure that same-sex couples and their families receive equal treatment, for instance, that reunification applies to both married couples and those in a civil union. Jsme Fér lobbied the government multiple times to change the discriminatory wording of public regulations - in the third instance, following substantial media [attention](#), the government followed suit.

The peer counselling line "[S barvou ven](#)" continued supporting LGBTI+ teenagers during the pandemic.

## INSTITUTIONAL SUPPORT

Despite Helena Válková, Representative for Human Rights, not endorsing marriage equality, her office and the governmental Committee on Sexual Minorities co-organised a [conference](#) in June on key issues faced by LGBTI+ people - hopefully the foundations of the first governmental LGBTI+ strategy.

## LEGAL GENDER RECOGNITION

Despite the European Court of Human Rights ruling and the [recommendations](#) of European Commission against Racism and Intolerance (ECRI) in October, there was no progress this year on banning the mandatory sterilisation requirement of legal

gender recognition. The process was stalled due to opposition in parliament. A case on the issue is pending at the Constitutional Court.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Jsme Fér conducted a [survey](#) with candidates in the October elections, finding that 12 of the 27 newly elected senators supported marriage equality.

## PUBLIC OPINION AND ATTITUDES

Jsme Fér's poll confirmed [last year's](#) results - 60% of the public supports marriage equality.

## SEXUAL AND REPRODUCTIVE RIGHTS

Civil society is 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.



[CZECHIA WEB PAGE](#)

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# Denmark

## ACCESS TO ADEQUATE FOOD

Due to the COVID-19 pandemic, many trans people reported losing their jobs and struggling. Queer and trans communities launched aid initiatives to support those most in need.

## ACCESS TO GOODS AND SERVICES

Several trans people reported to TransAktion that they were denied access to spaces and services due to their gender identity or expression this year.

## ASYLUM

New guidelines on LGBTI asylum seekers' special needs in camps were [issued](#) in June, including recommendations regarding intersex and trans asylum seekers.

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 criticised the conditions in camps, and housing placement in remote towns when granted asylum.

## BIAS-MOTIVATED SPEECH

Several trans people reported to TransAktion that they were harassed in public this year.

There was an increase in anti-LGBTI rhetoric in the media this year, and also by extremist groups on social media.

A university student was [targeted](#) with homophobic insults by police at a rally in Aarhus, organised against anti-LGBT [hate crimes](#).

## BIAS-MOTIVATED VIOLENCE

On 22 August, the Minister of Equality [presented](#) a political statement outlining a list of planned legal changes (see more under several headings below), such as [amending](#) the hate crime legislation to include gender identity, gender expression and sex characteristics amounting to aggravating circumstances. Adoption of the legislation is expected in 2021.

## BODILY INTEGRITY

Despite multiple UN [recommendations](#), Denmark failed to ban unnecessary surgeries and treatment on intersex infants and minors this year, or ensure intersex people's access to redress and compensation.

Intersex Denmark fears that the Health Authority's new informational guide for parents of intersex children, which is highly medicalised and pathologising, will encourage parents to approve surgeries.

## EMPLOYMENT

Following its 2019 [report](#), the Ministry of Equality announced a new campaign to increase job satisfaction and prevent discrimination and harassment. The report found that 25% of trans people had experienced discrimination at work.

## EQUALITY AND NON-DISCRIMINATION

"[Challenges and stigma in relation to having an LGBTI identity in Denmark](#)", published by the Ministry of Equality in July, found that 58% of trans and 36% of intersex respondents experienced discrimination in the past 12 months. Half of the incidents took place in healthcare. Respondents also reported high degrees of loneliness, stress and depression.

The [planned legal changes](#) (see under **Bias-motivated violence, Family, Legal gender recognition**) affirmed that anti-discrimination protections will extend to all spheres of life beyond employment and explicitly cover GIESC as grounds. To date, only employment legislation covered non-discrimination, and only on the ground of sexual orientation. The equality body will now have the mandate to receive complaints on any SOGIESC-based discrimination case. Civil society requested practical measures, including prevention and awareness training for the equality body staff.

Civil society expressed concern about the Board of Equal Treatment's understanding of queer trans people's lived experiences, and problematic language used in rulings this year ([here](#) and [here](#)).

## FAMILY

As part of proposed legislative changes (see under **Bias-motivated violence, Equality and non-discrimination, Legal gender recognition**), trans parents will be correctly [recognised](#) on their child's birth certificate in their legal gender. In cases with two parents who both have the legal gender 'woman', both will automatically be recognised as parents. The proposals will be processed within two years. The proposals fail to include legal recognition for more than two parents of a child.



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

One intersex and two trans women were denied their right to be searched by female guards, access to trans-specific and intersex-specific healthcare, and the right to wear women's uniforms. They were harassed by guards and by inmates, without the guards intervening. Two of them were wrongly placed in male prisons on the basis of assigned gender and whether they have undergone bottom surgery, despite this not being a requirement for LGR.

## HEALTH

The COVID-19 pandemic has increased isolation and loneliness in trans communities. Several people committed suicide. Many appointments and surgeries were cancelled or postponed, and waiting lists continued to grow.

A new trans healthcare clinic opened this year. However, the state monopoly on trans healthcare remained, with all three clinics being regulated by the national guidelines. These include abusive requirements such as mandatory psychiatric assessment, proof of financial stability, BMI requirements. A number of non-binary, queer, and gender non-conforming people reported being denied access due to their gender identity or expression.

The Sexological Clinic, with a monopoly on trans healthcare for minors, reverted to using the former medical model this year, denying access to hormones and sometimes also hormone blockers to children and youth under 15 - in violation of the national guidelines. They also denied top surgeries to those under 18.

Intersex people whose gender identity does not match their gender assigned at birth continued to be denied intersex healthcare and had to access hormones and surgeries via trans healthcare services, which mandates psychological evaluations and medical exams.

Following years of parliamentary consensus, the Ministry of Health lifted the ban on men who have sex with men donating blood, introducing a four-month deferral period.

## HOUSING

Homeless organisations reported a drastic increase in homelessness among LGBTI youth, in part due to the COVID-19 pandemic, and called for training shelters on LGBTI issues and collecting data.

## HUMAN RIGHTS DEFENDERS

The COVID-19 pandemic increased structural inequalities, and organisations working against intersectional oppression, and/or led by trans and intersex people, BIPOC, and other marginalised groups, reported being underfunded.

## LEGAL GENDER RECOGNITION

The planned legal changes (see under **Bias-motivated violence, Equality and non-discrimination, Family**) commits to abolishing the mandatory six-month 'reflection period' of legal gender recognition, lowering the age limit, and amending the name change law. The passport gender marker 'X' will also be made available to intersex people and people who identify outside the gender binary, and not just binary trans people. Currently, non-binary recognition is only available on passports. Some organisations have pushed for an ungendering of social security numbers, but this was not covered in the political statement. It is unclear if gendered name lists and the requirement of "matching legal gender" will be abolished.

## SEXUAL AND REPRODUCTIVE RIGHTS

The new mandatory "Health and sex education and family knowledge" in primary and secondary schools does not include minimum hours, or information about trans and intersex people.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The COVID-19 pandemic exacerbated marginalisation and violence against black, indigenous, people of colour (BIPOC) and sex workers. Sex workers had no access to the government's support packages.

Some social security benefits were limited to those with at least nine years of residence, excluding many. Post-legal gender recognition, trans people also faced difficulty, as their new social security numbers did not show their total years of residence.

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



[DENMARK WEB PAGE](#)  
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# Estonia

## ASYLUM

The Estonian Human Rights Centre provided legal support to three asylum seekers this year, who asked for international protection on grounds of sexual orientation. The Police and Border Guard Board rejected all three claims arguing a lack of credibility and stating that the extent of persecution in the countries of origin did not constitute a violation of Article 3 in the European Convention on Human Rights. In a judgment in November, the Supreme Court overturned the judgement. The Court ruled that the Board must have competent interviewers and conduct application procedures without stereotypical judgments. The Court also struck down the credibility argument on this basis. The Court added that caseworkers and interviewers must receive appropriate training in order to support the applicant in sharing sensitive information that can be relevant for their case. No such training has been provided to date.

## BIAS-MOTIVATED SPEECH

Despite civil society's repeated calls and the recommendations of the UN Human Rights Committee last year, no progress was made in 2020 to include sexual orientation and gender identity in the hate speech and hate crime legislation. In October, the Reform party tabled a hate speech bill in parliament, but the coalition did not accept it. On 30 October, the European Commission launched infringement proceedings against Estonia, for being one of the last two EU countries, alongside Romania, where hate speech is not criminalised.

On 15 October, Minister of Interior Mart Helme of EKRE stated in an interview with *Deutsche Welle* that he was not very friendly towards LGBT+ and suggested that if people want marriage equality, they should just move to Sweden. The comments were condemned by many, including Prime Minister Jüri Ratas of the Center Party and President Kersti Kaljulaid. The Center Party and EKRE are both part of the governing coalition. Helme refused to apologise.

## FAMILY

In June, the Harju County Court ruled that an Estonian-Russian lesbian couple, Jana and Darja, can form a cohabitation agreement. Previously, the couple was denied this right by a notary, on the grounds that the implementing acts of the Cohabitation Act had not been in place yet, and that one of the two women lived in Russia, where cohabitation is not recognised. The Court ruled that the lack of legal recognition in Russia, and the fact that Darja lives in Russia, do not constitute an issue in Estonia. The Court mandated the notary to reconsider its previous decision.

President Kersti Kaljulaid decided not to sign the amendments of the law on Estonia's Foreign Service Act, deeming it is discriminatory. The Act would give guarantees and benefits to married spouses only, excluding same-sex couples, who are only able to form a registered partnership in Estonia.

The governing coalition, which includes the Conservative People's Party of Estonia (EKRE), announced that a referendum "on the state's important question" is planned for April 2021 to ask the Estonian citizens "Should marriage in Estonia remain as a union between one man and one woman?"

Meanwhile, three other political parties have spoken up in support of marriage equality - the Social Democrats, and the non-parliamentary Green Party and Estonia 200. The latter two formed a pact of support. The Green Party launched a petition on the Citizen Initiative Portal on supporting marriage equality, which gathered over 30,000 signatures within days, becoming the most supported initiative on the site. A number of protests were held in support as well (see under **Freedom of assembly**).

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, Baltic Pride in Estonia was cancelled this year and was replaced by smaller gatherings across Baltic countries. A small Pride event took place in Tallinn on 27 June and online events were held during Pride week. MEP Marina Kaljurand of the Social Democratic Party expressed support for Pride events on social media.


Two demonstrations took place in October in Tallinn and Tartu - both in response to the planned referendum (see under **Family**), under the motto "Everyone has the right to marry".

## FREEDOM OF ASSOCIATION

In February, the National Audit Office ruled that equality projects, including those of the Estonian LGBT Association, will not be able to benefit from tax revenues filed under the Gambling Tax Act. The Office noted that such funds in 2019 should have come from the budget of the Ministry of Social Affairs. Organisations working on gender equality and women's rights are also affected. Proceeds will still go to projects benefiting people with disabilities, children, and the elderly, but not groups whose support falls under the equality policy.

A few days later, the Ministry of Social Affairs stated that they will not revoke any funding from the respective groups, which was granted last year. For instance, the Estonian Centre for Human Rights project "Equal opportunities in a cohesive





society” will run until 2021. The source of funding was later changed, but the Ministry affirmed that they would continue funding the work.

### **HUMAN RIGHTS DEFENDERS**

The cancelation of Baltic Pride, due to the pandemic, resulted in some organisations having financial difficulties this year. Local civil society tried to adjust to the new way of life, by moving many of their activities online.

### **PUBLIC OPINION AND ATTITUDES**

A November poll found that 46% of Estonians support marriage equality. While 27% would vote against it, 21% would not even go vote. Overall, roughly 80% felt that the public vote planned for April 2021 (see under **Family**) was somewhat or entirely unimportant right now.



[ESTONIA WEB PAGE](#)

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# Finland

## BIAS-MOTIVATED SPEECH

Chairperson of the Christian Democrat Parliamentary Group, Päivi Räsänen made several hateful statements again this year. The Public Prosecutor initiated preliminary investigation into some of them. For instance, Räsänen stated that the Bible is clear on its stance against gay people. The Bishop of Helsinki and others condemned efforts to stigmatise and exclude people from the Church.

Initiatives to fly the rainbow flag to mark Pride were debated and voted on in several smaller towns, including Jokioinen and Salo (against) and in Forssa and Kokkola (in favour), sometimes involving hateful language from councillors and in local media.

## BIAS-MOTIVATED VIOLENCE

On 12 June, a trans woman was stabbed to death in Vantaa. Both the police and the media kept misgendering the victim. Trans rights organisations urged the government to train the police, including on respecting victims and recording anti-trans violence as hate crimes.

## EQUALITY AND NON-DISCRIMINATION

In June, the government published its Gender Equality Programme (2020-2023). The specific chapter on gender minorities, reaffirms the government's commitments to reform legal gender recognition, abolish gendered social security numbers, and ban non-consensual and medically unnecessary surgeries on intersex children. The program uses an intersectional approach and steps away from viewing gender as binary.

The revised Law on Sexual Crimes includes a proposal that those using gendered facilities, including bathrooms or changing rooms, that do not match their gender assigned at birth, could be committing 'sexual offense'. In September, trans organisations Transfeminines and Dreamwearclub urged the Ministry of Justice to drop the discriminatory proposal.

In October, the Ministry of Finance announced continuing the social security number reform, with a narrower scope than expected, but with non-gendered social security numbers on the agenda.

## FAMILY

The government started working on a new Parental Law, in line with its programme. The reforms fails to include recognition for more than two parents, or for trans and non-binary parents - a great disappointment for LGBTI organisations.

The first two adoptions by same-sex couples took place in 2020, by a gay and a lesbian couple respectively. Civil society welcomed that the 2014 inclusive adoption regulations are being implemented.

Marriage equality continued to be a debated issue within the Evangelical Lutheran Church, the country's largest religious community. In August, the church's episcopal conference recommended that while the official position of the Church remains that marriage is between a man and a woman, dioceses should refrain from reprimanding priests who perform marriages for same-sex couples, thus finding a compromise position between conservative and liberal fractions of the Church. On 18 September, the Supreme Administrative Court ruled in favour of the Oulu Lutheran diocese, who reprimanded a priest for marrying a same-sex couple in 2017, arguing that although the 2017 Marriage Act had been passed already, the Lutheran Church had not introduced changes in their practices at that point. Despite the ruling, the number of Lutheran priests officiating at same-sex weddings has increased.

## FREEDOM OF ASSEMBLY

Several Pride events were cancelled due to the COVID-19 pandemic and moved online or were carried out as smaller hybrid events. For the first time, the Prime Minister of Finland, Sanna Marin acted as the patron of Helsinki Pride Week.

Initiatives to fly the rainbow flag to mark Pride were debated and voted on in several smaller towns, including Jokioinen and Salo (against) and in Forssa and Kokkola (in favour), sometimes involving hateful language from councillors and in local media.

## HEALTH

On 11 June, the specialised board in the Ministry for Social Affairs and Health (PALKO) published their new recommendations on trans healthcare. The PALKO recommendations fail trans people, as highlighted by local trans organisations Transfeminines, Trasek, and also Seta. Trasek published a detailed analysis of the recommendations, comparing it to the the World Professional Association for Transgender Health (WPATH) guidelines.

Firstly, the recommendations continue to pathologise trans people, in clear violation of the latest, 11th edition of the International Classification of Diseases (ICD), the WPATH guidelines and Finland's international human rights law obligations. Second, they only grant access to trans healthcare to trans people who report long-lasting and serious suffering over at least two years. Third, they discriminate against non-binary trans people by prescribing them different forms of treatment.



For instance, they restrict genital surgeries only to binary trans people. Fourth, they set out body mass index (BMI) limitations. Fifth, a “high level of caution” is recommended regarding care to minors. The guidelines allow for both puberty blockers and hormone treatment for those 16 or older - it is yet to be seen if trans youth will in fact be able to access services. Sixth, they discriminate against trans women, who will only be able to get breast implants “in special circumstances”, while trans men will continue to have access to mastectomy.

### HUMAN RIGHTS DEFENDERS

The COVID-19 pandemic has forced LGBTIQ+ organisations to work remotely, with many providing online meetings and peer support groups. NGOs receiving public funds, have been concerned about the impact of the pandemic on future funding.

### INSTITUTIONAL SUPPORT

The government marked IDAHOT very visibly this year, with most Ministers publishing an IDAHOT video - progress compared to the previous government.

### LEGAL GENDER RECOGNITION

In February, the working group appointed by the Ministry of Social Welfare and Health published its report on how to improve the legal situation of gender minorities, including via legal gender recognition (LGR) reform.

The report presents two possible avenues. The limited reform model would abolish mandatory sterilisation as a requirement of LGR, but not go further. The broader reform proposal would establish either self-determination based LGR or introduce a reflection period. The working group however expressed concern that the reflection period may violate the right to self-determination. For now, the working group has suggested the lower age limit to be set at 15 or 18.

During the autumn, the parliament’s LGBTI Network and Gender Equality Ombud both expressed concern about the reform’s delay. 75 organisations, student unions, youth organisations, and others, launched a petition urging the government to speed up the process and not use the COVID-19 pandemic as an excuse for delays. Transfeminines directly urged the government, but have not received a response.

### POLICE AND LAW ENFORCEMENT

Rainbow Police, an informal network for LGBTQI police officers was established as an official association, to ensure LGBTQI equality in the police.

In October, the Parliamentary Ombudsman concluded that the training content to medical staff on fitness checks for incoming military trainees, was discriminatory. A slide at the training said that “homosexuality” is usually not an obstacle to military service, but urged the staff to inform conscripts about the conditions of the service and shared accommodation facilities. The training also recommended that in the case of uncertainty, conscripts should be placed in Category C, which allows for dismissal during peacetime. The slides have since been removed from the training materials.



[FINLAND WEB PAGE](#)  
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# France

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic has dramatically impacted the LGBTI community, and particularly trans people, many of whom lost their income. Civil society distributed food to those most in need. Local sex worker advocacy organisation, STRASS launched a fundraiser for the same purpose. The Minister of Equality failed to put in place similar initiatives.

## ASYLUM

Several police raids were carried out against asylum seekers this year, followed by harsh criticism by civil society.

## BIAS-MOTIVATED SPEECH

On 18 June, the Constitutional Council struck down the “Avia law” - France’s new hate speech law, which compelled online platforms to take down hateful content within 24 hours. The Council argued that the law’s limitations on freedom of expression were not necessary, appropriate, and proportionate, as prescribed by law (see under **Freedom of expression**).

## BIAS-MOTIVATED VIOLENCE

In March, the perpetrator in a 2017 rape case was sentenced to 15 years in prison and a 50.000 euro fine. The court did not take into account the lesbophobic nature of the assault, despite the fact that the victim recalled the rapist justifying his actions because she is a lesbian.

SOS Homophobie’s annual report revealed that the number of hate crimes against LGBTI people has again increased, for the fourth consecutive year. The organisation recorded a 26% increase between 2018 and 2019.

Several same-sex couples were verbally harassed and threatened this year (see here and here). In one case, a couple’s neighbours said that “homosexuals are the first to contract COVID-19”.

## BODILY INTEGRITY

The most recent draft law on bioethics (see under **Family and Sexual and reproductive rights**) fails to ban intersex genital mutilation.

Following the establishment of a special investigative committee last year, the draft law on banning conversion therapy was finalised in June. The process has been stalled since.

## EDUCATION

Two young trans people committed suicide due to school bullying this year, Doona in Montpellier on 23 September and Avril / Luna in Lille on 16 December. For the past four years, SOS Homophobie has reported a steady rise in discrimination and bullying, which LGBT students experience in schools.

## EMPLOYMENT

Local organisation Autre Cercle found in a new study that one in four LGBT people have experienced discrimination or violence at work, and one in ten were physically or sexually assaulted.

## EQUALITY AND NON-DISCRIMINATION

Following its pledge last year, the Ministry of Equality published the National Action Plan for LGBT+ equality and against hate and discrimination (2020-2023) in October. The Plan sets out a great number of goals, but civil society remained concerned about its potential in implementation and evaluation, without an adequate budget in place. NGOs also warned that a number of issues are excluded from the Plan, particularly those affecting trans and intersex persons.

## FAMILY

On 31 July, the National Assembly adopted the second version of the draft law on bioethics. Regrettably, the law does not recognise both parents of children born of surrogacy abroad, with the non-biological parent having to go through adoption. Surrogacy in France remains banned.

On 16 September, the Court of Cassation ruled against a trans woman’s right to be recognised as the mother of her child. The child was conceived after the woman had changed her legal gender to female. France does not allow for automatic parenthood recognition in two-mother constellations, forcing these parents to adopt their own children.

## FOREIGN POLICY

The town of Saint-Jean-de-Braye broke ties with its Polish twin city Tuchów, which declared itself an “LGBT-free zone”. Towns in Germany, Ireland, and the Netherlands did the same with their twin cities.

## FREEDOM OF ASSEMBLY

A spontaneous Pride march brought together a few thousand people in Paris on 4 July, with many marching under the slogans “our pride is political” and “Black Lives Matter”. Some highlighted



the precarious situation of trans people during the pandemic.

*“The danger of rolling back our fundamental rights is very present and the epidemic has revealed multiple factors of exclusion, discrimination and violence” - Giovanna Rincon, Director of Acceptess-T to the AFP.*

Police brutality reached alarming rates this year (see under **Asylum**), [causing](#) mass protests in response.

## FREEDOM OF EXPRESSION

In May, LGBT activists [reported](#) that due to the Avia law, their social media accounts were disabled when they used the word “pédé” [English: queer/fag, reclaimed] (see more under **Bias-motivated speech**). Several LGBT organisations [criticised](#) the law last year for violating freedom of expression.

## HEALTH

The Ministry of Health [reduced](#) the abstinence period for men who sex with men (MSM) and want to donate blood, from one year to four months. The first proposal sought to abolish the deferral period altogether, but was not adopted. Civil society had urged the Ministry to abolish the ban entirely, refocusing on ‘risky behavior’ instead. The Ministry sees the reduction as the first step.

Local trans groups expressed concern over the French Society of Trans Care and Study (SOFECT) changing its name to FPATH this year, falsely suggesting ties to WPATH and EPATH. FPATH is considered extremely damaging by the community for their outdated approach to trans healthcare that is not compliant with human rights standards. Trans advocates fear that the new name will give incentive to the government to work with FPATH - Espace Santé Trans shared an [open letter](#) on the matter.

## HUMAN RIGHTS DEFENDERS

Local trans organisation Espace Santé Trans documented a stark increase in the number of people reaching out for mental health counseling since the beginning of the COVID-19 pandemic, including alarming rates of psychological and financial issues reported.

## SEXUAL AND REPRODUCTIVE RIGHTS

On 24 January, the Senate [decided](#) that only women diagnosed with infertility would be eligible for cost coverage for assisted reproduction, excluding single women and same-sex lesbian couples. Extending the coverage was one of President Macron’s

campaign issues in 2017. The decision was preceded by thousands [protesting](#) for equal access to ART to all. Activists [disrupted](#) a number of conservative events on the topic, with one debate [cancelled](#) in Versailles. In May, lawmakers [postponed](#) dealing with the issue. Due to the immense pressure on lawmakers, the Senate presented an amended draft law on 3 August, [affirming](#) that ART cost coverage will be extended to single women and same-sex female couples. The draft however only covers “women”, erasing everyone else with the capacity to bear a child.

The Senate’s version was rejected by the House. To come up with consensus, a newly set up parliamentary commission will have to prepare a new draft.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The founder and treasurer of an organisation of LGBT+ elders were [accused](#) of exploiting a senior gay men with dementia, and taking over his finances. The investigation is ongoing.



[FRANCE WEB PAGE](#)

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# Georgia

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic had a devastating impact on Georgia's LGBTQI and trans communities in 2020. On 24 April, the government released its anti-crisis plan on handling the pandemic, failing to address the needs and priorities of LGBTQI people. Civil society repeatedly demanding inclusive policies and practical measures to support those most in need. In lack of adequate state support, activists and civil society launched fundraisers to support the most vulnerable. Local organisations received a one-time support package from the state, including food and hygiene items, to distribute among LGBTQ people in crisis.

Initiated by UNDP, a working group was later set up to provide basic living expenses to LGBTQI people in need. Individuals must submit an application, and a multidisciplinary group of state representatives, local NGOs, grassroots groups, community members and a range of other experts, make a decision.

## ACCESS TO GOODS AND SERVICES

In March, Tbilisi Pride won a lawsuit against a printing company that refused to print its materials because of the organisation's profile. The court established discrimination on the basis of sexual orientation.

## BIAS-MOTIVATED SPEECH

Dozens of human rights organisations signed a petition against Georgia's nomination of Sopio Kiladze, Chair of the Human Rights and Civil Integration Committee of the Parliament, to serve as one of the 18 experts on the UN Committee on the Rights of the Child (CRC). Kiladze is known for her homophobic views.

In September, the Charter of Journalistic Ethics found that an April TV programme spread stigma and misinformation about people living with HIV and Hepatitis C. In November, the Charter established that a TV presenter encouraged discrimination against trans people in September.

## BIAS-MOTIVATED VIOLENCE

Daily protests started on IDAHOBIT, 17 May, outside the office of Tbilisi Pride and went on for months. On 7 June, protesters threw paint bombs on the Pride flag hanging on the office's balcony. The attack was filmed by ultra-conservative organiser Guram Palavandishvili. The police classified the incident as "petty hooliganism" and failed to consider it a hate crime. The Ombudsperson established that events were illegal acts by radical groups and demanded effective investigation.

## EDUCATION

The Office of the Public Defender issued a recommendation to the Tbilisi State Medical University to remove textbooks spreading anti-LGBT prejudice and stigma. The University removed the books and is now reviewing others.

In collaboration with the Equality Movement, Ilia State University and Tbilisi State University introduced courses on queer theory, in which 80 students have participated. A conference was held in October.

Local organisation Georgian Democracy Initiative sensitised 100 public schools teachers on LGBTQI issues.

## EQUALITY AND NON-DISCRIMINATION

In August and ahead of the autumn elections, the National Democratic Institute recommended politicians to include in their programs the needs of vulnerable groups, such as LGBTQI people, and messages about equality.

Between December 2019 and August 2020, the Equality Movement sensitised 150 representatives of different professions on LGBTQI issues.

## FREEDOM OF ASSEMBLY

IDAHOBIT events were cancelled this year due to the COVID-19 pandemic. Nonetheless, priests drove around Tbilisi in so-called "blessmobiles" [a term used by the media], spraying holy water on pedestrians.

## FREEDOM FROM TORTURE, CRUEL, IN HUMAN OR DEGRADING TREATMENT

On 8 October, the European Court of Human Rights delivered its judgment in the Aghdgomelashvili and Japaridze v. Georgia case, unanimously ruling that the 2009 police raid and investigation against an LGBT organisation in Tbilisi violated freedom from torture and ill-treatment (Article 3), in conjunction with Article 14. The Court established that the state was responsible for the raid, and that it failed to effectively investigate the abuses. It expressed particular concern about the strip search that activists had to undergo and which was not justified by either the police or the government. It concluded that the sole purpose of the act was to humiliate LGBT activists.

Women's Initiative Support Group (WISG) warned that LGBTQI people still face anti-LGBT harassment by police.



## HEALTH

In 2019, WISG filed five cases to the Ombudsperson on trans people's lack of access to free and quality healthcare. In June 2020, the Ombudsperson called on the Ministry of Health to draft trans healthcare guidelines and to involve trans people and their representative organisations in the process.

The Ministry of Health lowered the blood donation deferral period for men who have sex with men from 10 years to 12 months.

In June, the Equality Movement submitted a proposed amendment to parliament to abolish Art. 131 of the Criminal Code and decriminalise HIV transmission.

## HOUSING

The pandemic had a detrimental impact on the housing situation of LGBTQI people, and particularly trans people.

Due to family rejection, many trans people are unregistered from their family's homes. As a consequence, they either do not have a registered address or the address on their ID card is no longer valid. This made it difficult to access any kind of aid.

Trans people living who lost their daily income were also excluded from aid. The state utilities support during the crisis was only available to those with previous employment in the formal labour market. In March, WISG urged the government to provide rental subsidies, shelter or alternative housing options, as many LGBTQI people were at risk of homelessness.

## HUMAN RIGHTS DEFENDERS

On 30 April, Madona Kiparoidze, a trans woman, set herself on fire outside the Tbilisi City Hall to protest the government's failure to support trans people during the COVID-19 pandemic. Kiparoidze was arrested by police and taken to hospital, with no life threatening injuries. The entire incident was broadcast live on TV, a concerning violation of media ethics. In a social media post, Sopio Kiladze (see under **Bias-motivated speech**) said trans people should go to the local authorities for help, or contact her. Civil society warned that Kiladze's statements mock the reality of trans people.

## LEGAL GENDER RECOGNITION

In June, the Ombudsperson warned that in lack of any clear guidelines, the medical requirements of legal gender recognition are difficult to meet for trans people; that the

surgery requirement is degrading; that requirements of medical procedures are ad hoc and inconsistent (see under **Health**).

A third Georgian case was submitted to the European Court of Human Rights this year, concerning a trans man who was denied legal gender recognition without proof of surgical interventions.

## POLICE AND LAW ENFORCEMENT

WISG and the Equality Movement held trainings for the police and the Prosecutor's Office this year, on anti-LGBT hate crimes and discrimination and victim support.



[GEORGIA WEB PAGE](#)

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# Germany

## ASYLUM

Referring to a 2013 European Court of Justice (ECJ) judgment, the Federal Constitutional Court ruled in January that lesbian, gay, and bisexual asylum seekers cannot be expected to hide their sexual orientation and thus sent back home. The ruling can be used in appeal cases.

## BIAS-MOTIVATED SPEECH

A doctor was fired from his job in April, after stating that being LGBT is an illness.

## BIAS-MOTIVATED VIOLENCE

Hate crimes continued to be a serious issue this year. Several trans people were brutally attacked (see [here](#), [here](#), [here](#) and [here](#)) and gay men were also common targets (see [here](#), [here](#) and [here](#)).

In June, the office of Queer Unity, a queer youth centre in Hannover, was defaced with anti-LGBT graffiti.

In July, parliament adopted the new hate crime law, failing to include homophobia and transphobia in its scope. This was strongly criticised by civil society.

In September, the region of Saarland adopted an action plan against homophobia and transphobia, leaving Bavaria the last region without such a plan in place. Civil society continued lobbying for a federal action plan.

## BODILY INTEGRITY

Parliament banned conversion therapy to change the sexual orientation or gender identity of minors. Those breaking the new law, including parents and carers, could face up to a year in prison or a 30,000 euro fine. LSVD and BVT\* are concerned that the ban only protects those under 18 and that therapies can be carried out by legal guardians, as long as they are considered as “harmless” for the young person’s well-being. Civil society warns that conversion therapies are by default harmful.

In March, the European Commission against Racism and Intolerance (ECRI) recommended Germany to ban intersex surgeries and provide counseling to intersex children and their parents. Following consultation, the government tabled a bill in September. The Bundesrat (Federal Council) debated it and published a statement on 6 November, calling for peer counselling and a central registry of surgeries conducted for health reasons.

## EQUALITY AND NON-DISCRIMINATION

Debates on whether the Constitution already protects LGB people from discrimination continued this year. On 12 February, the Committee of Justice held a hearing, where several experts expressed their concern that the proposed inclusion of “sexual identity” does not protect intersex and trans people. In the Bundestag on 16 December, Chancellor Merkel said her government would focus only on reformulating the reference to “race” in Article 3, disappointing LGBT organizations.

On 2 October, the Ministry presented a draft law to rehabilitate soldiers who had been discriminated against in the military because of being “homosexual”, and provide them financial compensation.

## FAMILY

In July, the Bundesrat refused to approve the Adoption Assistance Act, which would have further increased the burdens of same-sex female couples with children. The law would have introduced mandatory counseling, in addition to the mandatory second-parent adoption procedure. Same-sex female parents and non-gestational non-binary parents in Germany have to prove their suitability to parent their children, before the youth welfare office and the family court. In October, Society for Civil Rights, LSVD and AllOut launched a campaign to provide financial support to families who need to go through such court procedures.

In August, Federal Minister of Justice Christine Lambrecht announced planning to abolish the mandatory second-parent adoption process for lesbian same-sex couples. This reform plan erases trans, non-binary and intersex parents.

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\* launched a consultation with trans parents about their experiences, and will produce an information brochure.

## FREEDOM FROM TORTURE, CRUEL, IN HUMAN OR DEGRADING TREATMENT

Berlin launched a law reform initiative to regulate trans and gender-diverse people’s placement in the prison system.



## HEALTH

The statutory healthcare providers' new regulations on cost coverage for trans healthcare set out that treatment would only be covered if it was as a last resort and if psychotherapy failed to "alleviate gender dysphoria". The regulations continue to pathologise trans people, completely erase non-binary people, and overall go against Germany's 2018 standards of care.

A study on the impact of the COVID-19 pandemic on trans people's access to trans healthcare found that in German speaking countries (Austria, Germany, Switzerland), almost half of the respondents feared the pandemic would bar their access to hormones or surgeries (17%). 15% reported that their surgery was cancelled. One in three belonged to risk groups.

## HUMAN RIGHTS DEFENDERS

Several civil society initiatives were launched in response to the COVID-19 pandemic, to support the LGBTQI community with information or funds.

## LEGAL GENDER RECOGNITION

In a regressive judgment, the Federal Court of Justice ruled on 22 April that §45b PStG of the Civil Status Law (PStG), which introduced non-binary legal recognition in 2018, will only be available to intersex people and requires proof of a diagnosis. The ruling comes as a blow to non-binary people in Germany, many of whom have or planned to change their legal gender to "divers". Civil society has harshly criticised the ruling. On 15 June, a constitutional complaint was launched by several NGOs to challenge the Court's position.

*"We reject the approach that gender identity must first be confirmed by external experts. Gender identity cannot be determined or diagnosed from the outside - only the person concerned can provide information about their own gender identity." - Kalle Hümpfner, Bundesverband Trans\**

On 10 June, the Green Party tabled its legal proposal to introduce legal gender recognition on the basis of self-determination. On 16 June, the Liberal Party (FDP) introduced its own legal proposal. The Bundestag held a debate on the 'Transsexual Law' (TSG) on 19 June, with all democratic parties agreeing on the importance of self-determination. On 10 September, the 40th anniversary of the TSG, trans organisations repeated the urgent plea for the LGR law reform to go on and establish LGR on the basis of self-determination. BVT\*'s campaign, "Say it Loud", launched in 2019,

has collected over 15,000 signatures to this end. On 2 November, the two bills introduced by the Green and Liberal Party were discussed at the committee of Internal Affairs at Bundestag.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The City Council of Munich passed a decision to fund a retirement home for LGBTQI elders, with 500,000 euro.



[GERMANY WEB PAGE](#)

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## Greece

### ACCESS TO ADEQUATE FOOD

The cooperation of local trans organisation Transgender Support Association (GTSA) with the mayor of Athens, Costas Bakogiannis ensured that those most hardly hit by the COVID-19 pandemic in its initial period had access to food and basic necessities. Starting from April, the municipality of Athens provided support for 46 LGBT people on a weekly basis, through the city's Reception and Solidarity Centre. The mayor also agreed to provide training for the staff of the centre and ensure that no-one is discriminated against on grounds of their SOGIESC. The mayor failed to fulfil this promise later and also discontinued his support from October onwards, despite repeated pleas from trans activists.

### ASYLUM

Two amendments to the immigration law were passed this year, both severely restricting the rights of LGBTI asylum seekers. Firstly, times for reviewing an application and appeal procedures have both been reduced. Both are worrisome, as LGBTI asylum seekers often need additional attention in the application phase and appeals have been a successful path for many. Second, asylum detention will remain the default form of reception - known to be dangerous and harmful for LGBTI asylum seekers. Third, legal aid will only be accessible if the case is likely to have a positive outcome - an ad hoc requirement. Fourth, the list of safe countries includes several where LGBTI people are criminalised. Fifth, the appeal committees will no longer include a UNHCR representative, only judges.

### BIAS-MOTIVATED SPEECH

In January, a booklet was distributed by the Church in the Athens Holargos high school, saying that being "homosexual" is a "hateful act" and that LGBTI people were "traitors" and "murderers". LGBTI organisations published a joint statement of concern.

### BIAS-MOTIVATED VIOLENCE

In October, the Misdemeanor Court of Chalkida gave a 16-month suspended prison sentence to the perpetrator of a 2015 transphobic and racist hate crime. This was the first time that a court applied Article 82 of the Criminal Code, applying the hate motif on grounds of gender identity as an aggravating factor.

### EDUCATION

In collaboration with GLSEN, Color Youth launched the results of the first School Climate Survey conducted in Greece. The study found that one-in-three LGBTQ students had been verbally harassed in school, one-in-seven physically harassed or assaulted, and one-in-three sexually harassed. 65% never

heard anything positive about LGBTQ people in class, and 54% heard negative things. 60% said that none of their school books included information about LGBTQ people.

The University of Aegean launched a 600-hour course on LGBTI Affirmative Counseling and Gestalt therapy, led by trainers Parvy Palmou and Anna Aperi, both members of GTSA.

### EQUALITY AND NON-DISCRIMINATION

On May 17, on the occasion of IDAHOBIT, GTSA and the municipality of Athens launched the "Breaking The Silence" campaign, to raise awareness of the discrimination and violence LGBTI people face, and demand equal treatment and the fight against all forms discrimination.

### FREEDOM OF ASSEMBLY

EuroPride 2020 had been planned to take place in Thessaloniki in June, for the first time in a Balkans country. Thessaloniki's mayor fought to bring the event to the town and received backlash from political and religious leaders.

The Ministry of Citizen Protection refused to give green light for the Greek LGBT Police Association to host the European LGBT Police Association Conference as part of EuroPride. The event had been supported by the European Parliament, the European Commission, and the Council of Europe. 20 MPs from Syriza, the Coalition of the Radical Left - Progressive Alliance party, demanded an explanation from the Ministry. On 2 March, the European Parliament expressed concern over the Ministry's move and posed a number of questions to Greece on its work on ensuring non-discrimination within the police and the public.

EuroPride was later cancelled because of the COVID-19 pandemic.

### HEALTH

Local civil society organisations provided free COVID-19 tests for trans and LGBTI+ people.

No developments took place in access to healthcare this year, despite the working group of the Ministry of Health having presented its conclusions in 2019 on how to ensure equality and non-discrimination in healthcare and improve access to services.

### HUMAN RIGHTS DEFENDERS

Civil society organisations had to increase a number of their activities due to the negative impact of the COVID-19 pandemic



on the LGBTI community, for instance in providing financial assistance to trans women and trans sex workers; ensuring safe and respectful identity checks by police during lockdown; and supporting older LGBTI people.



[GREECE WEB PAGE](#)

[MORE INFORMATION ON WWW.RAINBOW-EUROPE.ORG](http://WWW.RAINBOW-EUROPE.ORG)

## POLICE AND LAW ENFORCEMENT

In March and November, in collaboration with Secretary General of Solidarity and Poverty, George Stamatis, GTSA urged the Ministry of Labor and Social Affairs to ensure that the privacy and dignity of trans persons is upheld during identity verifications as part of lockdown measures. The Ministry responded [positively](#).

A group of psychologists [suggested](#) that to prevent police harassment, trans people should carry around medical certificates and old photographs to prove they are trans. GTSA expressed deep concern about the recommendation, which places blame on trans people instead of the police, and violates trans people's right to privacy. [Psychiatrists](#) and [legal experts](#) spoke out against the recommendation as well.

## PUBLIC OPINION AND ATTITUDES

Alexis Patelis, the Prime Minister's Chief Economic Adviser, [came out](#) in an interview, saying:

*"The Prime Minister has met my husband, I have met his wife."*

This was the first time that a high-ranking official came out publicly in Greece. Patelis received hateful comments on social media. Nonetheless, some [said](#) Patelis's statement was a bigger breakthrough for the LGBTQ movement "than ten Pride marches".

## SEXUAL AND REPRODUCTIVE RIGHTS

Anti-abortion posters were [put up](#) across Athens metro lines in January. The public strongly criticised the campaign and the Ministry of Transport called on the metro authority to immediately remove them.

## SOCIAL SECURITY AND SOCIAL PROTECTION

Local civil society groups received a number of funding packages from the state and the Council of Europe to provide direct support to the most marginalised of the LGBTI community during the COVID-19 pandemic, including older LGBTI people, sex workers, and others. The funds were used to cover rent, utilities, and healthcare costs.





# Hungary

## ACCESS TO GOODS AND SERVICES

In December, the Equal Treatment Authority (ETA) found that a hotel discriminated when refusing to host an event of a local NGO that organised Pécs Pride.

## ASYLUM

On 16 July, the European Court of Human Rights ruled in the Rana v. Hungary case that an Iranian trans refugee had the right to legal gender recognition. The government paid the compensation, but the man's documents have still not been changed.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

In August, PM Viktor Orbán called on neighbouring governments to stand up for Christian values, warning against Western efforts to “experiment with a godless cosmos, rainbow families, migration and open societies”.

Several local governments raised the rainbow flag during the Pride Festival, some of which were forcibly removed or burned by far right activists. Budapest mayor Gergely Karácsony, of green left Párbeszéd Magyarország [Dialogue for Hungary], and other mayors in local municipalities condemned the attacks. State Secretary Miklós Soltész said “...we don't need this rainbow flag, take that back to the West, we need the values that God has written into the souls of men for more than 2,000 years”.

In September, Our Homeland Movement MP Dóra Dúró's made hateful remarks about 'Wonderland is for Everyone', a children's book published by Labrisz Lesbian Association, and destroyed a copy in a paper shredder. The book depicts diverse families and characters. PM Viktor Orbán commented that homosexuals should “leave our kids alone.” The book soon ranked #1 in online stores.

## BODILY INTEGRITY

There is fear that the ban on modifying “birth sex” (see under **Legal gender recognition**) might push parents of intersex children to approve normalising surgeries.

## DIVERSITY AND INTERSECTIONALITY

An informal LGBT deaf group “Silent Rainbow” was formed. The group held a very popular movie screening as part of the Pride Festival, and is preparing informational videos on safer sex, LGBT rights, and mental health in sign language.

## EDUCATION

On 15 December, parliament amended the Fundamental Law to further entrench the anti-trans framework by establishing children's “right” to identify with their birth sex, to be ‘protected’ from interventions to change it, and to be educated according to Christian values.

Gergely Gulyás, Minister of the Prime Minister said educators who use ‘Wonderland is for Everyone’ (see **Bias-motivated speech and violence**) may face criminal charges. Two local governments banned the book in kindergartens, and a third one banned LGBTQ propaganda in all institutions.

## EMPLOYMENT

Háttér Society prepared a detailed practical guide to help employers navigate difficulties arising from the ban of legal gender recognition in an employment context.

A coalition of NGOs issued a guide for employers on the COVID-19 pandemic's impact on vulnerable employees, including LGBTQI people.

## EQUALITY AND NON-DISCRIMINATION

On 1 December, parliament voted to abolish the Equal Treatment Authority (ETA), Hungary's most important equality body. From 1 January 2021, tasks of the ETA will be performed by the Commissioner for Fundamental Rights, currently Ákos Kozma, a loyal government supporter, who has been silent on LGBTI issues.

## FAMILY

In at least two cases the government county office denied lesbian couples of childcare benefits. In the first case, the denial was revoked when a court case was launched. In the second case, the denial was revoked in the internal appeals procedure.

The court agreed with the Equal Treatment Authority that not listing the Foundation for Rainbow Families on the government's family website is discriminatory.

In November, Háttér Society and Rainbow Families launched a campaign #familyisfamily to counter growing political attacks against same-sex couples raising children. Thousands of people and many celebrities joined, and the campaign reached over 600.000 people online and was aired on multiple TV channels.

On December 15, parliament adopted amendments to the Fundamental Law, adding the phrase “The mother is a woman,



the father is a man.” A concurrent change to the [Civil Code and Child Protection Act](#) restricts adoption to only married couples in the country, and only the minister responsible for family policy could personally grant exemptions.

## FREEDOM OF ASSOCIATION

The [European Court of Justice](#) found that the foreign agents law is contrary to EU law.

## FREEDOM OF EXPRESSION

In September, a [petition](#) was launched by CitizenGO against ‘Wonderland is for Everyone’ (see **Bias-motivated speech and violence**). Bookshops selling the book were labeled as promoters of homosexuality, and their staff threatened. The consumer protection authority is conducting an investigation against the book.

## HEALTH

In January, Hungary [abolished](#) its discriminatory regulations banning men who have sex with men (MSM) from donating blood, introducing a new focus on ‘risky behaviour’.

## HOUSING

After years of legal battle, an elderly lesbian couple can now lawfully [reside](#) in a municipality apartment together. The couple faced discrimination because they lived in a registered partnership, despite the law granting them the same rights as married couples.

## LEGAL GENDER RECOGNITION

On 19 May, parliament [banned](#) legal gender recognition. The amendments under Article 33 set out that ‘sex’ on civil registry documents, such as birth certificates, will be replaced by the term “birth sex”, and that this information cannot be modified. The move makes it impossible for trans and intersex people to change their gender markers or name in any documents.

The international response was significant, with thousands of posts using the hashtag #drop33 referring to the specific article of the bill, [petitions](#), and statements by the [Council of Europe](#), the [European Parliament](#), the [United Nations](#), and [many more](#).

Several trans people [spoke out](#) publicly about the impact of the ban, echoed by concerns of NGOs, who reported an increase in trans people reaching helplines and contemplating suicide.

On 24 November, the Miskolc Court of Appeals [found](#) that some

provisions of Article 33 are unconstitutional, and requested a Constitutional Court review. Five other cases are pending at the Court, and dozens at lower courts.

## POLICE AND LAW ENFORCEMENT

The court [found](#) police inactivity against far right activists disrupting an LGBT education event to be unlawful.

In October, the police [failed to protect](#) a public reading of ‘Wonderland is for Everyone’ from homophobic protesters. The event was moved online.

## PUBLIC OPINION AND ATTITUDES

After MEP József Szájer’s resignation, Medián found that 79% of respondents thought “homosexual” politicians should not be discriminated against.

## SEXUAL AND REPRODUCTIVE RIGHTS

On 5 May, parliament adopted a resolution refusing to ratify the Istanbul Convention, [attacking](#) its inclusion of ‘gender’ and stating that recognising gender-based violence as persecution in asylum cases endangers Hungarian traditions and values.

Hungary joined the [Geneva Consensus Declaration](#) against abortion.



[HUNGARY WEB PAGE](#)

[MORE INFORMATION ON WWW.RAINBOW-EUROPE.ORG](#)





## Iceland

### ASYLUM

Civil society urged the government to take into account the vulnerability of LGBTI asylum seekers.

The deportation of an Iranian family with a trans child was cancelled on 17 February, following harsh criticism by civil society organisations and the public. A petition gathered 8,000 signatures calling on the government to show humanity, and a protest was organised by local human rights organisations. The family spent a week in Portugal before asking for asylum in Iceland, which mandated their planned deportation under the Dublin regulation back to Portugal. The father in the family faced persecution in Iran for his political beliefs. The family's child, still a minor, came out as trans in Iceland and the prospect of deportation severely impacted his mental health. His doctor urged the authorities to stall the deportation and provide mental health care to the child. In the end, the family was allowed to stay and got residency.

Pórhildur Sunna Ævarsdóttir, Chair of the Constitutional and Monitoring Committee, demanding information from the Directorate of Immigration on their policies and procedures with regard to LGBTI asylum seekers, including LGBTI minors. The Directorate has not answered.

### BIAS-MOTIVATED SPEECH

In October, a police officer was reported wearing several neo-Nazi and racist symbols on her uniform, stirring wide debate. Some police authorities condemned the incident and clarified that police officers were not allowed to wear such symbols. The police union and the officer concerned both defended her actions.

### BODILY INTEGRITY

The designated working group's proposal to ban surgeries on intersex children, but retaining an exception for interventions on people with hypospadias or micropenis, was heavily criticised by civil society organisations, who were previously concerned that the 2019 Gender Autonomy Act did not automatically abolish all medically unnecessary and non-consensual surgeries.

In October, former Prime Minister Sigmundur Davíð Gunnlaugsson, chair of the Centre Party condemned the planned ban on surgeries, sparking firm criticism by civil society.

On 18 December, parliament passed a standalone law regarding bodily integrity for intersex children, banning non-consensual and medically unnecessary surgeries against minors, that

are not necessary for the child's long-term health. This must be unanimously agreed upon by a multidisciplinary team of medical experts and confirmed by a ministerial committee of a child psychologist, a pediatrician, and a human rights expert. Interventions, unless life saving, will be postponed in the meantime. The law was passed with an overwhelming majority. Regrettably, the ban excludes hypospadias and micropenis. A committee must be formed within the next three years to review and strengthen the law.

### EDUCATION

Samtökin '78 in collaboration with GLSEN, Columbia University, and the University of Iceland conducted a school well-being survey, finding that a third of students felt unsafe because of their sexual orientation or gender identity, and a third had been verbally harassed.

### EQUALITY AND NON-DISCRIMINATION

A new law on "Equal gender rights" was tabled in parliament in October, moving away from the previous wording on equality between a "male and female". The proposal is important as it gives recognition to those registered with a gender marker beyond these two options.

### FAMILY

As part of the implementation process of the Gender Autonomy Act, the Children's Law is also being revised to allow for gender-neutral registration for parents.

### FOREIGN POLICY

In February, the Icelandic Parliament announced a ban on members of an anti-LGBT Methodist fraction, as a response to travel bans issued by the US.


### FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, Reykjavik Pride was held differently from previous years. The organisers invited everyone to join - only, people did not march together, but wherever they wanted to. Some of the other events included discussions on Black Lives Matter, and the ever growing presence of the anti-gender movement in Europe.

### HEALTH

In February, the Department of Child and Adolescent Psychiatry at Landspítali hospital announced that due to budget cuts, their "trans team", as it is colloquially referred to, will end its work. The





mental health unit supports trans and gender non-conforming youth, including by counseling or providing them with hormone blockers. Three mothers were interviewed in Mannlíf about the situation:

*“There are a lot of children racing against time due to puberty. Some parents have had to look after their children due to depression, eating disorders or the risk of suicide.” - María Gunnars, mother of a trans girl to Mannlíf*

The announcement explained that the 48 young people already cared for will have access to a limited set of services through the hospital's outpatient department, and others will have to wait in the queue. Local organisations Trans friends, parents and guardians of trans youth and trans children, Trans Iceland, and Samtökin '78 launched a petition and handed over the signatures to the hospital director and the Minister of Health on 25 February, urging the government to provide all essential financial resources for the team to resume its work. No further developments have taken place.

Samtökin '78 reported a 40% increase in the number of young people seeking counseling and mental health support this year, since the onset of the COVID-19 pandemic. Open houses, which have previously provided a lot of support, have had difficulty staying open due to the pandemic.

## LEGAL GENDER RECOGNITION

On 16 December, parliament amended several laws to comply with the 2019 Gender Autonomy Act, which opened up the option of choosing a legal gender that is gender-neutral. Legal recognition for non-binary people will be available from 6 January 2021 onwards.

On 16 December, the parliament voted to lower the age limit from 18 to 15 regarding access to legal gender recognition that is based solely on self-determination. Those under 15 will need consent of their legal guardians, but in lack of that, can secure permission from an expert committee on legal gender recognition.



[ICELAND WEB PAGE](#)

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# Ireland

## BIAS-MOTIVATED SPEECH

(see under **Education**)

## BIAS-MOTIVATED VIOLENCE

In early February, a young gay couple was beaten up and stabbed in the town of Kildare. The police established that the attack was a hate crime and launched an investigation.

## DIVERSITY AND INTERSECTIONALITY

Origins Eile announced the launch of '*Tongues*', a new Black queer magazine created in association with Black Pride Ireland.

## EDUCATION

A video was posted on social media in September, featuring a group of around ten students from a Dublin private school verbally assaulting a classmate who had recently come out. The video was removed, but no official response followed.

TENI (Transgender Equality Network Ireland) and the University of Limerick launched the results of the first ever study of the post-primary school experiences of trans youth in Ireland, finding that trans and gender diverse young people feel marginalised in school, experience misnaming and misgendering, restrictive uniforms, bathroom accessibility, staff prejudice, peer bullying, barriers to sports, and a lack of support from teachers and staff. The study also found that positive reactions to someone coming out really affirmed that person in their identity and gave them a sense of self-acceptance. TENI called for training for staff and teachers, increased support services for young trans people, and a better inclusion of trans people and trans rights issues in the curriculum.

Working with BeLonG To, 18 schools stepped-up to create a safe space for LGBTI+ students in Ireland's first Safe & Supportive Schools Project – a whole-school approach to creating a fully inclusive school environment for LGBTI+ students.

## FAMILY

2020 marked the fifth anniversary of Ireland's marriage equality referendum.

The last remaining provisions of the Children and Family Relationships Act 2015 commenced on 5 May, allowing both women in a same-sex couple to be automatically recognised on their child's birth certificate. If a child was conceived before 5 May, the non-gestational mother will need to acquire a court declaration before the formal recognition. The first court

procedures took place in July, signaling the end of a legal limbo in which many families found themselves for years. Local civil society has lobbied for these changes for years.

*"We will no longer have to worry about who takes him for the remainder of his childhood vaccines. We will finally be able to get him a passport without one of us making a legal declaration that we are a sole parent to him. We will both have the assurance that we are, in every respect, his parents and that can no longer be denied to us as a family."* - Ailbhe O'Nolan, mother, to LGBT Ireland

From 5 May onwards, parents can register as 'mother', 'father' or with the gender-neutral term 'parent'.

The legislation does not provide for automatic registration for parents whose child was born out of surrogacy abroad, leaving many rainbow families behind. Minister of Health Simon Harries has shown willingness to take this step. In January, the government commissioned the Irish special rapporteur on child protection to examine the issue and propose solutions.

## FOREIGN POLICY

The town of Fermoy broke ties with its Polish twin city Nowa Deba after it declared itself an "LGBT-free zone". Towns in France, Germany, and the Netherlands did the same.

## HEALTH

Trans-specific healthcare was a debated issue during the parliamentary elections in February. Sinn Fein pledged that it would base trans healthcare on self-determination, which was criticised by a number of doctors arguing for the importance of psychiatric and psychological evaluations. Fine Gael stated they would adhere to WPATH Standards of Care.

On 30 November, the Union of Students in Ireland (USI) launched the online action #TransHealthcareNow, calling on political leaders to ensure trans and non-binary people's prompt access to healthcare services.

LGBT Ireland's helpline recorded a stark increase in calls during the pandemic. Young people, having to stay at home with hostile family members, were among those seeking help the most. Some LGBTIQI groups offered virtual community meetings on Zoom. TENI released resources on accessing trans healthcare during lockdowns.



On 24 November, civil society held a [conference](#) on LGBTI+ mental health, opened by the Minister of State for Mental Health and Older People, and highlighting the need for inclusive services, training for staff, prevention, and new legislation allowing 16 and 17-year-old young people to consent to mental health care.

HIV Ireland [launched](#) the first free HIV self-test service in the country, which delivers the test to a person's home upon request.

BeLonG To conducted a [national survey](#) on the impact of the pandemic on LGBTI+ youth, finding that 93% have been struggling with anxiety, stress or depression during COVID-19. This rate was 53% among the [general youth population](#). BeLonG To also found that over half of LGBTI+ youth (55%) struggled with suicidal ideation, 45% with self-harm, and 60% with loneliness. 53% said that their home environment was not a good place to be during COVID-19 restrictions.

*"We are fearful that the devastating mental health impact of COVID-19 on the lives of LGBTI+ youth will live long beyond the virus. Many LGBTI+ young people experience ongoing mental health challenges and as the results of our survey show, these have been exacerbated by COVID-19" - Moninne Griffith, CEO of BeLonG To.*

## HOUSING

The first ever piece of research looking specifically into LGBTI+ youth homelessness was [published](#) in September, finding that LGBTI+ youth face more complex experiences than youth in general, relating to coming out and/or transitioning, exposing them to high risk of homelessness or 'sofa surfing' and heightened vulnerability when homeless.

## HUMAN RIGHTS DEFENDERS

As a result of the COVID-19 pandemic, LGBTI organisations moved their activities online, including training, counseling, and group meetings.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Ahead of the elections in February, LGBT Ireland [prepared](#) information on where the different parties stand on LGBTIQ issues and who the most supportive MPs have been over the past years. BeLonG To launched their #VoteWithPride [manifesto](#) in January, outlining priorities the new government should work on regarding LGBTI+ youth.

The first ever LGBTQ+ club of the Gaelic Athletic Association (GAA), Ireland's largest sports association, was [established](#) in November.

## POLICE AND LAW ENFORCEMENT

The Garda (Irish Police Force) established the Diversity and Integration Strategy Oversight Committee, with the inclusion of LGBTI civil society, to oversee the implementation of the [Garda Diversity and Integration Strategy](#).

## SEXUAL AND REPRODUCTIVE RIGHTS

Cork's Sexual Health Centre [launched](#) Ireland's first community sexual health hub in September, to support young people in accessing safe and accurate sexual health information.

Ireland's Cervical Check service updated their materials to [include](#) trans men and non-binary people.



[IRELAND WEB PAGE](#)

[MORE INFORMATION ON WWW.RAINBOW-EUROPE.ORG](#)





# Italy

## ASYLUM

In July, [recommendations to Italy](#) were published by the Sexual Orientation and Gender Identity Claims of Asylum research project, funded by the European Research Council.

The voluntary association Il Grande Colibrì [published](#) informative material in different languages for asylum seekers, about the COVID-19 pandemic.

The Supreme Court issued a decision on 29 October (ord. n. 23891), which overturned the decision of the Venice Court to reject an asylum claim because the claimant had not demonstrated that they had suffered for being gay or that they had sought same-sex sexual encounters. According to the Supreme Court, this inquiry only reflects subjective opinions and a 'punitive' bias by the judges, in violation of the general principles of fairness and dignity, which the lower Court should have observed.

## BIAS-MOTIVATED SPEECH

In August, member of the Rome City Council, Massimiliano Quaresima [stated](#) at a meeting that "homosexuality is a disease and is caused by vaccines".

In July, Vercelli's city councillor was [sentenced](#) to four months probation and a 3,000 euro fine for his social media post saying, "kill lesbians, gays, and pedophiles". In September, five people were found guilty for aggravated defamation and fined, including Vice Mayor for Sport and Education in Siena, Paolo Benini, and former secretary of the League, Francesco Giusti. The five wrote homophobic insults under a local professor's social media post about Toscana Pride in 2018.

## BIAS-MOTIVATED VIOLENCE

The debate on the long awaited amendment to the Penal Code sanctioning anti-LGBT crimes [began](#) in late July. The amendment to the Penal Code's provisions on hate speech and hate crimes, introducing sexual orientation and gender identity as protected grounds, was eventually adopted by the Chamber of Deputies in November and is currently pending at the Senate. Previously, the Penal Code had only punished hate crimes on grounds of religion, ethnicity, and nationality. The current draft was [tabled](#) by Democratic Party MP, Alessandro Zan, and also includes protection against misogyny and violence against women and people with disabilities.

The bill has sparked national debate about LGBT rights, including among [religious leaders](#), and has [divided](#) the country. Far-right

organisers argue that the law would violate freedom of speech. Trans-exclusionary feminists have also avidly [attacked](#) the law, and the inclusion of 'gender identity'. A number of politicians [joined](#) a campaign to support the law, and an international petition gathered [over 77,000 signatures](#) in support. Supportive [protests](#) were also held.

The debates have continued amidst a [growing](#) number of hate crimes against LGBT people each year - [138 cases](#) over the past year. Several trans women were murdered in 2020, including in Rome in [February](#) and [July](#), and in Milan in [July](#). In June, a trans woman was severely [assaulted](#) in Naples. A young woman was [killed](#) by her brother for [dating](#) a trans man.

In September, a lesbian couple was physically [assaulted](#) in Novara. In October, a woman [posted](#) a desperate plea on social media following two years of lesbophobic abuse she had suffered in her neighbourhood.

Just a few days before the parliamentary debate started, a gay couple was brutally [attacked](#) by a group of seven in Pescara. Two weeks earlier, they had been assaulted by a group of six. In June, a rainbow flag in the window of a rainbow family's apartment in San Giuliano, was [set on fire](#). In September, an activist was [beaten up](#) in Naples, and a young gay couple was [assaulted](#) in Padua.

A number of perpetrators were [held](#) accountable for hate crimes this year (see [here](#) and [here](#)).

In July, a regional law against homophobia and transphobia was [adopted](#) in Campania.

## EMPLOYMENT

In a judgement delivered on 23 April, the European Court of Justice (CJEU) [held](#) that statements made by a lawyer during a radio programme, saying he would never recruit a "homosexual" or wish to use the services of such persons, fall within the material scope of EU Directive 2000/78 ('the anti-discrimination directive'). Importantly, the Court noted that the lawyer's statements falls within the ambit of the anti-discrimination directive, even if no recruitment procedure had been opened or planned at the time when the statements were made, where the link between the statements and the conditions for access to employment is not hypothetical.

## FAMILY

In January, the Court of Rimini [recognised](#) the right of a lesbian



couple to both be featured as mothers on their children's birth certificates. Previously, only the birth mother was recognised as a parent.

However, the Supreme Court ruled against a lesbian couple in April, deciding they cannot both be on their child's birth certificate as mothers. The child was born in Italy, but conceived abroad through medically assisted insemination, which is not legal for same-sex couples in Italy.

In October, the Constitutional Court declared inadmissible a claim by two mothers that the impossibility to consider the same-sex civil partner as legal parent from birth, prescribed by the Civil Union Act, violated the Constitution's equality clause, because it falls within the margin of appreciation of parliament to decide on the consequences of civil unions vis a vis children.

## HEALTH

Italy lost over 74,000 lives to the COVID-19 pandemic in 2020. The crisis has dramatically affected trans sex workers, many of whom are migrants and without a supportive network in Italy. A crowdfunding campaign provided support to those most in need and without access to state support. During the pandemic, the Vatican and a local parish provided support for a group of trans sex workers from South America.

From October on, hormonal therapy for trans people will be fully covered by the National Health Service, if prescribed by a specialist and based upon a diagnosis of gender dysphoria/ gender incongruence, according to criteria laid out in the DSM 5 or the ICD-11, confirmed by a multidisciplinary team. Some NGOs filed a lawsuit against the decision.

The National Health Service launched a new information site for trans people, developed with trans groups.

## LEGAL GENDER RECOGNITION

On 13 February, local trans organisation MIT launched a lobbying platform for legal gender recognition law reform, calling on the government to introduce a procedure based solely on self-determination. The discussions have later stalled due to the COVID-19 pandemic.

## PUBLIC OPINION AND ATTITUDES

Pope Francis met a group of parents of LGBT children and reassured them that the Church's love includes LGBT people. The parents were part of a group providing information for LGBT Christians and their families.

## SEXUAL AND REPRODUCTIVE RIGHTS

In September, the Justice Committee of the Chamber of Deputies started debating a bill that would make surrogacy a crime, even if carried out abroad.



[ITALY WEB PAGE](#)

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# Kazakhstan

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic had a serious impact on LGBT+ people, and particularly trans people. Many lost their jobs in the informal sector, and lacking savings or benefits, had difficulties covering rent and basic necessities. Civil society provided food, hygiene products, and other essentials to many. Financial assistance from the state was not accessible to trans people, either because they did not meet the eligibility criteria or due to the inconsistency between their legal gender and gender expression.

## BIAS-MOTIVATED SPEECH

On IDAHOBIT on 17 May, the British Embassy in Nur-Sultan released a video in support of LGBTI people in the country. As a response, well-known MMA fighter Kuat Khamitov called LGBTI people “worse than dogs”. Local activist Nurbibi Nurkadilova condemned the post and faced severe backlash from commenters, who urged the killing of LGBT people, and to “rape, kill, and burn” her and her partner. The Kazakhstan MMA Sports Federation issued a statement against discrimination.

## BIAS-MOTIVATED VIOLENCE

With the sudden loss of income, many trans people had to move back to unsafe family homes. A young trans woman was physically assaulted by her uncle and had to flee her home for safety.

The Kok.team documented 81 cases of discrimination or violence against the community this year and found that 52% of the victims were aged 18-25 and 20% were minors. 50% of the violations were insults, 46% death threats and 42% blackmail. 41% of the victims were gay men, 16% bisexual men, 12% lesbian women, 12% bisexual women, 5% trans people, and 14% identified as ‘other’. Many reported mental health problems and suicidal thoughts following the attacks.

On 3 August, police raided a gay club in Astana to enforce lockdown measures. The detention was legal, but the officers humiliated those present and said “gays should be shot”. Those under 18 were outed to their parents by the police.

The Prosecutor’s Office announced it would work on the case of [Bekzat Mukashev](#), a gay man who was allegedly abducted and forced to undergo conversion therapy by his family (see under Bodily integrity). In spring, his partner fled to Russia and Mukashev was to follow. On 13 June, Mukashev was forcibly abducted from his apartment in Almaty, allegedly by his own family. Kok.team launched the social media campaign #FreeBekzat. Mukashev posted a video later, refuting his abduction.

*“My name is Arman. I am from Kazakhstan and I am gay. My partner’s name is Bekzat Mukashev. Bekzat’s parents [...] repeatedly locked him in the house, beat him, threatened him and tried to cure him of homosexuality. No matter how many times Bekzat and I ran away, his parents found us and took Bekzat home [...]. We appealed to the police several times, but to no avail.” - [Arman Khasanov](#), Bekzat Mukashev’s partner*

In September, the police announced that Bekzat was home with his parents, and no criminal proceedings would be initiated. The parents forbade Bekzat’s advocates to contact him.

On 13 May, a trans woman was physically assaulted by a group of men in Kostanay. The men took the victim to the police station later, where she was subjected to psychological abuse by the police. She was forced to withdraw her complaints. The victim later filed a case, but fled the locality.

## BODILY INTEGRITY

Bekzat Mukashev was forced by his family to undergo conversion therapy in the form of [brain surgery](#) at the National Centre of Neurosurgery at Nur-Sultan.

## DATA COLLECTION

In May, local trans group ALMA-TQ launched a research project to learn more about the situation and experiences of trans people in the country. The report will be published in 2021.

## EQUALITY AND NON-DISCRIMINATION

In May, NGO Anti-Discrimination Centre published a [comprehensive report](#) on the situation of LGBTI people in Central Asia, including Kazakhstan.

## FREEDOM OF ASSEMBLY

In spring, the new law on freedom of assembly sparked national and international outcry, but was eventually adopted and signed into law by the President in May. First, the law prohibits spontaneous demonstrations. Second, the authorities must be “notified” of a planned protest and the notifier must wait three-to-seven days for a response. The government argued that the notification is not a permission, but advocates believe it is. Third, no protests will be allowed in central locations. Fourth, fines will increase. Civil society firmly condemned the law, fearing it further restricts freedom of assembly.



## FREEDOM OF ASSOCIATION

In July, the Ministry of Justice announced it would register Feminita as an organisation, after repeated denials in the past. In a meeting in the summer with the Ministry, Feminita disagreed with the terms offered and the amendments to their founding documents. Feminita suspects the announcement was due to Kazakhstan's upcoming review by the UN Human Rights Committee. As of late December, Feminita was still not registered.

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

The Ili District Court sentenced a former prison guard to the minimum five and a half years in prison and a ban from civil service for repeatedly raping a trans woman in prison in 2019.

## HEALTH

During the state of emergency, army and police officers were stationed in many cities, with unlimited powers. Many trans people feared leaving their homes. Most trans healthcare services were suspended, with appointments cancelled, requests for new prescriptions denied, and hormones unavailable. It was also impossible to travel to Kyrgyzstan to access surgical care. The commission issuing medical certificates suspended its work.

On 25 November, the Minister of Health issued an order changing the rules of conduct of the commission. The resulting amendment no. 539 to the healthcare law raises the age limit for trans healthcare access from 18 to 21 and excludes those with a mental health or "behavioral disorder" diagnosis. Civil society pleaded for their withdrawal.

## HUMAN RIGHTS DEFENDERS

The COVID-19 pandemic has forced activists to move their work online, including service provision, meetings, and community support. Activists reported higher rates of burnout, due to increased work stress, and the toll of the pandemic.

Two organisers of the feminist march on 8 March were fined by the special inter-district court of Almaty for hooliganism, classified as minor misdemeanor. Farida Ospan was fined 13000 kzt (25 euro) and Arina Osinovskaya 66000 kzt (130 euro).

## LEGAL GENDER RECOGNITION

On 25 November, the Ministry of Health approved sterilisation and hormonal treatment as mandatory requirements for LGR, against previous recommendations of the working group,

consisting of representatives of the Ministry, civil society, and medical professionals.

The proposed amendment to the healthcare law (see under Health) will also mean that those under 21 and with mental health and "behavioural disorders" diagnoses will not be able to access LGR. The process provided no opportunity for public consultation.

\*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\*

### BIAS-MOTIVATED SPEECH

Deputy of the Democratic Party of Kosovo (PDK) Mergim Lushtaku said in October that he wanted to preserve the institution of family, and spread false information about the well-being of children in diverse family constellations. The remarks were made during the parliamentary hearing on the draft Civil Code (see under **Family**).

Several members of the Vetvendosje, the largest political party, made negative remarks about the awareness raising campaign on marriage equality by the Youth Initiative for Human Rights. In October, Member of the Municipal Assembly of Prishtina, Leonora Shabani-Bajraktari called the campaign “exaggerated and unnecessary”. A few days earlier, Eman Rrahmani, MP of Vetevendosje, said in response that he is committed to the family model that has “a mother, a father, a son, a daughter, a grandmother, and a grandfather”.

### EQUALITY AND NON-DISCRIMINATION

Civil society reported better cooperation with the Advisory and Coordination Group for the LGBTI community this year, which released the new National Action Plan (2019-2022) in 2019. This year, the implementation of the Plan was made difficult by the COVID-19 pandemic.

### FAMILY

The draft Civil Code was published in July, causing disappointment among civil society. The Code fails to make progress on providing legal recognition to diverse families. It defines marriage as a union between a man and a woman, and also fails to establish the institution of civil partnership. Local civil society organisations have been advocating for a human rights compliant law for years. In a joint statement, they heavily criticised the draft for being discriminatory on the basis of sexual orientation and dedicated Pride to the issue (see more under **Freedom of assembly**).

While the Constitution uses the gender-neutral term “spouse” in regard to marriage and forming a family, and includes a non-discrimination provision inclusive of sexual orientation, the draft Civil Code, in its current form, fails to meet this standard. The draft is currently stalled in Parliament.

### FREEDOM OF ASSEMBLY

On 17 May, local LGBTI NGOs, Centre for Social Group Development (CSGD) and Centre for Equality and Liberty (CEL) held a small street action to mark IDAHOBIT, decorating trees

with positive messages on rainbow ribbons, to draw attention to the situation of LGBTI people during the pandemic. The main government building had rainbow lights projected on it.

CSGD, CEL, and other human rights organisations jointly organised Pride this year. Due to the COVID-19 pandemic, the Pride Parade took the form of a car parade. Held on 12 October, the event focused on the ongoing discourse on the draft Civil Code (see under **Family**), calling for legal recognition for rainbow families, under the slogan “I Do”. The number of participating cars was set at 30 maximum, to comply with pandemic restrictions. The only other event that could be held this year was the FemTalk discussion, focusing on the “Parade in Pandemic Conditions”.

### HEALTH

Border lockdowns due to COVID-19 have severely impacted trans people’s access to gender affirming healthcare abroad, as Kosovo does not offer any trans healthcare services.

During the pandemic, the number of LGBTI individuals seeking psychological support increased, both online and in-person. Civil society organised group therapy sessions to combat stress and anxiety caused by the lockdown and to give tips on how to maintain healthy relationships with the outside world.

### HOUSING

The municipality of Prishtina announced the funding of a shelter with 300,000 euro for LGBTI people who are survivors of domestic violence or became homeless due to family rejection. The municipality will closely cooperate with LGBTI organisations. Construction will start in 2021.

### HUMAN RIGHTS DEFENDERS

LGBTI organisations cancelled or postponed almost all of their activities during the two-month quarantine and had to redesign their work plans to be able work during the pandemic.

### INSTITUTIONAL SUPPORT

The municipality of Prishtina opened up a space for LGBTI organisations this year, which will be used as a drop-in centre in the future. LGBTI people will be able to hold events, have meetings or hangouts, and access mental health support or other services. The space is currently being renovated by the municipality.



## LEGAL GENDER RECOGNITION

Following a long legal battle that began in 2018, Blert Morina, a trans man, successfully changed his gender marker and name in January. In late 2019, the Basic Court of Prishtina annulled previous judgments denying him this right and gave the authorities 15 days to proceed with the change. It is hoped that following this positive judgment and its speedy implementation, other trans people will face fewer obstacles accessing legal gender recognition.

*“For the first time, the Court decided to recognise the right to gender identity without requiring evidence of surgical interventions or any medical change.” - [Rina Kika](#), Blert Morina’s lawyer*

The Court denied financial compensation for the stress and anxiety that Morina suffered in the past two years.

In July, CSGD, CEL, the Council of Europe and EU Offices in Kosovo, and the Office for Good Governance held a meeting on LGR law reform. They agreed that a specific gender recognition law should be put in place, which must be preceded by an in-depth analysis of the existing legal framework. The parties also agreed that the quality of the law is more important than the timeline; the working group should represent a wide range of expertise and experiences; the process should be complemented by awareness raising for the public.

\*Included in this Review as a separate jurisdiction following UNSCR 1244/1999



[KOSOVO WEB PAGE](#)

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# Kyrgyzstan

## ACCESS TO ADEQUATE FOOD

Due to the COVID-19 pandemic, many LGBT+ people lost their income and could not afford rent and basic necessities. Kyrgyz Indigo's study on the impact of the pandemic found that 68% of the 52 LGBT+ respondents had no paid work and struggled to pay for food. NGOs provided [support](#) to 2,000 LGBT+ people across the country.

## BIAS-MOTIVATED SPEECH

On 8 March, several hate speech incidents took place following the women's rights rally and several participants were arrested. Kyrgyz parliament deputy, Zhyldyz Musabekova [said](#):

*"Very right. Tired of these gays who are turning the holiday into a mess. They did the right thing, that they were dispersed. Now we need to drive them out of the country."*

Urmat Usenov, an adviser to the Minister of Culture, [said](#) that no Kyrgyz girls were seen at the rally.

Uran Ryskulov, former representative of the Kyrk Choro organisation, spoke in a derogatory manner about human rights defender Azimzhan Askarov, who [died](#) in July. Ryskulov questioned why the government, which "appeals to the UN for gay rights" did not fear for Askarov.

A video of two men having sex was posted online and widely shared on social media, along with the men's personal information. Many LGBT+ activists called for an end of persecution targeting the community. In the following days, a number of Telegram messaging groups posted the personal information of LGBT+ activists and allies, inciting violence against them.

## BIAS-MOTIVATED VIOLENCE

A trans woman was sexually assaulted by an alleged client in June, and threatened and physically assaulted by four other men who came along with the perpetrator. The victim appealed to Kyrgyz Indigo and filed a criminal complaint with the police.

Police harassment against sex workers also increased during the pandemic, manifesting in raids and threats of eviction. In numerous cases, the police threatened to report sex workers for "running a brothel" in their apartment. A police officer repeatedly threatened a trans woman, who was eventually evicted by a court order in September. Kyrgyz Indigo filed a complaint to the Prosecutor's Office.

## EQUALITY AND NON-DISCRIMINATION

The Ombudsperson falsely [stated](#) in February that no LGBT person had contacted their office in the past years. One activist publicly answered that she has in fact turned to the office for help and was given advice in a discrimination case.

In May, NGO Anti-Discrimination Centre published a [report](#) on the situation of LGBTI people in Central Asia.

In March, Kyrgyzstan received a dozen [UPR recommendations](#) to adopt comprehensive anti-discrimination legislation that includes sexual orientation and gender identity. Kyrgyzstan noted the recommendations.

## FREEDOM OF ASSEMBLY

The mayor of Bishkek [announced](#) in early March that he would not let participants of the Women's Day March carry LGBT symbols this year. The organisers said they could not influence what signs the participants would bring along. [Last year](#), public attention was drawn to slogans and banners on LGBT rights - some calling the event the first Pride march in Central Asia.

The Women's Day March was [banned](#) on 5 March, on the basis of public health and safety arguments with regard to the COVID-19 pandemic. Activists [believed](#) the arguments were fake, in lack of any recorded cases in the country, and were designed to suppress their voices. The ruling was eventually reversed the next day.

The march was held on 8 March, but was [attacked](#) by a large group of masked men, who forced the participants on the ground and took their posters and signs away. The police detained the participants of the march, not the attackers. 70 participants were taken to the police station. The detainees chanted their slogans and sang the national anthem at the station.

*"Today they wanted to throw our rights into the trash. But now our march will take place at the Sverdlovsk district police station instead." - Mokhir Suyarkulova, an organiser of the march to [reporters](#)*

The 8/365 Movement, organisers of the march, filed a lawsuit against the police for illegally detaining the participants and failing to protect them from the attackers. The Sverdlovsk District Court and the Bishkek Court initially sided with the police, and imposed an administrative fine on the 8/365 Movement. The Supreme Court however, overturned these rulings in November.



## FREEDOM OF ASSOCIATION

The bill mandating civil society organisations to report on their activities and funding, passed two parliamentary hearings, but was then removed from the parliament's agenda in June. Human rights defenders warned that the bill threatens freedom of association.

## FREEDOM OF EXPRESSION

The government used the state of emergency during the COVID-19 pandemic to suppress human rights. A controversial bill on “manipulating information” limiting freedom of expression online and on social media was swiftly passed through three parliamentary hearings and was sent to the President in June. The move came ahead of the parliamentary elections, and considering that a number of journalists were attacked and assaulted earlier this year. In July, the President expressed his support for the bill, but sent it back to parliament for improvements. The President later resigned, and new elections will be held in 2021.

## HOUSING

Due to the COVID-19 pandemic, many LGBT+ people, and particularly trans sex workers faced a sudden loss of income and could no longer cover rent costs. Many had no supportive families to return to and stay with. The government failed to support marginalised groups in this difficult time. NGOs organised safe housing for several LGBT+ people.

## LEGAL GENDER RECOGNITION

Smart Jaran Association and Kyrgyz Indigo published a study on trans people's experiences with legal gender recognition (LGR), identifying the following issues: long waiting times to receive a diagnosis, lack of public health coverage for medical tests, and inappropriate behavior by medical staff. Although LGR does not have a surgery requirement in Kyrgyzstan, some were denied LGR in lack of a surgery certificate.

Some were positive about the clerks in the registry office, saying they made an effort to be understanding, or to use the person's right name and pronouns. Others reported hostile attitudes, and feared violence from those in hearing distance. Many highlighted the issue of gendered personal numbers that do not change even after LGR.

On 1 August, a new version of the law “On acts of civil status” came into force, no longer making it mandatory for the authorities to approve LGR applications. A trans man was denied LGR on 12 November - the clerk cited the amendment as

grounds. Previously, trans people could change their legal gender with proof of a gender dysphoria diagnosis.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

A documentary entitled ‘Her Story’ was made about the life of LBTQ women in Kyrgyzstan.

Kyrgyz Indigo published a video, ‘LGBT+ Answers Homophobic Questions’, generating 95,000 views.

\*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

On 13 July, far-right politician, former Parliamentary Secretary of Minister of Justice, and currently Member of Parliament, Janis Iesalnieks retweeted a post of an “LGBT-Free zone” sign in Latvian, similar to those used in Poland. The Development/For! party turned to the Saeima Mandate, Ethics and Submissions Committee. On 5 August, with a vote of 4-3, the Ethics Committee sided with Iesalnieks, ruling that the post fell under freedom of speech. Local LGBTI organisations filed a case with the police and the Ombudsman’s Office, citing hate speech. The police refused to start criminal proceedings, but the Ombudsman’s Office launched an investigation.

Similar to 2019, over 500 anti-LGBT posts were removed by a social media platform in 2020. 32 of these were reported to the police, but criminal proceedings were only initiated in nine cases. Two cases were initiated in 2019.

## BIAS-MOTIVATED VIOLENCE

Four anti-LGBT hate crimes were reported to Mozaika this year, all targeting gay men. Three attacks were reported to the police and criminal proceedings were started in two of the cases. Compared to 2019 (29 cases), the number of reported hate crimes decreased in 2020, possibly because of COVID-19 lockdowns.

## DATA COLLECTION

Mozaika conducted a study on LGBT people’s quality of life in Latvia this year. The preliminary findings show that the political climate on LGBT issues has improved, and that legal progress would significantly improve both LGBT people’s well-being and social attitudes towards them.

## EQUALITY AND NON-DISCRIMINATION

In July, the Constitutional Court admitted a case focusing on discrimination on grounds of sexual orientation regarding land registration. The law sets out a 60 times higher registration fee for people who are unmarried, placing same-sex couples in a disadvantaged position as they marriage equality has not been introduced in Latvia. The case was referred to the Court by the Ombudsman’s Office.

## FAMILY

On 27 May, the Parliament’s Social and Employment Matters Committee decided to launch an official consultation and needs assessment concerning social protection for families where the partners live together, but are not married. The COVID-19

pandemic revealed that partners and children in such families are at a serious disadvantage with regard to inheritance, access to healthcare, and other areas.

A petition calling for the legalising of same-sex marriage passed the mandatory threshold of 10,000 signatures, mandating a parliamentary review. In September, with a vote of six-to-three, the Commission for Mandates, Ethics and Submissions decided not to review the initiative. On 23 October, parliament rejected the initiative with a 55-to-30 vote. A new initiative was introduced for the protection of all families on 1 October, and gathered 10,000 signatures in just six days. The first initiative to legalise civil partnerships or same-sex marriage was launched in 1997, but all have failed to date.

On 12 November, the Constitutional Court ruled in favour of a same-sex female couple, granting them parental leave on an equal basis with heterosexual couples. The applicant, who has been the partner of the biological and gestational mother for 10 years, wanted to exercise her right to go on parental leave after the birth of their second child. Labor Law, however, only grants parental leave to the gestational mother and to the father. The Court ruled that this provision violated the Constitutional protection for families, and will be annulled as of 1 June 2022. The applicant will be granted parental leave immediately.

## FREEDOM OF ASSEMBLY

LGBT people and allies placed rainbow flags and other symbols outside the Polish embassy in Riga, to stand in solidarity with the Polish LGBT community in time of continued government crackdown. Some of the flags were later damaged.

In October, four protests took place near the Parliament, in support of the legal recognition of all families in Latvia. The protests were supported by three major parliamentary parties - New Unity, Development/For!, and Harmony.


## HUMAN RIGHTS DEFENDERS

The LGBT House was closed between March and November, due to the COVID-19 pandemic, leaving many without access to a safe space or free HIV testing. The LGBT House briefly opened in November, but had to close again, due to new restrictions.

## LEGAL GENDER RECOGNITION

Regulations on state security clearance were updated this year. The clearance is needed for a number of positions in the government, law enforcement, or the judiciary. Previously, there was a blanket ban on everyone with a psychiatric diagnosis





under ICD-10, including trans people. From now on, decisions will be made on a case-by-case basis. The new regulations are improved, but the reference to the outdated ICD-10 continues to stigmatise trans people.

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

In August, local LGBT organisation Mozaika surveyed the candidates of the Riga City Council elections on their stance on LGBT human rights and published them on its social media. New Unity and Development/For! expressed clearly positive attitudes towards LGBT issues.

## **PUBLIC OPINION AND ATTITUDES**

A September public opinion poll found that 38% of Latvians had negative attitudes towards LGB people, 48% were neutral, and only 9% were supportive. Nonetheless, 63% supported the adoption of legislation to protect families without marriage in place.



[LATVIA WEB PAGE](#)

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# Liechtenstein

## EQUALITY AND NON-DISCRIMINATION

On 17 February, human rights NGO, Verein für Menschenrechte (VMR) held its first coordinating meeting with civil society partners, including LGBTI organisation FLAY, youth workers, and other experts. The meetings aim to support LGBTI youth. The priorities identified are urging the government to gather data on the situation of LGBTI youth; launch an information campaign; review the school curriculum; and convene future meetings outside the scope of youth work.



[LIECHTENSTEIN WEB PAGE](#)

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## FAMILY

As Switzerland introduced marriage equality at the end of 2020, followed and discussed by the public, new debates on the topic are expected to start again in Liechtenstein. The country 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 governing parties said that more public debate was necessary on the topic. Elections will take place in 2021, raising hopes that some parties may include the issue on their agendas.

A series of interviews were conducted with a gay couple who had a baby in 2020, through surrogacy in the US. Surrogacy is not legal in Liechtenstein and only the biological father was recognised as a legal parent in the country. The couple filed a lawsuit for the other father's legal recognition.

## HUMAN RIGHTS DEFENDERS

FLAY's main annual event, which is always held on the national holiday in August, was cancelled due to the COVID-19 pandemic. Monthly meetings and other events were also cancelled. For Coming Out Day in October, FLAY published an article instead of hosting an in-person event.

## LEGAL GENDER RECOGNITION

In April, the Ministry of Society affirmed in an ongoing legal gender recognition case, that the applicant does not have to go on hormone therapy, as a prerequisite of changing their legal gender. Civil society hopes that the case will be a positive precedent that others can use in the future. There is no public record of the Ministry's position.

## SEXUAL AND REPRODUCTIVE RIGHTS

The state court (Staatsgerichtshof) initiated a review of Article 25 of the Partnership Law, which excludes those in a civil partnership from accessing reproductive assistance. The Court will consider if this provision is constitutional.



# Lithuania

## BIAS-MOTIVATED SPEECH AND VIOLENCE

On 14 January, the European Court of Human Rights ruled in the case of [Beizaras and Levickas v. Lithuania](#) that Lithuania's failure to investigate online hateful comments against a gay couple, violated their right to private and family life (Article 8), right to effective legal remedies (Article 13), and was also discriminatory. The applicants in the case had posted a photograph of them kissing, which was met by hundreds of online hate comments.

On 24 February, the Ministry of the Interior established a working group on effective response to hate speech and hate crime, consisting of state and civil society representatives. In April, Lithuania's General Prosecutor issued [comprehensive guidelines](#) on investigating instances of hate speech and hate crime. Also, the Police Department has updated its internal recording system, introducing the possibility of flagging an offence as a potential hate crime at the initial stages of pre-trial investigation. Together with several NGOs, the Police Department are developing an online course for police officers on investigating hate crimes and hate speech. This could lead to an increase in the reporting and recording of hate crimes in the country.

On 1 March, singer Alen Chicco and a friend were physically [assaulted](#) in a bar in Vilnius. The owner of the bar did not help the victim, but asked why Chicco came to the bar in the first place. The police arrested one of several people who were involved in the fight. The case ended with a settlement and the perpetrator offering financial compensation to Chicco.

## EQUALITY AND NON-DISCRIMINATION

The FRA LGBTI Survey II [found](#) that 55% of Lithuanian LGBTI respondents have been [discriminated](#) against in the past 12 months - the highest rate in the EU.

In February, provisions banning trans people from taking up medical or legal professions, were [abolished](#) (see [here](#), [here](#), and [here](#)).

The process of amending the Law of Equal Treatment continued to be stalled this year. The most recent draft fails to include gender identity as a protected ground of discrimination, contrary to the 2019 Constitutional Court decision.

## FAMILY

On 19 August, Social Democrat and Labour Party MPs [announced](#) that it was not likely that legal recognition would be granted to same-sex partners anytime soon. The draft legislation on cohabitation only recognises "a man and a woman" living

together. Last year, the Constitutional Court [affirmed](#) that contrary to the definition of marriage, the definition of 'family' is not restricted to different-sex couples.

Seven of the 17 political parties competing in the parliamentary elections in October expressed support for legally recognising partnerships in a gender-neutral manner. Only one party supported marriage equality. The winning party Homeland Union [stated](#) they have a variety of opinions within the party. The runner-up Lithuanian Farmers and Greens Union are against legally recognising same-sex couples.

In December, leaders of the Lithuanian Roman Catholic Church [called on](#) the new coalition to not recognise same-sex couples as families.

## FREEDOM OF ASSEMBLY

A small group gathered outside President Gitanas Nausėda's Office on 3 July, [reminding](#) him to live up to his promise and wear a rainbow badge to show his support for the LGBT community. The activists urged the President to display the badge on 3 July, a week before Vilnius Pride. Some conservative voices [criticised](#) the action.

Vilnius Pride was [held](#) to draw attention to injustice against the LGBT community, both in Lithuania and globally. Approximately 1,000 people participated in the event.

## HEALTH


The FRA LGBTI Survey II [found](#) that more than a third (34%) of Lithuanian LGBTI respondents felt "downhearted or depressed" all the time or most of the time, the highest rate in the EU. Previous studies have also [shown](#) Lithuania has one of the highest rates of school bullying in Europe. As a response, LGL launched the first ever [emotional support platform](#) for LGBTI children and teens, where counseling is provided by trained volunteers. Parents and teachers can also access information on the platform.

## LEGAL GENDER RECOGNITION

Trans people continued to be able to access legal gender recognition through a judicial procedure this year, without surgery or sterilisation. Eight successful cases were recorded in 2020.

The newly founded Christian Union Party [announced](#) in June that it would seek to ban legal gender recognition, following the example of Hungary earlier this year. Civil society is deeply





concerned, and has warned that this would be in clear violation of the 2008 L. v. Lithuania judgment of the European Court of Human Rights.

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

Politician and LGBT rights activist, Tomas Vytautas Raskevičius (Liberty Party) secured a seat in parliament during the autumn elections. The Liberty Party, which has formed a coalition with the Homeland Union, is the only political group that supports marriage equality and full inclusion of LGBT people. Civil partnership will be high on the Liberty Party's agenda in the next four years.

In June, the Lithuanian TV show *Colours* received the National Equality and Diversity Award, for its positive and meaningful coverage on LGBTI issues. The show was initially criticised by the public for violating the Law on the Protection of Minors Against the Detrimental Effect of Public Information.



[LITHUANIA WEB PAGE](#)

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# Luxembourg

## FOREIGN POLICY

Prime Minister Xavier Bettel participated in the LGBTI-themed “Free to Be” panel discussion at the World Economic Forum in Davos.

## FREEDOM OF ASSEMBLY

Pride was held online this year, due to the COVID-19 pandemic. Highlighting the particular vulnerability of LGBTIQ+ people during the pandemic, the Pride slogan was “You are not alone!”. The organisers warned that LGBTIQ+ seniors would become more isolated and lonely during lockdown, and LGBTIQ+ young people may face more hostility and violence at home. Pride Minister Bettel, held a speech during the online event.

## HEALTH

In July, the youth section of the Democratic Party called for an absolute ban on conversion therapies.

## HOUSING

In July, the town of Esch-sur-Alzette announced it would prohibit shared flats if those cohabiting are not relatives or partners, due to increased sublet prices over the recent years. LGBTIQ+ association Rosa Lëtzebuerg asbl submitted a public letter to the city administration warning that the regulation would forcefully out many same-sex couples. Rosa Lëtzebuerg is also worried that the regulation could be used in an ad hoc and discriminatory manner. Students and those with low income would also be gravely affected. Due to strong opposition against the plan, the city postponed the vote on the issue.

## HUMAN RIGHTS DEFENDERS

Rosa Lëtzebuerg asbl and CIGALE both moved their activities online and cancelled all its in-person meetings due to the COVID-19 pandemic. Rosa Lëtzebuerg reported a 150% increase in the number of people reaching out for support, due to loneliness and related issues during the first lockdown period. Subsequently, it set up a COVID-19 information page.

Rosa Lëtzebuerg also launched an online program called “#StayAtHome - Discover queer culture” in the during the lockdown, featuring live streams and a range of activities to keep up good spirits in the community.

The economic crisis caused by the pandemic resulted in LGBTIQ+ groups losing the sponsors and partners, which had jeopardised their financial stability.

## INSTITUTIONAL SUPPORT

In July, the parliament building had the colours of the rainbow projected on it for ten days, for the second time. The municipalities of Sanem and Clervaux also joined in for the first time. The European Investment Bank, headquartered in Luxembourg City, did the same action and also raised a rainbow flag.



[LUXEMBOURG WEB PAGE](#)

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# Malta

## ASYLUM

A training was held by UNHCR in collaboration with the SOGIGESC Unit for cultural mediators on the needs of LGBTQI asylum seekers.

## BIAS-MOTIVATED SPEECH

The continued discussion on the draft Equality Act (see under **Equality and non-discrimination**) attracted severe homophobic discourse by religious figures, including on TV and in printed media. The second parliamentary hearing on the topic featured interventions from anti-gender movement speakers, and professional associations.

Trans public figure, Angela Colerio filed a police report after being targeted by hate speech on social media. Another trans person, also a public figure, reported similar harassment online.

## BIAS-MOTIVATED VIOLENCE

The FRA LGBTI Survey II found that LGBTQI respondents in Malta had the lowest reported rate of threats and violence in the EU. In the first six months of 2020, two cases were reported.

Nonetheless, MGRM's online survey found that over 50% of LGBTQI people felt unsafe in Paceville, Malta's main nightclub hub, and reported being entry into clubs or harassment. 19% have faced aggression from bouncers.

## DATA COLLECTION

Several presentations at the 2019 LGBTIQ Research Symposium were published in "Mapping the Rainbow" on IDAHOT in May.

## EDUCATION

Past studies revealed that the majority of LGBTQI students did not feel represented in the curriculum and felt unsafe at school. The Malta LGBTQI Rights Movement (MGRM) launched a range of tools for educators in May.

## EQUALITY AND NON-DISCRIMINATION

The Equality Act, which would further strengthen rights protections for LGBTI people, continued to be pending. Two objections were formulated about the bill in 2020. First, the Medical Council suggested an amendment allowing healthcare workers to refuse conducting procedures or administer treatments against their conscience. Fourteen medical associations supported a conscientious objection clause. The scope of the clause has been left open, but abortion, euthanasia,

and services for LGBTQI people were all mentioned in the parliamentary hearings. In a statement on the issue, the Medical Association of Malta specifically mentioned abortion and euthanasia. Civil society also documented a case of IVF denial in the past, to a same-sex couple. Second, Catholic schools wanted to maintain their right to refuse hiring someone who does not practice their respective religion.

In October, the Minister for Justice and Equality said he was considering the claim of religious schools, but not conscientious objection in healthcare.

The SOGIGESC Unit of the Maltese government published its annual report in September.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, this year's Pride march was cancelled. Instead, a symbolic flag waving event took place in September, joined by the new Prime Minister. Organisers commended Malta for championing LGBTQI rights in Europe, but highlighted remaining issues affecting people living with HIV, migrants, trans people, and people of colour.

## HEALTH

The national sexual health screening services and the gender well-being clinic were closed in the beginning of the COVID-19 pandemic. Both reopened mid-June, with a backlog of appointments.

In June, LGBTI organisations found the replies from the Minister of Health vague and insufficient to HIV-related questions at a parliamentary session. In July, the Minister of Health affirmed that new HIV medications would be launched by the end of year. Civil society is not aware that they were disseminated. The Ministry said preventive PEP and PREP were "not a priority at the moment". In early December, several people living with HIV started reporting that they had been without medication for a few days. On 11 December, NGOs jointly called this a "public health crisis" and launched crowdfunding to meet the needs. On 16 December, the Ministry of Health stated that the shortage was due to Brexit. NGOs had warned of the outdated medication for years.

## HUMAN RIGHTS DEFENDERS

Social work support services as part of the Rainbow Support Service (see under Institutional support) were moved online this year, due to the COVID-19 pandemic. MGRM reported cases where trans and HIV-positive persons, who were non-residents, had trouble accessing medication.



The closure of the sexual health clinic, caused a notable increase in purchases of HIV self-test kits, which HIV Malta made available during the pandemic.

### INSTITUTIONAL SUPPORT

The Public Social Partnership between the Ministry of the Family, Children's Rights and Social Solidarity and MGRM was renewed for another three years, allowing MGRM's Rainbow Support Service to continue.

The government endorsed Malta's bid to host EuroPride 2023 and announced that it would provide financial support.

### PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Following the resignation of Prime Minister Joseph Muscat (Labour Party), Robert Abela has filled this role since January. MGRM asked Abela during his candidacy about his stance on LGBTQI rights. The LGBTQI Consultative Council met the Prime Minister in February, where he reiterated the government's commitment to continue its civil rights agenda.

### POLICE AND LAW ENFORCEMENT

The FRA LGBTI Survey II found that only 13% of victims of physical or sexual attacks reported the case to the police in Malta.

For the first time, during Pride month, the police force added rainbow colours to its emblem on social media.

In October, the Police Commissioner approved the participation of a police officer in a campaign promoting positive representations of trans workers.

### SEXUAL AND REPRODUCTIVE RIGHTS

In March, Parliamentary Secretary for Equality and Reforms, Rosianne Cutajar announced that Malta would not follow the Nordic model, and will instead decriminalise sex work. In August, a report by the Prostitution Reform Technical Committee was being finalised to be presented to the Cabinet.

Lesbian couples and single persons have been able to access IUI, IVF, and third party gamete donation since April, thanks to new protocols in place. Eight lesbian couples used the service in 2020. Trans people, prior to gender affirming healthcare that may influence their fertility, can also access preservation of gametes services from 2020 on, for free.

### SOCIAL SECURITY AND SOCIAL PROTECTION

A study evaluating domestic violence shelters in Malta (see under **Data collection**) found that staff is unprepared to accommodate victims who live in same-sex relationships and recommended training, cooperation between LGBTQI organisations and shelters, and the hiring of male staff to encourage gay victims of partnership violence. One male staff member has since been hired to the Domestic Violence Unit.

The COVID-19 pandemic has had a grave impact on the LGBTQI community. LGBTQI organisations have reported an increase in messages from people who feel unsafe at home during lockdown, and people unable to pay rent. MGRM launched a community call to offer housing to those worst affected.

In November, MGRM was one of four organisations allocated an old government-owned property by the National Housing Authority and the Ministry for Social Accommodation, through the Specialised Housing Programme. Dar il-Qawsalla (Rainbow House) will support and empower people.



[MALTA WEB PAGE](#)

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# Moldova

## BIAS-MOTIVATED SPEECH

Human rights experts warned in July that hate speech by politicians, including against LGBTI people, might increase before the fall elections.

On 11 September, Cojocaru Dinari, member of the Chisinau Municipal Council of the Socialist Party stated he would seek to remove a drawing of a rainbow in the city and ensure no pro-LGBT signs will be on display in the capital, saying:

*“This sign is the flag of people who promote the non-traditional family, which is not characteristic for us Christians. [We] do not tolerate such families - we want to raise a healthy family and generation.”*

On 3 November, during a press conference as part of the presidential election campaign, President Igor Dodon said about his opponent Maia Sandu:

*“I have not participated in any gay marches, like Maia Sandu has done in recent years. Think very carefully, dear parents, what we will achieve in schools with such a president.”*

## BIAS-MOTIVATED VIOLENCE

A young gay person (17) was forcibly held at home and harassed by his brother for being gay. Upon the advice of local LGBTI organisation GENDERDOC-M, the boy called the police. The officers failed to intervene and instead verbally harassed and humiliated a boy for his sexual orientation. One of the officers made a video of him, and threatened to post it online. Thanks to GENDERDOC-M’s intervention, another group of officers came to the boy’s home later and escorted him to the police station so he could file a report against his brother. The first group of officers followed the boy when he left the police station, and kept harassing him. They continued the harassment against him and his family in person and on the phone in the next few days. GENDERDOC-M launched a complaint against the acting officers, and hopes that the case will be promptly investigated.

*“We insist that all four police officers who unleashed the harassment of the young man be identified, we demand that measures be taken to punish this behavior and*

*prevent such situations in the future. The police must carry out their functional duties according to the law, defend public order and the rights of citizens, regardless of race, color, sexual orientation, religion and other criteria protected by law.” - Angelica Frolov, GENDERDOC-M to Stiri.*

## EQUALITY AND NON-DISCRIMINATION

GENDERDOC-M launched a campaign in June, called “I’m close, but you don’t know me”, as part of which they share letters of LGBT people that they anonymously wrote to their parents, friends, loved ones - people they are not open to about their sexual orientation or gender identity. Those reading the letters out loud online included actress Victoria Roșca, journalists Mariana Rață and Anya Glazkina, musician Lilian Severin, and several other public figures.

## FREEDOM OF ASSEMBLY

This year’s Pride march was held online, due to the pandemic. The organisers encouraged everyone to go on their own personal march, and post live updates on social media with the hashtag #MoldovaPride2020.

## HUMAN RIGHTS DEFENDERS

Most civil society activities were held online this year, with in-person events cancelled.

In May, GENDERDOC-M distributed relief packages to those who have lost their jobs due to the pandemic. It has also provided online psychological counseling to LGBTI people, including LGBTI elders, and their families.


## LEGAL GENDER RECOGNITION

Civil society organisations established the Coalition for Inclusion and Non-Discrimination this year, which includes GENDERDOC-M as a member. One of the aims of the coalition is that the government introduces a legal gender recognition law.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

A new TV show, Efect 9.6 was launched on TV8 in September,





hosted by local LGBT activist Angelica Frolov. The show discusses existing societal conflicts in Moldova.

### **PUBLIC OPINION AND ATTITUDES**

GENDERDOC-M conducted a survey with 815 people in Chisinau about their attitudes towards LGBTI people, finding that half either supported or had a neutral stance towards LGBT people. This is a much more positive picture of the capital, than what the government has been claiming previously, saying that 98% of Moldovans were against LGBT people.



[MOLDOVA WEB PAGE](#)

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# Monaco

## FAMILY

On 27 June, the 2019 [law](#) introducing civil unions entered into force.



[MONACO WEB PAGE](#)

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# Montenegro

## ACCESS TO ADEQUATE FOOD

During the early COVID-19 lockdowns, NGOs Juventas, Queer Montenegro, Spektra and Stana distributed food and hygiene packages to LGBTIQ people in need, redesigning their organisational budgets. Some donors provided targeted funding later in the year.

## ASYLUM

Juventas, Queer Montenegro, and Spectra, held two trainings for employees of the Directorate for Asylum under the Ministry of Internal Affairs. In cooperation with the Ministry and UNHCR, the three NGOs developed guidelines on supporting LGBTIQ asylum seekers and refugees.

## BIAS-MOTIVATED SPEECH

In June, Amfilohije Radović, Metropolitan of the Serbian Orthodox Church said that same-sex love was “murder” and “child murder”.

Over 200 hate speech complaints were reported to the police within a few days after the adoption of the civil partnership law in July (see under **Family**).

In July, a number of LGBTIQ organisations filed a criminal complaint against prominent lawyer Velibor Marković, for a series of hateful and threatening [comments](#). The complaints were sent to the police, the Bar Association, the Lawyers Association, and the Ombudsman.

The Podgorica Misdemeanour Court fined a perpetrator 100 euro for threatening LGBTIQ activists last year.

Police complaints in hate speech or hate crime cases were impossible to file during COVID-19 lockdowns, as the police do not accept online complaints.

## BIAS-MOTIVATED VIOLENCE

In a regressive judgment, the Higher Court in Bijelo Polje overturned the Kolašin Basic Court’s previous ruling, which established a 2019 attack against a trans man as transphobic hate crime. During the retrial, the victim had to [endure](#) intrusive and inappropriate questions about his gender identity, which were all approved by the court.

## EDUCATION

In March, trans organisation Spectra and the Mirko Vešović high school in Podgorica signed a memorandum of understanding, the first of its kind, planning educational workshops for students, teachers and school staff.

## EQUALITY AND NON-DISCRIMINATION

Juventas and Queer Montenegro continued their work on supporting local municipalities, in cooperation with the Ministry of Human and Minority Rights. With the exception of Mojkovac, four pilot cities of Podgorica, Kolašin, Bijelo Polje and Kotor have adopted local LGBTIQ action plans.

Kotor became the first municipality and third in the Balkans to become a member of the international [Rainbow Cities Network](#).

In March, Queer Montenegro, Juventas and Spectra, in cooperation with the Ministry of Human and Minority Rights, helped create a focal points network of local governments on LGBTIQ rights. The network has 17 members so far.

## FAMILY

On 1 July, Montenegro became the first Western Balkans and non-EU country in Europe to [legalise](#) same-sex civil partnerships with a 42 to 5 vote in parliament. Those in civil partnership will enjoy the same rights as married couples, with the exception of adoption. The same vote held in 2019 was [unsuccessful](#). Civil society celebrated this year’s victory.

*“A confirmation that our society is maturing, accepting and living the differences. Born free and equal in dignity and rights!” - Milo Djukanovic, President of Montenegro on his social media [feed](#).*

The Law came into effect on 15 July, with the parliament affirming that all laws and bylaws must go through the necessary amendments in the next one year.

## FREEDOM OF ASSOCIATION

Stana, Montenegro’s first LBTQ women’s organisation was [established](#) in March.

## FREEDOM OF EXPRESSION

A public discussion on LGBTIQ rights and a related photo exhibition were held in Nikšić this year.

## HEALTH

In October, the Ombudsman [found](#) that the Ministry of Health violated the rights of trans women when failing to ensure them access to hormone therapy. Estrogen is on the list of medications covered by health insurance, but was unavailable in the country. The Ministry has since been working in cooperation with Spectra to remedy the situation. A shortage of testosterone was also an



issue during the lockdown, but was quickly addressed by the Podgorica Public Health Centre.

A third trans man since 2012 managed to have his gender affirming care costs covered by public health insurance.

The first ever trans healthcare guidelines were adopted by the Commission for trans health at the Clinical Centre of Montenegro, based on an individualised approach and centering full and informed consent.

Spectra launched a project on HIV prevention and harm reduction among the trans and gender diverse community.

The first study on LGBTQ women's mental health was published this year, in a study coordinated by several NGOs and mental health professionals. The study found that LGBTQ women in Montenegro are ten times more likely to have anxiety or depression, compared to the general female population in the country. Many reported experiences of violence, discrimination, external and internalised stigma, and negative self-perception.

## HOUSING

Spectra provided rent and utilities support to six trans people during the COVID-19 pandemic.

## HUMAN RIGHTS DEFENDERS

During the COVID-19 pandemic, all gatherings and meetings were cancelled, and the majority of work was transferred online. LGBTI communities reported a loss of jobs and economic independence, housing insecurity, deteriorating mental health, and increased risk of domestic violence.

NGOs had to quickly adapt to meet the community's changing needs. Juventas provided food and hygiene packages, laundry services, helped with rent coverage, and made safer sex essentials available. Juventas, Queer Montenegro, Spectra, and Stana prioritised emergency mental health support and suicide prevention. Spectra sensitised public health hotline workers on supporting trans, intersex, and gender diverse people.

No state funding was provided for any of this work. Some NGOs, such as Spectra, lost their external funding, despite modifying their activities and budget. Several programmes and NGOs are now at risk of closure.

Two LGBTI activists received death threats and were publicly outed following a protest related to the COVID-19 pandemic.

## INSTITUTIONAL SUPPORT

In June, the Head of Secretariat for Social Care in Podgorica, Ivan Terzić, Head of the Directorate for Human Rights, Blanka Radošević Marović, and the new Ombudsman, Siniša Bjeković, visited Juventas' Drop-in centre in Podgorica. Bjeković later held a lecture at the SOGI Center. Both events were part of the Pride month programme, supported by several ministries and the US embassy. Other events were postponed due to the COVID-19 pandemic.

## LEGAL GENDER RECOGNITION

Legal gender recognition reform continued to be stalled this year, amidst civil society criticism.

## POLICE AND LAW ENFORCEMENT

In February, National Police Assistant Director Nikola Janjušević, stated that the police must be sensitive to the needs of vulnerable groups, including LGBTI people.

The police Team of Trust cancelled its meetings due to the COVID-19 pandemic, but worked with civil society on emerging cases.

## SOCIAL SECURITY AND SOCIAL PROTECTION

The LGBTIQ Shelter provided housing, psychological and legal aid during 2020. The SOGI Center provided psychological and social services to 150 individuals in 2020.



[MONTENEGRO WEB PAGE](#)

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# Netherlands

## ASYLUM

LGBT Asylum Support received over 60 reports of discrimination and violence against LGBTQ asylum seekers during the summer, and appealed to the Ministry of Justice to increase protective measures, including through separate housing. Civil society requested the Ministry to make it easier for LGBTI Iranians to seek asylum. So far the policy has not changed.

## BIAS-MOTIVATED SPEECH

A report found that young LGB people face twice as much online bullying as those who are heterosexual.

Non-binary person, Nanoah Struik received thousands of hateful online messages after it became public that they were granted an 'X' gender marker on their ID in 2019.

In April, following civil society pressure, the Minister for Legal Protection announced that hate speech and discrimination on the basis of gender identity and expression and sex characteristics would be criminalised. A first draft of the law, currently up for public review, fails to include GIESC in all non-discrimination articles of the Penal Code. The revised Penal Code will use the term 'sexual orientation' as a ground instead of 'hetero- or homosexual orientation'.

## BIAS-MOTIVATED VIOLENCE

Hate crimes against LGBTI people were reported by the media almost every week in 2020. For instance, a gay couple in Amsterdam was attacked several times when walking hand-in-hand, and trans women were attacked in different cities. Civil society urged the state to better protect LGBTI people.

On 3 July, Minister of Justice and Security, Ferdinand Grapperhaus met with civil society, and victims of hate crime, vowing to increase protections. TNN and COC Netherlands presented the Minister with an action plan, but so far no additional measures have been taken. Two days before the meeting, a bill was tabled by the GroenLinks and ChristenUnie parties to increase the penalties for hate crimes.

## BODILY INTEGRITY

A research report commissioned by the government found at least 15 'conversion therapy' providers and 68 LGBT people who were subjected to conversion therapy, sometimes over the course of a year. Civil society continued calling for a ban. The largest party in parliament, VVD, announced that it would draft a bill.

The publication of the government commissioned study on medically unnecessary and non-consensual surgeries on intersex children was postponed until 2021. The researchers are yet to involve the intersex movement in the process.

## DIVERSITY AND INTERSECTIONALITY

Funding ended in 2020 for projects working on the rights of LGBTI asylum seekers, elderly LGBTI people and LGBTI people with disabilities. On civil society's request, parliament voted for continued funding for elderly LGBTI people and LGBTI people with a disability for 2021.

## EDUCATION

Research platform Pointer discovered that several orthodox schools used teachings against "homosexuality". Minister of Education, Arie Slob first defended the approach, but the parliament denounced this and amended the law in November, obliging all Dutch schools to make sure that LGBTI youth are respected and protected.

In September, COC Netherlands launched an app where LGBTI youth under 19 can connect safely online.

## EMPLOYMENT

The government commissioned a study on paid transition leave for trans people in employment, following the parliament's 2019 request.

## EQUALITY AND NON-DISCRIMINATION

On 19 March, in the case of a trans student, the Institute for Human Rights ruled that trans people may not be discriminated against in their access to safe bathrooms.

In April, TNN's annual monitoring report found that the number of discrimination cases against trans people continued to rise for the third consecutive year.

In June, the Second Chamber of Parliament adopted a Constitutional amendment explicitly banning discrimination on the ground of sexual orientation. The government stated that "gender", already mentioned in the Constitution, shall be interpreted as covering gender identity, gender expression, and sex characteristics. The bill will be debated in early 2021. The amendment was part of the 2017 Rainbow Ballot Box Agreement.



## FAMILY

In May, COC Netherlands launched a letter-writing campaign addressed to the Minister of Legal Protection, Sander Dekker, to provide legal recognition to families with more than two parents. To date the Minister has launched a consultation on a bill on partial parental authority for those families, which the campaign called insufficient.

## FOREIGN POLICY

The Dutch ministry of Foreign Affairs declared LGBTI human rights to be one of its seven priorities for international development aid policy, and made significant funding commitments.

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

In February, trans organisations TNN and NNID demanded a public apology and financial compensation for trans and intersex people who were required to undergo forced medical interventions, including sterilisation, to access LGR between 1985 and 2014. In November, the government announced it would apologise and provide compensation, but the details of both are yet to be seen. Civil society is working on the next steps.

## HEALTH

In November, Movisie published a factsheet on the effects of the COVID-19 pandemic on LGBTI people, with almost a third reporting difficulties. COC published a list of resources for LGBTI, and TNN for trans people. LGBTI+ Support launched a counselling hotline.

On 2 June, trans organisations TNN and Transvisie set up a new information service for trans people.

In March, the Dutch Health Authority published a list of urgent healthcare services during the COVID-19 crisis, excluding trans healthcare. Civil society appealed to the authority. The pandemic has led to increased waiting times, despite the opening of a third gender clinic in Nijmegen. Many surgeries were postponed and the intake of new patients is now limited.

In May, the Quartermaster on trans healthcare published a report calling for freedom of choice and joint decision-making in trans healthcare. TNN welcomed this individualised approach, but called for a firmer stand for depathologisation.

## LEGAL GENDER RECOGNITION

The government announced in July that from 2024, ID cards will no longer feature gender markers. This had been advocated for and was welcomed by civil society, and is a part of the Rainbow Ballot Agreement.

The public consultation on LGR law reform ended this year. The proposal includes abolishing the expert opinion requirement, but fails non-binary people and those under 16 who would still need to go through a court procedure.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In June, Utrecht and in October, Amsterdam signed “The Dutch Intersex Treaty”, committing to targeted policy and measures protecting intersex people.

## PUBLIC OPINION AND ATTITUDES

YouTube star Nikkie de Jager came out as trans and was met by overwhelmingly positive reactions.

## SOCIAL SECURITY AND SOCIAL PROTECTION

A study by Movisie confirmed the extreme vulnerability of homeless LGBTI youth and their lack of access to safe housing and of 900 to 2,000 LGBTI young people living in the streets. COC called on State Secretary Paul Blokhuis for safe shelters and several parties requested a governmental action plan.



[NETHERLANDS WEB PAGE](#)

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# North Macedonia

## ACCESS TO ADEQUATE FOOD

Due to the COVID-19 pandemic, many trans people, and particularly trans sex workers, lost their income and have been at risk of homelessness and lack of food. No state support was available. Local trans group TransformA, and Coalition Margins, provided food, disinfectant, and other essentials to those most in need, on a monthly basis.

## BIAS-MOTIVATED SPEECH

The Helsinki Committee recorded 172 cases of hate speech this year, but fear that the number is even higher. The government did not condemn any of these cases.

On 29 August, MP Dimitar Apasiev from the Levica party used the word “faggot” to discredit an opponent in parliament. A criminal proceeding was launched. Hate speech was also part of the pre-election period, used for instance, by Janko Bachev of the ‘Never North, Only Macedonia’ coalition.

Of 83 criminal complaints launched by Subversive Front, the Public Prosecutor responded to five and argued that the social media platforms concerned were registered in the US, and are protected under freedom of speech. Civil society is deeply concerned about this approach.

## BIAS-MOTIVATED VIOLENCE

In August, LGBTI activist Bekim Asani was physically attacked and later received death threats online. The EU Delegation in Skopje condemned the attack, and called for a prompt investigation, prioritisation of the anti-discrimination law.

The implementation of the hate crime law continued to be seriously flawed. Past hate crimes cases remained unresolved by the police and the judiciary and the police continued to fail classifying anti-LGBTI attacks as hate crimes.

Coalition Margins documented several anti-LGBT hate crimes this year.

## DIVERSITY AND INTERSECTIONALITY

Subversive Front continued working with LGBTI Roma persons in Bitola and Strumica, documenting several cases of multiple and intersectional discrimination, and finding that many lacked support from both the Roma and the LGBTI community. The majority were afraid to be open about their identity, and many engage in sex work to make ends meet. The COVID-19 pandemic hit the community very hard - several NGOs provided support.

## EDUCATION

In July, the Ministry of Education and Science adopted “Guidelines for preventing and combating violence in primary schools”, developed in cooperation with civil society.

The Ministry of Education confirmed that HERA can continue implementing its sexual education pilot program in primary schools.

Coalition Margins documented transphobic bullying in a high school.

## EQUALITY AND NON-DISCRIMINATION

In May, the Constitutional Court of North Macedonia repealed the 2019 Law on Prevention of and Protection against Discrimination (LPPD), due to procedural issues. President Stevo Pendarovski committed to prioritising the LPPD on the parliament’s agenda. Following the July elections, the LPPD was tabled again in parliament and successfully adopted in October.

## FREEDOM OF ASSEMBLY

The second Skopje Pride was held online due to the COVID-19 pandemic. In a meeting with the organisers, President Pendarovski commended the Pride events and pledged his support for a comprehensive anti-discrimination legislation (see under **Equality and non-discrimination**). MPs and government representatives also took part in online events. Skopje Pride Weekend was successfully organised for the eighth time with physical and online events, without any incidents.

## FREEDOM OF ASSOCIATION

New communities, gatherings and events took place outside Skopje this year. In Strumica, a new community hub gathered over 40 LGBTI participants each month.

## FREEDOM OF EXPRESSION

A number of new social media pages were set up for LGBTI youth this year.

## HEALTH

A working group, set up by the Ministry of Health in 2019 to improve trans healthcare, had to postpone its activities due to the COVID-19 pandemic.

Subversive Front documented a doubling of requests for mental health support during the COVID-19 pandemic. In lack of state



funding, they had to raise funds to hire more service providers. In August, the organisation [launched](#) the National LGBTI Helpline, providing free counselling services for LGBTI persons, their family members, and those working with them in education, healthcare, and other key areas. The helpline is funded by the Council of Europe and the EU, and supported by the government.

Coalition Margins documented two discrimination cases - refusal of healthcare to a gay man living with HIV and harassment against a trans woman by her family doctor.

## HOUSING

The COVID-19 pandemic seriously affected LGBTI people. The sudden loss of income forced many to move back to their hometowns or family homes, where they experienced increased violence and discrimination. Many contacted NGOs for mental health support or safe housing. The LGBTI Support Centre has had a difficult time meeting the demand, and its overall existence has been in danger due to the loss of state funding during the early elections.

## LEGAL GENDER RECOGNITION

Following the 2019 European Court of Human Rights decision of [X v. North Macedonia](#), the Civil Registry Office changed X's gender marker in October 2020. The government also has to ensure that all trans people can access LGR in the future, not just person X.

The working group, set up in 2018, continued its work this year to propose a legal gender recognition (LGR) procedure that is quick, accessible and transparent. The most recent draft law introduces a model, whereby someone wanting to have their legal gender to be changed has to sign a statement with the notary, and request the change in the Registry Office. It is positive that a simple administrative procedure is planned in the draft. However, only unmarried trans people can proceed with LGR. The final draft of the law is expected to be adopted in 2021.

Meanwhile, more than 10 LGR cases are pending at different levels before administrative bodies or courts, due to the Registry Office's refusal to process them.

## POLICE AND LAW ENFORCEMENT

Coalition Margins, in partnership with the Ministry of Interior, conducted three training events for police officers on working with LGBTI people, sex workers, and people who use drugs.

## PUBLIC OPINION AND ATTITUDES

Subversive Front's surveys conducted during 17 trainings for 325 civil servants [found](#) that awareness and understanding of anti-LGBTI violence and discrimination was much lower than in the case of racial and ethnic minorities, religious affiliation or political belief. 36% also thought that LGBTI people wanted "special rights".

In October, a poll by the Institute for Human Rights [found](#) that 76% of the citizens of North Macedonia said they had never met an LGBTI person; two-thirds would not want to have an LGBTI colleague; two-thirds would not want same-sex couples to hold hands in public.



[NORTH MACEDONIA WEB PAGE](#)

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# Norway

## ASYLUM

The government announced in July that it will prioritise facilitating the permanent resettlement of LGBTIQ+ asylum seekers, setting a quota to receive 3,000 people in 2020.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

Kripas, Norway's National Criminal Investigation Service, reported zero hate speech incidents against LGB people in the first half of 2020. Kripas fears that homophobic hate speech is common, but largely goes unreported. It also expressed concern about trans people not being protected by the Criminal Code's hate speech provisions.

Trans people were targeted by the growing anti-gender rhetoric among conservatives, the far right, and also some anti-trans "feminists" and LGB activists. Several trans people were personally targeted in the media.

In May, the Justice Committee decided to postpone the vote on the bill that would include gender identity as a protected ground in the provisions on hate speech and hate crime. The Committee justified the delay by arguing that the "concepts" of gender identity and expression were "controversial". Civil society expressed deep concern over the move, as the parliament had mandated the government to table a bill back in 2018. In the end, the bill passed the first and second parliamentary hearings and was overwhelmingly supported. It will enter into force in 2021.

In March, the Oslo police department reported a 17% increase in hate crimes between 2018 and 2019. In the previous year, the increase was 20%. Of the 278 hate crime incidents recorded last year, 59% targeted people of colour, 20% LGBTI people, 17% religious minorities, 3% people with disabilities, and 2% Jewish people. Nationally there was a 22% increase in reported hate crimes between 2018 and 2019, totalling 761 incidents. 122 of these targeted LGBTI people, 33% more than the year before.

On 13 August, a young gay man and two of his friends were physically assaulted by a group of four, in Oslo. The victim shared that he was regularly targeted by hate speech, but this was the first time that he was physically assaulted. After the case became public, he received a lot of messages from other LGBT victims of hate crimes, showing the prevalence of violence.

In the suggested state budget for 2021, seven million NOK was set aside for a national competency centre against hate crimes, and three million NOK for research on hate crimes. The

budget was approved in December, marking an important step in ensuring all police districts get increased competence in this field.

## BODILY INTEGRITY

In June, civil society organisations called on the government to issue a public apology and provide financial compensation to trans people who were forced to undergo sterilisation in order to access legal gender recognition. Sweden paid similar compensation a few years ago, and the Netherlands announced a compensation programme in 2020. In support of civil society's request, the Equality and Anti-discrimination Ombudsperson sent a request to the Ministry of Health and Care Services on the matter. The Ministry responded in October, expressing hesitation about providing compensation to a specific group, but stating they would reassess their position once the two court cases, launched by trans people are settled.

## EQUALITY AND NON-DISCRIMINATION

2,476 feminists signed a joint statement calling for the inclusion of trans people in the movement, an important move in light of the growing anti-gender rhetoric in feminist movements across Europe:

*"In the past year, we have heard many people say that trans people's rights are at the expense of women's rights. We, the signatories of this petition, strongly disagree. As women and feminists, we will not stand for the struggle for women and lesbians becoming a pretext for oppressing trans people."*

In October, the Church of Norway published the findings of its study finding that one-in-five LGBTI clergy had experienced discrimination in the past ten years.


## HEALTH

The public consultation on trans-specific healthcare guidelines was closed in February 2020. The new guidelines centre user participation and an individualised approach to care, which is a positive step.

Civil society expressed concern that the guidelines might maintain the state gender clinic's monopoly in terms of knowledge and care provision. 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 delivering training for their staff.







It is also yet unclear what services will be newly covered by public insurance. Although the guidelines include non-binary people in their scope, it is currently unknown what services they would be able to access. The guidelines argue a lack of evidence about the benefits for non-binary people of accessing trans healthcare. Access of trans youth to services is also not guaranteed. Civil society has criticised the guidelines on all these points.

## 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 in getting the support they need during the crisis.

## HUMAN RIGHTS DEFENDERS

The COVID-19 pandemic has deeply affected the LGBTQ community and organisations. Events were canceled and activities have been suspended. LGBTQ organisations fear that isolation has negatively impacted many in the community.

## 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 eggs frozen, or access IUI or IVF. Civil society fears that they will be excluded.

## SOCIAL SECURITY AND SOCIAL PROTECTION

A [report](#) on LGBTQ issues in child welfare, published in October, found that service providers across the country all need capacity building in the area.

The association of gender and sexuality diversity’s (FRI), international solidarity fund has provided humanitarian support to FRI’s partner organisations during the Covid-19 pandemic, enabling them to deliver humanitarian support to their membership.



[NORWAY WEB PAGE](#)

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# Poland

## BIAS-MOTIVATED SPEECH

The hate campaign against the LGBTI community in Poland, which started in October 2018, resulted in LGBTI people becoming a dominant issue during this year's presidential elections, in which President Duda degraded and scapegoated the LGBTI community on his way to election victory. This included claims that LGBT people were "not people, but ideology" and other attempts at dehumanisation and incitement of hate and fear. By the end of 2019, over 80 local governments had declared that they are "LGBT-free zones" or "free from LGBT ideology". In 2020, this number has further increased to 94, meaning that one third of Poland stood against LGBT people. About 40 of these administrative units adopted a 'Family Charter', initiated by the far-right Ordo Iuris. Activists launched an online map on the spread of the hateful measures - three municipalities filed lawsuits as a response.

Activist Bart Staszewski organised an artistic action that visualised the concept of 'LGBT-free zones'. He hung the signs of "LGBT-free zone" outside towns that passed homophobic resolutions. He was attacked by politicians and far-right media.

Trucks with homophobic banners and audio claiming a link between homosexuality and pedophilia began driving in public spaces this year, in some cases stopped and blocked by LGBT activists and allies. In some cases, the trucks were protected by the police.

Hate speech by the central government remained a serious issue.

The Ministry of Justice sponsored articles in the weekly paper *Do Rzeczy*, stating that LGBT rights movements are like Soviet-era communism. A few weeks later, President Andrzej Duda said that "the LGBT ideology" was more destructive than communism. Archbishop Marek Jędraszewski made similar statements and warned of the "rainbow plague". This was followed by a protest in March. In December, a Kraków court ruled that his statement was lawful and in the public interest.

The recently nominated Minister of Education of the Law and Justice party (PiS), Przemysław Czarnek, went even further saying:

*"Let us defend the family against this kind of corruption, deprivation, absolutely immoral behaviour, let us defend us against the LGBT+ ideology and finish listening to this idiocy about human rights or equality. These people are not equal to normal people, let's end this discussion".*

The European Commission announced in July that given the current political climate, it would refuse to include and fund six Polish cities in its twin cities program. The Minister of Justice, Zbigniew Ziobro, condemned the decision. Previously, a number of cities in France, Ireland, Germany, and the Netherlands, had already broken their ties with their sister cities in Poland. EU Equality Commissioner Helena Dalli and EC President Ursula von der Leyen firmly backed the EU's move - welcomed by local LGBTI organisations. The Ministry of Justice provided financial compensation to one of those towns (Tuchów county) from the Justice Fund that is allocated to support victims of crime, and suggested that the others should also receive state funds as a reward for defending family values.

A court in Wrocław ruled that a campaign linking homosexuality with paedophilia was protected by freedom of speech, and was "informative and educational".

The results of a survey published in November by Fundacja Równość.org.pl, show that LGBTQI-phobic attacks have increased in the last six months in the city of Krakow, with 61% of surveyed LGBTIQ people experiencing verbal violence.

## BIAS-MOTIVATED VIOLENCE

A couple pleaded guilty and was sentenced to one year in prison for carrying home-made explosives at Lublin's Pride in 2019.

## EMPLOYMENT

On 29 September, the Warsaw District Court issued a judgement confirming that Polish law prohibits discrimination against trans people in the workplace.

## EQUALITY AND NON-DISCRIMINATION

Incumbent President Andrzej Duda won both rounds of the presidential elections in June and July, with 51% to 49% of the votes, securing another five-year term. The Law and Justice (PiS) party's Duda stands firmly against LGBT rights.



## FAMILY

The District Administrative Court in Kraków referred the question of same-sex couples' parenthood recognition on their child's birth certificate, to the European Court of Justice.

In July, President Duda vowed to pass a Constitutional amendment to bar same-sex parents from adoption rights.

## FREEDOM OF ASSEMBLY

Anti-abortion and anti-LGBTI actions were rampant in Poland this year. LGBTI activists also held a great number of demonstrations and actions, often as a response. In one case, an altercation ensued and one of the anti-abortion vans was damaged. This was followed by repeated covert arrests of LGBT activists by plain clothes police officers in unmarked cars, creating a climate of fear and state harassment throughout the year.

Following an action in July, activist Margot Szutowicz ('Margot') was arrested in August, receiving an order for two-month pretrial detention to prevent her from attacking other trucks (see under **Bias-motivated speech**). This sparked a spontaneous solidarity demonstration, during which Margot attempted to surrender to the police officers present. Their refusal to detain her among witnesses and media, and the fact she was later detained in a different location by plainclothes officers in an unmarked car, led to further civil unrest. 48 individuals were arrested and some were refused access to lawyers. In September, the National Preventive Mechanism Against Torture established that the arrests and treatment of activists was degrading and in some cases inhumane.

Although trans issues were singled out during this year's hate campaigns, activists reported that trans people were targeted during the arrests, sexually harassed and forced to strip in front of police officers. Margot, a non-binary person, was placed in a male detention facility, facing high risk of violence. Trans young people in particular reported being traumatised by the events.

The European Parliament LGBTI Intergroup and the Council of Europe actors called on the government to stop police violence against protesters and immediately release Margot. The activist was eventually released in late August.

In September, the European Parliament adopted a resolution condemning the treatment of protesters and the war on LGBTI people by political and religious leaders.

In November, the "Stop LGBT" draft bill to ban Pride marches was submitted to parliament, as a citizens' initiative.

On 3 December, Council of Europe Commissioner for Human Rights Dunja Mijatović issued a memorandum on the stigmatisation of LGBTI people in Poland calling on the government to immediately suspend promoting hate and discrimination against LGBTI people.

## FREEDOM OF EXPRESSION

Artist Elżbieta Podlesna's trial was postponed to January 2021 - she is facing up to two years in jail for "insulting religious feelings," after she disseminated posters featuring the Virgin Mary with a rainbow-coloured halo.

## HUMAN RIGHTS DEFENDERS

Pride marches were cancelled and NGO activities were moved online due to the COVID-19 pandemic.

On 8 October the police conducted an early morning arrest of an LGBTI activist who spray painted the names of LGBTI children who committed suicide on the Ministry of Education building. The activist is charged with article 108 of the Law on the Protection of Monuments, for which they are facing between six months and eight years of imprisonment. Additionally, the activist was charged with hooliganism. The prosecutor's office also ruled preventive measures in the form of police supervision twice a week and a property guarantee of PLN 10.000. (see under **Freedom of assembly**)

## INSTITUTIONAL SUPPORT

On 25 August, the City Council of Zielona Góra adopted a statement against discrimination and hatred, followed by similar statements in Lubuskie Voivodeship and in Szczecin in November. These have been considered sparks of hope in the community.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Poland's centre-left parties announced that Robert Biedron, openly gay politician and current MEP, as their candidate at the presidential election. Biedron came in sixth, performing worse than expected.



## SEXUAL AND REPRODUCTIVE RIGHTS

On 22 October, the politically controlled Constitutional Tribunal declared that embryopathologically induced abortion is unconstitutional, which in practice means a complete ban on abortion in Poland. Mass protests took place in the lead-up to the ruling and spread over the country since the ban. In November, the European Parliament condemned the move in a resolution, affirming it is a violation of fundamental rights, and expressed solidarity with the protesters.

In late July, the Minister of Justice announced that he would start the process of withdrawing Poland from the Istanbul Convention, which was met by serious concern from the EU and the Council of Europe.



[POLAND WEB PAGE](#)

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# Portugal

## BIAS-MOTIVATED SPEECH

In May, two contestants on the reality show 'Big Brother' made a series of homophobic, racist and sexist comments, see [here](#) and [here](#), including towards one of the show's gay characters. The two were allowed to stay on the show.

A mayor in Azores entered an outside-court settlement in a hate speech case and [paid](#) 2,000 euro for insulting a well-known LGBT+ rights activist in 2018. The activist donated the money to an LGBT+ NGO.

In December, the Sports Arbitration Court [upheld](#) the Football Federation Disciplinary Council's decision that fans during four futsal games engaged in homophobic speech, and fined the sports associations for failing to prevent this. The ruling is a historic step in sexual orientation-based discrimination cases in sports. It resulted in the sport association being fined 1,000 euro and banned from four games.

## BIAS-MOTIVATED VIOLENCE

ILGA Portugal documented 48 hate crimes against LGBTI+ people this year.

In June, the Public Prosecutor [charged](#) 27 neo-Nazis from the group 'Portugal Hammerskins' for 82 crimes they committed against people of colour, LGBTI people, and communist organisers. The charges include attempted murder, possession of weapons, and hate crimes. The group is also responsible for painting racist and xenophobic slogans on a number of secondary schools and a refugee camp this year.

## EDUCATION

In February, NGO Plano i [launched](#) an online survey on bullying, asking victims and witnesses to share their experiences.

In November, It Gets Better Portugal launched an e-book for teachers called '[Come to the Rainbow School: Guidance for Inclusive Teachers](#)', which aims to provide tips and tools for teachers to address topics of sexual education and affection.

In December, the LGBTI+ youth organisation rede ex aequo [published](#) the results of their 2019 Education Project, finding that 79% of young people had witnessed incidents of anti-LGBT bullying and that 86% thought that schools should better address LGBTI+ topics. The organisation gathered responses during the 162 awareness raising sessions they held in schools.

## EQUALITY AND NON-DISCRIMINATION

ILGA Portugal published its annual monitoring report in June, [documenting](#) 41 cases of discrimination and 48 instances of hate crimes against LGBTI+ people in the previous 12 months.

## FOREIGN POLICY

In August, ILGA Portugal [urged](#) the government to stand with the Polish LGBTQI community and use its influence to prevent further crackdowns in Poland. The LGBT Community Centre put a rainbow flag up to show support.

## HEALTH

A study on the impact of the COVID-19 pandemic on LGBT+ youth [found](#) that 60% of the respondents experienced emotional distress during lockdowns and 35% felt "extremely suffocated" by not being able to express themselves as LGBT+ people.

## HUMAN RIGHTS DEFENDERS

Local civil society launched fundraisers to support those most affected by the COVID-19 pandemic in terms of housing, food, and healthcare access. The Lisboa Pride Parade organising committee launched the "[Donating is also marching](#)" fundraiser for social support.

As of mid-September, ILGA-Portugal received 180 requests for immediate support in cases of violence at home, loss of income, and evictions. A total of [630](#) cases of domestic violence and assault have been reported overall, since the start of the pandemic.

## INSTITUTIONAL SUPPORT

In August, the parliament [approved](#) a resolution recommending the Government to provide financial support to organisations providing services to vulnerable groups during the pandemic. The government has yet to follow up.

## LEGAL GENDER RECOGNITION

The 200 euro fee for name change was [struck down](#) in February, which was welcomed by civil society.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In January, ILGA Portugal [launched](#) a video campaign on the importance of coming out.





In July, the League of Clubs adopted a set of regulations, sanctioning discriminatory acts on the grounds of gender and sexual orientation on football fields, by both players and spectators.

The Queer Lisboa International Film Festival took place between 18 and 26 September.

The movie *Varições*, focusing on the life of António Variações, Portugal's first gay icon, was the most watched film in 2019 and received seven Sophia awards in September.

In October, Ikea Portugal launched a podcast to promote equality and diversity, hosted by Rui Maria Pêgo, an openly gay public figure.

## **SOCIAL SECURITY AND SOCIAL PROTECTION**

A group of organisers started a fundraiser to establish a shelter for trans migrants in Lisbon, called 'Casa T'. The group is not formally registered, and as such it cannot access state funding.



[PORTUGAL WEB PAGE](#)

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# Romania

## BIAS-MOTIVATED SPEECH

A fake news video featuring a group of men pretending to be trans women and wearing shirts with symbols of the Save Romania Union liberal political party, was shared online in August. The video shows residents of Voluntari, a Bucharest suburb, booing the group in a close-to-lynching atmosphere. The video was shared over 200,000 times on social media. Local LGBTI organisation ACCEPT filed a criminal complaint for incitement to hatred and discrimination, which is criminalised in Romania, on behalf of several trans people.

## EDUCATION

On 16 June, the Senate approved a bill banning any discussions in schools and universities on “gender theory” and its “promotion”, including definitions of gender identity as potentially different from sex assigned at birth. The bill was tabled by the centre-right Popular Movement Party and passed with the support of the Romanian Socialists, PES members. Representatives of the orthodox church publicly supported the proposed ban.

This bill sparked protests by universities, professors, and students; statements by universities; petitions and joint civil society statements; flashmobs; appeals by academics worldwide; and criticism by the EU LGBTI Intergroup and UN mechanisms.

Trans people, and particularly trans youth have come forward publicly to speak about the devastating effects the law could have on them personally, and the trans community as a whole.

On 10 July, President Klaus Iohannis appealed to the Constitutional Court requesting it assess the proposed legislation’s constitutionality. On 16 December, the Constitutional Court ruled that the ban was unconstitutional - a judgment welcomed by civil society.

## FAMILY

On 21 September, the Council of Europe Commissioner for Human Rights, Duna Mijatović published her third party intervention in the Florin Buhuceanu and Victor Ciobotaru v. Romania and 20 other cases pending at the European Court of Human Rights concerning the lack of family recognition. The Commissioner affirmed that same-sex families are part of the diversity of families in Europe, and that states must ensure legal recognition to same-sex couples in a non-discriminatory manner, whether through marriage, civil unions, or registered partnership. Local organisation ACCEPT filed the cases last year, making this the largest coordinated group effort against a State at the level of the European Court for the recognition of rainbow families.

On 28 October, the European Commission started a pre-infringement procedure against Romania, following a complaint submitted by ACCEPT Association in light of the lack of implementation of the Coman judgement. The complaint was filed in 2019 and concerns the ongoing case of a Romanian citizen returning with their Serbian spouse, following living and working in Germany. Romania continues to bar same-sex spouses in exercising their freedom of movement, and has refused to grant a residency permit for the Serbian spouse.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Antonella Lerca, a Roma trans sex worker, became the first-ever trans person to try running for office as part of the September municipal elections. Lerca collected 300 signatures during her campaign, not reaching the necessary threshold that would have put her on the ballot.

## SEXUAL AND REPRODUCTIVE RIGHTS

In June, parliament adopted a bill erasing “sanitary education” from the law on the rights of the child, which was the only reference of its kind in Romanian legislation. The law was adopted in 2004. In the same year, the government introduced the optional subject “education for health”, which contains some lessons on sexuality but has been very poorly implemented. Only 6% of schools have introduced this class in their curriculum, while the rate of pregnancies and STIs among youth are among the highest in Europe. The President sent the bill to the Constitutional Court for review. In September, the Constitutional Court ruled that the bill was constitutional. The bill is now being reexamined by parliament.



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# Russia

## ACCESS TO ADEQUATE FOOD

Several NGOs provided support to LGBTI people most affected by the COVID-19 pandemic by raising funds, supporting relocations, or distributing groceries. NGO, Coming Out conducted a study on LGBT\* people's needs for humanitarian assistance in terms of food, housing, clothes, and other basic needs.

## BIAS-MOTIVATED SPEECH

In February, President Vladimir Putin said Russia would not introduce marriage equality as long as he was in power.

A video spreading misinformation and hate about same-sex couples was posted on Youtube, in response to the proposed Constitutional amendment (see under **Family**). It was later removed by Youtube.

Renowned anti-LGBTI activist Vladislav Pozdnyakov created a website this year, listing LGBT\* people's social media profiles, and exposing them to hate messages and threats.

In July, Pozdnyakov's online community on the Vkontakte social network was blocked for "incitement to violence".

In July, a blogger was found guilty and fined for homophobic hate speech.

## BIAS-MOTIVATED VIOLENCE

Hate crimes against LGBTI people, including murder, physical violence and extortion were committed again this year. The authorities failed to classify them as anti-LGBTI hate crimes.

In February for instance, journalist Yelena Milashina, who broke the story of the "gay purge" in Chechnya a few years ago, was attacked by a mob in the Chechen capital of Grozny.

In June, a trans sex worker from Uzbekistan was brutally murdered in Leningradskaya oblast.

In September, in response to the first-ever Ural Pride Week in Yekaterinburg, 50 extremists roamed the Yekaterinburg's streets harassing people they thought were LGBT.

A number of positive court judgments were issued this year. In August, a Moscow court sentenced a man to three years in prison for assaulting, blackmailing, and extorting money from a gay man in 2019. In September, the acquittal of the perpetrator in a homophobic murder case was annulled by the Moscow City Court and the case was sent for retrial. In June, a police officer was fired for his ineffective investigative work in a 2017 hate crime case, where a gay man was assaulted and blackmailed by a group of eight.

## FAMILY

In March, as part of a package of anti-democratic amendments,

President Putin tabled a proposal for the Constitution to define marriage as a union between a man and a woman. The proposal was adopted in July.

A draft bill was submitted to the Parliament on 14 July, seeking to amend the Family Code with "traditional family" protections and further limiting LGBTI people's rights. The amendments set out that same-sex marriages registered abroad would not be recognised in Russia and that legal gender recognition would be banned. Local and international civil society pleaded to the government not to pass the law. Following continued criticism from civil society, the Presidential Human Rights Council, the State Committee on Legislative Activities, and international NGOs, the bill was withdrawn on 16 November. Russian LGBTI activists are cautiously optimistic about the move. The bill may be resubmitted in parliament.

## FREEDOM OF ASSEMBLY

During a protest against the proposed amendments to the Family Code (see under **Family and Legal gender recognition**), eight people were detained by the police.

On 13 October, the European Court of Human Rights 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 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 EXPRESSION

The sentence of a trans woman, who posted her own Manga creations online and was convicted for 'pornography of minors', was successfully overturned in January, amidst protests by human rights organisations. Michelle would have been sent to a male prison.

On 20 January, three participants of a demonstration in Moscow were charged under the propaganda law, for holding signs says "LGBT against repression", "Freedom to Tsvetkova" and "Freedom to Michelle".

In January, the police detained Pussy Riot and members while shooting a music video, accusing them of spreading "gay propaganda".

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. Her social media work focuses on bodies, menstruation, and other harmless topics. Tsvetkova was released from four months of home arrest in





March, but is not allowed to leave town. On 6 July, she was fined for “propaganda of non-traditional sexual relations” for the second time. She has appealed in three cases filed against her, and she may face up to six years in prison. She continues to regularly receive death threats, and her formal complaints to the police are met with indifference and inaction.

On 27 June, over 50 media outlets launched a media strike in Tsvetkova’s support and many joined the #forYulia (#заЮлю) and #FreeYuliaTsvetkova (#СвободуЮлииЦветковой) hashtags. An online [petition](#) calling for an end to her harassment, has collected almost 250.000 signatures. Police [detained](#) over 40 people in a Moscow protest held in Yulia’s support. On 29 June, Russia’s human rights commissioner Tatyana Moskalkova [said](#) she would examine and monitor Yulia’s case. A screening in solidarity with Yulia was [raided](#) and shut down by Russian military in September.

Schools in St. Petersburg were [ordered](#) to monitor their students’ social media profiles in September, to see if they post propaganda in the form of rainbow symbols.

In August, the St. Petersburg Public Prosecutor [asked](#) that the Russian LGBT Network’s website be blocked for featuring a survey on bullying experienced by LGBT students. The Prosecutor argued that the survey amounts to “LGBT propaganda”. On 17 September, the District Court upheld the Prosecutor’s position.

The first “propaganda” case was [opened](#) in Yekaterinburg in September, against “Alice Fandom”, who started the Vkontakte dating site for LGBT+ people a few years ago. In November, Tatyana Ivanova [the activist’s name was changed] was arrested in Khabarovsk for “propaganda”.

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

Aminat Lorsanova, a young bisexual woman filed a report with the authorities in January, for having been forced to undergo five month of conversion therapy by her parents. The authorities [decided](#) in September that they would not pursue the case. Civil society is appealing the decision. A similar testimony by a gay man [emerged](#) in August.

A horrendous video was [posted](#) in September of torture against a man who was accused of spreading lies about the anti-LGBT purge in Chechnya.

## HEALTH

COVID-19 lockdowns have dramatically [impacted](#) LGBTI people, and particularly young people. A helpline that used to run for six hours a day, now needs to stay available around the clock, as the

number of LGBTI people and minors reaching out for support has significantly increased since March.

T-Action [started](#) providing free consultations on hormonal therapy, led by endocrinologists who can email prescriptions. The Trans\* Coalition in the Post-Soviet Space [launched](#) a program to support trans people during the pandemic in the form of humanitarian aid and mental health support.

## HUMAN RIGHTS DEFENDERS

Organisers and participants of public events on LGBTI rights continued to face harassment and violence. In December for instance, a creative activism workshop was brutally [disrupted](#) by a police raid. 11 participants were detained, forcibly tested for drugs, and questioned. The victims filed a complaint.

## LEGAL GENDER RECOGNITION

Trans people have experienced more difficulties accessing legal gender recognition during the the COVID-19 pandemic. In April, Coming Out and T-Action [launched](#) a letter campaign for the simplification of the legal gender recognition (LGR) process, addressed to the Justice Department and the Prime Minister. In particular, the current law obliges trans people to travel back to their regions of origin, which has been extremely difficult since the onset of the pandemic.

Following the example of Hungary, Russia [vowed](#) to ban LGR. The draft [amendments](#) to the Family Code (see under **Family** and **Freedom of assembly**) aimed to [abolish](#) LGR, but were withdrawn on 16 November.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The Arctic Winter Games [announced](#) that Russia would host the games in 2026, sparking fear and criticism among LGBT+ athletes and allies. A film about the persecution of LGBT people [premiered](#) in January.

## PUBLIC OPINION AND ATTITUDES

In April, the Levada research center’s poll [found](#) that public attitudes towards LGBT people have softened, with more people being undecided, and fewer being in favour or isolating or “eliminating” LGBT people. Despite the positive results, the wording and approach of Levada has been criticised by many.



[RUSSIA WEB PAGE](#)  
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# San Marino

## FAMILY

As of 20 December 2020, 16 same-sex couples entered a civil union since the law came into effect in July 2019. 40 heterosexual couples have also decided to enter a civil union instead of marriage.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

San Marino's 2020 *Eurovision Song Contest* contestant was pop singer [Senhit](#), a proud LGBT ally, who regularly wears rainbow accessories and speaks out on LGBT equality on her social media. Senhit's competition song 'Freaky' is called an anthem for universal love by many. Senhit has previously performed at Pride events in Italy. The 2020 Eurovision Song Contest was postponed because of the COVID-19 pandemic.

## SEXUAL AND REPRODUCTIVE RIGHTS

Two bills were tabled and passed the first parliamentary reading in spring, in an effort to legalise abortion. The bills await examination by the relevant standing committees, and a second reading in the parliament. The process is expected to continue in 2021.



[SAN MARINO WEB PAGE](#)

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# Serbia

## ACCESS TO ADEQUATE FOOD

Labris delivered 50-100 relief packages including food, hygiene products and disinfectant during the COVID-19 pandemic, to LGBTQ people most in need.

## BIAS-MOTIVATED SPEECH

In October, Ratko Dmitrović was appointed Minister of Demographic Development and Family Care in the newly formed government. Dmitrović's past misogynistic and homophobic statements, i.e. calling the Pride march "a parade of shame, shamelessness and hidden Satanism" left civil society deeply concerned about the appointment.

## BIAS-MOTIVATED VIOLENCE

On 28 February, a group of masked extremists attacked the Pride Info Centre in Belgrade, damaging the door and exterior. The Centre was the first LGBTI safe space in Serbia. Complaints were launched, and a case is pending.

On 2 March, extremists gathered in the town of Leskovac to protest against a Pride march that was falsely rumoured to take place, chanting "kill gays" and assaulting two journalists, threatening to "slaughter" them.

## DATA COLLECTION

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.

In its annual hate crime report, NGO Da se zna! documented 63 anti-LGBT hate crimes in 2019, marking a 50% increase compared to 2018.

## EDUCATION

Labris conducted a legal analysis of school protocols and rulebooks, and published an advocacy tool to support LGBTI students in June.

## EMPLOYMENT

In September, Labris held an online training for 40 employees of the National Employment Service on LGBTI issues, the first event of its kind.

The COVID-19 pandemic has hit LGBTI people hard, with many losing their jobs and others reporting more hardship finding employment.

The joint meeting of the Ministry of Labour, Employment, Veteran and Social Affairs with LGBTIQ civil society organisations was postponed in February. The Ministry however stated it would finance training courses for trans persons on starting their own business.

## EQUALITY AND NON-DISCRIMINATION

In May, Serbia failed to re-elect the Commissioner for the Protection of Equality, which has left the country without an authoritative body to implement the anti-discrimination law, and current or ongoing complaints are effectively blocked. 52 CSOs signed a joint statement calling for the urgent re-election of the Commissioner. Regional LGBTI organisation ERA published a similar call. Following the June elections and the formation of the new government in October, Brankica Janković, the former Commissioner, was nominated as the sole candidate. After five months without a Commissioner, she was elected on 26 November, in a process lacking transparency. The Coalition against Discrimination condemned this, and called for future elections to be transparent and inclusive of civil society.

There continued to be no progress on amendments to the anti-discrimination law, despite the discussion having started back in 2019. Civil society has not been meaningfully involved in consultations and remains concerned about the process.

The new Anti-discrimination strategy, due to be adopted in 2019 after the expiration of the previous one in 2018, has still not been adopted. The National Working Group tasked with drafting the new strategy has not held any meetings to date. Labris published an analysis of the process so far.

## FAMILY

Court cases on legal recognition for same-sex couples, launched by two lesbian couples in 2019, were stalled at the Administrative Court this year - mostly due to the COVID-19 pandemic.

In collaboration with legal experts, Labris presented a Model Law on Civil Unions in April, covering the rights of both registered and non-registered same-sex unions. Labris submitted it to the cabinet of Prime Minister Ana Brnabić, the Ministry of Labor, the Anti-discrimination group within the Ministry of Labor, the Commissioner for Protection of Equality, and other relevant bodies. Labris has not received a response so far.

On 30 November, the new Minister of Human Rights and Social Dialogue, Gordana Čomić, announced that a draft law on same-sex partnerships should come before parliament by the spring



of 2021. In December, LGBTI organisations had a number of meetings with Čomić, who affirmed that the bill should be before the parliament by April 2021.

Meanwhile, on 15 December, the Ombudsperson published a recommendation to the Ministry of Human and Minority Rights and Social Dialogue to adopt legislation that would recognise same-sex partnerships and regulate legal gender recognition. The Ministry was given 60 days to act upon the recommendation.

### FREEDOM OF ASSEMBLY

Pride events were cancelled due to the COVID-19 pandemic, but Belgrade Pride held an online Pride week between 14 and 20 September.

### HEALTH

The COVID-19 pandemic has had a serious impact on the trans community. Doctors appointments were cancelled this year and many had to suspend their medical transition process. Similar to other countries in the region, Serbia also reported a shortage of hormones this year, due to lockdowns. Many trans people reported a loss of their income, and enduring harassment in family homes they were forced to move back to.

Several parents of intersex children have contacted XY Spectrum for support since the onset of the COVID-19 pandemic, about difficulties in accessing medical treatment for their children.

### HUMAN RIGHTS DEFENDERS

Organisations have experienced numerous funding problems since March 2020, due to the COVID-19 pandemic. Many funders withdrew or put their funds on hold.

NGOs had to find new ways of functioning, adjusting activities to online spaces, finding new channels of communication with communities, and creating new forms of activities and support.

### LEGAL GENDER RECOGNITION

On 24 November, the Ombudsperson confirmed that Serbian citizens, who live and have undergone surgical and medical interventions abroad can present medical certificates at their local consulates or embassies and have their legal gender changed. Surgery and hormonal treatment are mandatory requirements for legal gender recognition in Serbia. The Ombudsperson's statement was a response to a case, where a Serbian trans woman living in Sweden tried to have these

procedures recognised in Serbia without success. The local healthcare authorities refused to provide a certificate to her, as they were not the ones overseeing the medical process and the person was not registered with the local healthcare system, being a resident abroad. The Ombudsperson's solution should provide for a quicker process for those living abroad.

### POLICE AND LAW ENFORCEMENT

Due to the COVID-19 pandemic, Labris did not hold any police trainings this year, but asked the police to help promote the Local Networks for prevention of Discrimination and Support to LGBTI people. The Networks already exist in seven cities, and include the police, local civil society, local ombudspersons, health institutes, social welfare centers. The police refused.



[SERBIA WEB PAGE](#)

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# Slovakia

## BIAS-MOTIVATED SPEECH

In August, graffiti saying “Fuck LGBT” was painted on the Lafranconi bridge in Bratislava. The same graffiti appeared at another location in the capital shortly afterwards. Mayor Matúš Vallo had the signs removed and said:

*“We will not tolerate any expressions of hatred. As mayor, I wish Bratislava to be a tolerant city, where no one has to be afraid or ashamed of their otherness and where we will all be respected in our attitudes and values.”*

## EQUALITY AND NON-DISCRIMINATION

Polarisation over LGBTI issues continued this year. The new Prime Minister Igor Matovič, whose coalition government was formed in March, has been known for his religious conservatism. In May Olga Pietruchova, Director of the Gender equality and equal opportunities department at the Ministry of Labour, resigned from her post, saying on social media:

*“Too often have I listened to my Polish colleagues at international fora reading government statements spurning gender ideology and the LGBTI agenda. I can't do this and I won't do this.” - Olga Pietruchova on social media.*

The hostile attitude towards LGBTI human rights issues was tangible in the Parliament on 13 May, when Ombudsperson Mária Patakyová presented her annual report and was met with serious backlash (see more under **Human rights defenders**). The report, although only briefly, noted with concern that a number of LGBTI human rights issues remain unsolved and Slovakia's obligations under international law are yet to be implemented.

## FAMILY

The COVID-19 pandemic deepened inequalities between different-sex and same-sex couples and their family rights. Same-sex couples and/or parents in rainbow families were excluded from measures to alleviate the burdens of the pandemic, such as family reunification, parental leave during sickness, and others.

In her annual report, the Ombudsperson highlighted that Slovakia is one of six EU countries that still do not provide any legal recognition to same-sex couples, which must be remedied (see more under **Human rights defenders**).

The Freedom and Solidarity (SaS) party (EP: European Conservatives and Reformist Party) and Progressive Slovakia (EP: ALDE/Renew Europe) endorsed registered partnership in their

election campaigns. Only SaS made it to parliament, and is now a member of the governing coalition.

The new government's manifesto promises adopting legislation on inheritance and property rights for cohabiting couples and same-sex couples.

## FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, Bratislava Pride was celebrated online. Ombudsperson Mária Patakyová, Bratislava mayor Matúš Vallo, Minister of Justice Mária Kolíková, and evangelical pastor Anna Polcková (see under **Freedom of expression**) were some of the speakers. The President of Slovakia expressed support in an official statement.

## FREEDOM OF ASSOCIATION

A new online social network was launched in July, aiming to provide a safe space for LGBT people. The network was joined by 1,500 people on the first day.


## FREEDOM OF EXPRESSION

In January *Plus 7 Dní* editor-in-chief Katarína Šelestiaková resigned, after the Prime Minister blocked the publishing of an interview, where he was asked about his sexual orientation. Šelestiaková argued that given Pellegrini's hostile stance towards LGBT rights issues, it was a legitimate question to ask. In June for instance, Pellegrini (who was no longer Prime Minister at that point) stated, without any data to cite, that registered partnership is not a relevant topic in Slovakia and nobody is asking for it.

On 1 June, evangelical pastor Anna Polcková said on a podcast, that if Jesus would return today, he would probably return as a gay man or a Roma woman. Her statement was criticised by other church leaders - three bishops published a response, warning that the pastor's views were verging on blasphemy. Despite these warnings, Polcková decided to give a speech at Bratislava Pride.

## HUMAN RIGHTS DEFENDERS

The Ombudswoman received harsh criticism for her annual report (see under **Equality and non-discrimination and Family**), which listed over a hundred instances of human rights and freedoms being violated by public bodies in 2019. A small fraction of the report focused on the importance of legal recognition for same-sex couples and the importance of abolishing the mandatory sterility requirement of legal gender recognition. Several politicians specifically attacked these



sections, stating that the report was “ideologically led”, sounded like it was written by a Soros-funded NGO, and propagated “the LGBTI agenda”. President Čaputová endorsed the report. Regardless, only 34 of the 150 MPs voted to adopt it, marking the first time that the Ombudsperson’s report was not acknowledged by the Parliament.

## LEGAL GENDER RECOGNITION

In September, the Minister of Health refused to sign the Professional Guidelines to unify medical procedures for issuing medical opinions on gender reassignment, which was prepared in 2019 by the working group set up by the previous government. This is the third Minister who refused to move the process forward. The guidelines abolished forced sterilisation and other medical interventions as requirements for legal gender recognition, and were developed jointly by medical professionals and trans advocates. The last meeting on the issue took place in January 2020, with the leadership of the previous government. The process was then stalled by the elections and the COVID-19 pandemic. Trans people’s access to legal gender recognition is now jeopardised. Medical professionals stated they did not want to provide trans healthcare services without the guidelines being adopted.

(see under **Human rights defenders**)



[SLOVAKIA WEB PAGE](#)

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# Slovenia

## BIAS-MOTIVATED SPEECH

A number of hateful articles appeared online responding to *Pil* magazine's January issue (see under **Freedom of expression**), calling it an "aggressive imposition of LGBT ideology". Articles also attacked installment of gender neutral bathrooms at a university (see under **Education**), calling it a "perversion" and "degeneracy".

## BIAS-MOTIVATED VIOLENCE

Legebitra documented five hate crimes through its Ni Prav online platform, which was launched last year, including against a group of friends in Maribor in June and a young gay couple in Ljubljana in August.

## BODILY INTEGRITY

The INTERcoalition's work was stalled this year due to the COVID-19 pandemic. In June, however, the Advocate of the Principle of Equality published a report on the situation of intersex people, finding that surgical procedures on intersex children are routinely performed in lack of medical necessity, and that there are no clear or consistent decision making protocols in place. The Advocate made recommendations to several stakeholders for systemic change. For instance, it called on the Ministry of Health to establish an interdisciplinary working group to revise existing protocols and put in place new ones that are in line with human rights based medical practice; and recommended health institutions to refrain from performing any medically unnecessary procedures on intersex children.

## EDUCATION

The Social Sciences Faculty and the student health centre at the University of Ljubljana installed gender neutral bathrooms, to better accommodate trans and gender non-conforming students (see more under **Bias-motivated speech**).

## EMPLOYMENT

Many LGBTI people lost their jobs in the pandemic and resorted to precarious work, which was difficult to do during lockdowns.

## EQUALITY AND NON-DISCRIMINATION

Following the resignation of Slovenia's Prime Minister in January, a new government was formed, with far-right Janez Janša as the new Prime Minister. The new government rule has had a grave impact on journalists with the cutting of ties to the government, and NGOs with the loss of funding. The roles of the police and the army increased to worrying levels at the start of the COVID-19 pandemic. Civil society has organised massive demonstrations since the start of this political change, which

will have lasted for over 30 weeks by the end of December. The police presence became milder over the summer, but during the October lockdowns there were more police on the streets again. Civil society is concerned that Slovenia is following in the footsteps of Hungary and Poland.

## FREEDOM OF ASSEMBLY

The first Pride march in Slovenj Gradec was held on 12 September, with 150 participants, and no incidents. This is the third city to have its own Pride march.

The Ljubljana Pride march celebrated its 20th anniversary this year.

## FREEDOM OF EXPRESSION

The January volume of *Pil*, a teen magazine, featured the question "Do you like boys or girls?" on its front page. Some criticised *Pil* for the move (see more under **Bias-motivated speech**). The magazine's editorial board stood firmly for equality and responded:

*"Our articles [...] always advocate equal treatment of people, regardless of religion, race, nationality or sexual orientation. These are the foundations of a civilized society".*

## HEALTH

On 11 March, the interdisciplinary team for gender affirming care was set up by the Ministry of Health and the University Psychiatric Clinic Ljubljana. Despite the terms of the establishment setting out at least one meeting with NGOs Legebitra and Transakcija per year, no meetings were convened in 2020.

In the spring and autumn, Transakcija was told to leave the premises of the University Psychiatric Clinic Ljubljana when accompanying a trans person to use the services.


As of February, people living with HIV can pick up their medication every three months, instead of on a monthly basis - a change welcomed by civil society.

HIV and STI testing services were suspended during lockdowns, causing an increase of new HIV and STI infections.

## HOUSING

Student dorms were closed as part of lockdown measures, pushing many LGBTI students without a safe and accepting home into homelessness or housing insecurity. Student





organisations and Legebitra successfully lobbied for the dorms to be open for those who could provide a reason why they could not go home.

## HUMAN RIGHTS DEFENDERS

The COVID-19 pandemic has placed a lot of burden on LGBTI organisations. Legebitra reported increased administrative burdens, to apply with requirements while working remotely; inability to raise funds at events or via training; reductions in state funding; and fears of termination of project contracts. Organisations have tried to move services, including training, counseling, peer support, etc. online. Transakcija reported a stark increase in the number of trans people reaching out for support online, including trans women, and young trans masculine people.

Civil society is concerned that the negative attitude of the new government towards LGBTI organisations will play a role in how funds are distributed in the future, including during the COVID-19 pandemic.

On 19 October, NGOs operating at 6 Metelkova street in Ljubljana, including those working on LGBTI rights, received a termination of lease from the Ministry of Culture and an order to vacate the building by 31 January 2021. The Ministry has not offered an alternative office space for those concerned and has failed to communicate with the NGOs. The organisations launched a petition.

## LEGAL GENDER RECOGNITION

Civil society continued to be excluded from the legal gender recognition working group this year, which was set up by the Ministry of labour, family, social affairs and equal opportunities in 2019. With the new government in place, NGOs are concerned about what the future holds - especially in light of the 2020 ban on legal gender recognition in neighbouring Hungary.

## POLICE AND LAW ENFORCEMENT

Legebitra started cooperation with the police on hate crime training this year, and the establishment of LGBTI liaison officers. It is yet to be seen how the cooperation continues with the new government in place.



[SLOVENIA WEB PAGE](#)

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# Spain

## ASYLUM

The situation of LGBTI asylum seekers in temporary reception centres continued to be untenable, with anti-LGBTI attacks reported and the spread of COVID-19 infection difficult to halt. Civil society urged the Ministry of Interior and Labour to immediately remedy the situation.

Kifkif, Association of LGTBI Migrants and Refugees, and Red Acoge opened the 'Pedro Zerolo' Reception Centre in November, which will accommodate 20 LGBTI asylum seekers and refugees.

## BIAS-MOTIVATED SPEECH

Anti-trans rhetoric continued to gain more ground in Spain. The Feminist Party and its prominent members made several transphobic statements again this year. A section of Spain's Socialist Workers' Party (PSOE) also joined the anti-trans discourse, claiming that "queer theory" and the self-determination of gender may be a threat to feminism. PSOE had previously positioned itself as an ally to the LGBTI community. In the past two years, such attacks have resulted in the postponement of law reform that civil society had been advocating for.

Trans associations launched the #AMiNoMeBorraNadie (#NoOneErasesMe) campaign this year, responding to anti-gender movement attacks, asking cis allies to show their support for the trans community.

In May, two police officers were suspended and placed under disciplinary investigation for insulting and humiliating a trans woman. The Ministry of Equality and the Ministry of Justice are both investigating the case.

In June, far-right organisers held a "straight Pride" in Valencia, which was strongly criticised by the local LGBTI community.

## BIAS-MOTIVATED VIOLENCE

The annual report of the Ministry of Interior documented 278 anti-LGBT hate crimes in 2019 (2018: 271), while NGOs continued calling for comprehensive hate crime legislation that protects LGBTI people. The Ministry of Equality published a resource for LGBTQI victims of hate crimes in October.

The EU FRA LGBTI Survey II found that in Spain, only 16% of hate crime victims reported hate crimes to any organisation or the police.

Hate crimes took place in Madrid (see here and here), in Malaga's suburb Torremolinos, and in Barcelona (see here and here).

Two trans women were reported murdered this year, both in the region of Asturias. The State Federation of Lesbians, Gays, Transsexuals and Bisexuals (FELGTB)'s helpline reported a 266% increase in the number of trans people calling in for help during the COVID-19 pandemic.

In November an 11-year-old boy was hospitalised in Murcia, after suffering homophobic physical assault by a teenager.

In October, a 17-year-old girl committed suicide having suffered long-term lesbophobic bullying.

In October, three teenagers vandalised rainbow benches in Cambados.

Several courts sentenced perpetrators of previous hate crimes against gay men. Barcelona's courts sentenced a young man to 12 years for the attempted murder of a gay man in Sitges in 2016, and a neo-Nazi to 15 years for a brutal attack in Barcelona 20 years ago. Other court cases are ongoing.

## EDUCATION

In September, FELGBT launched a report comparing levels of protection for trans children and youth in education in the 17 Spanish regions. The report found that Navarra, Valencia, and Aragón had the highest level of protection, and that in Cantabria, Castilla-La Mancha, Castilla y León, La Rioja, Asturias and Ceuta and Melilla, trans minors have no legal protection.

## EMPLOYMENT

Aragón introduced new selection procedures in November for permanent staff of primary healthcare centres. Of the 106 positions, two will be allocated to trans people and three to victims of gender-based violence.

In January, the first employment office for trans people was opened in Madrid, funded by the municipality.

## EQUALITY AND NON-DISCRIMINATION

In January, the Ministry of Equality announced that it would set up a department focusing on LGBTI issues, to be led by Boti García Rodrigo, a renowned activist and former president of FELGTB.

The region of Cantabria adopted a new law on the rights of LGBTI people in November. Vox was the only party voting against the law.



## FREEDOM OF ASSEMBLY

For the first time in 40 years, no Pride events took place in Spain - due to the COVID-19 pandemic. Pride events moved online. This year's Pride focused on the rights of women, with the slogan: "Sorority and feminism to TRANSform. Lesbian, trans and bisexual women in action! For the most vulnerable", demanding rights for the most vulnerable and state-wide protection to trans women in particular, among other issues.

## FREEDOM OF ASSOCIATION

The Madrid City Council withdrew funding from LGBTI organisations that it had supported since 2016.

## FREEDOM OF EXPRESSION

Police ordered the mayor of the Southern town of Villanueva de Algaidas to take down a rainbow flag he had put up to celebrate Pride two days earlier. The basis of the police's argument is the June Supreme Court's ruling, which states that only Spanish or EU flags can be displayed on public buildings. In response, hundreds of households put up rainbow flags in the town, joined by public institutions all across Spain. In June, the Ombudsman established that the Court ruling did not ban the display of rainbow flags.

## 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.

## INSTITUTIONAL SUPPORT

Two well-known LGBTI activists are now leading equality institutions. Beatriz Gimeno is the director of the Women's Institute and Boti García is responsible for the newly created LGBTI and Sexual Diversity Directorate-General in the Ministry for Equality, led by Irene Montero since early 2020.

The Minister for Equality launched a campaign (#AbriendoPuertas or #OpeningDoors) and a guide with resources addressing discrimination against LGBTI people during the COVID-19 pandemic. A plan was published aimed at the protection of LGBTI rights during the crisis that included concrete measures. The LGBTI and Sexual Diversity Directorate-General also launched the call for the first National LGBTI Council to further promote the participation of civil society.

## LEGAL GENDER RECOGNITION

In January, following five years of legal battle, the first minor

managed to change his gender marker and receive his new national ID card. The Constitutional Court lifted the age limit in Law 3/2007 in 2019, making it possible for trans youth under 18 to change their gender marker the same way that adults can. Previously, trans minors had to go to court. Young trans people however continued to face obstacles in their access to legal gender recognition (LGR), as the process remains psychopathologised, requiring minors to acquire a diagnosis and be on hormones for two years. Legal gender recognition in Spain has two components: the federal responsibility for birth certificates, passports, and national ID cards, and the regional authority for school IDs and healthcare cards. Only 9 of the 17 Spanish regions have a self-determination model in place for the items within their competence. Trans and LGBTI organisations continued their advocacy work this year to increase that number to 17, through meetings, statements, and campaigns.

During the continued campaigning for self-determination, the government restarted negotiations from scratch and created a new working group, which includes civil society.

In December, Minister of Equality Irene Montero announced that 96% of the respondents, who participated in the public consultation on the 'trans law' supported full equality for trans people. The draft law establishes the right to gender self-determination. The consultation was launched in October and gathered 96,000 responses.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Singer Pablo Alborán's coming out this year had a hugely positive impact.

The city of Valencia is a candidate to host the Gay Games in 2026.

Spain's only LGBTI+ sports club, Diversport launched an awareness raising campaign called "Know your rights".

## SEXUAL AND REPRODUCTIVE RIGHTS

A number of transmasculine people were open and public about their pregnancies this year.



[SPAIN WEB PAGE](#)

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# Sweden

## ASYLUM

On 15 September, a parliamentary committee put forward recommendations to change Sweden's asylum legislation. The suggestions include making temporary residence permits the default and introducing new family reunification requirements, such as mandatory cohabitation in the country of origin unless permanent residency in Sweden has been granted. Civil society criticised the discriminatory recommendations. During the summer, local LGBTQI organisation RFSL launched a petition to call for human rights-based asylum legislation that effectively protects LGBTQI people. Yet, the government decided to move forward with the process of implementing the recommendations in October. In December, the government made an addition to the proposal, dropping the cohabitation requirement.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

The results of a nationwide survey by the organisation West Pride revealed that 73% of LGBTQI respondents reported often or sometimes hearing derogatory comments about LGBTQI people. 21% had at some point been the victim of a hate crime.

## BIAS-MOTIVATED VIOLENCE

A new ground for bias-motivated violence, increasing penalties for so-called "honour" related violence, was introduced this year.

## BODILY INTEGRITY

Clinical guidelines on health care for intersex children were for the first time presented by the Social Board for Health and Welfare. The guidelines fail to ban early surgeries on intersex children, and only urge medical professionals to use these surgeries restrictively.

## EMPLOYMENT

The FRA EU LGBTI Survey II found that 15% of Swedish LGBTQI people had experienced discrimination at work during the previous 12 months. Civil society urged the government to increase measures to prevent discrimination, increase workplace diversity, and help trans and intersex people pursue their education.

A Swedish study at Linköping University showed that employers systematically turn down trans applicants for jobs.

## FAMILY

After years of legal battle, an Icelandic couple living in Sweden managed to get parenthood recognition for the non-gestational

parent. Had Krístrún Stefánsdóttir and Inga Pétursdóttir used an anonymous donor, they would have had to go through an additional adoption procedure. Sweden still differentiates between same-sex and different-sex couples when it comes to parenthood recognition to a child born and registered abroad, and is currently investigating options for different models that would change this.

Trans fathers faced serious challenges this year in terms of parenthood recognition. In 2019, Sweden adopted a new law on fatherhood, which discriminates against trans men. Married cis men are automatically registered as fathers when their child is born, while married trans men are not. Additionally, the Swedish Tax Agency did not change their system in time when the new law was implemented. This year, the government realised that eight trans fathers were registered as the father to their child 'by mistake'; they all got letters from the tax authority saying that their fatherhood was not valid, and that they instead had to contact authorities to adopt their child. A few ongoing cases are now handled by anti-discrimination bodies across Sweden.

In December, the Swedish Government announced a new investigation into the Family Act, with the purpose of making it gender neutral to address the situation of children who have more than two important adults in their life.

## FREEDOM OF EXPRESSION

At the initiative of the rightwing populist Sweden Democrats, the municipality of the southern town of Hörby put forward a new policy banning raising the rainbow flag on municipal flagpoles. The local church responded by displaying the rainbow flag on their flagpole. The policy was later withdrawn, but follows a similar and successful ban passed in 2019 in Sölvesborg.

## HEALTH

The COVID-19 pandemic has negatively affected access to healthcare in a number of ways. First, waiting times for trans-specific health care have seriously increased, with a one-and-a-half to two-year wait period for a first appointment at gender clinics. Second, access to HIV testing or PrEP prescriptions has gotten worse. Third, assisted reproduction services were put on hold in some regions.

Anti-trans discourse, especially targeted at trans youth and often by 'parents' groups', has continued to spread this year. A number of articles were published, filled with misinformation and misconceptions about trans youth and their access to healthcare and other services. Due to the volume of such hostilities, several



medical professionals at gender clinics for young people went on stress-related sick leave or quit. A number of surgeons have reportedly refused to perform surgeries on trans people, referencing the articles.

The hostile discourse has also resulted in school personnel reporting parents of trans youth to the social services, claiming that respecting the child's pronouns or helping them seek gender affirming care is child abuse. Local trans and LGBTI organisations have voiced serious concern about these events.

### LEGAL GENDER RECOGNITION

Legal gender recognition reform continued to be stalled this year. The amended law is now expected to be presented to the parliament in spring 2021 at the earliest. Civil society has been increasingly active advocating for a gender marker option beyond male and female. A panel was held on the topic during the online Pride week, and RFSL [published](#) an opinion piece in one of Sweden's largest daily papers.

### PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In October, RFSL published "Trans and sports - no one should be left out", based on 110 interviews with trans people who do sports. Many reported difficulties in participation. The report includes several recommendations to sports associations, including ensuring that children have the right to do sports activities in accordance with their wishes, regardless of their gender assigned at birth.

### PUBLIC OPINION AND ATTITUDES

On 15 January, Crown Princess Victoria and her husband, Prince Daniel made an historic first royal visit to RFSL and RFSL Ungdom. The visit had been requested by the royals themselves as they wanted to know more about how attitudes towards LGBTQI people were changing in the country.

### SEXUAL AND REPRODUCTIVE RIGHTS

On 19 February, parliament [called on](#) the government to review the current policy that makes it compulsory for anyone HIV positive to inform sex partners of their HIV status. The decision was an important partial victory regarding human rights for people living with HIV. Sweden is the only EU country with a disclosure requirement, which is regarded both counterproductive and stigmatising, as persons living with HIV on well-adjusted medical treatment and with an undetectable viral load cannot transmit HIV via sexual contact. The parliament supports ending the policy.

### SOCIAL SECURITY AND SOCIAL PROTECTION

In May, the government [allocated](#) 100 million kronor (9.68 million euros) 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.



[SWEDEN WEB PAGE](#)

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# Switzerland

## BIAS-MOTIVATED VIOLENCE

Homophobic attacks continued to be an issue in 2020.

A perpetrators in a 2019 hate crime case were arrested in March, and the perpetrator who attacked an IDAHOT stand in Zurich last year, physically and verbally assaulting its volunteers, was found guilty in July.

Despite the successful referendum on 9 February (see under **Equality and non-discrimination**), the Council of States decided not to register the anti-LGBTI nature of hate crimes and collect data. Local LGBTI organisations harshly criticised this decision. Six cantons and the city of Zurich, based on parliamentarian initiatives, decided to collect the respective data. The Canton of Fribourg has begun to collect the data already, the City of Zurich will begin on 1 January 2021.

## EQUALITY AND NON-DISCRIMINATION

On 9 February, Switzerland voted in a referendum to ban discrimination in access to services and criminalise incitement to hatred that targets people on the basis of their sexual orientation. The change entered into force on 1 July. 63% voted in favour of the legislation, which was also backed by the government and most political parties. The 1993 law originally included "race, ethnic origin or religion" in its scope, leaving LGB people vulnerable.

In February, the City of Zurich presented its new Equality Action Plan (2019-2022). For the first time, the action plan includes measures for trans equality and to combat homophobia and transphobia in public spaces.

On the occasion of IDAHOT, May 17, the City of Bienne presented its list of measures to combat homophobia and transphobia. The measures are being implemented in cooperation with local LGBTI organisations.

## FAMILY

In August, the government of Geneva announced that parental leave will be extended to all state staff who are parents and are living in a registered partnership or other unmarried relationships. The government affirmed that the move is in the best interest of children.

In June, the National Council decided with a vote of 132 to 52 that same-sex couples will be granted the same rights as different-sex couples, including the right to marry, the right to sperm donation, and the right to parenthood recognition from birth.

On 1 December, the Council of States suggested limiting the right to parenthood recognition from birth to children conceived through sperm donation according to the Federal Act on Medically Assisted Reproduction. The National Council approved the proposal. On 18 December, the bill passed the final vote in both Councils (National Council 136:48; Council of States 24:11). It will be decided later whether a referendum will take place on the issue.

## HEALTH


The global study on the impact of the pandemic on trans people's access to trans healthcare globally has revealed that in German speaking countries (Austria, Germany, Switzerland), almost half of the respondents feared that the pandemic would in some way bar their access to hormones, and 17% felt this way about surgery appointments. 15% reported that their surgery was cancelled. 1 in 3 respondents had an underlying condition placing them at higher risk of the virus.

## LEGAL GENDER RECOGNITION

In January, the local court in Zürich granted legal gender recognition to a six-year-old trans child. The claim was presented by their parents. In June, the same court granted legal gender recognition to a trans asylum seeker.

In June, the Council of States approved the Federal Council's plan to make legal gender recognition easier, quicker, less expensive, and remove the requirements to undergo medical examination. Instead of going through the court system, LGR will be available by a simple self-determination based declaration that trans and intersex people can make at the municipality. In September, the National Council supported the law proposal as well. Alongside trans and intersex organisations, the National Council suggested that legal representatives', i.e. usually parents', consent should not be required for anyone who is capable of judgment. This contradicted the position of the Federal Council and the Council of States. In the end, the Council of States lowered the threshold for mandatory parental consent from 18 to 16. This means that those under 16 and those subject to general deputyship [similar to guardianship] will need to acquire the consent of their legal representative(s). Civil society strongly criticised the discriminatory provision and will monitor the situation. On 18 December, the law proposal passed the final vote with a 33 to 6 majority in the Council of States and a 128 to 54 majority in the National Council. A referendum, with an April 2021 deadline, could still be taken against and would lead to a public vote.





The Federal Council tasked the National Advisory Commission on Biomedical Ethics (NEC) to write a report on options and legal consequences of introducing a third or non-binary gender marker option(s). On 8 December, the NEC presented its [report](#), concluding that any system breaking away from the binary model currently in place would be preferable.

In November, a Swiss citizen whose gender marker was struck off out the German register was denied recognition of the German decision. The Swiss authorities argued that registering non-binary genders would go against the Swiss public order and would therefore be unlawful. An appeal against this decision has been filed.

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

In March, Curdin Orlik, a top “Schwinger” (Swiss traditional form of wrestling) athlete came, [came out](#) as gay. He is said to be the first gay male top athlete in Switzerland to come out during his active time in sports.

In a [survey](#) by TGNS, 75% of respondents stated they had negative experiences in sports due to being trans, primarily in relation to sports and sports facilities, including bathrooms and changing rooms, and being segregated on the basis of gender.

## **SOCIAL SECURITY AND SOCIAL PROTECTION**

In July, the city of Zurich and QueerAltern association [announced](#) that retirement apartments for LGBTI\* seniors will be built and ready by 2025.



[SWITZERLAND WEB PAGE](#)

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# Tajikistan

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic had a serious impact on LGBTQI+ people this year. 24 LGBTQI+ people requested humanitarian aid and food assistance.

## ACCESS TO GOODS AND SERVICES

In February, a trans woman was barred by the police from boarding a plane because her passport did not match her gender expression. The video of the incident, which shows a close-up image of the woman's passport, went viral on Tajik social media channels. The woman received a lot of threats and hateful comments, saying for instance that she “doesn't deserve to live” or “has to be deported”.

A number of cafés and gyms put up posters using discriminatory and hateful language about LGBTQI+ people. Following backlash from those using these facilities, both local nationals and expats, the businesses took the posters down.

## BIAS-MOTIVATED VIOLENCE

In an April report, a number of LGBT people spoke out about violence, forced marriage, sexual abuse, and conversion therapies that they suffered because of their sexual orientation or gender identity. The testimonies were published anonymously.

On 4 August, a Tajik blogger was found dead in his apartment in Russia, in what is presumed to be a bias-motivated murder. It is feared that Russia, which has been considered a “safer” place for LGBTQI+ Tajik people, is also becoming increasingly dangerous.

A gay man, Surush, was brutally assaulted twice, after his colleagues found out about his sexual orientation. Surush reported the attacks to the police, who dismissed them and accused him of acting aggressively. Surush later tried to commit suicide. The case is currently at the Supreme Court.

## EQUALITY AND NON-DISCRIMINATION

In February, a working group was set up to prepare a draft anti-discrimination law. The group includes the Ombudsperson, representatives of the Ministry of Justice, and Members of Parliament. In March, the working group presented the first draft of the law, which includes sexual orientation and gender identity as protected grounds. No developments were reported since.

The law is expected to be adopted in 2021. Tajikistan received several recommendations from UN actors to introduce comprehensive and inclusive anti-discrimination legislation.

In May, the civil society organisation Anti-Discrimination Centre published a comprehensive report on the situation of LGBTI people in Central Asia, covering the situation in Tajikistan in detail.

## FREEDOM OF EXPRESSION

Compared to previous years, a growing number of bloggers, including young bloggers, had an online presence where they openly addressed LGBTQI+ issues. For instance, 17-year-old Instagrammer, Amiran made headlines again this year for being an outspoken feminist and supporter of LGBT people. Amiran engages in public speaking and workshops for young people.

Open discussions about LGBTQI+ issues took place on a monthly basis on another Instagram account this year. The moderator remained anonymous.

A number of smaller online campaigns were also run online this year to combat anti-LGBTQI+ sentiments (see under **Access to goods and services**).

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

A number of cases were reported this year where LGBTQI+ people were forcibly married off by their families as a way to “cure” their identity. This practice has been ongoing for years, and mostly affects trans people.

## HEALTH

An online network of LGBTQI+ friendly doctors was set up this year, which includes psychiatrists, endocrinologists, psychologists, gynaecologists, and other medical professionals.

More than 2,800 people had access to HIV self-test kits this year, thanks to a new USAID program.

## LEGAL GENDER RECOGNITION

A trans woman was denied her legal gender recognition application this year, despite having fulfilled all the intrusive requirements. Unofficially, trans people usually need to pay a bribe to be able to access the procedure. Yet, a trans woman was denied by the National Registry Office this year, with the justification that her “actual appearance did not resemble a woman, and the request was therefore denied”.

A trans man successfully changed his documents this year, having gone through a complicated bureaucratic process.



## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

“Deafening silence”, the first ever documentary about LGBT people in Tajikistan was finished this year. The film was shot in 2019, over a period of two weeks. The film portrays the lives of six LGBT people, whose names and voices were changed, and their faces were not shown. The filmmaker is from Tajikistan, and fled the country after being persecuted there. The characters represent different regions, identities, genders and share a powerful testimony on the lived realities of LGBT people in the country.

*“Lesbians are always forced to be married off, but they resist. Then the parents say that they have evil spirits inside, that [prayers] should be read - and everything will pass.” - Nuria, one of the people in the film*

*“My relatives were ashamed of me, they did not want to contact me. I was detained and beaten. I resigned from many places, because I could not stand the bullying from my colleagues. If you are not like everyone else, it causes aggression.” Hussein, one of the people in the film.*

## POLICE AND LAW ENFORCEMENT

Police officers detained several LGBT people again this year. Several LGBT people also reported that the police unlawfully raided their homes, threatened and intimidated them, asked them intrusive questions, accused them of being HIV positive, and confiscated and inspected their phones.

\*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

## ACCESS TO GOODS AND SERVICES

A number of shops refused to serve LGBTI customers this year, with one shop in Osmaniye hanging up a sign “we are closed to LGBT”.

In December, the Advertising Council affiliated with the Ministry of Trade announced that any product with LGBT symbols must feature a +18 classification mark on e-trade websites.

## ASYLUM

In February, the government announced that it will open its borders for people wanting to cross into Greece and the EU. Over 100,000 asylum seekers headed to the border in the next few days, including many LGBTQI people. In March, some were interviewed by Kaos GL, reporting on the conditions for LGBTI people in Turkey:

*“Police and gendarmerie officers beat us. Everyone has forgotten about us. The world is only thinking about Corona now. No one thinks about us” - LGBTQI asylum seeker, to Kaos GL.*

## BIAS-MOTIVATED SPEECH

A great number of hate speech incidents and campaigns took place again this year. In some instances, the government or public figures blamed LGBT people or gay men for the COVID-19 pandemic, and for spreading other illnesses. On 7 May, the EU LGBTI Intergroup called out Turkey’s political and religious leaders on spreading hate against LGBTI people and people living with HIV.

Preceding the statement, the head of Turkey’s Religious Affairs Directorate, imam Ali Erbaş, held a sermon focusing on COVID-19, saying that homosexuality “brings illness.” In March, theologian Ali Rıza Demircan said on a mainstream news channel, that “the homosexual relationships [...] should be banned in order to prevent the contagion of COVID-19. These are also banned by God”.

A number of hate campaigns were run on social media, and endorsed by leading political figures. In April, for instance, the #Netflixadamol (NetflixBeAMan) was trending in Turkey with over 70K Tweets, condemning Netflix for featuring two gay high school students in the show “Aşk 101” (“Love 101”). The chief of RTÜK (The Supreme Council of Radio and Television) threatened Netflix and said that it would not let such content be streamed (see more under **Freedom of expression**).

A homophobic social media campaign, in support of imam Erbaş,

was launched on Lesbian Visibility Day. Several leading politicians stood up in support of the imam, including President Erdoğan, his Spokesman and Chief Advisor İbrahim Kalın, Zehra Zümrüt Selçuk, the Minister of Family, Labour and Social Services, and Parliamentary Human Rights Investigation Commission Spokesman, AKP’s Van Deputy Osman Nuri Gülaç. A hate campaign on Twitter targeted LGBTI people, in support for the Imam.

LGBTI activists launched a campaign on Children’s Day on 23 April, asking fellow LGBTI people to share a childhood photo of themselves with the hashtag of #LGBTİÇocuklarVardır (#LGBTIkidsexist). Thousands joined the campaign. A counter-campaign soon emerged on Twitter.

In April, two petitions demanding that LGBTI organisations be shut down were set up on change.org. Kaos GL managed to get both removed. In May, an article from the pro-government Newspaper, Yeni Akit also called for LGBTI organizations to be shut down, and another one targeted funders of LGBTI organisations, including embassies, Amnesty International, Freedom House, UNHCR, and Open Society Foundations.

Sports shop Decathlon celebrated Pride Month in June, and was later targeted by pro-government newspaper, Takvim, calling on customers to boycott them.

On 16 June, Watan TV, an Istanbul based Muslim channel, called for LGBTI people to be killed.

On 29 June, President Erdoğan targeted the LGBTI community in a speech that was broadcast on 18 national television channels, saying “I call upon my nation to assume an attitude against all kinds of perversions cursed by God. Our national and sentimental values are under a sneaky assault. Those who support marginals against our faith and culture, share the same perversion”.

In July, hundreds of lawyers in Turkey issued a joint statement condemning the government’s hate campaign against LGBTI people.

## BIAS-MOTIVATED VIOLENCE

In January, Ajda Ender, a trans woman living in Istanbul, filed a report to the police after months of being trapped in her house due to escalating violence targeting her, including a threat of having acid thrown in her face. Several other trans women were also attacked this year. A trans woman was assaulted a number of times over the summer, and her life was threatened.

A solidarity demonstration was held by activists, condemning



anti-LGBTI violence in Turkey. Several trans women committed suicide in 2020, in what is assumed a consequence of transphobia they suffered.

In June, the murderer of trans woman Gökçe Saygı was sentenced to lifetime prison. Saygı was murdered last year. The lawyer voiced hope that the impunity over transphobic murders would end.

In June, a number of leading politicians including Gökçe Gökçen, the Deputy Chair from the Republican People's Party (CHP) spoke out against the increasing number of hate crimes and hate speech incidents against LGBTI people.

In March, local NGO SPoD expressed concern about new restrictions by Council of Judges and Prosecutors (HSK), which would suspend Law No. 6284 during the COVID-19 pandemic. The law is to protect against domestic violence and violence against women. It is feared that the suspension would result in impunity in anti-LGBTI crimes.

## EMPLOYMENT

Turkey's largest trade union Eğitim-Sen, uniting teachers and school staff, issued a statement affirming that LGBTI+ rights are part of union rights.

## FAMILY

On 26 May, the mayor of Istanbul Ekrem İmamoğlu stated that Turkey has a responsibility to protect the freedoms of "homosexuals", but that the country is not ready for marriage equality.

## FREEDOM OF ASSEMBLY

On 19 February, the Council of Europe Commissioner for Human Rights, Dunja Mijatović published her country report on Turkey, calling for an absolute ban on any restrictions on freedom of assembly and attacks targeting LGBTI human rights defenders and their work.

On 4 March, police used tear gas and other violent measures against participants of the women's rights march, and forcibly took LGBTI flags from those marching.

On 4 March, an Ankara court ruled in favor of Asli Yasemin, an activist who was detained during the 2017 Istanbul Pride, and ordered the authorities to pay damages. The fine is a tenth of what Yasemin requested - her lawyer will appeal the judgment.

The court case against 19 students and teachers who participated in the Middle East Technical University (METU) Pride

March in 2019, continued at an Ankara criminal court this year. The second hearing was held on 12 March, closely monitored by embassies and human rights organisations. A decision was postponed, and the next trial took place on 10 December where the decision was postponed yet again, to 30 April 2021. Activists with their lawyers are arguing that the repeat postponements infringe on their human rights, has puts them under severe pressure for almost two years. In addition, on 31 July an Ankara administrative court annulled the 2019 ban on the METU Pride march, which should have led to the acquittal of the defendants on 10 December.

On 23 March, the blanket ban on events related to LGBTI rights issues in Ankara, was overturned by the courts for the second time. The local government failed to prove why the ban was justified. It appealed the judgment in April.

In April, the court lifted the ban on Izmir Pride events, except for the march. The judgment has been criticised by civil society. On 22 December, the defendants of the İzmir Pride trial, in which 13 people, including Özgür Gür, were charged with organising an illegal assembly, were acquitted.

In December, Istanbul's 7th Administrative Court decided that the ban on Pride marches in Istanbul is illegal. The ban was revoked, and the court stated: "the ban was against the constitution, the European Convention on Human Rights, and international agreements, the decision of the governor was arbitrary and the march was peaceful protest so the state should let it happen". This is an encouraging development as regards current Pride bans and ongoing prosecutions of Pride participants in other cities.

## FREEDOM OF ASSOCIATION

On 27 December, the parliament passed the "Law on Preventing Financing of Proliferation of Weapons of Mass Destruction". Most provisions of the law focus on further tightening government control on civil society, imposing annual inspections, limiting activities, and making it possible for NGO board members to be removed if they face terrorism charges, which are often used in Turkey against activists, journalists, and academics. NGOs and the Council of Europe are deeply concerned.

## FREEDOM OF EXPRESSION

On 20 July, RTÜK demanding censorship rights over all of Netflix's contents featuring LGBTI characters, which civil society has harshly criticised. Following the hate campaign against "Love 101", Netflix pulled the show from its Turkish site (see under **Bias-motivated speech**).



On 29 July, the parliament passed a law tightening control over social media sites in Turkey, which had provided some sense of free expression of political views. Human rights groups have expressed serious worry over the law, given that social media sites have already been monitored, and some have been prosecuted for criticising the President.

The Ministry of Family, Labor and Social Services ordered the review of the book “Declaration of the Rights of Boys and Girls by the Board of Protection of Minors”. The Board concluded that the book encouraged “homosexuality” and spread ideas about gender identity. The book was pulled from bookstores.

On 19 August, RTÜK fined TLC TV for streaming a program featuring LGBTI parents, claiming it harmed Turkish society.

## HEALTH

The COVID-19 pandemic has placed unprecedented hardships on LGBTI people amidst state-run hate campaigns waged against them, some of which scapegoated them for the spread of the virus. LGBTI people have experienced increasing difficulties in employment and healthcare since March and faced growing levels of violence at home during lockdown. LGBTI asylum seekers have been hardest hit by the pandemic and its consequences (see under **Asylum**).

On 15 August, a doctor in an Istanbul state hospital refused to treat a man, saying “I don’t cure you, faggot!”. The Turkish Medical Association and the Istanbul Medical Chamber both established that the doctor’s behaviour was discriminatory.

## HUMAN RIGHTS DEFENDERS

Several civil society organisations’ sites were hacked this year, and some received threats, including KAOS GL and the Hrant Dink Foundation.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In March, Izmir Youth LGBTI+ Association and the Swedish Institute jointly organised the Rainbow Film Festival in Izmir.

## POLICE AND LAW ENFORCEMENT

A number of protesters were subject to police brutality, including torture and ill-treatment. For instance, LGBTI activist Temel was brutally violated by officers during a protest in August.

## PUBLIC OPINION AND ATTITUDES

Kadir Has University’s annual survey on public attitudes found that the acceptance of LGBTI people is at a record high, with almost 50% of the population supporting LGBTI equality - 9% higher than in 2019.



[TURKEY WEB PAGE](#)

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# Turkmenistan

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic exacerbated the complex and difficult social and economic situation in Turkmenistan, having a dire impact on many, including LGBT people. Many joined anti-government actions to protest food shortages, hunger, and a lack of adequate workplaces and salaries.

## ASYLUM

The number of LGBT people trying to leave Turkmenistan has grown over the past number of years, but it is unknown how many have managed to relocate. As part of a 2020 study (see under **Data collection**), LGBT people expressed a need for international support that would allow them to flee and obtain asylum in a safer country. Regrettably, many were denied visas and others were forcibly detained when caught attempting to leave.

## BIAS-MOTIVATED VIOLENCE

Kasymberdy Garaev, a gay man who made headlines in 2019 after facing extortion, detention, torture and ill-treatment from the police was last heard from on 31 December, 2019. Kyrgyz Indigo's contacts reported that Garaev disappeared. He is not the first LGBT person this has happened to. Kyrgyz Indigo also learned about the unlawful detention of LGBT people by the police.

Of the five cisgender men in Kyrgyz Indigo and ILGA-Europe's study (see under **Data collection**), three had been prosecuted, blackmailed, beaten and detained by the police. In several cases, the police threatened and extorted money from them. Most interviewees cited Article 135 of the Criminal Code, criminalising same-sex relations, and a lack of legal and medical assistance, as the reason for the closedness of the LGBT community.

*"Being gay in Turkmenistan is both difficult and dangerous. I want it to at least become just difficult." - Murod, 35 (name changed)*

Unfortunately, lesbian and bisexual women did not agree to share information and the researchers could not identify any trans interviewees.

## DATA COLLECTION

In April, ILGA-Europe and Kyrgyz Indigo published a report featuring stories of nine LGB people in Turkmenistan (see under **Bias-motivated violence**). The researchers reported hardships in establishing trust in community, with many interview candidates withdrawing from the research process.

## EQUALITY AND NON-DISCRIMINATION

In May, civil society organisation Anti-Discrimination Centre published a comprehensive report on situation of LGBTI people in Central Asia, covering in detail the situation in Turkmenistan.

## FREEDOM OF EXPRESSION

Following worldwide protests against the dictatorial regime, the government introduced a number of policies restricting human rights. Social media sites, including YouTube, Facebook, Google, Instagram, are now blocked in the country. The availability of TV channels is now controlled, with political channels being turned off. The right to file complaints with the police have also been restricted. Several activists were harassed and arrested.

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

Article 135 of the Penal Code criminalises consensual same-sex relations between men ("lying with men"), making them punishable with up to two years of imprisonment or placement in a psychiatric institution for two-to-five years. Local informants reported that the government detained several men this year, who were assumed to be members of the LGBT community. In March, a number of public figures, including performers, fashion designers and business people, were arrested and charged with sodomy. Many bought their way out of the criminal proceedings. In May, several people from the group were sentenced to two years in prison.

## HEALTH

The 2020 study (see under **Data collection** and **Bias-motivated violence**) found that almost all interviewees chose not to use healthcare and social services for fear of discrimination and stigmatisation. They also reported a lack of awareness about HIV-related services in the country. One interviewee said that gay men in prison are held separately and many end up contracting HIV in detention.

For the entire year, the government held its position that the COVID-19 pandemic had not impacted in Turkmenistan and no cases were recorded. This denial has gravely affected those living in the country.

\*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

The LGBT Human Rights Nash Mir Centre's annual report [documented](#) 369 cases of violence and discrimination against LGBT people in 2019.

The Post-Soviet Trans\*Coalition [documented](#) 11 cases of discrimination and violence against trans people, since the introduction of COVID-19 quarantine measures in March. In two cases, trans people suffered severe violence.

Religious leaders made anti-LGBT statements this year. In February, the Episcopate Commission for the Family [stated](#) that "LGBT circles are carrying out a mass ideological attack". In April, Patriarch Filaret [blamed](#) the spread of COVID-19 on same-sex marriage. In April, NGO Insight [filed](#) a lawsuit against several religious figures for hate speech. Ironically, the Patriarch [tested](#) positive for the coronavirus in September.

In June, the European Commission against Racism and Intolerance (ECRI) [warned](#) that Ukraine has failed to criminalise anti-LGBT hate speech. ECRI was critical that the 2019 legal change mentioned "sexual belonging", which does not cover either sexual orientation or gender identity. ECRI also recommended Ukraine to criminalise anti-LGBT hate crimes. In the spring, three bills were tabled in parliament on the inclusion of SOGI in the Criminal Code, but the Special Committee on Law Enforcement [did not support](#) their adoption. The Committee received hundreds of appeals from religious groups and individuals to block the legislative change.

On 12 June, the KRT TV channel broadcast its Hotline program, filled with anti-LGBT statements. The Commissioner for Human Rights and NGO Alliance.Global reported the incident. In July, the National Council on Television and Radio Broadcasting [launched](#) an investigation, later [suspending](#) KRT's license and shutting it down.

In October, the Office of the United Nations High Commissioner for Human Rights (OHCHR) [expressed](#) concern over anti-LGBT hate crimes and hate speech in Ukraine.

In October, Ombudsperson Lyudmila Denisova [spoke out](#) against anti-LGBT+ hate speech and hate crimes and called for effective police investigations.

## EQUALITY AND NON-DISCRIMINATION

In February, the Ministry of Justice [dissolved](#) its Human Rights Directorate, which had been tasked with, among other things,

coordinating the implementation of the National Human Rights Strategy that expired in 2020. The draft Action Plan on human rights for the next period (2021-2023) was developed by the Ministry, and 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 same-sex couples. The Strategy and the Action Plan are expected to be adopted in 2021.

LGBT+ veterans [continued](#) to speak out against stigma in the military this year.

## FAMILY

In January, a new parliamentary cross-party group was [established](#) "to protect the eternal values of Ukrainian society and to counter attempts to destroy fundamental natural law in the name of political fashion; preparation and adoption of laws that will promote the strengthening of family values."

On 28 March, Insight held an online [Modern Family Forum](#) to promote family diversity.

Insight also published an in-depth [report](#) on trans families, covering topics such as marriage and parenting.

## FREEDOM OF ASSEMBLY

Kyiv Pride was cancelled due to the COVID-19 pandemic this year. Activists, however, found a creative way to draw attention to LGBT rights issues by [flying](#) a drone with a huge rainbow flag across Kyiv for a whole day in June, including to the city's renowned "Motherland" monument. Seen from afar, the woman, i.e. Mother Ukraine is holding a rainbow flag. The organisers also held an online [geo-tagging flashmob](#).

On 30 August, neo-Nazi organisers [attacked](#) the participants of a Pride event in Odessa with eggs and pepper spray, ten minutes after the event started. The gathering had to be called off. The police were slow to intervene, but eventually arrested 16 of the attackers.

*"Such a level of aggression and impunity has not been seen during any Odessa Pride event in previous years. We call on the National Police to bring to justice those responsible for the attacks on peaceful demonstrators, and take measures against the 'Tradition and Order' for inciting hatred and violence." - [Odessa Pride](#)*



Due to quarantine restrictions, the Equality March in Kharkiv was held in the form of a motor rally on 13 September, consisting of about 20 cars and 100 participants. No incidents took place.

On 20 September, the first Equality March in the town of Zaporizhzhia took place. The 500 participants, including many LGBT+ organisations from across the country, were effectively protected by police. The police detained one counter-demonstrator, who threatened the participants with violence.

Trans Day of Remembrance was held online this year, due to the COVID-19 pandemic.

## FREEDOM OF EXPRESSION

A bill was tabled in April, and rejected in September, to amend the Criminal Code with liability for “propaganda”. Over the summer, two MPs of the centrist Servant to the People party, tabled two other bills, one aiming to ban the “promotion of homosexuality and transgenderism”. Neither were considered by relevant parliamentary committees before the end of the year. A number of similar but unsuccessful attempts had been made in Ukraine before.

In August, a Kyiv court ruled that the public call of multiple municipalities in 2018 “to defend Ukraine’s traditional family” and “ban LGBT propaganda”, was discriminatory.

## HEALTH

The adoption of the new trans healthcare protocol continued to be stalled this year, mostly due to the COVID-19 pandemic.

## HUMAN RIGHTS DEFENDERS

Published in October, a study on attacks against activists showed that LGBT+ activists were among those most at risk. Earlier, Nash Mir reported that physical meetings on LGBT issues in 2020 continued to be constantly attacked by far-right and traditionalist groups that purposefully sought out their victims.

LGBT+ activists in Kharkiv also reported ongoing harassment and intimidation campaigns against them this year. In the course of 2020, their community centre was attacked almost 20 times. Police did not take any action.

The investigation into a hate crime, and hate crime against LGBTI activist Olena Shevchenko was reopened after a successful appeal, and is ongoing.

## LEGAL GENDER RECOGNITION

On 3 November, Parliament approved the bill to amend Civil Code’s article on name change, making it possible for those over 16 to freely change their patronymic on the basis of self-declaration. With some limitations, those under 16 will also be able to do so. The law entered into force on 1 January 2021. In Ukraine, a person’s full name consists of first name, patronymic and surname. Previously, it was only possible to change first names and surnames, even though patronymic is also gendered. The change of patronymic was only possible as part of LGR, which requires a diagnosis and some medical interventions.



[UKRAINE WEB PAGE](#)

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# United Kingdom

## ASYLUM

On 24 September, the UK Home Office published its annual statistics on asylum claims based on sexual orientation, sharing that it granted international protection to twice as many LGB people in 2019 than 2017. Nonetheless, cases of rejection and possible deportation made headlines again this year, in the case of a lesbian asylum seeker from Cameroon and a gay man from Guinea living with HIV. The Home Office later granted protection to the asylum seeker from Guinea.

Civil society expressed concern about the government's intention to hire private companies to conduct asylum interviews and their plans to make the asylum system stricter.

## BIAS-MOTIVATED SPEECH

Anti-trans rhetoric continued to cause serious damage in the UK again this year. A prime example is repeated transphobic attacks by author J.K. Rowling, on Twitter and in her writing. Her statements have been harshly criticised by trans people, activists and writers. A growing number of celebrities, including from "Harry Potter" films, have spoken out in support of trans communities.

Some trans people expressed their wish to leave the UK because of the growing hate.

In March, hundreds of staff and clients of the Guardian issued a joint statement calling for an end to transphobic articles being published in the newspaper.

A school in a London suburb painted a rainbow crossing outside its building in January, and received hundreds of abusive messages afterwards. The school shared that such hateful attacks will encourage them to stand in even firmer support with their LGBTQ students.

Polo Lounge, Scotland's most well-known queer club in Glasgow, was vandalised by a homophobic graffiti in February. The investigation is ongoing.

The Scottish Government's Hate Crime and Public Order Bill was introduced on 23 April. It modernises hate crime law and strengthens protections against stirring up hatred. It has run into significant opposition, with a coalition of politicians, religious groups, writers and others objecting that free speech will be affected. The bill is expected to have its final vote around March 2021.

## BIAS-MOTIVATED VIOLENCE

In October, the Home Office published its annual Hate Crime statistics, finding a continued increase in hate crime cases as compared to the previous year, with sexual orientation based hate crimes increasing the most (19%) and anti-trans hate crimes second most (16%).

Four suspects were arrested in February and one in July for the murder of Lyra McKee, a Northern Irish journalist and LGBTI activist shot dead last year.

The perpetrator in a bias-motivated murder case was sentenced to life in prison in March. The victim was a young gay man, lured on a date and stabbed to death.

In March, a man was given a suspended sentence, a fine, and community service for his lesbophobic assault against a paramedic last August.

In September, a consultation was launched by the Law Commission on proposals to update hate crime law in England and Wales.

In Northern Ireland, transphobic hate crimes had been steadily increasing over the past year, in part due to an increase in reporting, but also influenced by increasing hostility in UK-wide media towards trans identities and communities. While the Police Service in Northern Ireland can record hate crimes as transphobic, there is currently no provision in the law for prosecuting transphobic hate crimes; they must instead be pursued as homophobic incidents.

On 1 December, the review on including trans identity as a protected characteristic in the hate crime legislation in Northern Ireland was finalised, concluding that "age, sex/gender and variations in sex characteristics" should be included and affirming that "sex/gender" includes "transgender identity". Legislation will need to be passed by the Northern Ireland Assembly before any changes are made to hate crime processes.

## BODILY INTEGRITY

Prime Minister Boris Johnson pledged in July to ban conversion therapies against both LGB and trans people, after the conclusion of a study on the topic. The government has delayed a nationwide ban for years.

In September, Women and Equalities Secretary Liz Truss stated that the Government was working to end conversion therapy, and was currently conducting research on how to end conversion



therapy in the UK, and that it hopes to set out the 'next steps' shortly. There have been no updates since then.

## EDUCATION

Strictly orthodox Jewish communities representing 35 schools issued a statement in February saying that teaching LGBT equality is against their religious teachings. The guidelines on mandatory inclusion of LGBT topics were adopted in 2019, and entered into force this September.

Regrettably, there have been other critiques of the evolving curriculum in the UK, some launched by students themselves.

In Northern Ireland, Relationships and Sexuality Education continues to lag significantly far behind the rest of the UK. Despite the implementation of the Northern Ireland (Executive Formation etc) Act 2019, which mandated the adoption of CEDAW recommendations concerning the provision of abortion services and adequate RSE programmes, schools in the region are able to design their own RSE programmes around their religious or other ethos. As a result, 70% of schools receive Relationship & Sexuality Education from an LGBT-exclusionary organisation which bases its programmes in Christian teachings around sexuality and gender, and takes a pro-abstinence approach to RSE.

## EQUALITY AND NON-DISCRIMINATION

In the case of Taylor v. Jaguar Land Rover, for the first time an Employment Tribunal ruled that non-binary people are protected by the Equality Act 2010 from discrimination based on their gender identity.

## FAMILY

Northern Ireland joined other parts of the UK in recognising same-sex marriage, with the first weddings taking place at the beginning of the year. The NI Court of Appeal ruled on 7 April that the previous ban on same-sex marriage was discriminatory.

On 29 April, the Court of Appeal passed a more grim ruling, depriving a trans father of his right to be featured on his child's birth certificate as a father, because he gave birth. The father, Freddy McConnell, will now appeal to the Supreme Court.

## FOREIGN POLICY

As co-chairs of the Equal Rights Coalition with Argentina, the UK was to host a global LGBT conference in May. The conference was cancelled due to the COVID-19 pandemic.

## FREEDOM OF ASSEMBLY

The first LGBTI Muslim Festival was postponed because of the pandemic.

## FREEDOM OF EXPRESSION

On 6 November 2020, the Joint Committee on Human Rights launched an inquiry into 'Freedom of Expression', and plans to answer questions on whether hate speech law needs to be updated, as a result of shifting social attitude, leading some to 'consider commonly held views hateful'; whether greater clarity is required for greater understanding and fairness of the law in relation to freedom of expression; and whether everyone in the UK has equal protection of their right to freedom of expression.

## HEALTH

Local civil society organisations have made numerous materials and resources available for the community relating to the pandemic, and access to healthcare and social support.

A number of LGBTI organisations conducted research into the impact of COVID-19 on LGBTI people, including Time for Inclusive Education and LGBT Foundation.

Stonewall submitted a response to the Women and Equalities Select Committees inquiry into the impact of COVID-19 on groups with protected characteristics. Stonewall also conducted a public survey on the impact of COVID-19 on LGBT people. The results are yet to be published.

In April, Northern Ireland lowered its one-year blood donation deferral period to three months, for men who have sex with men. In December, it was announced that the deferral period will be abolished throughout the UK as of summer 2021.

Access to gender affirming healthcare for trans adults in Northern Ireland continued to be almost completely non-existent, with the single adult Gender Affirming Service in the region not having accepted a new patient since early 2018. Despite the commissioning of a review of these services in late 2019, little progress was made this year, and no harm reduction measures have been adopted to support those on the waiting list or those self-medicating. Community engagement with the review has been minimal, as has uptake of input from trans-led civil society.

TransPlus, a pilot Gender Dysphoria Service, commissioned by NHS England, was launched in London in partnership with 56 Dean Street in June. Set to run for three years, the TransPlus pilot





integrates specialist gender care for trans/non-binary people with a range of sexual health and wellbeing services and is the first clinic of its kind in England. A second pilot in Manchester, the [Indigo Gender Service](#), was announced in September, in partnership with the LGBT Foundation.

As part of its [response](#) to the 2018 consultation on Gender Recognition Act reform, the UK Government has acknowledged the need to focus on improving healthcare for trans people, and pledged to take 'meaningful action' to reduce waiting times for Gender Identity Services. It aims to see waiting lists cut by 1600 people by 2022.

On 30 November, the Union of Students in Ireland (USI) launched the online action [#TransHealthcareNow](#) in Ireland and Northern Ireland, calling on political leaders to [ensure](#) trans and non-binary people's prompt access to healthcare services.

On 1 December, England and Wales's High Court [ruled](#) that young people under 16 are unlikely to be capable of consenting to hormone blockers. The NHS now requires a court decision in each individual case, that would establish that it's in the young person's "best interest" to access treatment. Minors over 16 might need to have a similar court order to start hormones, if their doctor is unsure about their ability to consent. Civil society is extremely concerned about the judgment. The Tavistock gender identity service is appealing the ruling, which has suspended implementation for now.

## INSTITUTIONAL SUPPORT

The Scottish Government [provided](#) £87,700 additional funding to support the LGBTI voluntary sector to address COVID-19. Other charity funding has also been provided for this purpose across the UK, including [£525,000](#) from Comic Relief and [£350,000](#) from the National Emergencies Trust.

## LEGAL GENDER RECOGNITION

Legal gender recognition (LGR) law reform processes continued in the UK and in Scotland this year, amidst continued hateful discourse against trans people. The consultation processes have heavily weighed on trans people, their basic human rights, dignity, and existence being up for national debate.

On 20 January, the Scottish government [announced](#) that it would postpone the reform process in order to achieve "maximum consensus" on the matter. A few days later, 72 LGBT+ organisations, health charities, sports groups, and others [signed](#) an open letter urging the Scottish parliament to speed up the

reform process, and ensure that trans people will have access to LGR based on self-determination. Following another round of parliamentary [debate](#) in March, instead of speedy adoption, the process was again put on hold, [allegedly](#) due to the COVID-19 crisis. In April, a group of politicians [wrote](#) an open letter to the government, asking them to not "rush" into a decision just yet. In June, more news appeared on the postponement. It is assumed that the GRA may only be picked up again following the 2021 elections, a decision that would fail trans people.

The UK government made similar attempts to halt the reform process, with many fearing that the topic had by now become so divisive that no politician wanted to move into any firm direction. 70% of the inputs received in the GRA consultation pushed for progressive change. Nonetheless, Minister for Women and Equalities, Lizz Truss announced in April that the GRA would help "save" single-sex bathrooms, and minors from "irreversible" decisions. Following Truss's statement and the June reporting of the *Sunday Times* that the GRA reform would be shelved, Gender Intelligence launched the [#Trusstime](#) campaign as a response. It was supported by 44,000 people.

On 22 September 2020, the UK government eventually published its [response](#) to the public consultation on the Gender Recognition Act, dropping a meaningful reform and proposing instead only superficial changes in England and Wales. The proposal fails to respond to the clearly expressed needs of trans people, such as self-determination, the availability of more than two gender markers, and other key issues. Trans and LGBTI organisations across the UK and spoke out against the government's misstep (see [here](#), [here](#), [here](#), or [here](#)).

*"Moving the process online without any change to the underlying requirements will leave the majority of problems with the process still in place: it pathologises trans people by relying on a psychiatric diagnosis, it requires us to submit intrusive medical evidence about our bodies and transition choices, it excludes trans children and young people, and it excludes non-binary people. It is barely a reform at all." - Scottish Trans Alliance on [social media](#)*

One positive part of the proposal was the government's support for lowering fees in LGR processes.



After the publishing of the government's response, the Women and Equalities Select Committee issued a further call for evidence into the proposals in October. This was shortly followed by a worrying consultation into toilet provision by the Ministry of Housing, Communities and Local Government. On 9 December, a parliamentary evidentiary hearing took place.

While the significant media debate and de-facto culture war has had an impact on trans communities in Northern Ireland, the review itself specifically ruled out considering any changes to NI's Gender Recognition legislation, despite it being identical to that in the rest of the UK, due to powers over this legislation being devolved to the NI Assembly. As a result of the aforementioned issues with accessing healthcare and the medicalisation of the gender recognition process, trans people are unable to access the medical reports required to go through these processes without paying for private care, thus creating a class barrier to accessing LGR.

In March, the Court of Appeal ruled that the inability of Christie Elan-Cane, a non-binary activist, to have a gender-neutral passport does not violate their basic human rights. Elan-Cane has fought for LGR for almost 30 years and called the judgment "devastating".

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

In February, the Scottish Football Association announced a new action plan to combat homophobia in the sport.

## **PUBLIC OPINION AND ATTITUDES**

Journalist Iain Dale remarked in an interview that public attitudes towards gay politicians have significantly improved over the past two decades. Dale came out in 2003, as a Tory candidate, and received a lot of homophobic harassment during his career.

Despite the rights of trans communities in Northern Ireland being neglected for many years by the legislature and statutory authorities, public opinion on trans rights in the region is generally quite high. 72% of respondents to the Northern Ireland Life & Times Survey reported that they were not prejudiced at all against trans individuals, and over half of respondents supported and were comfortable with trans people accessing gendered toilets, domestic/sexual violence refuges, and LGR, based on their identity.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

Ahead of publishing the results of a nationwide study and resource 'Living in Love and Faith', the Church of England stated in January that only married straight couples should engage in sex. The statement was criticised by bishops and congregations across the UK for stigmatising same-sex couples. In March, the Church launched an LGBTI chaplaincy service to make the Church safe for all.

Abortion became legal in Northern Ireland in March, but implementation has been delayed due to a lack of willingness from the Health Minister to commission services. Despite advocacy from both trans and feminist organisations, the needs of trans men and non-binary people in accessing abortion care weren't taken into account when drafting the regulations.



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# Uzbekistan

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic has had a serious impact on LGBT people in Uzbekistan in 2020, with many losing their source of income and struggling to cover food costs.

## BIAS-MOTIVATED SPEECH

In June, a well-known Islamic scholar made hateful remarks against the US Embassy in Tashkent for posting a video on its social media about LGBT people. The scholar warned of “homosexual propaganda” and said that the spread of the “homosexual disease” must be stopped.

In August, a well-known blogger started posting anti-LGBT content on his site, urging people to “catch gays and lesbians” and beat them up.

As same-sex relations are criminalised in Uzbekistan, LGBT people continued to have no possibility to report such cases to the authorities.

## BIAS-MOTIVATED VIOLENCE

In connection with COVID-19 lockdown measures and the subsequent restriction of the right to work, many LGBT people had to move back in with their families. A stark surge of the number of domestic violence cases against LGBT people was reported, all committed by family members.

In July a group of gay men were arrested in their home in Tashkent for ‘engaging in same-sex relations’ and ‘organising sex work’. The men were detained and charged.

Article 12 of the Criminal Code, criminalising same-sex relations, continued to be used by the police to threaten, intimidate, psychologically and physically torture, and detain LGBT people.

The Institute for War and Peace Reporting (IWPR) published a report on the dire human rights situation, including police violence and extortion, mob violence, and discrimination in all areas of life. The report highlights with concern that the public usually sides with perpetrators of anti-LGBT violence. The report includes several quotes from LGBT people in the country, or who have sought asylum abroad.

*“Law enforcement officers blackmail the victims and extort money. Otherwise, they threaten to open a criminal case or tell the truth to the family. So, [we] don’t complain about the police if we face blackmail and extortion.”*

*“Then they blackmail, threaten to disclose their identities in public. Sometimes, they don’t stop at extortion. They beat and humiliate the young people.”*

## DATA COLLECTION

Data collection continued to be very difficult this year, as the LGBT community is criminalised and intimidated when coming forward to others.

## EDUCATION

There continued to be no effort to include content on gender equality in public education. On the contrary, the increased Islamisation of the region continued to foment a general hostility towards LGBT people.

## EMPLOYMENT

The COVID-19 pandemic severely impacted the community, and particularly trans sex workers, whose sudden loss of income exacerbated their social and economic vulnerability.

## EQUALITY AND NON-DISCRIMINATION

In May, civil society organisation Anti-Discrimination Centre published a comprehensive report on the situation of LGBTI people in Central Asia, covering in detail the situation in Uzbekistan.

The government continued to fail putting in place any measures to protect LGBT people from discrimination and violence this year.

## FOREIGN POLICY

Uzbekistan continued lobbying for the protection of the “traditional family” in its foreign policy work.

## FREEDOM OF ASSEMBLY

Uzbekistan proposed a number of restrictive laws this year. The draft law “on meetings and demonstrations” was tabled in August, and makes it mandatory that rallies are announced a month in advance, with information on the time, place, and the number of participants. The law is currently under consideration and is expected to enter into force in 2021. A number of laws relating to the COVID-19 pandemic were also adopted, giving blanket powers to the police to detain and interrogate any group of more than 10 people who gather in one place.





## HEALTH

The level of healthcare access decreased significantly as the COVID-19 pandemic reached the country, with many unable to see doctors. LGBT people continued to report that they hid their identity in healthcare settings, fearing for their safety.

## HOUSING

Due to the COVID-19 pandemic, the housing situation of the LGBT community was very difficult this year. The lack of shelters available and sensitive to LGBT people's needs was worrying. LGBT people could not access the social assistance they would need due to violence and discrimination.

## HUMAN RIGHTS DEFENDERS

Human rights defenders continued to work under difficult circumstances this year, facing state surveillance, intimidation, physical and psychological torture. Activists had to strengthen their skills to manage this situation and operate as safely as possible. As Article 120 of the Criminal Code continued to criminalise the community, all activities were conducted in secret.

## SOCIAL SECURITY AND SOCIAL PROTECTION

In lack of any state assistance, human rights defenders turned to external funders for support. They secured two grants, one for food and material relief for the LGBT community, and one for mental health training and to support readjustment to the new circumstances due to COVID-19.

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