ILGA EUROPE

ANNUAL REVIEW

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

2020

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INTRODUCTION

Welcome to ILGA-Europe's *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe and Central Asia*. This is our ninth edition covering Europe, and our first covering the entire region of Central Asia. The publication includes events that occurred between January and December 2019. 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 Review is available online, information on each country can be accessed 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 2020

A NOTE ON DATA COLLECTION AND PRESENTATION

This is our ninth 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.

In terms of language and terminology, we have tried to avoid causing confusion. 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 intersex rights or rainbow families.

Finally, we have reports from Kazakhstan, Turkmenistan, and Uzbekistan for the first time of the Annual Review history. With the inclusion of three countries, we now cover all Central Asian countries in our report.

Do you have questions? Reach us out at info@ilga-europe.org

HIGHLIGHTS, KEY DEVELOPMENTS AND TRENDS

Over the past decade, as we have compiled our annual review of the human rights of LGBTI people in Europe, and more recently Central Asia, we have identified trends that are happening on a macro level, issues that are bubbling up to the surface and others that are clear and present. We have also paid attention to the ways in which these trends, both positive and negative, have affected the lived reality of LGBTI communities and individuals in the region, although we acknowledge that it is impossible to capture the entire picture in all its complexity.

The picture, both on micro and macro levels, remains complex. There continues to be big wins for LGBTI people in Europe, and developments that point towards further legislative and social progress, but while this paints an image of the region as a leading light in terms of the recognition of LGBTI rights and equality, it's a surface impression that does not tell a complete or accurate story. Yes, there are good news stories, which we must acknowledge, celebrate and build upon, but while we pay attention to positive developments, we must not be blind to the larger picture, which is less reassuring.

In last year's Review, we identified signs that recent wins for the LGBTI movement were fragile, and a very real rollback in rights and attitudes. In 2019, this rollback took root in a sharp rise of **hate speech** across the region, often carried out by public figures. One of the cases which received the most media attention was in Poland, where anti-LGBTI rhetoric by the governing Law and Justice (PiS) Party resulted in more than 80 municipal or local governments proclaiming themselves to be "free from LGBTI ideology". However, while much of the public and political attention was focused on Poland, this review identifies growing official hate speech from political and religious leaders in countries including Albania, Andorra, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Cyprus, the Czech Republic, Finland, Georgia, Greece, Hungary, Kosovo, Portugal, Slovakia, Spain and Turkey. In the majority of these countries, anti-LGBTI rhetoric was propagated with impunity. In most Central Asian countries, including some where LGBT people continue to be criminalised, there are reports of official hate-speech.

The very real consequences of this for LGBTI people are ubiquitous throughout this report. In many countries across the region, and not only those with a documented growth in official bias-motivated speech, there has been an equally sharp increase in **online hate-speech and physical attacks on LGBTI people**, many of the latter premeditated and brutal. This is a pan-European phenomenon. Brexit, for instance, and the populist narrative surrounding it, can be linked an increase in anti-LGBTI hate crimes and incidents in England and Wales from 5,807 in 2014-15, to 13,530 in 2018-19. Other developments such as the **banning of events** in Armenia, Hungary, Poland, Russia, and Turkey, and the **prosecution of participants in Pride events** in the latter, add to an atmosphere lacking in a sense of safety. In the Polish city of Lublin, a couple was arrested for bringing an explosive device to the Pride march. Some cities and towns in countries including the Czech Republic, Georgia, Hungary, and Ukraine have attempted to crack-down on anti-Pride demonstrations, but they are in the minority.

There has also been the **growing presence of anti-LGBTI, anti-gender and neo-Nazi protesters in public spaces** during events such as Pride parades and film screenings. In several cities LGBTI centres were targeted with graffiti and other such attacks. Reports of the **murder and torture of gay and lesbian people in Chechnya** have resurfaced, while police violence is systemic in a number of countries in Central Asia and Caucasus, with gay men and trans people being particularly vulnerable. Although this violence is widely reported, there is de facto impunity for the police involved.

There are **some moves in the right direction**. Measures to tackle hate speech or strengthen already existing legislation, have been announced or adopted in France, Germany, Luxembourg, Sweden, Switzerland, and the United Kingdom. But given the current context, and the repercussions for wider society, it is surprising that more governments are not proactively adopting measures such as effective legislation, action plans and trainings of public authorities. In countries where there is legislation in place, there is not enough political commitment to ensure effective implementation and resourcing.

As we see a rise in hatred, we have also been observing increased movement of people from within the region to countries perceived as less harsh. More LGBTI people left countries such as Albania, Bosnia and Herzegovina, Tajikistan, and Turkmenistan for neighbouring

countries where the situation might be perceived as relatively more safe. There is also an anecdotal rise in people saying they want to leave countries like Poland for other EU countries.

LGBTI asylum seekers continue to face mistreatment by authorities, including exclusion from general society and placement in dangerous accommodation that does not take their LGBTI status into account, while there are several reports of people being denied asylum and deported back to countries where they are at severe risk.

The issue of LGBTI forced migration, asylum seekers and refugees to and within Europe and Central Asia becomes more prominent year after year in our Annual Review. It is to be expected that much more attention will have to be paid to these issues by public authorities and intergovernmental bodies in the years to come, as the needs for protection of people continue to increase.

The situation for **rainbow families** in the asylum system continues to be a cause for concern. For instance, in Norway partners must be married or living together for at least two years, or have children together, to be considered for reunification, while Sweden prolonged legal measures until 2021 making family reunification more difficult. The case of a gay couple seeking asylum in Malta is highlighted, where one partner has been granted asylum while the other awaits a decision.

The current atmosphere has seen a **backlash against family rights** in some countries. A new liberal/conservative coalition in Estonia agreed on a referendum proposing the definition of marriage as a union between a man and a woman, while the Romanian Senate rejected two bills that would have introduced civil partnership for same-sex couples, despite the failed referendum in 2018 against same-sex families. The Croatian government introduced legislation excluding same-sex life partners from fostering, which is in violation of the Life Partnership Act. In the Czech Republic, an equal marriage bill remained stalled in Parliament due to filibustering from Christian parties and the far right, while in Bosnia and Herzegovina no progress was made in the provision of recognition for same-sex couples, despite strong political will in 2018.

However, 2019 **has also been a year of positive developments for rainbow families** in the region, with expansion of family rights in Andorra, Austria, Estonia, Finland, Germany, Greece, Malta, Poland, Sweden, and Switzerland. After eight years of campaigning by civil society, the UK Parliament passed the Northern Ireland Bill on 9 July, ushering in the introduction of same-sex marriage in the province in 2020..

The Coman judgement (2018), which defined the meaning of the term 'spouse' in the context of **freedom of movement** as "gender-neutral and inclusive of the same-sex spouse of an EU citizen," was implemented in Slovakia this year, granting residence to EU citizens and their spouse or civil partner, if that union was registered in the EU. In many EU countries, however, including Romania, cases continue to be reported that show lack of implementation of the judgement.

The issue of **gender identification for trans parents** on their children's birth certificates was raised by a court case in which a trans man, who gave birth to his child, took the UK government to court for not allowing him to be identified on his child's birth certificate as the father. The court did not rule in his favour and the case is being appealed. Models for recognition of trans parenthood exist in Sweden and Malta. We expect that attention to the recognition of trans parenthood will grow over the coming years as there are clear gaps in protection in this area.

The issue of **bodily integrity for intersex people** continues to gain more prominence on the political agenda of governments and institutions. There was a major moment in February, when the European Parliament adopted a Resolution on the rights of intersex people, setting out clearly what needs to be done both on national and EU level, such as putting in place legislation that will finally ensure protection of intersex people's bodily integrity. UN committees recommended that Austria, Belgium, Italy, the UK and Malta pass legislation to ensure that no one is subjected to surgery or treatment without their free, informed and prior consent. The Finnish government committed to banning unnecessary and non-consensual cosmetic surgeries on intersex children.

While there is increasing attention being paid to **intersex rights** by policy makers (which is positive), it is important to remember that this work is still in its very early stages. The serious lack of legislation across the region is something that must be addressed by governments and regional institutions. It is also clear that legislation is only a first step, and the change in practice requires a long-term commitment. Despite a ban in Malta – which set standards with its law to protect the rights of intersex people in 2015 - intersex surgeries are still carried out on infants.

Another discussion receiving growing attention is that of **conversion therapies** regarding sexual orientation and gender identity. While the conversation has begun, real steps to address these harmful practices have only been taken by a few governments, so the issue is under-reported in this review. A planned ban on conversion therapy was announced in Germany, while in France several MPs submitted a formal request for a ban to the Prime Minister's office, and a special investigative committee was set up. We hope that more governments will take action in the coming years.

Also internally discussed in the LGBTI movement throughout 2019, but not being picked up in reporting across the region are issues concerning **intersectionality**. With the exception of migrants, we are yet to see the conversation translated into political action and public policy that addresses the needs of LGBTI people on the intersections, including older people, LBT women, people living with disabilities, ethnic and racial minorities, homeless LGBTI people, and people living with HIV, among others.

The introduction of **third gender markers** is also an emerging discussion, and from the reporting in this years' review, the road towards recognition is not going to be a straightforward one. Despite Austria's Constitutional Court decision in 2018, ordering that gender markers in civil registers and IDs have to reflect an individual's own self-determined gender identity, intersex and trans people faced serious hurdles in accessing the third gender marker; while in Germany an attempt to introduce a third gender marker failed. New gender recognition legislation in Belgium excludes non-binary people.

Important advancements continue to be made on reforming or establishing **legal gender recognition procedures**, even if in many countries, progress is slowing down. In 2019, reforms and consultations were ongoing in a large number of countries, including Belgium, Ireland, Kyrgyzstan, Lithuania, Germany, North Macedonia, Finland, Norway, Spain, Switzerland and the UK (with two separate consultations in England and Scotland). Legal gender recognition (LGR) was introduced in Serbia and Luxembourg, although while the Luxembourgish process is accessible to minors and fully compliant with established human rights standards, under the Serbian legislation, diagnosis and hormonal therapy continue to be mandatory. In many countries, including Finland, Norway, the Czech Republic and Cyprus, despite LGR being in place, trans people faced abusive requirements in the process and/or obstacles in accessing healthcare. The requirement of sterilisation continues to be outstanding in the Czech Republic, North Macedonia and Turkey.

As we conclude the work in producing this annual review, taking into account all the developments over the past year, positive and negative, we must pay attention to ways in which LGBTI people are either helped or hindered in the living of their daily lives, whether it be in the provision of services, the education and health sectors, or the workplace. For instance reported obstacles in trans peoples' access to healthcare, bullying in schools and the workplace, and LGBTI people being denied services, with a lack of governmental intervention, all play a part in the overall picture of a Europe where lived experiences for large numbers do not match up with the surface message that all is well for LGBTI people.

The lived reality of LGBTI people in Europe and Central Asia is multi-faceted, complex, and for a large part remains invisible, even to organisations like ILGA-Europe. The intention of the Annual Review every year is to foster an understanding of how much is unseen. By making people aware of such a broad and nuanced picture, which is constantly shifting and evolving, we aim to give a sense of the enormity of issues and areas that affect the lives of people, which will continue to require attention, especially in a context where LGBTI people are being targeted and vulnerability is heightened.

ILGA EUROPE

INSTITUTIONAL REVIEWS

EUROPEAN UNION

ACCESS TO GOODS AND SERVICES

The Finnish Presidency of the EU 2019 organised a policy debate on Enhancing anti-discrimination legislation in the EU in the Social Question Working Party and in the Employment, Social Policy, Health and Consumer Affairs Council configuration (EPSCO) meeting in October. The discussion aimed to discuss how to move forward on the Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation {SEC(2008) 2180} {SEC(2008) 2181}, which has been blocked in Council since 2008. However, no real progress was made in the debate. At the same time, European Commission President Ursula von der Leyen made the commitment to propose new anti-discrimnation legislation during her mandate.

ASYLUM

The reform of the Common European Asylum System (CEAS), which includes important protections for LGBTI asylum seekers, saw no meaningful progress before the end of the 2014-2019 legislative term, with no agreements reached on the Dublin IV Regulation and Asylum Procedures Regulation. At the start of its mandate, the new European Commission for 2019-2024 proposed replacing the CEAS with a Pact on Migration and Asylum, concentrating on finding a solution for the two remaining files, and keeps in place the progress achieved on the five CEAS files that have found provisional agreement – the Qualification Regulation, Reception Conditions Directive, EURODAC Regulation, Union Resettlement Framework Regulation, and the European Union Asylum Agency (EUAA).

On 11 July, the European Asylum Support Office (EASO) organised through its Consultative Forum a thematic meeting on gender-related persecution, with specific attention to SOGISC specific issues. The meeting resulted in the production of concrete recommendations by EASO for Member States to improve the protection of asylum seekers who face particular vulnerabilities in the European asylum system due to their gender and/or sexual orientation, gender identity, or sex characteristics.

On 4 September, EASO held the second meeting of its Vulnerability Experts Network Advisory Group, to review common challenges experienced across different grounds of vulnerability, and to inform the discussions of the Steering Group in order to guide Member States' asylum-related priorities in 2020.

BIAS-MOTIVATED SPEECH

On 30 January, the European Commission published the results of its fourth evaluation of the voluntary Code of Conduct on countering illegal hate speech online, including of hate speech targeting people on SOGI grounds on the internet platforms Facebook, Twitter, YouTube and Instagram. Hate speech targeting sexual orientation was the second most commonly reported ground (15.6 per cent), while 3.7 per cent of reports concerned hate speech targeting gender identity.

The European Commission expanded the scope of the Code of Conduct application and future monitoring exercises through commitments by additional Internet company, Jeuxvideo.com, on 19 January-

On 3 October, the Court of Justice of the European Union (CJEU) issued a judgment declaring that host providers such as Facebook can be compelled to proactively remove content and comments from their sites that have previously been determined to be illegal.

On 6 November, the LIBE Committee in the European Parliament organised a hearing on "Media Freedom, Freedom of Expression and Combating hate speech online and offline", with many speakers, including ILGA-Europe raising the rise in LGBTI phobic hate speech across Europe.

On 18 December, the European Parliament adopted a resolution on "Public discrimination and hate speech against LGBTI people, including LGBTI free zones", following a debate in the European Parliament on on public discrimination and hate speech against LGBTI people, which was held in plenary in Strasbourg on 26 November. The resolution expresses deep concern at the growing number of attacks against the LGBTI community coming from the State, State officials, Governments at the national, regional and local levels, and politicians in the EU. It recognises that such attacks have seen a rise in violence against LGBTI people, with hate crimes motivated by

homophobia and transphobia on the rise across the EU while responses from authorities too often remain inadequate. It reiterates a call on the Commission to adopt an EU LGBTI strategy and a comprehensive, permanent and objective EU mechanism on democracy, rule of law and fundamental rights that includes the protection of LGBTI rights.

BIAS-MOTIVATED VIOLENCE

On 20 March, in the final meeting this legislative term of the EU High-Level Group for Countering Racism, Xenophobia and Other Forms of Intolerance, the European Commission presented the Staff Working Document: Countering Racism and Xenophobia in the EU (2019), setting out three priorities for future work, each lead by a working group: recording and data collection practices, including reporting of hate crime; training and capacity building for national authorities, aimed at ensuring effective implementation of national law on hate crime and hate speech; and developing and implementing hate crime victim support systems and services. The first meeting of the Working Group on hate crime recording of led by the Fundamental Rights Agency, took place in The Hague, Netherlands, on 20/21 November.

BODILY INTEGRITY

In February, the European Parliament adopted a Resolution on the rights of intersex people (2018/2878(RSP)), acknowledging the ongoing human rights violations intersex people still face in the EU today, and setting out clearly what needs to be done both on national and EU level, such as ensuring protection against any form of discrimination under the ground "sex" and putting in place legislation that will finally ensure a protection of intersex people's bodily integrity.

In its resolution, the European Parliament "strongly condemns sex-normalising treatments and surgery" and encourages Member States to adopt legislation that protect the bodily integrity of intersex people "as soon as possible". It also confirms that intersex people are "exposed to multiple instances of violence and discrimination in the European Union" and calls on the European Commission and the Members States to propose legislation to address these issues.

DATA COLLECTION

The EU LGBTI II survey was carried out from 28 May to 20 July by the EU Agency for Fundamental Rights (FRA), and was open to responses from people aged 15 years and above who self-identify as LGBTQI+, and who live in an EU Member State, Serbia, or North Macedonia. This is the second EU-level survey about the lived experiences of LGBT people, following FRA's first LGBT survey in 2012, and is the first such survey to include specific attention also to the experiences of intersex people. The survey is currently in the data analysis stage, with the final results due to be published in spring 2020.

The European Commission Study on Transgender People in the EU was implemented in 2019, to examine the relationship between the existence of legal gender recognition measures and the wellbeing of transgender people, as well as their sociodemographic and socioeconomic position in society. This entailed quantitative research using existing EU datasets, as well as qualitative research engaging over 700 transgender individuals through online consultations, telephone interviews, and focus groups. The final report is due to be published in spring 2020.

On 23 September, the Special Eurobarometer on Discrimination 2019: The social acceptance of LGBTI people in the EU was published by the European Commission. Based on fieldwork conducted in May 2019, the Eurobarometer presents the perceptions of the general public in the EU about the social acceptance of LGBTI people and discrimination based on sexual orientation, gender identity and sex characteristics.

EMPLOYMENT

On 16 May, European Commissioner organised the 10th EU diversity Charter's Annual Forum in Brussels.

On 15 July, the Court of Justice of the EU (CJEU) held a public hearing in the case of NH v Associazone Avvocatura per i diritti LGBT – Rete Lenford (Case C-507/18) in a Grand Chamber. The case concerns applicability of anti-discrimination rules in the field of access to

employment and non-discrimination under the Directive on equal treatment in employment and occupation (EU Directive 2000/78/EC). The case originated as a result of a radio interview held in Italy on 16 October, 2013, where a senior lawyer stated he would never hire a homosexual person to work in his law firm. The Italian Corte suprema di cassazione requested the CJEU to clarify the European anti-discrimination law's application to such statements. Following the hearing in July, CJEU Advocate General (AG) Sharpston delivered opinion on 31 October, concluding that such remarks are likely to hinder access to employment, thus falling within the Directive, and would not be in violation of freedom of expression. Furthermore, concerning the standing of Rete Lenford, the opinion clarified that associations with a legitimate interest may be granted standing to bring proceedings and claim damages in the absence of an identifiable victim, like in the case at stake. The Court's ruling is expected to be delivered in 2020.

ENLARGEMENT

On 13 February, the European Parliament adopted its 2018 report on the accession of Turkey. The report recommends the Commission and the Council to formally suspend the accession negotiations with Turkey, in light of multiple human rights abuses and regression of the rule of law. The report also specifically expresses concern about violations of the human rights of LGBTI people, in particular the repeated bans on Pride marches and LGBTI-related events across the country which are still being imposed, despite the lifting of the state of emergency, and calls on Turkey to lift these bans immediately.

The European Commission's Enlargement Progress Report 2019, published in May and covering 2018, recommended a number of steps regarding the improvement of LGBTI rights across the region of the Western Balkans. These included addressing insufficiencies regarding adoption and implementation of anti-discrimination laws inclusive of SOGI, investigation of hate crimes, access to justice, access to healthcare, trans rights, intersex rights, tackling negative public attitutes towards LGBTI people, adoption of laws on registered partnership and legal gender recognition. When it comes to Turkey, the report recognised the backsliding on human rights and democracy, noting that no progress had been made on human rights from the previous year's report. The Commission particularly urged the Turkish authorities to improve freedom of assembly and protection for LGBTI people, and to take measures to stop intimidation and violence against LGBTI people.

With these reports the European Commission acknowledged the progress made in Albania and North Macedonia in the past year and recommended to the Council for the second time the opening of accession negotiations with the two countries. The 2019 package included an Opinion on Bosnia and Herzegovina's application for membership of the European Union, and an analytical report that for the first time reviews the situation in the country against all standards applicable to EU Member States. However, at the EU summit on 17-18 October, member states failed to agree on opening EU accession talks with Albania and North Macedonia

The European Parliament adopted a resolution on 24 October on its disappointment at the EU's failure to agree on opening accession talks with North Macedonia and Albania due to the blocking of France, Denmark and the Netherlands. LGBTI rights activists in both countries and in the region have pointed to the detrimental impact this precedent will have on LGBTI rights in North Macedonia and Albania.

EQUALITY AND NON-DISCRIMINATION

On 16 January, the European Parliament adopted its yearly report on Fundamental Rights in the EU, assessing the implementation of fundamental rights in the EU in 2017 according to the Charter of Fundamental Rights standards. It contains strong language on multiple aspects of LGBTI rights.

On 12 February, the European Parliament adopted a resolution on the backlash in women's rights and gender equality in the EU. The resolution addresses the current "visible and organised effort at the global and at the European level against gender equality and women's rights," whose targets are among others LGBTI people's human rights. The European Parliament points out how this backlash was especially visible in 2018 around the topic of the Istanbul Convention, whose adoption has opened doors for violent hate speech targeting LGBTI people in particular, and expresses concerns about the rise of LGBTI-phobic hate speech.

On 14 February, the European Parliament adopted a Resolution on the future of the LGBTI List of Actions (2019-2024), calling on the European Commission to ensure strong follow-up to the European Commission LGBTI List of Actions 2014-2019, including by adopting a comprehensive and coherent EU LGBTI Strategy.

On 23-24 September, the Finnish Presidency of the EU organised a High-level conference on advancing LGBTI equality in the EU: from 2020 and beyond. The two-day meeting included speeches from Commissioner Jourova and the Finnish Minister for Nordic Cooperation and Equality and the Minister for Education, Culture and Science, The Netherlands, high-level panels as well as eight thematic workshops on priority areas identified for the conference, as input to the EC work plan and follow-up of the list of actions for LGBTI rights.

On 1 December, the new European Commission started its work, with Helena Dalli being Commissioner in charge of the newly established Equality mandate. It was announced that each DG would establish an equality task force to further the mainstreaming of equality and non-discrimination throughout the work of the European Commission.

FAMILY

In June, the EU directive on work-life balance for parents and carers (2019/1158) was adopted, including minimum standards for paternity leave and providing inclusive definitions of families and carers, including rainbow families.

FOREIGN POLICY

In 2019 the EU adopted a new Strategy on Central Asia. Under the promoting resilience priority in Central Asia, the EU will continue promoting respect for human rights in compliance with international standards, with a focus on freedom of expression (including media pluralism), freedom of association, women's rights, children's rights, the rights of minorities and fight against discrimination, and prevention and eradication of torture.

In the European Parliament resolution of 14 March on the human rights situation in Kazakhstan, two references to LGBTI rights were made, regarding equality and non-discrimination.

On 26 March, the European Parliament adopted a report on the new comprehensive agreement between the EU and Uzbekistan. The report gives recommendations to the Council and the Commission, including on how to integrate human rights within their relations with Uzbekistan and specifically for the negotiation of the agreement. The report specifically addresses LGBTI rights issues, by asking the Council and the Commission to "encourage the authorities to decriminalise consensual sexual relations between persons of the same sex and foster a culture of tolerance for LGBTI people".

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Antonio Tajani, President of the European Parliament, was listed as one of the main speakers at the World Congress of Families in Verona (29-31 March), a conference stating as its goal to defend the "natural family as the only fundamental and sustainable unit of society". Members of the LGBTI Intergroup wrote to President Tajani, asking him to confirm publically that he will neither attend nor support this conference. Tajani was taken off the programme but no explanation of his engagement with the World Congress of Families was given in response to the letter.

Ahead of the European Parliament elections, 23-26 May, over 1650 candidates across all EU Member States signed ILGA-Europe's ComeOut pledge. After the elections, 225 MEPs from eight different political groups signed the Come Out pledge, strengthening the support in numbers and geographical and political diversity.

In December, the LGBTI Intergroup was one of the 20 Intergroups listed for approval by the European Parliament, with the highest number of MEPs signed up to join the reestablished Intergroup.

In June, Commissioner Jourova and FRA director Michael Faherty attended Europride in Vienna and spoke on the main stage.

UNITED NATIONS

LGBTI advocacy continued to feature prominently at the UN in 2019. LGBTI equality issues were systematically addressed by Treaty bodies, Special Procedures and the Universal Periodic Review (UPR) mechanism alike.

UN INDEPENDENT EXPERT ON SEXUAL ORIENTATION AND GENDER IDENTITY

On 12 July, Human Rights Council adopted Resolution 41/18, renewing the mandate of the UN Independent Expert on Protection against violence and discrimination based on sexual orientation and gender identity, for another three years. The resolution was tabled by Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Uruguay. In the months preceding the vote, civil society organisations from across the world joined forces as part of the #RenewIESOGI campaign, advocating for states to reaffirm the mandate. At the height of the process, a record number of 1,312 organisations from 174 States and territories addressed a joint statement to the Council in Geneva. In October, the International Service for Human Rights (ISHR), ILGA World, and ARC International, coordinators of the campaign, launched a report analysing the vote.

The Independent Expert, Victor Madrigal-Borloz released two thematic reports in 2019. One focused on the importance of data collection and the other on socio-cultural and economic inclusion. Both reports were preceded by public consultations.

On 15 May, the Independent Expert published his report on his country visit to Georgia in 2018, highlighting the gap between a progressive legal, policy and institutional framework and effective implementation, especially regarding discrimination, hate speech and hate crime. The Independent Expert also published his report on Mozambique.

In May, the Independent Expert carried out a country visit in Ukraine, concluding 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 postponed his visit to Sri Lanka until 2020.

BIAS-MOTIVATED SPEECH AND VIOLENCE

The Human Rights Committee (HRCtte) expressed concern that the Estonian hate crime and hate speech legislation does not protect LGBT people effectively. It called for legal reform, effective investigation and prosecution, data collection on SOGI based hate crimes, and awareness raising. The HRCtte urged Tajikistan to address hate speech and hate crimes on grounds of SOGI, and end harassment by law enforcement. The Committee Against Torture (CAT) urged Poland to take all measures to combat violence against LGBT people. The Committee on the Elimination of all Forms of Discrimination Against Women (CEDAW) urged the UK to combat hate crimes against trans people, ensure effective investigation and prosecution.

As part of the Universal Periodic Review (UPR), Cyprus accepted recommendations to criminalise incitement and to adopt an action plan against homophobia and transphobia; North Macedonia accepted recommendations to investigate and prosecute anti-LGBTI hate crimes; Norway accepted a recommendation to combat anti-LGBT hate crimes, hate speech and discrimination, but noted a recommendation on adding gender identity and expression (GIE) to the hate crime section of the Penal Code. Bosnia and Herzegovina was recommended to train law enforcement and the judiciary on combating anti-LGBT hate crimes, hate speech, and discrimination. San Marino was recommended to ban anti-LGBT hate crimes.

BODILY INTEGRITY

The CEDAW recommended Austria to implement a human rights based healthcare protocol for intersex persons, ensure that intersex children and their parents are fully informed of all options, that children are involved in the decision-making process and that no one is subjected to surgery or treatment without their free, informed and prior consent.

The Committee on the Rights of the Child (CRC) made similar recommendations to Belgium, Italy, the UK and Malta. The CRC noted that intersex surgeries continue to be practiced in Malta, despite the ban.

As part of the UPR, Albania noted a recommendation to ban medically unnecessary and non-consensual surgeries on intersex children. Italy and Slovenia were recommended the same.

DIVERSITY

At the 63rd session of the Commission on the Status of Women in March in New York, the LBTI Caucus, including activists from Ukraine, Sweden, France and the Netherlands, created strong visibility on SOGIESC issues by organising several side events, addressing the UN Secretary General and providing recommendations in meetings with governments for their negotiations. This contributed to some strong language in the final adopted text, such as on multiple and intersecting forms of discrimination, diverse needs of families, 'all women and girls' and structural barriers like discriminatory laws and policies, negative social norms and gender stereotypes.

EDUCATION

The Committee on Economic, Social and Cultural Rights (CESCR) recommended Kazakhstan to prevent and combat bullying and violence against LGBT students.

As part of the UPR, North Macedonia accepted recommendations to withdraw school textbooks that stigmatise LGBTI people.

EQUALITY AND NON-DISCRIMINATION

The CEDAW recommended Austria to ensure substantive and procedural protection against discrimination on the basis of sexual orientation in the private and public sector. It recommended Serbia to address discrimination on the basis of SOGI in the new gender equality legislation, and to speedily adopt it.

The CESCR recommended Kazakhstan to combat discrimination against LGBT persons and adopt comprehensive anti-discrimination legislation that includes SOGI.

The CRC recommended Italy to prevent discrimination and, if needed, take affirmative action for the benefit of LGBT children and children of LGBT parents.

As part of the UPR, Cyprus accepted recommendations to combat discrimination and violence against LGBTI people; Portugal accepted two recommendations to combat discrimination and exclusion on the basis of sexual orientation; Bosnia and Herzegovina and Kazakhstan received similar recommendations. Italy was recommended to renew its National LGBT Strategy. San Marino was recommended to ban discrimination on the basis of gender identity. Slovenia was recommended to combat anti-LGBTI prejudice, stereotypes, discrimination, and hate crimes, and to put in place awareness raising campaigns.

FAMILY

The CEDAW requested information from Latvia to confirm that same-sex couples are included within the notion of family used in national laws, policies, programmes and strategies, in line with the Committee's general recommendation No. 21.

As part of the UPR, Slovakia noted a recommendation to introduce marriage equality. Albania noted five recommendations on providing legal recognition for same-sex couples and making the necessary amendments of the Family Code. Italy was recommended to recognise same-sex parents and allow for adoption by same-sex couples. San Marino received similar recommendations.

FREEDOM OF ASSOCIATION

The CESCR recommended Kazakhstan to guarantee an enabling environment for NGOs, especially LGBT groups by allowing them to freely register.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

On 19 February, seven UN Special Procedures mandate holders called on Russia to promptly investigate the recent allegations of detention, torture and ill-treatment and muder of LGBTI people in Chechnya. On 18 March, more than 30 states made a Joint Statement at the 40th Session of the UN Human Rights Council, calling for swift, thorough and impartial investigation.

The CAT recommended Uzbekistan to investigate all allegations of torture against LGBT people and repeal Article 120, which criminalises consensual same-sex relations.

HEALTH

On 15 May, the World Health Assembly (WHA) formally adopted the International Classification of Diseases 11th Revision (ICD-11). Last June, the World Health Organisation depathologised trans identities by removing all trans related diagnoses from the chapter on mental health disorders of ICD-11, into a new chapter on Condition Related to Sexual Health.

As part of the UPR, Norway agreed to guarantee the right and access to healthcare for trans people. Slovenia was recommended the same.

LEGAL GENDER RECOGNITION

As part of the UPR, Cyprus accepted and Albania noted recommendations to adopt gender recognition legislation. Slovenia was recommended the same.

SEXUAL AND REPRODUCTIVE RIGHTS

The CEDAW recommended Austria mandatory sex education that aims to eliminate barriers of lesbian, bisexual and trans women to sexual and reproductive rights. The CEDAW also urged Serbia to enhance access to family planning services and artificial insemination for LBTI persons.

As part of the UPR, Slovenia was recommended to promote the access of same-sex couples to sexual and reproductive health programmes.

THE AGENDA 2030: SUSTAINABLE DEVELOPMENT GOALS

Positive developments related to Agenda 2030 also took place this year. In May, the LGBTI Stakeholder Group was officially registered. The Stakeholder group is now part of the Major Groups and Other Stakeholders, a formal structure for civil society participation throughout the implementation of the Agenda 2030. The LGBTI Stakeholder Group made its first formal statements at the July High Level Political Forum (HLPF), the central platform for follow-up and review of the 2030 Agenda for Sustainable Development. The establishment of the Stakeholder Group means increased access and participation in discussions and decisions on development. The Stakeholder Group will be able to organise side events, make statements, and publish position papers on specific SDGs, which will then be part of the formal documentation of the HLPF.

COUNCIL OF EUROPE

BIAS-MOTIVATED SPEECH

The Parliamentary Assembly of the Council of Europe actively and repeatedly condemned bias-motivated speech and suppression of freedom of assembly during the year, through written declarations on 11 April regarding Armenia, and on 3 October regarding Poland, and a statement from the General Rapporteur on LGBTI condemning hate speech by politicians.

On 25 October, the Commissioner for Human Rights Dunja Mijatović gave a keynote speech at the ILGA-Europe Annual Conference 2019, condemning bias-motivated speech and drawing the link between hate speech and violence and hate crimes against LGBTI people.

In a press release following her visit to Bulgaria, on 2 December, Human Rights Commissioner Dunja Mijatović's office called on the Bulgarian government to confront misinformation campaigns surrounding the failed ratification of the Istanbul Convention, and more recently the Child Protection Strategy, and to increase public awareness and understanding to ensure protections against gender-based violence and the protection of children.

BODILY INTEGRITY

ILGA-Europe and the General Rapporteur on LGBTI hosted a side-event to the Parliamentary Assembly of the Council of Europe on 2 October, to introduce parliamentarians to the legal and policy principles of human rights law for bodily integrity and bodily autonomy based on sex characteristics.

The European Commission against Racism and Intolerance (ECRI) further expanded its investigative focus to explicitly include intersex issues during the sixth cycle.

EQUALITY AND NON-DISCRIMINATION

On 5 November, the French Presidency of the Council of Europe organised a debate in the Council of Ministers on LGBTI rights in Europe. The debate was opened by the statement of the Council of Europe Secretary General Buric, and throughout the debate, a large number of Council of Europe member states spoke out in favour of a strong engagement of the Council of Europe in protecting LGBTI rights across Europe, including the setting up an anti-discrimination Committee, mandated to oversee the periodical review of the Committee of Minister Recommendation (2010) 5.

On 29 November, the Steering Committee for Human Rights (CDDH) adopted the report prepared by the SOGI Unit on the review of the Committee of Ministers Recommendation (2010)5, on measures to combat discrimination on grounds of sexual orientation or gender identity. The report was transmitted to the Committee of Ministers for further review and action.

FAMILY

In April, the European Court of Human Rights in Strasbourg published an advisory opinion that supports the legal ties of children born through surrogacy to their intended parents. Many LGBTI activists hope that this will help to justify an easier co-parent recognition.

FREEDOM OF ASSEMBLY

The Parliamentary Assembly of the Council of Europe issued a written declaration on the right to freedom of assembly in Turkey on 28 June, calling for reversal of Pride bans and state protection for Pride participants.

On 16 July, the European Court of Human Rights delivered its judgment in the Zhdanov and others v. Russia case, affirming that the refusal of the Russian authorities to register two LGBT organisations, violated their right to access to justice and freedom of assembly, and is discriminatory.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

On 15 January, Frank Schwabe (SOC, Germany), rapporteur on the continuing need to restore human rights and the rule of law in the North Caucasus region, and Piet De Bruyn (NR, Belgium), General Rapporteur on the rights of LGBTI people and former rapporteur on persecution of LGBTI people in the Chechen Republic (Russian Federation), condemned the most recent attacks on the LGBTI community in Chechnya, during which two people were reportedly tortured to death and around 40 were detained by the authorities. Schwabe made a visit to the region as part of the preparation of a report and resolution on these issues, expected in early 2020.

On 4 February, Human Rights Commissioner Dunja Mijatović called on Russia's law enforcement and investigative authorities to ensure the safety of Igor Kochetkov, Director of the Russian LGBT Network, and to investigate the recent threats against him. The threats were made after Kochetkov publicly spoke about the persecution of LGBTI people in Chechnya, including about alleged arrests and ill-treatment reportedly resulting in two deaths. She also urged the authorities to investigate alleged human rights violations against LGBTI people in Chechnya.

On 11 March, the Council of Europe's anti-torture Committee (CPT) issued a public statement calling on Russia to properly investigate and respond to wide-spread torture and ill-treatment by law enforcement in Chechnya and the North Caucasus region. The CPT made reference to its 2018 report detailing its findings during its 2017 visit in the North Caucasus. It noted with concern, Russia's ongoing failure to cooperate with the Committee.

On 10 April, the Parliamentary Assembly of the Council of Europe produced a written declaration condemning entrapment, forced medical examinations and illegal detention.

HEALTH

On 3 October, the Parliamentary Assembly of the Council of Europe produced a written declaration calling on Member States to implement ICD-11 in full and with all due speed, supporting the depsychopathologisation of trans people and identities included in this revision.

LEGAL GENDER RECOGNITION

On 19 January, the European Court of Human Rights published its judgment in the X v. the former Yugoslav Republic of Macedonia case, establishing that the lack of a clear legal framework on gender recognition is a violation of trans people's right to private and family life. Regrettably, the Court did not rule on the arbitrary and invasive requirement of sterility that the authorities claimed would be necessary for legal transition. The judgment has not been implemented and Person X's documents remain unchanged.

OSCE

BIAS-MOTIVATED VIOLENCE

On 25 September, the Office for Democratic Institutions and Human Rights (ODIHR) organised an event on addressing hate crimes and victims' needs through effective cooperation with civil society, to discuss the experiences of various groups affected by hate crime, in order to understand their support needs, and to present the practical tools for Participating States and civil society organisations to be developed by ODIHR's *Enhancing Stakeholder Awareness and Resources for Hate Crime Victim Support* (EStAR) project.

On 17 October, ODIHR, in conjunction with the Human Dimension Implementation Meetings (HDIM), hosted an expert roundtable on intersectionality and hate crimes, bringing together civil society, academics, practitioners, law enforcement representatives, religious leaders, and institutions. Including a SOGIESC perspective, the roundtable sought to identify good practices and challenges in data collection and investigating and prosecuting hate crimes based on multiple motives.

In November, ODIHR published its hate crime data for 2018. All 57 Participating States submitted information to ODIHR, but only nine of these provided statistics on the number of recorded hate crimes targeting LGBT people – down from 18 states for 2017. Civil society organisations and other non-state groups provided information about 812 homophobic, biphobic and transphobic incidents in 27 countries. ODIHR observes that transgender people are particularly at risk, and that serious physical assaults carried out by groups, especially around Pride events, are also common features of hate crimes against LGBT people. ODIHR also notes that underreporting and other gaps in recording mean that this data does not fully reflect the prevalence of hate crimes in the OSCE region.

COUNTRY REVIEWS

ALBANIA

ACCESS TO GOODS AND SERVICES

Six trans women reported to NGO, Aleanca LGBT this year that they were evicted by their landlords for being trans. Ten trans women reported they are living in a motel because no one would rent them an apartment.

ASYLUM

Seventeen LGBT Albanians sought asylum abroad this year.

BIAS-MOTIVATED SPEECH

Civil society, including NGO Pro LGBT, documented a growing number of hate speech incidents in the media this year, most targeting trans people. Media outlets failed to moderate discussions or take down hateful content. Responding to this trend, Pro LGBT held trainings for journalists, which will continue in 2020. Several positive articles were published afterwards.

Hate speech by political leaders and public figures also increased. In October, MP Kujtim Gjuzi (Conservative Party) publicly threatened LGBT people on a prime time political show on RTV Ora. The host also made negative statements. Both cases were reported to the Council of Complaints at the Albanian Media Authority, which issued a warning, but did not impose a fine on the channel.

BIAS-MOTIVATED VIOLENCE

Aleanca LGBTI documented a vast number of hate crimes cases against LGBT people this year, including sexual (65 cases), physical (152), and psychological violence (232). Victims reported only 34 cases to the authorities, due to fear of coming out, a lack of trust in institutions, or previous negative experience. The authorities only took measures in one case.

On 12 November, a homeless trans woman who participated in the Dyke March, was brutally attacked by five men. The President of Albania condemned such "cowardly acts" and asked for the perpetrators to be brought to justice. Following civil society pressure, the municipality provided housing to Anxhela.

BODILY INTEGRITY

In April, PINK Embassy and CRCA Albania made a submission to Parliament calling for a ban on medically unnecessary and non-consensual surgeries on intersex infants. The proposal was not adopted.

As part of the Universal Periodic Review (UPR), Albania noted a recommendation to ban surgeries on intersex children.

EDUCATION

Bullying and discrimination remained widespread, with no policies protecting LGBTI students.

A high school student in Vlora was repeatedly harassed, kicked, beaten and strangled by his peers after coming out. The school placed the student in the cleaner's room during recess, allegedly to protect him. The school did not report the violence to the police. In the end, the student dropped out of school.

The Ministry of Education refused to provide the contacts of school psychologists to Streha LGBT, who wanted to hold a training for them on LGBTI issues.

ENLARGEMENT

At the October EU Summit, EU leaders failed to make a final decision as to whether accession talks should resume with Albania. LGBTI organisations are concerned, as EU accession would grant more human rights safeguards for the community.

Equality and non-discrimination

As part of its third UPR review in May, Albania received 14 recommendations on LGBTI issues and accepted nine (see more under Family).

The law against discrimination is currently being revised. LGBTI organisations made a submission to the Commissioner against Discrimination (CPD) on the necessary changes, regarding the burden of proof and the importance of raising awareness. The law is hoped to be amended in 2020.

PINK Embassy and CRCA Albania followed up on over 30 cases this year, including discrimination in education, housing, employment, and others. Aleanca LGBTI documented 232 discrimination and violence cases.

On IDAHOT, 17 May, PINK Embassy and Human Rights House called on the government to publicly apologise to LGBT people who were persecuted during communism.

FAMILY

Albania noted five UPR recommendations on the legal recognition of same-sex partnership and the necessary amendments of the Family Code.

FREEDOM OF ASSEMBLY

PINK Embassy, Human Rights House and CRCA Albania organised the 10th Diversity Festival and 4th Tirana Pride this May.

On 18 May, Aleanca LGBTI, Pro LGBTI and Streha LGBT organised Tirana Pride, which brought together roughly 300 supporters.

> *"This was the best pride ever for me - there were so many young people from the community showing their pride and need for freedom, as well as raising their voices. It was great to be surrounded by such a young and new energy - young people are tired of being forced to live in closets - they want to be free."* - Xheni Karaj, Aleanca LGBT to Exit

Some embassies and the Ombudsperson attended. Public figures joined a video campaign in support.

The city of Tirana set up a rainbow installation to support the march and IDAHOT. Tirana's mayor and former Minister of Social Welfare, Erion Veliaj, publicly expressed his support - an unexpected move, given his lack of support previously.

The LGBTI Equal Rights Association for Western Balkans and Turkey (ERA) held its annual conference between 7 and 9 November in Tirana. As part of the event, Aleanca LGBTI organised the country's first Dyke March on 8 November.

HEALTH

In cooperation with the Ministry of Health and doctors, NGO Tirana Legal Aid Society (TLAS) started working on a draft medical protocol this year, in an attempt to put an end to non-consensual and medically unnecessary surgeries on intersex children. TLAS organised a roundtable on 12 December, bringing together Ministry representatives, doctors, the CPD and the Ombudsman.

Aleanca LGBTI provided HIV/AIDS counselling and free testing to 250 LGBTI people. The lack of antiretroviral medication remained an issue this year.

HUMAN RIGHTS DEFENDERS

Civil Right Defenders published a report on human rights defenders in Albania, finding that LGBTIQ activists are most vulnerable to hate speech and threats.

Aleanca's office was attacked in June. The police investigation was successful.

LEGAL GENDER RECOGNITION

The 2013 draft LGR law continued to be stalled this year. Albania noted a UPR recommendation on the adoption.

POLICE AND LAW ENFORCEMENT

COC Netherlands, Aleanca and Pro LGBT held a training of trainers for 40 police officers at the Police Academy and concluded that more training is needed outside Tirana, where hate crimes are most common.

SOCIAL SECURITY AND SOCIAL PROTECTION

The LGBT Shelter Streha continued to struggle financially, with just 20 per cent of its expenses covered by the State. A fundraiser gala was held on 14 May to keep it running.

The implementation of the 2018 Law on social housing, which includes LGBT people, was lacking this year.

The National Child Helpline (ALO 116) established a new 24-hour helpline for LGBTI youth, responding to a clearly documented need. PINK Embassy trained its staff and volunteers. The helpline dealt with over 130 cases this year.

Aleanca LGBTI, Pro LGBT and COC Netherlands trained the staff of the Tirana, Kukes, Lezha and Vlora municipalities, and supported them in drafting LGBT rights action plans.

ANDORRA

EDUCATION

With a lack of updates from the Ministry of Education, civil society is not aware of any progress the government made this year in reviewing the National Plan against Bullying. The review was originally planned for 2018.

The Ministry of Social Affairs conducted workshops on harassment and equality for high school students this year. The harassment workshop was for students in the third grade (15 year-olds) and the equality workshop was for fourth graders (16 year-olds). Civil society was not invited to participate, because the association was not created yet, and it is unknown if the workshops included LGBTI content.

In May, upon the request of parents of a trans child in a kindergarten, teachers in the facility were educated about gender identity in childhood in a training held by the Catalan Association of Parents with Trans* Children, Chrysallis.

BIAS MOTIVATED SPEECH

In August, Naira Nahapetyan, a member of Yerevan's Municipal Council boasted online about attacking LGBTI people. Comments on the post incited violence against LGBTI people.

EQUALITY AND NON-DISCRIMINATION

On 15 Feburuary, in an effort to implement the White Paper on Equality, launched in 2018, the government adopted legislation on equal treatment and non-discrimination, which provides protection for LGBTI people and other vulnerable groups.

The Law on the rights of children and adolescents was amended in February as well. The Law recognises the right to identity and establishes that trans children must be respected in their gender identity. It also sets out that children must be protected from discrimination on grounds of SOGIE.

On IDAHOT, 17 May, the Department of Equality organised a number of actions, including launching a short film entitled '#lovingdiversity', disseminating rainbow stickers, and making online information on sexual and gender diversity available.

FREEDOM OF ASSOCIATION

Andorra's new LGBTI group, DiversAnd was established in 2019. The new group was formed after Association Som com Som ended its work in 2018, after successful advocacy for the law on equal treatment and non-discrimination. DiversAnd focuses on ensuring that the equality legislation is inclusive of SOGIE, preventing and addressing bullying, discrimination, and violence in schools; advocating for trans people's right to change their legal name and gender on their documents; and marriage equality. The group also works on increasing the visibility of LGBTI people and in June held the country's first Pride march in years.

HEALTH

Thanks to advocacy by the trans community, trans people can from this year access trans healthcare at Tànsit in Barcelona. Previously, they could only go to Barnaclinic, a private section of the Clinic Hospital in Barcelona, and had to present proof of a psychiatric diagnosis in order to access care. Tànsit has staff specialising in trans healthcare and do not require a diagnosis. Although hormones are covered by the Andorra health insurance system, there are no trained medical professionals who trans people could consult. Therefore, they continue to face barriers in access, as they have to travel 200km to reach Barcelona.

ARMENIA

ACCESS TO GOODS AND SERVICES

The first court hearing in the case of three trans people, who were banned from attending the Mali Sports Club in 2018, was unsuccessful in October. The representatives of the gym failed to answer their court order and did not show up. The cases are pending.

ASYLUM

In the summer, three trans asylum seekers from Latin America were detained by the police without any justification, held for four hours, bullied and sexually harassed. They were not provided an interpreter, were forced to sign documents without understanding them, and told to leave the country. NGO Right Side filed a complaint with the Human Rights Defender (Ombudsman).

BIAS-MOTIVATED SPEECH AND VIOLENCE

Pink Armenia was successful in challenging an unsatisfactory court judgment from last year, regarding the attack against nine LGBTI people by a group of 30 in Shurnukh. The case was first dismissed, but following Pink's appeal, the investigation had to continue this year.

On 29 January, the Council of Europe Commissioner for Human Rights, Dunja Mijatović, published her 2018 country visit report. The report calls for prompt action against violence, hate speech and hate crimes targeting LGBTI persons, including by criminalising hate speech and hate crimes against LGBTI persons, combined with specific training for police and judges.
On 17 May, the European Court of Human Rights communicated the Oganezova v. Armenia case to the government. The case is about an arson attack against the DIY club in 2012 that authorities had failed to effectively investigate and identify as a homophobic hate crime.

On 20 June, 11 LGBT activists were verbally abused by four men in a park in Yerevan. The victims called the police, who told the activists to leave the park and took the four men to the police station. The investigation is ongoing.

In August, Right Side published its Legal Report: Situation of human rights of transgender people in Armenia based on the period of 2018-2019, documenting hate crime and hate speech cases.

EQUALITY AND NON-DISCRIMINATION

In May, Pink Armenia published its Annual Review highlighting a record number of human rights violations against LGBT people in 2018, a total of 25.

Dunja Mijatović's report (see under **Bias motivated speech and violence**) expressed concern about the lack of a comprehensive anti-discrimination law inclusive of SOGI. The draft law, opened for public discussion online in July, fails to include SOGI, which the Office for Democratic Institutions and Human Rights (OSCE ODIHR) criticised in a formal opinion in September. On a positive note, the section stating that the anti-discrimination law must not contradict the Law on the Armenian Apostolic Church, was removed.

The new draft Criminal Code was released for consultation in November. It introduced criminal liability for discrimination and slightly rephrased the provisions on incitement and aggravating circumstances, but failed to include SOGI anywhere.

In an unprecedented move, Prime Minister Nikol Pashinyan defended the importance of state funding for a film about the Armenian weightlifting champion Mel Daluzyan, a trans person.

FAMILY

On 12 November, the Parliament rejected a draft law aiming to outlaw same-sex marriage, saying the Constitution already defines marriage as a union between "a woman and a man." Another draft to outlaw adoption by same-sex couples and trans people was also rejected during the same session.

FOREIGN POLICY

Several embassies and the Delegation of the EU in Yerevan criticised the government for hate speech against Lilit Martirosyan (see under **Human rights defenders**). The Ministry of Foreign Affairs disagreed with the criticism.

FREEDOM OF EXPRESSION

On 16 May, the Prosperous Armenia party proposed an amendment to Article 165.1 of the Criminal Code to criminalise the "propaganda of non-traditional sexual orientation" among minors under 16. The proposal was criticised by civil society and Parliament rejected it.

HEALTH

Upon Right Side's query in June, the Ministry of Health failed to clarify the meaning of "arvamol" (literally: "man obsessed with man") in the law on blood donations. "Arvamol" are permanently banned from donating.

HUMAN RIGHTS DEFENDERS

On 11 February, Vrezh Varzhapetyan, a non-binary trans activist of Right Side, was beaten up by two men. Varzhapetyan had received several threats earlier, due to their visible activism. Following the attack, they were targeted by hate messages. They reported the attack and hate mails to the police, who made hateful remarks about them and failed to investigate. They appealed to the General Prosecutor.

On 5 April, the Standing Committee on Human Rights and Public Affairs of the National Assembly held a public discussion on Armenia's UPR review. Representatives of the Government, the National Assembly, as well as civil society were invited to participate. President of Right Side, Lilit Martirosyan, made history by speaking about transphobic violence in the country.

> *"I ask you to see me as a collective figure of those people who are tortured, raped, kidnapped, subjected to physical violence, burned, immolated, knifed, subjected to murder attempts, killed."* - Lilit Martirosyan, President of Right Side, at the National Assembly

The Chairperson of the Committee, Naira Zohrabyan, called the intervention a disgrace and accused Martirosyan of disrespecting her and the Parliament. Other politicians made hateful comments, e.g. that such people should be burnt. Local NGOs published a statement calling Zohrabyan's statement discriminatory, questioned her suitability for the role, and asked the National Assembly's Ethics Committee to investigate the incidents.

In the following weeks, Martirosyan, other trans activists and trans people received several death threats. Media outlets published several negative article. Thes police and the General Prosecutor dismissed all reports. Martirosyan appealed and the cases are currently at the Criminal Court of Appeal.

LEGAL GENDER RECOGNITION AND NAME CHANGE

Following the first successful application in 2018, the Civil Status Acts Registration Agency of the Ministry of Justice continued to not require an expert opinion from a psychiatrist for trans people to change their name.

The hearing of a trans man at the Administrative Court, scheduled for October, was postponed, as the Court requested an official Armenian translation of the European Court of Human Rights judgment that is cited in his appeal. The man applied to the Civil Status Acts Registration Agency back in 2018 to change his gender marker, but in lack of proof of surgery, was denied.

AUSTRIA

BODILY INTEGRITY

In July, the UN Committee on the Elimination of Discrimination against Women (CEDAW) recommended Austria to implement a human rights based healthcare protocol for intersex persons, ensure that intersex children and their parents are fully informed of all options, that children are involved in the decision making process and that no one is subjected to surgery or treatment without their free, informed and prior consent.

In August, the Ministry of Health published its recommendations on healthcare provision for intersex people. The Ministry failed to recommend banning non-consensual and medically unnecessary surgeries performed on intersex children. The recommendations support peer counselling and psycho-social support to intersex people and their families.

EMPLOYMENT

On 15 January, the Court of Justice of the European Union ruled that Austria must compensate a man for longstanding discrimination in his pension provision. The man was a highly decorated police officer who was convicted and discharged in 1976 for being gay, under Article 209 of the Criminal Code at the time. As a consequence, his pension was cut by 25 per cent. The Federal Court had ruled against any compensation in 2016.

EQUALITY AND NON-DISCRIMINATION

The CEDAW recommended Austria to ensure substantive and procedural protection against discrimination on the basis of sexual orientation in the private and public sector.

FAMILY

Although a number of same-sex couples were already able to get married late last year, following the 2017 Constitutional Court's decision, same-sex marriage officially became available from January this year. On 2 January however, the Ministry of Interior emailed to local governments and relevant magistrates that an Austrian citizen and a foreign national are only allowed to marry, if same-sex marriage is legal in the foreign national's home country. The judiciary committee of the National Council ruled in June that this restriction was unlawful.

The Administrative Court in Vienna ruled in May that the children of a Mexican-Austrian married lesbian couple must be granted citizenship and an Austrian passport. The family lives in Mexico.

HEALTH

In December, the Ministry of Social Affairs lifted the lifetime ban on men who have sex with men (MSM), who want to donate blood, and changed the regulation to a 12-month deferral period.

HUMAN RIGHTS DEFENDERS

NGO Hosi Vienna's office was attacked on 16 December. The perpetrators smeared all three doors with a bloody liquid and broke the glass in one of them. HOSI reported the case to the police and launched a fundraiser to cover the rcost of repair.

LEGAL GENDER RECOGNITION

Intersex and trans people faced serious hurdles in accessing the third gender marker this year, despite the Constitutional Court decision in 2018 ordering that gender markers in civil registers and IDs have to reflect an individual's own self-determined gender identity. Intersex people need to present proof of a medical assessment issued by the expert group 'VdG-Board' (variants of sex development board), which was heavily criticised by civil society. This expert group was never formally established. Trans people have also been unable to benefit from the court decision, since the third gender marker is limited to people with congenital variations in sex characteristics and therefore excludes trans people.

SEXUAL AND REPRODUCTIVE RIGHTS

The CEDAW recommended Austria mandatory sex education that aims to eliminate barriers of lesbian, bisexual and trans women to sexual and reproductive rights.

AZERBAIJAN

ASYLUM

The personal account of an Azerbaijani asylum seeker, living in fear and uncertainty in Germany was published in December.

BIAS-MOTIVATED SPEECH

In February, Aynur Sofiyeva, Deputy Chairperson of the State Committee for Family, Women and Children Affairs, made homophobic remarks at an event, criticising the West for trying to impose same-sex marriage on others.

BIAS-MOTIVATED VIOLENCE

Hate crimes against the LGBT community continued to be a serious issue this year. In February, the European Court of Human Rights communicated the A v. Azerbaijan case and 24 other applications to the government, condemning the 2017 raids, where over 80 LGBTQ people were detained, many tortured and abused.

On 1 April, at least eight gay men and trans sex workers were detained by the police in Baku, signaling a new wave of arrests of LGBTQ people. Most were lured to a meeting by undercover police, who took them into custody. A few days later at least seven more were detained, some in their homes. Many were forcibly subjected to STI testing. Some were fined under Article 510 of the Code on Administrative Offenses (minor hooliganism) and others were sentenced to 10-30 days of prison under Article 535.1 (disobedience to a lawful order by police officers).

> *"They called us to the meeting place, then they pulled out handcuffs and took us to the police departments." - victim of the raids to Minority Azerbaijan*

On 2 April, a gay sex worker became a victim of extortion, theft, and blackmail in Baku. The perpetrator was detained.

On 28 June, five trans women were physically assaulted by a group of 15 on a beach in Mardakan. Four of the attackers have been arrested.

On 6 July, a trans person was attacked outside a club while waiting for a taxi. The attacker was drunk and aggressive, asking questions about the victim's gender identity. The case was not reported to the police.

In September, a gay man was beaten, harassed, and expelled from his village by his family for "dishonouring" them. The man reported the violence and a rape he was victim of last year. The men who raped him took photos of the brutal act, which surfaced this year.

BODILY INTEGRITY

A surgery performed on an intersex teenager was reported on an online news site in March. The teenager had been subjected to non-consensual medical interventions as a baby. The article used stigmatising language. Local activists were unable to get in touch with the teenager.

EDUCATION

In April, Elina Hajiyeva, a 14-year-old girl attempted to kill herself by jumping out a window in her school, due to homophobic bullying. Although Elina's mother and teachers had reported the bullying to the principal, she took no action. After the attempted suicide, the principal kept Elina in her office for an hour. Elina died in the hospital later. On 16 October, the General Prosecutor sentenced the principal to 2.5 years in prison, and forbade her to hold positions in educational institutions for three years. On 24 October, the Sabail District Court ordered the principal to be under home arrest for the rest of her sentence, two years and two months, between the hours of 23:00-07:00. Both parties are appealing the judgment.

Activists continued their advocacy against school violence, and on 13 May the Ministry of Education approved an Action Plan and launched an anti-bullying campaign in October, called Menimle Danish/"Talk to me".

EQUALITY AND NON-DISCRIMINATION

In January, Nafas LGBT Azerbaijan Alliance sent an inquiry to multiple ministries regarding the implementation of the SDGs. The State Committee for Family, Women and Children Affairs was the only one to respond, but did not address questions on LGBTI children, youth and LBT women.

In September, Nafas published a report documenting discrimination and violence against LGBT people between January and June, including hate crimes; bullying in school; domestic violence; extortion, blackmail, torture and ill-treatment by police; and police immunity.

Three employees of the Azerbaijani airline AZAL were fired after releasing personal information of a trans passenger on social media, including a photo of her passport. The airline apologised.

An Azerbaijani immigrant in Germany Maria M., who is married to a German woman, was told by the authorities to return to Baku and apply for a visa, so that she can continue to reside in Hamburg. Maria M. suffered lesbophobic harassment in Azerbaijan, and her marriage could place her in grave danger. Maria appealed and applied for asylum.

FREEDOM OF ASSEMBLY

The police denied a permit for a feminist rally, which organisers held regardless, on 20 October. The protest against domestic violence was forcefully dispersed by the police. Several participants were injured and detained. A group wore T-shirts calling for justice for Elina Hajiyeva (see under **Education**).

FREEDOM OF EXPRESSION

The British Embassy in Baku raised the rainbow flag on IDAHOT again this year.

LGBTIQ+ people kept gaining more visibility online this year, through interviews, social media posts and pages.

As part of the International Festival of Contemporary Art in September, a Swedish graffiti artist installed a giant mural of a trans woman in Baku. Local residents complained to the authorities who covered half of the mural a few days later.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In-Visible, the first film festival on gender issues took place on 23 May in Baku.

On 3 October, the film "I Do Not Belong In This Body...", presenting the story of a local trans man seeking gender affirming care in Azerbaijan, was screened at DokuBaku.

'All Monsters Are Human', depicting the 2017 crackdown, was awarded the Best Short Film Award at the International Queer & Migrant Film Festival.

POLICE AND LAW ENFORCEMENT

At the end of October, several sex workers from the GBT community reported that they were asked by police to protest against political opposition parties in exchange of monetary remuneration (100-300USD), allegedly common practice.

PUBLIC OPINION

For the first time, a number of celebrities showed their support for the LGBTQI+ community in social media posts during Pride month, including singer Röya, 'Eurovision Song Contest', winner Eldar and stylist Anar Aghakishiyev.

The Baku Research Institute published a positive piece on sexual orientation and gender identity, highlighting the negative impact of social prejudice.

SEXUAL AND REPRODUCTIVE RIGHTS

Following the rally against domestic violence on 20 October (see under **Freedom of assembly**), the State Committee for Family, Women and Children Affairs announced that the government would ratify the Istanbul Convention and the Lanzarote Convention. The latter was ratified a day later.

BELARUS

BIAS-MOTIVATED SPEECH

In January, the Prosecutor General announced that no charges will be pressed against Minister of Interior, Ihar Shunevich, who referred to gay people as "dyryavyye" ("holers" or "those with a hole") on TV in December 2018.

On 15 May, during the live broadcast of the 'Eurovision Song Contest', TV host Yavhen Perlin made homophobic statements. When the stream showed couples, including gay couples, kissing during the performances, Perlin suggested this was inappropriate and made insulting jokes. His remarks stirred criticism on social media.

An article was published on sexual violence against children in July, including a statement by a state official of the Ministry of Interior, Dmitry Tsayun, saying that LGBT equals pedophilia:

> *"One of the crucial risk factors is the destructive impact of the views and ideas of the LGBT community, which are actively lobbied by Certain forces. Although science has not established a direct link between pedophilia and same-sex sexual relations, the figures speak for themselves."* - Dmitry Tsayun, Deputy Head of the Department for Drug Control and Anti-trafficking, Ministry of Interior

The project, whose platform published the article, was supported by UNICEF Belarus. Local civil society urged UNICEF to promptly remove the article, which they did. It is however still available on the Ministry's website.

BIAS-MOTIVATED VIOLENCE

On 24 August, filmmaker Nikolai Kuprich and two friends were beaten up in a homophobic attack in Minsk. Activists condemned the violence a few days later in a street action (see under Freedom of expression) and many joined the #ненавистьэтоненорма campaign on Twitter.

FREEDOM OF EXPRESSION

Several embassies in Minsk, including those of the UK, US, Sweden and Israel, flew the rainbow flag on IDAHOT on 17 May. The Ministry of Interior again condemned these actions.

On 2 July, the UN Special Rapporteur on the situation of human rights in Belarus expressed concern that restrictions on freedom of expression and media freedom remain alarming in the country.

In the first public action organised by LGBT activists since 2014, a small group of ten people put up posters in Mink's Oktyabrskaya Street, where a homophobic attack took place on 24 August (see under **Bias-motivated violence**). The posters featured the rainbow flag with the text "Together we are stronger than fear". No one was fined or detained.

PUBLIC OPINION

Groups organising against "gender ideology", reproductive rights, sex education, and LGBTI rights, including marriage equality, became stronger and more united this year. New voices emerged in the towns of Mogilev and Vitebsk.
On several occasions, these groups conducted visits to schools and encouraged teachers and students to join their efforts. They rely heavily on the resources of religious organisations.
In late September a nationwide petition was launched, with the support of the Catholic Church, urging the President to protect the traditional family and to ban the propaganda of "non-traditional" sexual relationships to minors.

BELGIUM

ASYLUM

RainbowHouse Brussels and InQlusion launched the Q-Asyl'Home project in August, to train social assistants, caseworkers and inhabitants of asylum centres on SOGIESC issues and improve services for LGBTI asylum seekers. The project will be prolonged in 2020.

On 27 March, the Flemish Parliament unanimously approved a Resolution condemning violence against LGBTQI people in Chechnya and urging the Belgian government to provide international protection to victims.

BIAS-MOTIVATED SPEECH

In May, a study commissioned by the Brussels Secretary of State for Equal Opportunities, found that nine out of 10 LGBTQI people have been targeted by verbal or psychological abuse.

BODILY INTEGRITY

In February, the UN Committee on the Rights of the Child recommended Belgium to ban medically unnecessary and non-consensual surgeries on intersex children, provide them and their parents counseling and support, and effective remedies. The Committee on the Rights of Persons with Disabilities asked Belgium about these issues in July.

DATA COLLECTION

Upon the request of the Flemish Government, the Transgender Infopunt submitted an advisory note on how best to ask questions on gender identity in governmental surveys.
The Transgender Infopunt issued "Ten tips for students on recruitment of trans people", in light of an increasing number of theses focusing on trans topics.

EDUCATION

The Flemish parliament introduced mandatory education on gender and sexual identity for first grade students in high schools, the fulfilment of which will be monitored by school inspections.
Two universities, ULB and VUB, co-organised a workshop with four other European universities, on good practices on LGBTI inclusion.

EMPLOYMENT

Kliq vzw, a non-profit consultancy organisation on sexual and gender diversity, held its second Kliq Workplace Conference. Procter & Gamble won the Most Inclusive Employer award for the second year in a row. The Legal Diversity and Inclusion Alliance, a network of 45 law firms, won the Diversity Initiative award.

In October, çavaria adopted ILGA-Europe's LGBTI sex work policy as a policy for their own organisation.

EQUALITY AND NON-DISCRIMINATION

In May, Unia (Centre for Equal Opportunities and the Fight against Racism) reported that it processed a total of 125 discrimination cases against LGBT people, which amounts to a 38 per cent increase compared to the average over the past five years. Earlier in February, the Institute for Gender Equality shared that they have been contacted by an increasing number of trans people, with requests for information or complaints about discrimination.

During the spring, the Flemish Red Cross banned trans people from donating blood in Flanders. Following consultations with çavaria and Transgender Infopunt, the Red Cross agreed to lift the ban from 30 September onwards. Trans people are now subject to a three-month deferral period after starting hormone replacement therapy, and twelve-month deferral after the last sexual encounter with men. The Red Cross will finance a study by the Transgender Infopunt on HIV and trans.

A total of 101 towns in Wallonia raised the rainbow flag on IDAHOT this year. In Flanders, all 309 municipalities participated.

Following their success in the Flemish and European elections, çavaria warned of the far-right populist party Vlaams Belang gaining more power.

FOREIGN POLICY

In the largest funding effort to date, the Ministry for Development Cooperation designated 220,000EUR for SOGIE-focused project work.

FREEDOM OF ASSEMBLY

Transemble, a collective of trans, non-binary and gender non-conforming people, held its first Trans* Pride Brussels on 4 May.

"Pride must return to the essence: a protest action by one for minorities, with a focus on justice and radical inclusion." - Transemble

On 11 May, Queer Pride Gent organised the first Pride in the city of Ghent.

Belgian Pride took place on May 18 in Brussels, joined by 100,000 participants. The police separated the Reclaim the Pride activists who were protesting against pinkwashing and commercialisation at Pride. Belgian Pride affirmed that political parties and companies can also be allies and they have to meet certain criteria before they can participate. The organisation is investigating how it can facilitate the more critical voices within the community without obstructing Pride festivities.

Simultaneously with Belgian Pride, For All Queens held FAQ! Pride; The Afropunk Ball.

On 8 August, Belgium's first POC* Pride took place in the city of Antwerp.

FREEDOM OF ASSOCIATION

On 3 August, the first intersex organisation in Flanders (Intersekse Vlaanderen vzw) was officially registered.

HEALTH

The Transgender Infopunt and the Centres for General Well-being (CAW) started cooperation in January, as CAW is now mandate to specifically work on trans well-being.
The Flemish Minister of Health financed a LGBT suicide prevention project, through which çavaria and the Transgender Infopunt launched lumi.be and a specific trans suicide prevention website gendervonk.be.

HUMAN RIGHTS DEFENDERS

A new bridge in Brussels will be named after Suzan Daniel, an iconic figure of the local LGBT movement. A part of the city near the Brussels North station will be named after Willy De Bruyn, an intersex and trans cyclist.

LEGAL GENDER RECOGNITION

The National Register announced in January that a total of 742 people changed their legal gender in 2018 (110 in 2017), following the law reform allowing for LGR on the basis of self-determination. Between January and September 2019, 397 people accessed legal gender recognition (LGR).

On 19 June, the Constitutional Court ruled in a landmark judgment that non-binary and genderfluid persons were discriminated against fthe new Gender Recognition Act. Both the principle of irreversibility of LGR and the absence of any recognition of non-binary gender identities were found unconstitutional. The federal parliament now needs to adopt an appropriate legal framework, which could mean introducing a third gender option. Multiple changes of registered sex/gender will also be possible. The case was brought to the Court by çavaria.

In September, the family court ruled for the first time since the introduction of the law of 2018, that an applicant who had obtained a change of first name and legal gender through the administrative procedure, could return to the former name and gender registration based on experienced severe transphobia.

SEXUAL AND REPRODUCTIVE RIGHTS

In September, the Flemish government amended the Flemish staff regulations: existing regulations for 'mothers' are now gender neutral and employees will have a total of twenty days of leave for exams and counseling related to trans healthcare. These were recommended by the Transgender Infopunt as part of its assessment of the government's trans friendliness.

SOCIAL SECURITY AND SOCIAL PROTECTION

The Refuge, the first LGBT Shelter in Brussels has received more than 90 applications from LGBT young people since its opening in October 2018, some of them asylum seekers. In May, a second shelter opened in Liège (Wallonia).

BOSNIA AND HERZEGOVINA

ACCESS TO GOODS AND SERVICES

The Ombudsperson sent several inquiries to the Academy of Fine Arts this year, regarding their refusal to allow the NGO Sarajevo Open Centre (SOC) to organise an LGBTI-themed exhibition there last year. The Academy has not responded.

ASYLUM

The number of LGBTI people wanting to leave the country and/or apply for asylum remained steady this year. SOC organised a series of workshops to share information with those who are considering leaving.

BIAS-MOTIVATED SPEECH

A few days before the Merlinka Festival in Tuzla, which took place between 15-16 March, homophobic graffiti was painted on the wall of the festival venue saying "Faggots, get treatment!".

Kristina Ljevak, a journalist and visible ally to LGBT people, was targeted by a smear campaign after being appointed as the Director of the Sarajevo Canton Television in June.

Following the news that the country's first Pride would be held in September (see under **Freedom of assembly**), hate speech became more common, mainly on social media. For instance, MP Samra Ćosović Hajdareić publicly called for the isolation and expulsion of LGBT people from society, and particularly children. Numerous complaints from concerned citizens and the Pride Organisational Committee were sent to the Ethics Council of the Canton Sarajevo Assembly, along with an inquiry sent by Ombudsperson. None of these have been answered by the Council.

BIAS-MOTIVATED VIOLENCE

On 2 February, a lesbian couple was verbally assaulted and threatened with a knife and three days later were physically attacked by the same man and his friends. The violence was presumed to be linked to heightened homophobia ahead of the country's first Pride march (see under **Freedom of assembly**). The police identified the perpetrator and charged him for "offence", resulting in a fine of 1000BAM (500EUR). The bias motive was not recognised.

In Banja Luka, a lesbian couple was physically and verbally assaulted in July. The victims immediately contacted the police. Due to the hostility of the police, the couple lost faith in pursuing the case. In the end, they decided not to press charges and to leave the country.

As part of its third UPR review, Bosnia and Herzegovina was recommended to train law enforcement and the judiciary on combating anti-LGBT hate crimes, hate speech, and discrimination.

EQUALITY AND NON-DISCRIMINATION

Contrary to its earlier plans, the Ministry of Labour, Social Policy, Displaced Persons and Refugees of Sarajevo Canton decided not to publish a thematic report on the human rights of LGBTI people and women. Instead, they pledged to extensively cover these topics in their upcoming Gender Action Plan.

Despite the FBiH government's earlier statements, no concrete steps were taken to adopt an LGBTI Equality Action Plan this year.

On 6 April, attendees at a soccer game hung a banner saying "Forbid it, please!" alongside the flag of the Kingdom of Brunei. Shortly before, Brunei had announced that it will criminalise same-sex relations and punish them with the death sentence. LGBT NGOs sent an appeal to the Football Association, requesting an official statement condemning the action, but have not received a response.

On 8 November, the UN Committee on the Elimination of Discrimination against Women recommended that Bosnia & Herzegovina respect of the human rights of LBT women and ensure that national action plans on gender equality address stigma and discrimination against them in all spheres of life.

As part of its third UPR review, Bosnia and Herzegovina was recommended to combat discrimination against LGBTI people.

FAMILY

After what seemed to be strong political will on the issue in 2018, no progress was made this year to provide legal recognition for same-sex couples. Couples continued to register their partnership abroad and ask for recognition back home. Several couples sent complaints to the Ombudsperson.

FREEDOM OF ASSEMBLY

In April, activists announced that they would hold Bosnia and Herzegovina's first Pride March in September. The March was successfully held in Sarajevo on 9 September, with almost 3,000 participants. Over 1,000 police officers secured the event and no incidents were reported. Even though the March was a success, problems concerning freedom of assembly still persist. For instance, organisers were faced with large and unreasonable financial burden for organising security, paying security agencies and financing metal and concrete barriers throughout the Pride March route.

The Pride Organising Committee included 16 volunteer activists from all over the country (Prijedor, Banja Luka, Sarajevo, Bijeljina, and Tuzla). The March was met by mixed reactions from the political sphere. The Party of Democratic Action (SDA) urged organisers to cancel the event and one of its members called for the segregation of LGBTI people in an angry social media post. Dragan Covic, head of the Croatian Democratic Union in Bosnia expressed his support, along with the relevant authorities. The Bosnian Serb leadership remained silent on the issue.

The 7th Merlinka International Queer Film Festival, a symbol of resistance to the violence and repression of LGBTI people in 2014, successfully took place between 7-9 February in Sarajevo. This year's theme was "I am a lesbian, so be it".

POLICE AND LAW ENFORCEMENT

In accordance with the signaled support of the Federal Ministry of Internal Affairs last year, the Police Academy of FBiH, in cooperation with SOC, trained 213 students this year. The training aimed to prepare police trainees for handling hate crimes and took place over a month. It is yet to be known if students will receive the same training in the future. The permanent curriculum of the Academy is unlikely to be changed.

SEXUAL AND REPRODUCTIVE RIGHTS

In September, the UN Committee on the Rights of the Child reviewed Bosnia and Herzegovina and called for equal access to sexual and reproductive services for LGBTI children.

BULGARIA

BIAS-MOTIVATED SPEECH

Anti-LGBT hate speech from political figures continued to be an issue this year. Leading up to Sofia Pride, Deputy Prime Minister and Minister of Defense, Krasimir Karakachanov, leader of the ultra-nationalist VMRO-BND party, published hateful comments on social media. The Ataka political party also made negative remarks. Sofia Pride condemned the statements.
During the municipal elections in October, the radical nationalist candidate and current MEP Angel Dzhambazki (VMRO-BND), was targeted by hate speech because of his perceived sexual orientation. Sofia Pride made a public statement against these remarks.

Dzhambazki (VMRO-BND), Volen Siderov (Ataka), and Nikolay Drenchev (Vazrajdane), all candidates for local elections in Sofia from ultra-nationalist parties, promised to ban Sofia Pride if elected.

The Supreme Court of Cassation (SCC) denied protection from victimisation under EU law to an LGBTI activist from a prominent Bulgarian journalist who publicly attacked him in a 20-minute televised segment in 2014.

BIAS-MOTIVATED VIOLENCE

NGO Deystvie documented and filed a report in 22 hate crime and hate speech incidents in 2019. Examples include physical assault against two lesbians in January and February, and two gay men in Plovdid and in Varna, both in February. Civil society demanded investigations and SOGI-inclusive hate crime laws.

Five attacks were carried out against the LGBTI community centre, Rainbow Hub in the spring. First, a skinhead entered the centre, grabbed the rainbow flag inside and left with it. Ten days later an attacker stole the centre's entrance sign. Three weeks later, a stone was thrown through a window.. The district and regional prosecution of Sofia failed to investigate the cases. The case is before the Sofia Appellate Prosecution.

DATA COLLECTION

From November, Deystvie will be administering the Office for Democratic Institutions and Human Rights' (OSCE ODIHR) hate crime reporting system, and cooperating with an NGO coalition.

EDUCATION

Ultra-conservative forces continued their fight against LGBTI rights and gender equality in education.

In February, loud criticism followed the release of the European Commission's SELFIE survey in schools for offering four gender options to students ('male', 'female', 'other', 'prefer not to say'). The Minister of Education promised to request the Commission to remove options other than 'male' and 'female' and vowed that "gender ideology" will not be spread.

A few days later, an STI prevention brochure with pictures of gay couples, approved by the Ministry of Health and distributed in schools, sparked strong backlash. The leaflets were mistakenly with young children and then promptly withdrawn.
In April, the National Children's Strategy 2019-2030, drafted by a working group including civil society, faced harsh criticism and was eventually withdrawn by Prime Minister Borissov. Anti-LGBT groups posted false allegations, e.g. that children will be given for adoption by same-sex couples. The Ministry of Education and the Ministry of Labour and Social Policy announced they would prepare a new draft.

The National LGBTI School Climate Survey, run by Bilitis and Single Step, found that LGBTI students feel unsafe at school; verbal harassment by peers, teachers and staff is widespread; support from schools is lacking, and anti-bullying policies are ineffective.

FAMILY

On 24 July, the Supreme Court upheld the Sofia City Administrative Court's positive judgment from 2018, that granted the right of residency for the same-sex spouse of an EU citizen - in line with the Coman judgment.

> *"What motivated us to continue to fight was the dream that our case would open many new doors not only to justice and equality, but also to the freedom for same-sex couples to live together in a secure family environment within the EU."* - Christina Palm and Mariama Diallo (Deystvie)

In September, the Sofia Regional Court ruled that a woman in a same-sex marriage could take her partner's family name.

In December, the Supreme Administrative Court refused to recognise the marriage of a lesbian couple that took place in the UK.

FREEDOM OF ASSEMBLY

A record number of 6,500 people attended Sofia Pride on 8 June, as part of Pride month. The march was again harshly criticised by leading political figures (see under **Bias motivated speech**). On 16 November, Deystvie, and Roma and disability rights organisations held a joint diversity march in Plovdiv.

FREEDOM OF EXPRESSION

Early in the year, the Varna Regional and District Prosecutor dismissed the case of vandalism against GLAS Foundation's billboards. Local officials tried to ban the "Balkan Pride" exhibition in Plovdid, one of Europe's cultural capitals in 2019, and sought to remove the head of the Municipal Cultural Foundation, Svetlana Kuyumdzhieva. Kuyumdzhieva said the ban would be discriminatory. The case stirred considerable public debate, some of it hateful. The facade of the Plovdiv 2019 headquarters was vandalised and some LGBTI people were insulted and threatened. In the end, the exhibition successfully opened on 4 July.

HEALTH

Thanks to the lobbying, which resulted in legal reform, medications for people living with HIV are now prescribed for three months instead of one.

In May, a person living with HIV died because he was refused treatment by three hospitals. The cause of his death is uncertain, as no one was willing to conduct an autopsy. The medical investigation was closed.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

On 9 May, Bilitis organised an event to promote the ILGA-Europe Come Out pledge for the EP Elections. Toma Belev was the only Bulgarian MEP candidate to sign it. Bilitis, Deystvie and its partners from the Equality League organised a debate featuring politicians from across the political spectrum. All participants promised inclusion for Roma, LGBTI and people with disabilities. Several LGBTI cultural events were organised this year, including the Glamoral Kombat Ball 2019 on 16 February and the Power Politics Kiki Ball on 18 May in Sofia.

The Sofia Pride Film Fest, organised by Deystvie, gathered over 1,500 people and featured three queer films. Screenings took place in Plovdiv and Kardzhali.

POLICE AND LAW ENFORCEMENT

In June, Deystvie held the first ever national training for a total of 54 police officers and 27 representatives of the Ministry of Interior on responding to anti-LGBT hate crimes.

PUBLIC OPINION

In its survey on public attitudes, GLAS Foundation found that the numbers who believe that LGBT people should not be able to live their lives as they wish, has increased from 18 to 25 per cent since 2012. Negative attitudes were most common in the two biggest cities.

SEXUAL AND REPRODUCTIVE RIGHTS

In October, the Supreme Administrative Court upheld lower court judgments that found no discrimination in the case of a lesbian couple who were denied the cost coverage of their IVF procedure by the Centre for Assisted Reproduction. Deystvie is taking the case to the European Court of Human Rights.

CROATIA

BIAS-MOTIVATED VIOLENCE

The second-largest study with LGBTQI participants was conducted by Zagreb Pride this year, gathering answers from 767 respondents. The study found that six-in-ten LGBTQI persons have experienced violence in public spaces, school, at workplaces, or at home.

BODILY INTEGRITY

Trans Aid sent letters to 32 hospitals in October 2017, requesting information on medical care for intersex children. 11 hospitals replied. One of them refused to give any information; six of them never had intersex infants or children; one had a 16 year-old patient who had a laparoscopic adnexectomy; one had an intersex infant who was referred to another hospital; one provided psychological support to an intersex person; and one said they performed operations on 14 intersex infants.

EDUCATION

In October, Rainbow Families Croatia held a successful crowdfunding campaign and launched its second colouring book for pre-school children titled 'My Rainbow Family's Fun Day Out'. The first volume's release sparked widespread criticism last year, but there was no critical response this time.

EMPLOYMENT

In March, a study conducted in eight European countries found that workplace diversity was the highest in Croatia and Finland, but that Croats were the least accepting towards LGBT co-workers. Fifteen per cent of Croatian employees claim to have worked with LGBT people, but only 18 per cent said they would be glad to do so.

EQUALITY AND NON-DISCRIMINATION

The 13th annual Festival of Tolerance took place between 1-21 April in Zagreb, including events on LGBT rights.

FAMILY

The new Foster Care Act, which excludes same-sex life partners from fostering, entered into force on 1 January. The Act is in violation of the Life Partnership Act. Several complaints were filed by NGOs, individuals and a group of left-liberal MPs to the Constitutional Court, which is expected to rule in February 2020.

On 19 December, the Zagreb Administrative Court ruled, in a landmark judgment, that a gay couple can foster children.

The first international conference on rainbow families was held in Zagreb between 10 and 12 May, featuring the theme, 'Our Kids are OK'. The event brought together 50 participants, mostly from the ex-Yugoslavia region.

FREEDOM OF ASSEMBLY

The first Balkan Trans Intersex March was held on 30 March in Zagreb, with the theme 'My body – my temple! My identity – my business!'. The event was co-organised by Trans Network Balkan, Spektra from Montenegro, Trans Aid from Croatia, and individual activists from all over the region. 300 participants attended. A few days earlier, the European Parliament's LGBTI Intergroup addressed a letter to the Prime Minister, calling for safety for the marchers. No incidents were reported.

> *"By organising the Balkan Trans Intersex March, the trans and intersex communities have decided to manifest our movement and send clear messages of pride and defiance, a revolt against those who try to claim dominion over our bodies, minds and lives, as well as against all forms of oppression."* - Balkan Trans Intersex March to Deutsche Welle

The 18th Zagreb Pride took place on 9 June with the slogan '18 Proud Years'. The event was attended by thousands of supporters and no incidents were reported. Contrary to previous years, the city of Zagreb made no attempt to block the march. The police did however request the organisers to hire more paid security staff, but Zagreb Pride refused to do this, instead increasing the number of volunteers in charge of security.

Split Pride was held on 15 June.

HEALTH

The 3rd OII Europe Community Event & Conference was held in Zagreb between 25 and 29 September and hosted by local NGO Trans Aid. The conference brought together intersex people and activists, the Ombudsperson for Gender Equality, and three medical professionals from Zagreb hospitals.

In February, the only psychiatrist working with trans people in Croatia introduced a committee of psychiatrists and psychiatry students to provide a psychiatric opinion for the National Health Council. It is not formally or clearly explained how many people are members of this committee, but members of the community report 3-20 people in the room, asking them questions. Such practices are in violation of the 'Professional guidelines for drafting opinions of health workers and psychologists on the change of sex or living in a different gender identity' as issued by the Ministry of Health in November 2014.

The surgeon performing mastectomies in Croatia recommended several trans people this year to appeal to the Ministry of Health for cost coverage. Ten trans people received a positive response and their surgery costs were fully covered. One person was denied surgery by the hospital, despite the Ministry's positive answer, because the applicant did not change their gender marker in the healthcare system, even though it was changed on their ID.

LEGAL GENDER RECOGNITION

The establishment of the committee (see under Health), which issues a psychiatric opinion that is then sent to the National Health Council, which grants access to legal gender recognition (LGR), made LGR more difficult this year. Several trans people reported that the National Health Council started to ask for additional documentation, such as proof of citizenship, which makes the procedure more burdensome and longer. This additional requirement is against the regulations in place.

Following the guidelines of the Ministry of Education, published in 2018, five trans people were able to change their information on their diplomas in 2019. No difficulties were reported.

POLICE AND LAW ENFORCEMENT

In 2019, a trans woman from Serbia was arrested and placed in the men's section of a prison in Zagreb for a month and a half. She reported that she was abused and raped while detained. In response to this, the Ministry of Justice with the Prison System and Probation Directorate invited Trans Aid and the Ombudsperson for Gender Equality to conduct training for prison employees and directors. Three workshops were carried out this year. There is no information on the case being investigated.

SEXUAL AND REPRODUCTIVE RIGHTS

The third annual anti-abortion Walk for Life marches took place on the 19 May in Zagreb, Rijeka and Split. Several feminist counter-protesters were arrested in Zagreb and Rijeka during the rallies.

In 2017, the Constitutional Court gave the government two years to regulate abortion, which expires at the end of 2019. In November, a Working Group was formed, mostly uniting organisations known for their opposition to sexual and reproductive rights. Civil society is concerned that the drafting process will not be transparent and a more restrictive law will be adopted.

CYPRUS

BIAS-MOTIVATED SPEECH

In August, following international public outcry, the Attorney General called for an investigation of the Bishop of Morfou's statements, that gay men give off a "particular odour" and can be identified by "holy men". The police dropped the case, finding no element of hate speech. Accept LGBTI was later invited to a discussion on reforming the hate speech legislation, held by the Parliamentary Committee of Human Rights and Gender Equality. Accept LGBTI highlighted the failure of the law to address public homophobic speech since it came into effect in 2015. For instance, Accept LGBTI's calls for an investigation by the Attorney General for similar comments made by the Archbishop of Cyprus in 2017, were left unanswered.

BIAS-MOTIVATED VIOLENCE

In February, a gay man was attacked in Nicosia. Despite multiple witnesses, the police failed to establish it was a hate crime. Another gay man was attacked by three men in a cruising area in Nicosia on 24 June. The case was reported to the police, who failed to take action. The victim reported this to Accept LGBTI.

EDUCATION

The educational programme 'HOMBAT-Combating HOMophobic and trAnsphobic Bullying aT schools' ended after two years and more than 250 teachers and professors trained. The programme was the first of its kind to be supported by the Ministry of Education.

EQUALITY AND NON-DISCRIMINATION

As part of its Universal Periodic Review, Cyprus received seven recommendations on SOGIESC issues and accepted them all. States urged Cyprus to combat discrimination and violence against LGBTI people, to criminalise incitement, to adopt an action plan against homophobia and transphobia, and to adopt the gender recognition law.

FOREIGN POLICY

Cyprus joined the European Governmental LGBTI Focal Points Network and attended its first meeting in October.

In April, the Ministry of Foreign Affairs sent instructions for the first time to all Embassies, requesting support for local LGBTI communities.

On IDAHOT, the Ministry of Foreign Affairs raised the rainbow flag, a first for a government building in the Republic. The rainbow flag was also raised in a number of Cypriot Embassies around the world for the first time.

For the first time, the Government of Cyprus allocated money to support international LGBTI organisations, through ILGA-Europe's Annual Conference Diversity Fund.

FREEDOM OF ASSEMBLY

The government provided important assistance for the organisation of the Middle East and North Africa (MENA) region LGBTI conference 'NEDWA 2019', held in Cyprus in September. The conference, usually held in Lebanon, was moved for safety reasons. 200 human rights defenders joined the event, and were welcomed by the government at an opening event at the Presidential Palace.

The first bicommunal festival was held on 5 October. "United by Colours" was organised by Accept LGBTI and Queer Cyprus Association as part of the 'Open Door Civil Society Festival'. Following years of cooperation, the two organisations started a process aiming to produce and sign a memorandum of understanding, setting out their common vision for the LGBTI community on the island.

FREEDOM OF ASSOCIATION

Following NEDWA 2019 (see under **Freedom of assembly**), the Arab Foundation for Freedoms and Equality (AFE) applied to register its Cyprus branch in December, focusing on training MENA region LGBTI activists in Cyprus.

HEALTH

The first conference on PrEP took place in Nicosia in May, organised by the AIDS Solidarity Movement Cyprus and Accept LGBTI, and sponsored by the government.

LEGAL GENDER RECOGNITION

The legal gender recognition reform process continued to be stalled this year. On 10 June, four parents of trans children addressed the parliamentary Human Rights Committee, calling for speedy adoption of the law. This was the first time parents of trans children spoke out in such a public way.

"A lot of my friends think it is pointless for me to be here today [...]. Nonetheless, I have decided to come and talk here today, believing that if myself and other citizens [...] believed in you [...] and fought collectively, there is a hope for [...] change". - A parent speaking to the parliamentary Human Rights Committee

The meeting was attended by the Commissioner for Children's Rights, the Ombudsman, the Officer of the Legal Service of the Republic, the Advisor to the President on Multiculturalism, Acceptance and Respect to Diversity, and Accept LGBTI. The Chairwoman affirmed that Cyprus is ready to follow other European countries and put an LGR law in place.

The LGR guidelines, adopted in 2018 by the Ministry of Interior, were sent to the District Registry Offices in August. Since the adoption, practice had been ad hoc: the formal dissemination was helpful to remedy this. The guidelines establish that trans people over 18 can have their legal gender and name changed on the basis of self-determination, without a diagnosis, hormonal treatment, or surgeries. These are now only optional. The decision on the change of gender and name must be made by the District Registry Office within 30 days. Some trans people successfully used the procedure this year, without having to present any medical documents.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Prior to the European Parliamentary Elections, Accept sent a questionnaire to MEP candidates on their position on key LGBTI rights issues. 10 of the 36 candidates answered, but notably none from the ruling party DISI (EPP). Two of the ten were elected: Niyazi Kizilyurek, founder of Queer Cyprus Association (QCA) in north Cyprus and Giorgos Georgiou both from AKEL (GUE/NGL). Both had agreed to join the LGBTI Intergroup in their responses.

NORTHERN CYPRUS*

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

BIAS-MOTIVATED VIOLENCE

On 17 May, the night before this year's IDAHOT march, activists of QCA were verbally and physically assaulted. One person received verbal threats at the IDAHOT march after-party. The victims reported the cases, but the police failed to initiate any investigation. Although the Criminal Code of north Cyprus was amended in 2014 to protect LGBT+ people from hate crimes, it is not being effectively implemented.

EQUALITY AND NON-DISCRIMINATION

The Gender Equality department of the "Ministry" of Labour and Social Security, was finally made operational early this year. The department, established in 2014, is mandated to address discrimination based on sex and SOGI and empower vulnerable groups.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

In January, QCA received a complaint from a gay man held in Central Prison that he was sexually assaulted by other inmates, and the prison authorities did not help him. He was moved to a different ward, but guards threatened to take him back should he not comply with the rules.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Following QCA's advocacy work, seven MEP Candidates joined ILGA-Europe's Come Out pledge. Niyazi Kizilyurek, the founder of QCA, was elected as MEP.

SEXUAL AND REPRODUCTIVE RIGHTS

A number of people, with a student visa or work permit, were deported from the north part of the island due to their HIV+ status.

SOCIAL SECURITY AND SOCIAL PROTECTION

QCA continued continued providing social services to LGBTI+ people and LGBTI+ sex workers who are victims or vulnerable to trafficking, and started research work on the situation.

QCA also set up a network of trained psychologists and lawyers this year, who provide support for LGBTI+ people on the Solidarity Line. The line can be reached by phone, text, or online.

QCA was invited to support the new police unit focusing on combating violence against women, established by the Gender Equality Office in 2018.

CZECH REPUBLIC

BIAS-MOTIVATED SPEECH

There was a sharp increase in bias-motivated speech against LGBT+ people this year, including by politicians. A spokesman of the Czech President, Jiří Ovčáček, stated that "the ideologies of 'climatism', LGBT or 'genderism' are totalitarian". Chairman of the Senate, Mr. Kubera, made similar statements. Anti-LGBTI sentiments are one of the key drivers of the new ultra conservative party Trikolora, founded this year.

Several religious leaders also spoke out against the rights of LGBTI people or "gender ideology". In August, the Archbishop of Prague, Cardinal Dominik Duka, released a communiqué in support of the Polish clergy, agreeing that "LGBT ideologists" represent totalitarianism.

Civil society organsiations actively working against the rights of LGBTI people, such as the Alliance for Family and Pro-Life Movement, also became increasingly active.

A criminal complaint filed last year against the Roman Catholic clergyman, Mr Pit'ha, for hate speech, was dismissed by the police.

DATA COLLECTION

In April, the Ombudsperson in cooperation with Prague Pride, launched the groundbreaking report Being LGBT+ in the Czech Republic, on the basis of a survey, answered by almost 2,000 LGBT+ people. The survey focused on experiences of prejudice, discrimination, harassment and violence in the community (see under **Equality and non-discrimination and Legal gender recognition**).

NGO Trans*parent presented its report The Hopes and Fears of Trans People based on survey responses from almost 400 trans people. One-third said they did not feel good in the country, listing almost 300 reasons.

DIVERSITY

One of the grand marshals of Prague Pride this year was David Tišer, a well-known Roma LGBT activist. The Roma LGBT community was also represented by a Pride float called ARA, in reference to the ARA ART organisation. Pride was broadcast by ROMEA TV.

EDUCATION

The lack of information on LGBTI rights and the discrimination experienced by LGBTI people in school continued to be a serious issue this year, and efforts to remedy this were met with resistance. For instance, a primary school invited a sexologist to talk to a class about being trans, because a trans student was in the process of socially transitioning. A parent complained about the session and in cooperation with the NGO Alliance for Family, filed a complaint to the Czech School Inspectorate. The Inspectorate agreed that there are grounds for complaint. Leading Czech sexologists issued a statement to support the school and the sexologist.

EQUALITY AND NON-DISCRIMINATION

The Ombudsperson's report (see under **Data collection**) found that more than a third of LGBT+ people had experienced discrimination in the past five year, which is more than three times than in the general population. The rate was significantly higher, 86 per cent, among trans people. Discrimination was most common in education and employment. The study further found that the vast majority of victims of violence and threats did not report to the police, a fifth because they did not trust them.

The Ombudsperson recommended the government to ensure that LGBT+ people are protected from discrimination, including in employment, healthcare and education; that SOGI grounds are included in the hate crime legislation; that the blood donation ban on LGB people is lifted; among others.

FAMILY

The equal marriage bill was filed in June 2018, but remained stalled in Parliament this year. On 26 March, the House of Representatives held its second debate on the bill, but after four hours of discussion, there was no time left for a vote. The Parliament has spent a total of seven hours debating. More than half of this time was taken up by opposing statements, primarily by the Christian Democrats (KDU+CSL), the conservative Civic Democrats (ODS) and the far-right SPD.

In the beginning of the year, Jsme Fer asked mayors to publicly support same-sex marriage and many did.

On 12 June, the first anniversary of the bill being tabled, Jsme Fer held a rally and called on the Prime Minister and parliament to move the process along.

FREEDOM OF ASSEMBLY

The annual Prague Pride took place in August, attracting 30,000 participants, slightly lower than last year. Counter-protesters attempted to disrupt the parade, but the police intervened quickly and successfully. During Pride week, a rainbow flag close to the Pride Village was set on fire and someone shot roman candles at people in the Village. On the night before the final Pride march, 20 litres of cooking oil were poured on the steps of Letná Park, the parade's end point. No one was hurt, and the police did not identify the perpetrators in either case. A Taiwanese delegation joined the parade, Taiwan being the first Asian country to introduce same-sex marriage. For the first time, the Prague City Hall flew a rainbow flag throughout Pride Week.

On 17 August, the first Pride March was held in the third largest city Ostrava, joined by approximately 300 people. Police kept counter-protesters away from the march.

LEGAL GENDER RECOGNITION

NGO Trans*parent launched the Jsme Trans/We are Trans campaign to increase the visibility of trans people and make sure legal gender recognition (LGR) is available on the basis of self-determination. Currently, the requirements of LGR include a psychiatric diagnosis, hormone therapy, surgery and sterilisation, and divorce.

> *"[This] still reinforces the position of the doctors here, which is not very desirable for trans people. They misuse and abuse their position toward [...] in applying diagnostic treatments and inquiries that are traumatising to trans people, inhumane and abusive."* - Viktor Heumann, Director of Trans*parent to the Bay Area Reporter

In her report (see under **Data collection** and **Equality and non-discrimination**), the Ombudsperson called on the government to ensure that LGR does not require trans people to undergo surgeries or sterilisation.

The Ministry of Justice prepared a bill to end mandatory sterilisation, in line with European Court of Human Rights jurisprudence. Although trans rights organisations advocated for the self-determination model, the bill retained the mandatory diagnosis requirement. However, the bill was set aside due to the resistance of the Ministry of Interior and the Catholic Church, who want to keep the sterility requirement.

A complaint to the Constitutional Court, by a trans person, T.H., challenging mandatory sterilisation is pending. Previously, the Supreme Administrative Court dismissed the case, arguing that maintaining the gender binary is essential to protect society.

PUBLIC OPINION

Surveys conducted this year showed that more than half of the population is in support of equal marriage, but there was a slight decrease compared to the past two years.

DENMARK

BIAS-MOTIVATED SPEECH

In April, football player Viktor Fischer called out football fans who targeted him with homophobic slurs during a game, noting that there is nothing wrong with being or being perceived as gay, unless it is used as a negative thing.

> *"I have nothing against being called one thing or another. The problem for me here is that the word 'homo' was used as an insult."* - Viktor Fischer to TV2

Fischer's team and the Danish Football Association (DBU) expressed support for Fischer, and condemned homophobia on and off the field.

DATA COLLECTION

SEXUS, the most comprehensive survey conducted on sexuality in Denmark to date, gathered responses from 200,000 Danes between 2017 and 2018. The results were released in October, and revealed that LGBT people scored significantly worse on health and well-being, including self-rated health, anxiety, loneliness, suicidal thoughts and attempts, than the general population. They also experienced more discrimination and violence.

EMPLOYMENT

In August, the Equality Ministry presented the results of its study about the situation of LGBT persons in the labour market. On a positive note, 69 per cent of LGBT people reported that they have not experienced bullying or negative comments at work. However, general workplace satisfaction among LGBT people is much lower than among cisgender heterosexual employees. The study showed that trans people were most likely to experience discrimination at work.

EQUALITY AND NON-DISCRIMINATION

In February, the city of Copenhagen became the first Danish city to adopt an LGBTI policy (2019-2023). The policy 'En ligeværdig del af fællesskabet' ('An equal part of the community') includes specific measures such as anti-bullying strategies or installing unisex bathrooms in public places.

Following the adoption of Denmark's LGBTI Action Plan (2018-2021) in 2018, numerous initiatives were started or finalised this year. Two studies commissioned by the government, were released (see under **Employment and Health**). The government established a knowledge centre for gender identity and provided funding that can cover roughly 1.5 full time salary. Limited funding opportunities were opened for applications for supplementary counselling for trans persons and initiatives for creating safety, well-being and equal opportunities. Limited - core funding was given to a few LGBTI organisations: Sabaah, LGBT Denmark and Copenhagen 2021 (in charge of WorldPride and EuroGames in Copenhagen in 2021).

The cross-ministerial working group that was established in 2018 to review the Danish legislation to identify inconsistencies and inequalities regarding LGBTI issues, had to postpone the finalising of its work due to the general elections. One issue addressed by the workgroup is the legal gender recognition for children and young persons under 18. Ministers have abstained from commenting on their positions until the working group releases its findings.

FAMILY

The bureau Statistics Denmark (DST) shared in August that the number of rainbow families had doubled since 2009, reaching a total of 1,465. However, different-sex couples are still more likely to have children.

HEALTH

In November, the Minister of Health confirmed that the Danish implementation of the 11th revision of the International Classification of Diseases (ICD-11) will not include placing the trans-related codes in a chapter on sexual health. In 2017, Denmark already depathologised trans identities by discontinuing giving trans diagnoses and replacing them with contact codes in a neutral chapter containing, for example, pregnancy, which also is not a disease. Thus, Denmark will continue diverging from ICD regarding trans related codes.

Complaints continued to be made concerning the Centre for Gender Identity of the Copenhagen regional hospital this year. The Centre continued to reject a number of applications, which was criticised and questioned by trans people and representative organisations. The Regional Council requested information from the Centre on the number of rejections and their reasoning, but have not received an answer to date.

The 2018 blood donation regulation, which replaced the permanent ban on men who have sex with men (MSM) with a four-month deferral period after having oral or anal sex, was implemented this year. The guidelines were presented in a public hearing in the spring, and an autumn hearing established that men who have never had sex with men will not have to take a Syphilis test.

The Health Authority published the study on 'Danish LGBT persons encounter with general practice', containing a literature review and a summary of interviews. The report puts forward 24 recommendations, including to address prejudicial opinions and lack of information of healthcare staff.

LEGAL GENDER RECOGNITION

The cross-ministerial workgroup (see under **Equality and non-discrimination**) has continued its work on proposing a regulation on legal gender recognition for minors. The regulation might set out an age limit, allegedly at the age of six. Civil society, including the trans children support association, Foreningen for Støtte til Transkønnede Børn, are against any limitation:

> *"The children run into a lot of practical problems in everyday life because they have a CPR [personal ID] number that does not fit the way they look and the way they perceive themselves [...]. For example, at the library, it causes discomfort when you try to borrow a book. You are constantly confronted with the fact that your CPR number does not match your appearance."* - Lind-Thomsen (Foreningen for Støtte til Transkønnede Børn) to the Kristeligt Dagblad

PUBLIC OPINION

Legal gender recognition for children and young persons sparked a public debate. Some perceived experts - e.g. a psychologist from the Danish branch of Save the Children - made uninformed comments in the press and there have been many aggressive posts on social media.

ESTONIA

BIAS-MOTIVATED SPEECH AND VIOLENCE

The UN Human Rights Committee expressed concern in April that the current hate crime and hate speech legislation does not protect LGBT people effectively. It called for legal reform, effective investigation and prosecution, data collection on SOGI-based hate crimes, and awareness raising.

EDUCATION

In November, the Estonian LGBT Association published the summary results of their survey focusing on safety in education, conducted among LGBT students in elementary, secondary, and vocational school. This was the first survey of its kind. The survey found that 68 per cent of LGBT students have experienced harassment in school due to their sexual orientation, gender identity or gender expression. 61 per cent said that school staff never intervened when someone made hateful remarks. Only 42 per cent reported that LGBT topics were mentioned in their school.

EQUALITY AND NON-DISCRIMINATION

After the parliamentary elections in the spring, a coalition was formed between the liberal party Keskerakond, the conservative Isamaa and the extreme right Estonian Conservative People's Party (EKRE). As part of the coalition agreement, the parties agreed that a referendum would take place proposing the definition of marriage as a union between a man and a woman. Constitutional amendments are not common in Estonia, so legal scholars already expressed the need for a thorough legal analysis before any vote.

FAMILY

In August, the Estonian Constitutional Court ruled that the sections of the Aliens Act on family reunification is unconstitutional for it only grants residence for partners in a marriage. The Court affirmed that residence must also be provided if the couple is in a registered partnership, entered in Estonia.

Tallinn's Administrative Court ruled in September, that sections of the Social Tax Act are also unconstitutional, whereby they only granted tax benefits to married couples. The Court stated that the same benefits must be extended to those in a registered partnership.

FREEDOM OF EXPRESSION

The far right EKRE has significantly increased its power in the past years, and gained 18 per cent of the votes during the parliamentary elections in March. In the current political landscape, EKRE is the only party, whose support base has grown since the last elections. EKRE stands firmly against immigration and LGBT rights (see under **Family**).

EKRE's growing power had a negative impact on freedom of expression this year. Media outlets and journalists have been urged to report conservative content across the board and self-censorship has been detrimental. Some reporters and journalists have resigned. As a response, Estonia's citizens have taken to wearing a "pink slime", which was used to describe liberal and left wing people by EKRE. The slur has been reclaimed and is uniting people for freedom of expression.

In January, the Rakvere City Council again refused to grant the full amount of funding that NGO SevenBow requested to organise its annual LGBT+ film festival. The Estonian Human Rights Centre sued the City Council in 2018 and again this year. In June, the Administrative Court revoked the City Council's decisions from both years and obliged them to pay the full sum.

HUMAN RIGHTS DEFENDERS

Several attacks targeted the Estonian LGBT Association this year, with the aim of intimidating and silencing human rights defenders. Most of these attacks were carried out by the far-right party EKRE and its members, and created a climate of fear within the LGBT community.

Anti-LGBT articles and news stories were published on a daily basis, for instance, regarding EKRE's plans to stop the provision of project funding to the LGBT+ Association. The Association, along with other NGOs, has received funding from the Ministry of Social Affairs in the past few years to deliver services complementing the Ministry's work. EKRE's own news channel also included several anti-LGBT+ stories. The feminist news portal Feministeerium was also targeted.

On 18 October, members of EKRE, including its district leaders in Pärnumaa and Saaremaa, disrupted the Estonian LGBT Association's event in Pärnu, which aimed to introduce the organisation's work to the local community. On 1 November, a

member of EKRE from Tartu, along with members from Pärnu, held a demonstration against an LGBT - themed youth centre event, intimidating youth workers as well as young LGBT people.

In October, the Foundation for the Protection of Family and Tradition (SAPTK) started a petition against the Estonian LGBT Association and spread misinformation about its work. NGO Ühiskonnauuringute Instituut conducted a survey on the topic of the Association's state funding, including questions based on false and derogatory claims.

The Prime Minister, whose party is in coalition with EKRE, made some statements against these actions, but these did not stop the attacks.

Civil society is deeply concerned that a governing party is set on the purpose of intimidating LGBT rights workers and the whole community, while its coalition partners are standing by. The Estonia LGBT+ Association stated that attacks against one community are an attack on the safety of the entire Estonian society. The NGO appealed to the public to urge the Prime Minister to stand firm against hate and harassment.

PUBLIC OPINION

The annual study commissioned by the Estonian Human Rights Centre found that for the first time this year, the supporters of the Registered Partnership Act outnumbered its opponents, 49 per cent to 39 per cent. Overall, however, public attitudes towards lesbians and gay men has not changed much in the past years. The acceptance rate has remained around 40 per cent. Respondents estimated the acceptance rate to be much higher, 60 per cent.

FINLAND

BIAS-MOTIVATED SPEECH

The anti-gender movement was vocal in Finland this year. The Aito Avioliitto (True Marriage) association appeared at different events and organised panel discussions with candidates of this year's parliamentary elections. In January, they were banned from participating in the annual Educa teachers' exposition in Helsinki, following widespread criticism from attendees and members of the Trade Union of Education (OAJ).

Prior to Helsinki Pride in June, Christian Democratic politician Päivi Räsänen published an open letter criticising the Church for participating in the Pride. Evangelical Lutheran archbishop Tapio Luoma responded by affirming that same-sex couples are warmly welcome at Church events. Following Räsänen's letter, a few hundred people formally left the Church. A police investigation on account of suspected incitement against sexual and gender minorities was initiated.

In September, the Media Regulator struck down a complaint against Finnish tabloid, Iltalehti, a concerning its reluctance to delete a reader's comment calling homosexuality a disease and wishing for "homosexuals" to be cured. The Regulator ruled that the comments posted in June, were an expression of opinion and not hateful or inciteful.

BIAS-MOTIVATED VIOLENCE

As reported by the police in November, the number of hate crimes on sexual orientation grounds increased by 27% in 2018, compared to the previous year. Reported hate crimes on other grounds all decreased during the same period.

BODILY INTEGRITY

The new government's programme (see under **Equality and non-discrimination**) commits to banning unnecessary and non-consensual cosmetic surgeries on intersex children.

As part of the National Action Plan on Fundamental and Human Rights 2017-2019, the government published a report on the experiences of intersex persons and the parents of intersex children, based on 18 interviews. The main findings include negative experiences of medical treatment, lack of clarity about their medical necessity, inability of parents to make an informed decision, lack of non-medical information about intersex, lack of peer and psycho-social support. The report also includes good practices in healthcare, education, and in law on the basis of Malta, Portugal, Germany and Iceland.

EDUCATION

In February, seven members of the Orivesi municipal council proposed a motion that children in daycares and schools should only be taught about two genders, male and female. The city concluded that this would be discriminatory and dismissed the motion.

The Institute for Health and Welfare published the findings of the national school health survey, finding that LGBTI children and youth experience significantly more of bullying, sexual violence, psychological and physical violence than their peers. They are also more likely to suffer from violence at home. The results informed the Action Plan for the Prevention of Violence against Children 2020–2025 which includes a specific chapter and action points to address violence against sexual and gender minority children and youth.

EQUALITY AND NON-DISCRIMINATION

Finland held its parliamentary elections in April. The new government's programme, headed by Prime Minister Antti Rinne, includes several important measures for LGBTI equality, but fewer than hoped by civil society (see under **Bodily integrity, Family, Health, Legal gender recognition**). Rinne left his position and Sanna Marin was elected as PM in December. Marin grew up in a rainbow family, which was discussed widely in international media.

FAMILY

On 6 March, the Helsinki Administrative Court ruled that the directive of Markku Mäkijärvi to provide fertility treatments only to heterosexual couples is discriminatory. Mäkijärvi, Medical Director of the Helsinki and Uusimaa hospital district, ordered in 2015 that fertility treatments should only be provided to people whose infertility is caused by a 'medical condition', excluding same-sex female couples.

The Maternity Act, establishing automatic co-parent recognition for female same-sex couples following fertility treatment, entered into force on 1 April.

A same-sex couple received compensation in August, after a public servant on the Åland islands refused to officiate their wedding due to his religious beliefs. The Ombudsperson for Equality facilitated the settlement between the two parties.
Discussions continued within the Evangelical Lutheran Church on officiating same-sex weddings. In March, a survey with 534 priests showed that 57 per cent would be happy to do it with the Church's approval. In June, the northern Finland administrative court ruled in favor of a priest who was reprimanded by the Oulu diocese for marrying a gay couple. The Church will appeal.

The government programme sets out a number of measures to improve the recognition of LGBTI parents, including the introduction of an Act on Parenthood to replace the Maternity and Paternity Acts and the regulation of non-commercial surrogacy.

FOREIGN POLICY

On 28 August, the government published a report recommending Finland to continue its work on protecting LGBTI rights at international fora.

FREEDOM OF ASSEMBLY

An increasing number of Pride marches were organised in smaller towns. This year, Pride took place for the first time ever in Lappeenranta and Loviisa. In Pori and Riihimäki, Pride was organised again after a few years' break. Helsinki Pride was held on 29 June, and for the first time was attended by the Prime Minister.

FREEDOM OF ASSOCIATION

Rainbow flags were stolen during Pride events in Kouvola and Lahti. It is suspected that a flag in Kouvola was burnt.

HEALTH

A number of trans people reported barriers to accessing gender affirming care this year. Although care is provided for those with a mental health diagnosis, it can be postponed if they have "unresolved" mental health issues and do not currently have a mental health care provider. Because queues for mental health clinics are long, trans people affected may not receive care in a timely manner, which could result in postponing access to gender affirming treatment for years.

Following extensive campaigning, trans healthcare provision for non-binary trans people was resumed this year.

The new government programme (see under **Equality and non-discrimination**) outlines that members of "gender minorities" will be provided individualised services when they need them." Civil society hopes this will mean improving gender affirming health services for trans and non-binary children and their families.

LEGAL GENDER RECOGNITION

The New Name law entered into force making it easier for people to change their name on the basis of their gender identity. Names can be male, female, gender neutral, or a combination. Young people can access the law from the age of 15, but only with their parent or guardian's consent if they are younger.

The new government committed to introducing the long-awaited gender recognition law reform process, abolishing the sterilisation requirement, ensuring that social security numbers are no longer gendered, and making parental laws gender neutral. The government programme fails to abolish the "credible statement" requirement, which may translate into an external evaluation; lower the age limit from 18; or introduce a third gender marker category.

FRANCE

BIAS-MOTIVATED SPEECH

Bilal Hassani, who represented France in this year's Eurovision Song Contest was subject to racist and homophobic hate speech on social media, receiving over 1,500 messages and threats. Local NGOs and much of the public supported the singer, and many reported the comments.

On 9 July, the Lower House of the French Parliament adopted a new hate speech law, which would compel online platforms to take down hateful content within 24 hours. Platforms, such as Facebook, could risk a €1.25m fine. The bill was tabled by MP Laetitia Avia, who receives racist threats on her social media sites on a daily basis. After the adoption, NGO Inter-LGBT expressed concern that the new law violates freedom of expression and will also prevent victims from reporting hate speech and law enforcement to hold platforms accountable. The bill has yet to be approved by the Senate. A similar law was introduced in Germany last year and other countries might follow these examples.

BIAS-MOTIVATED VIOLENCE

On 14 May, SOS Homophobie released its annual report revealing that in 2018 they recorded the highest number of hate crimes against LGBT people to date, a total of 231 cases. In 2017 the number was 139. The Ministry of Interior confirmed the alarming trend.

Two perpetrators, both minors, who physically abused two lesbians on a train in 2018, were sentenced to suspended prison terms in January. Only one of them was sentenced for committing a hate crime.

On the first anniversary of trans migrant sex worker Vanessa Campos's death in August, her friends and activists held a commemoration and called for justice. No one has been held responsible for her murder.

BODILY INTEGRITY

The draft law on bioethics (see under **Sexual and reproductive rights**) includes several major shortcomings, including the failure to ban intersex genital mutilation.

A number of committed MPs continued their efforts to ban conversion therapies and submitted a formal request to the Prime Minister's Office. The PM referred to the ongoing work against hate crimes and laws against torture and ill-treatment as being sufficient. A special investigative committee was set up in the Assembly, headed by the leader of the LGBT Caucus in the Lower House, Bastien Lachaud, and openly lesbian MP, Laurence Vanceunebrock-Mialon. The committee focuses on conversion therapies regarding both sexual orientation and gender identity.

DATA COLLECTION

SOS Homophobie released its annual report (see under **Bias-motivated violence**) presenting a dramatic increase in the number of cases of discrimination and violence against LGBT+ people and calling 2018 a dark year for the community.

EDUCATION

On 28 January, the Ministry for Education and Youth launched the All Equal, All Allies campaign, as part of which middle and high schools will issue guides and put up posters about LGBT+ rights. The campaign comes as a response to a stark increase in anti-LGBT+ bullying in schools last year.

EQUALITY AND NON-DISCRIMINATION

SOS Homophobie's report (see under **Bias-motivated violence** and **Data collection**) documented almost 2,000 cases of harassment and discrimination against LGBT+ people, which was largely echoed by the police. The Ministry of Interior announced a new plan to combat discrimination against LGBT+ people.

FAMILY

In February, the National Assembly amended the School of Trust Bill, making it mandatory for schools to use forms featuring the terms "parent one" and "parent two" instead of "mother" and "father". Several opposition parties criticised the amendment.

In May, the Court of Appeal in Paris legally recognised a foreign birth certificate featuring two fathers, for the first time. Their twins, born through surrogacy in Canada in 2014, were granted French nationality automatically. In December, the Court of Cassation ruled that foreign birth certificates that recognise same-sex parents, must be fully recognised in France.

On 24 July, the government launched the new draft law on bioethics, which was one of President Macron's campaign promises. The envisioned law will make assisted reproductive technology (ART) available for female same-sex couples and single women, scrap the requirement of pathological infertility, and recognise two women as parents. However, the draft was harshly criticised by civil society for its shortcomings. It fails to extend access to ART to intersex and trans people. It sets out different rules for same-sex and different-sex couples, including the need to have an advanced directive in place. It requires a note on the birth certificate saying how the child was conceived.

HEALTH

In July, the Minister of Solidarity and Health announced that the time referral for men who have sex with men who want to donate blood will be lowered from one year to four months. Civil society called on the Ministry to suspend the ban entirely and to focus on risky behavior instead of risk groups, the latter being stigmatising and outdated practice.

LEGAL GENDER RECOGNITION

In March, Minister of Higher Education Frédérique Vidal announced that he wanted all higher education institutions to use trans people's names as opposed to those on their documents. Roughly 15 universities had already introduced this practice.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In March and April, several football games were distrubed by homophobic chants. In May, the Ligue de Football Professionnel (LFP) announced its new action plan against homophobic slurs during games, highlighting that fines and a possible prison term as punishment. In July, President Macron stated that sports games should be immediately stopped if the crowd uses homophobic or racist language.

GEORGIA

BIAS-MOTIVATED SPEECH

Hate speech from politicians remained a challenge in 2019. In February, an MP of the "Georgian Patriots" tabled an initiative to eradicate the terms sexual orientation and gender identity from 14 laws. The initiative was not adopted.

Hate speech was also a common response to the Pride March (see under **Freedom of assembly**).

BIAS-MOTIVATED VIOLENCE

In June, renowned homophobe and public figure Levan Vasadze announced that self-organised groups, equipped with wooden clubs, would patrol Tbilisi to prevent Pride events. The Ministry of Interior stated that calling for the creation of such groups is illegal. However, no legal action was taken.

The Ministry of Internal Affairs set up the Witness and Victim Coordinator Service in July, to support victims and witnesses in cooperating with the police and prevent secondary victimisation. Measures include providing psycho-emotional support and information about existing support services.

EQUALITY AND NON-DISCRIMINATION

On 14 May, the anti-discrimination legislation was finally amended following years of delays in Parliament. The amendments are to strengthen implementation and the Public Defender's role. Private actors will now be obliged to cooperate with the Public Defender in discrimination cases, or will be fined otherwise. The Public Defender will also be able to file a lawsuit against state and non-state actors if they fail to implement its rulings. The amendment prolongs the period for admissibility in discrimination cases from three to 12 months, with the exception of labour disputes. Sexual harassment was also added to the law as a form of discrimination.

On 15 May, Victor Madrigal-Borloz, the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, published his report on his country visit to Georgia in 2018. The findings highlight the gap between a progressive legal, policy and institutional framework and effective implementation, especially regarding discrimination, hate speech and hate crime.

FREEDOM OF ASSEMBLY

In February, activists announced that they would hold the first Tbilisi Pride in the summer. NGO Women's Initiatives Supportive Group (WISG), held two community consultation events on the issue. On the basis of community input and the history of how LGBTI rights have been manipulated and used by political groups for purely political gain, WISG formally withdrew from participating in the Pride march. Several others criticised the event as well.

Pride week was planned to take place between 18-23 June, but organisers encountered numerous obstacles. Despite lengthy negotiations, the Ministry of Internal Affairs published a statement on 31 May saying that they were not able to provide adequate protection to the participants. The statement was condemned by human rights NGOs who called on the government and the Ministry to ensure the right of freedom of assembly. Due to the statement and a wave of public unrest, anti-Russia protests, and violent clashes with police, the organisers postponed the event. On 14 June, the Orthodox Church published a statement calling LGBT people sinners. Pride supporters protested outside the Government's Administrative Building and urged the Prime Minister and the Minister of Internal Affairs to support the march. The demonstration was disturbed by extremists, who threw eggs at the activists. 28 counter-protesters were detained.

On 17 June, Public Defender Nino Lomjaria called on the authorities to ensure LGBT people's freedom of assembly. Lomjaria received several threats afterwards. On the same day, 13 local NGOs published a statement in solidarity with Tbilisi Pride. After cancelling twice, the organisers held an impromptu Pride Parade in Tbilisi on 8 July. The half-hour event was successful and took place without any incidents. It was attended by 20 people, including LGBTI people, activists, politicians and NGO representatives. The rally ended when participants were informed that extremists were on their way to disrupt it.

> *"Smaller in numbers but we managed to get out safely. History in the making!"* - Giorgi Tabagari, Pride organiser on Twitter

On IDAHOT on 17 May, LGBT activists once again refused to hold a rally, because the government has used these events to falsely laud themselves at international fora.

FREEDOM OF EXPRESSION

On 14 May, the WISG Facebook page was cyber-attacked, allegedly by extremist groups. Facebook removed several of WISG's videos and the organisation was unable to post anything for a week, hindering their 17 May work.

On 5 November, the Ombudsperson called on the authorities to safeguard the right to freedom of expression and assembly of the LGBT+ community, following a study of cases over the past two years.

On 8 November, hundreds of far-right protesters blocked the entrance of the cinema at the premiere of the film 'And Then We Danced', which features a relationship between two male Georgian dancers. A rainbow flag was burned. Far-right leaders had previously announced they would disrupt the screenings. WISG appealed to law enforcement bodies, the state and the media.

HEALTH

WISG filed five cases to the Ombudsperson on trans people's access to healthcare this year, regarding the lack of free and quality medical care. The Ombudsperson met with the applicants and the applicants are awaiting for the final decision.

WISG became a member of the working group alongside five NGOs and the Ombudsperson to review the book "Forensic Medicine", which stigmatises LGBTI people.

On 17 December, the Constitutional Court ruled that the 10-year blood donation deferral period on men who have sex with men, that the Ministry of Health introduced in 2017, was disproportionately high and discriminatory. It is now up to the Ministry to put a new rule in place.

HUMAN RIGHTS DEFENDERS

On June 19, three Pride organisers received death threats. They reported the cases to the Ministry of Internal Affairs, but received no answer.

The attacker of trans activist Miranda Pagava was found guilty for petty hooliganism and ordered to pay a fine for the assault, which he committed in 2018.

LEGAL GENDER RECOGNITION

In October, a trans man who was denied legal gender recognition (LGR) because he had not undergone surgeries launched a case at the European Court of Human Rights.

The UN Independent Expert called for LGR legislation (see under **Equality and non-discrimination**).

POLICE AND LAW ENFORCEMENT

WISG took part in the working group created by the Ministry of Internal Affairs on improving institutional responses to hate crimes, including training for law enforcement. WISG was invited to train prosecutors and journalists, on addressing discrimination and violence on grounds of SOGIE.

PUBLIC OPINION

The results of this year's National Democratic Survey found that 27 per cent of respondents felt that protecting LGBTI rights is important. Similar to other years, LGBTI people remain the least supported minority group in the country.

GERMANY

ASYLUM

In February, the topic of amending the safe countries list was removed from the agenda of the second chamber of parliament, the Bundesrat. There has been no news since then.

BIAS-MOTIVATED SPEECH

In October, the Federal government adopted a package of measures to combat right-wing extremism and online hate speech, increasing the current penalties for incitement to, and approval of, criminal offences online.

BIAS-MOTIVATED VIOLENCE

The Ministry of the Interior shared that in the first half of 2019, 245 hate crimes were committed on the grounds of sexual orientation. NGO LSVD believes this is just a fraction of the total number. NGOs again urged the government to adopt an effective National Action Plan against homophobia and transphobia.

BODILY INTEGRITY

In June, Federal Health Minister Jens Spahn (CDU) announced the planned ban on conversion therapy. A study commissioned by Spahn earlier this year, found that roughly 1,000 people are subjected to conversion therapy annually. Spahn believes the current fine on practitioners, including therapists and religious figures, needs to be increased. The Ministry of Justice, in agreement with Spahn, prepared a draft on banning the practice on minors. The draft includes both SOGI, which was welcomed by civil society.

The government made no progress this year on banning non-consensual and medically unnecessary surgeries on intersex children.

EQUALITY AND NON-DISCRIMINATION

In November, the Bundestag continued the debate on whether the Constitution already protects LGB people from discrimination. Trans people are already assumed to be covered under "gender". For the first time this year the Christian-democratic party CDU supported amending the Constitution to explicitly include "sexual identity", which means two-thirds majority support. Only the far-right AfD maintained its opposition.

FAMILY

In September, NGO LSVD called on the new Minister of Justice Christine Lambrecht to continue the legal reform process her predecessor started, to recognise and protect rainbow families. The previous Minister aimed to establish automatic co-parent recognition for same-sex female parents, as they currently have to go through the process of second parent adoption. Although the draft legal changes were positive in this regard, they do not recognise prior to conception agreements between donors and parents. They do not recognise binding parental agreements, and explicitly refuse to recognise families where more than two people share parental responsibilities. The draft does not recognise trans and intersex parents in their self-defined gender identity, even if they have legally changed their name and gender. For instance, a trans father, who gave birth to the child and whose legal gender is male, will be registered in that child's birth certificate as the mother and under his previous legal name. This not only violates trans people's right to private and family life and gender recognition, but can also cause serious difficulties when traveling.

There is further need to recognise children born out of surrogacy abroad, or the possibility of a German birth mother's legally binding statement that she is not legally related to the child. Rulings on surrogacy have been negative to date. In April, for instance, the Federal Court ruled that a Ukrainian surrogate is recognised by law to be the mother of a child born back in 2015, even though she never claimed any such rights. The child was conceived with the sperm and eggs of a heterosexual couple, who are recognised as parents in Ukraine, but not in Germany.

In August, a regional court in Potsdam-Rehbrücke ruled in favour of having both fathers registered on their children's birth certificate. The children were born through surrogacy in the US. Previously, only the biological father was legally recognised.

The Federal Cabinet adopted a bill in November to extend stepchild adoption to non-married couples, including same-sex couples, if they have lived in a common household for at least four years.

FOREIGN POLICY

In November, the government's answer to the Liberal Party (FDP) confirmed the lack of implementation of the 2017 National Action Plan against Racism to regarding the inclusion of LGBTI rights in foreign policy and development cooperation.

HEALTH

In November, NGO Bundesverband Trans* launched its guidelines on the application of the 2018 German Standards of Care (AWMF 2018) to inform both trans people and medical professionals of its implications.

LEGAL GENDER RECOGNITION

On 8 May, the Ministry of Justice and Ministry of the Interior presented the draft reform bill on legal gender recognition that would amend Germany's 1981 law Transsexuellengesetz (TSG). The 40-year-old TSG pathologises trans people by requiring a psychiatric diagnosis and fails to provide legal gender recognition on the basis of self-determination. It is also inept with regard to acknowledging the third option gender marker ("diverse"), introduced in 2018.

The draft also failed to establish the self-determination model. Instead of two medical expert opinions, trans people would still be required to submit a "qualified advice" certificate and go to court before they can change their legal gender.

The draft also introduces the concept of "spousal veto", which severely violates trans people's right to self-determination. It further imposes a three-year waiting period before one can reapply and challenge a negative court decision or a spousal veto.

Intersex advocates also criticised the draft and noted the various hurdles it imposes on both trans and intersex people.

Civil society was given a total of two days to submit a response to the draft. NGOs, the equality body (Antidiskriminierungsstelle des Bundes), the human rights body (Deutsches Institut für Menschenrechte), and academic institutions firmly and unanimously criticised the draft and consultation process. In the end, the draft was not adopted. No information on the next steps has been released since May.

In September, NGO Bundesverband Trans* (BVT*) launched the campaign Say it Loud/Sagt es Laut, urging trans people and allies to record a video message to the government, asking them to introduce self-determination.

Since its introduction in 2018, the use of the "divers" gender option has proved to be very difficult for both intersex and trans people. Although the law only aimed to provide this option for intersex people and with a medical certificate or a sworn statement (in exceptional cases), its wording left room for binary and non-binary trans people as well. The Ministry of the Interior released a written clarification in April, restricting the scope to intersex people only. Although the law is binding, registry offices have mostly followed the Ministry's non-binding guidance and made it very difficult for trans people to use the "divers" option. Due to this legal uncertainty, the law has become more inaccessible for intersex people, too.

The government made no progress on stepping away from a medical and pathologising definition of intersex by reforming the Civil Status Law and allowing anyone to choose the legal gender "divers" if that is their identity.

POLICE AND LAW ENFORCEMENT

A trans woman, whose legal gender is female, was placed in a men's prison in Munich in November, because she had not undergone gender affirming surgeries. She is being held in solitary confinement, allegedly for her own protection. Civil society expressed grave concern.

PUBLIC OPINION

The 2019 Eurobarometer found that the acceptance of same-sex relationships in Germany has significantly increased since 2015. 88 per cent thought LGB people should have the same rights as heterosexuals (2015: 70 per cent), 50 per cent had no problems with a gay couple and 60 per cent with a lesbian couple kissing (2015: 27 per cent and 24 per cent). Support for third gender options among Germans was the fourth highest in the EU.

GREECE

ASYLUM

On 19 January, the County Court of Mytilene ruled that the name and gender registration of a refugee trans woman must be changed on her residence permit and travel document. The applicant was supported by NGOs Greek Transgender Support Association and HIAS Greece, a non-governmental organisation that offers legal aid to refugees and asylum-seekers. The Court's positive ruling reaffirmed a similar decision by the Thessaloniki Magistrates Court in 2018.

BIAS-MOTIVATED SPEECH

In January, Panos Kammenos, Minister of National Defense was sued by the Greek Helsinki Monitor for his homophobic hate speech against MP Georgios Amyras from the centrist party, To Potami. Kammenos's remarks were both homophobic and sexist. No official apology followed. Another parliamentary party condemned the hate speech, but was answered with similarly sexist language.

On 28 January, the Metropolitan Bishop of Kalabryta and Aigialeia Ambrosios was found guilty of incitement and abusing his religious function by a court in Aigio. In a statement in 2015, Ambrosios called gay people "abominations of society" and called on people to "spit on them". Ambrosius was acquitted last year, but the Aigio court gave him a seven-month suspended prison sentence.

In June, Color Youth hosted two awareness raising workshops for media professionals to prevent and address prejudicial and stereotypical portraying of LGBTI people.

BIAS-MOTIVATED VIOLENCE

On 11 March, the building housing the Checkpoint Prevention and Examination Centers was targeted by a homophobic arson attack. The Checkpoints provide free HIV testing to vulnerable groups.

In June, the Council of Europe SOGI Unit delivered its first trainings for police officers, judges and prosecutors on addressing discrimination and hate crimes against LGBTI people.
On 2 September, two gay men were verbally harassed and physically assaulted by police officers. NGOs demanded criminal and disciplinary investigation.

FREEDOM OF ASSEMBLY

The 15th Athens Pride, which took place on 8 June, was dedicated to LGBTI and HIV activist Zak Kostopoulos, who was brutally murdered by a shop owner last year (see under **Human rights defenders**). A large group of the participants marched to the shop and demanded justice for Kostopoulos, as his murderer was never convicted. On the evening of Pride, the Parliament was lit with rainbow lights in support of LGBTI rights. Counter-protesters were few in numbers.

Thessaloniki will host Europride in 2020, under the slogan "Welcome to the future where everyone can join!". This will be the first time that Europride takes place in a South East European country.

HEALTH

On 20 May, the working group of the Ministry of Health presented its conclusions on how to ensure equality and non-discrimination in healthcare and improve access to services. The conclusions set out that the relevant legislation and the Code of Medical Ethics need to be amended to include sexual orientation and gender identity as protected grounds; that trans people's access to healthcare must be improved by promptly changing their personal information in the state-run electronic system following their legal transition, with a view to protecting their privacy; that trans and intersex persons must not be pathologised and labeled as having a "mental illness"; that all gender affirming healthcare services must be fully covered by insurance; that medically unnecessary and non-consensual surgeries to change one's sexual orientation or gender identity must be banned; that blood donations by LGBTI people must be allowed; and that all laws, decrees, decisions and circulars hindering the equal treatment of LGBTI people in healthcare must be repealed or amended. The Greek Transgender Support Association was also part of the working group.

HUNGARY

ACCESS TO GOODS AND SERVICES

On 11 July, the Equal Treatment Authority (ETA) ruled that a company in Hollokő discriminated on the basis of gender identity when it refused to rent out pieces of traditional Hungarian clothing to a trans customer.

BIAS-MOTIVATED SPEECH

On 15 May, Speaker of the Parliament and former President László Kövér (Fidesz) stated that "morally there is no difference between the behaviour of a paedophile and the behaviour of someone who demands" same-sex marriage and adoption sparking outrage. On 19 May, Budapest Pride organised a demonstration and launched the #leveletlacinak ("letter to Laci") campaign.

On 14 June, Fidesz deputy leader István Boldog asked Parliament to ban Budapest Pride. On 26 June, extremist party Mi Hazánk/Our Homeland called for the same.

BIAS-MOTIVATED VIOLENCE

In March, Mi Hazánk live-streamed the disruption of a discussion on LGBTQI Roma people in Szeged. The attackers performed a Nazi salute, put up a huge banner saying "Stop homosexual propaganda!", tore out projector cables and verbally harassed the attendees with homophobic and racist slurs.

A day after Budapest Pride Festival opened, extremists posted "Stop the Fag Propaganda" stickers outside the Auróra community space, Budapest Pride's headquarters. Later in June, they disrupted a screening and discussion about education in June and a pansexual dating event at TámPONT. Police intervention was delayed and ineffective.

On 24 June, extremists returned to Auróra, but the participants kept clapping and chanting for 20 minutes, and the police eventually ordered the outsiders to leave. In July, they disrupted an event on school activism and one on religion, and told the organiser to commit suicide. In September, they occupied Auróra for three hours. Similar attacks were carried out in September and October.

A participant of this year's Budapest Pride March was spat on and kicked in the stomach after the event.

In August, a girl was beaten up in Bénye for carrying a rainbow bag.
Háttér launched the "Louder than Hate" campaign to encourage victims to report hate crimes to the police.

BODILY INTEGRITY

On 16 January, the 'That's The Question' TV show on channel M5 sparked outrage from civil society with a discussion on the usefulness of conversion therapies regarding sexual orientation.

The first openly intersex person gave a public speech in November.

EDUCATION

In June, Dóra Dúró's (Mi Hazánk) motion to ban sensitising trainings on LGBTI issues in schools was rejected by the Parliament's Committee on Culture. NGOs Labrisz and Szimpozion, who run such programmes, issued a statement.

EMPLOYMENT

On 29 March, a case at ETA ended in settlement. Alíz Medgyesi reported her employer for forbidding her to change in the women's changing room, following her legal and medical transition in 2018. The employer apologised and promised access to the facilities.

FAMILY

In April, the Ombudsman found that the Government Office of Somogy Country discriminated against a gay couple. The Office failed to grant an exception, provided for by the law, to one of the men, who comes from a country where same-sex relations are criminalised. Asking for an approval form from his home country could have put him in serious danger.

FREEDOM OF ASSEMBLY

This year's Budapest Pride Festival was run over the course of a month, with events in several cities. The Budapest Pride March on 6 July, attended by roughly 15,000 people, took place without cordons. A counter-demonstration was held nearby, but its participants were held back by the police.

Activists in Pécs announced that they will hold the first Pride March outside the capital next summer.

The first ever Trans March took place in Budapest in November, urging authorities to allow access to legal gender recognition.

FREEDOM OF EXPRESSION

On 29 May, the ETA imposed a €3,000 fine on the Budapest Mayor's Office for blocking LGBTI websites on its local network earlier this year. The authority said this harmed the respective organisations and the whole LGBTI community.

A few days ahead of the Sziget Fesztival in August, Coca Cola launched a poster campaign featuring same-sex couples. A petition gathered over 41,000 signatures requesting that the campaign be shut down. A few days later Coca Cola announced it would change the posters and instead of couples, they would only feature rainbows, but not because of the reactions. On 11 August, seven organisations, including Budapest Pride, held a solidarity march. On 14 October, the Pest County Consumer Protection Department fined Coca-Cola 500,000HUF for "harming the physical, mental, emotional and moral development of children and minors".

HEALTH

In February, the private dental clinic that refused to treat a patient because of HIV positive status in 2017, settled at the ETA and offered to treat the patient.

As part of Háttér's community building project for people living with HIV, a peer support group was set up. Háttér's research found that 53 per cent of interviewees experienced discrimination and 45 per cent hostile social attitudes because of their HIV status, most commonly in non-HIV-specific healthcare.

LEGAL GENDER RECOGNITION

Although the new government decree 429/2017 on legal gender recognition came into effect in 2018, procedures continue to be suspended since last May. Some applicants turned to the European Court of Human Rights.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Trans NGO Transvanilla held the second Trans Cultural and Community Festival in Budapest in March.

On 25 April, Péter Ungár MP (Lehet Más a Politika/Politics Can Be Different) came out in an interview. His transphobic comments a few weeks later sparked outrage within the community. László Sebián-Petrovszki became the second openly gay MP.

POLICE AND LAW ENFORCEMENT

In July, the police adopted a protocol on investigating hate crimes, mandating each police headquarters to appoint a designated officer, and train police officers.

PUBLIC OPINION

The Eurobarometer 2019 found that Hungary was one of a handful of EU countries where the social acceptance of LGB people has decreased since 2015. Following Bulgaria, Hungarians were also the least supportive of legal gender recognition or third option gender markers.

A new study found that for the first time, those supporting same-sex marriage outnumber those against.

Háttér's research found that only 17 per cent of Hungarians believed that "normalising surgeries" should be performed in all cases, while one-third thought medically unnecessary surgeries must be postponed until the child can make decisions about their own body.

ICELAND

BIAS-MOTIVATED SPEECH

In July, a gay man was denied entry to a nightclub in downtown Reykjavík because of his perceived sexual orientation. The bouncer at the door said "gays are not allowed inside". The nightclub later apologised and fired their employee.

In September, a group of 10-15 neo-Nazis gathered in the centre of Reykjavík, flying the flag of the Nordic Resistance Movement and trying to engage with people. This was the first such action in the city.

BIAS-MOTIVATED VIOLENCE

A trans woman was physically assaulted by two men in a Reykjavík suburb in June. Candice Aþena was on her way home when the men approached her, and after realising she was trans, kicked her in the face. This is not the first time Candice has been harassed.

In November, Samtökin '78 launched a page on their website, where people can report cases of hate crimes, hate speech, or discrimination. Four reports were submitted before the end of the year.

BODILY INTEGRITY

The parliament adopted the Gender Autonomy Act (see more under **Legal gender recognition**) in June. Regrettably, the law falls short of protecting intersex people. The provision outlawing medically unnecessary and non-consensual surgeries on intersex children was removed before the adoption. Instead, a newly set up committee will discuss the issue and decide over next steps in the coming 12 months. Local intersex activists expressed grave concern.

> *"These practices are rooted in disgust, that our bodies aren't good enough, that they don't look the right way"* - Kitty Anderson (Intersex Iceland) to the Thomson Reuters Foundation

Civil society worked hard for a positive legal change. Intersex Iceland, Samtökin '78, and Amnesty International Iceland produced short videos to show solidarity with trans, non-binary trans, and intersex people. AI Iceland also released a report this year, entitled 'No shame in Diversity: The right to health for people with variations of sex characteristics in Iceland'.

FREEDOM OF ASSEMBLY

The 20th Reykjavik Pride Parade took place on 17 August, as part of a ten-day cultural festival.

FREEDOM OF ASSOCIATION

Asexuals in Iceland and Trans friends - parents and guardians of trans youth and trans children - both became affiliate members of Samtökin '78 in March.

FREEDOM OF EXPRESSION

During the official visit of US Vice President Mike Pence at the Höfði house in the capital, IT company Advania and Iceland's largest trade union, Efling flew rainbow flags outside their buildings closeby. During his official meeting with Pence, Iceland's President Guðni Jóhannesson wore a rainbow bracelet. A protest was also organised by Samtökin '78 and other NGOs.

LEGAL GENDER RECOGNITION

On 18 June, the Parliament passed the Gender Autonomy Act. The Act replaces the previous requirements of mandatory diagnosis and medical interventions for legal gender recognition, and introduces the self-determination model. It also allows for anyone to choose the gender marker X. The law falls short of ensuring the rights of trans youth. Legal gender recognition will be available to minors only with parental consent or if unavailable, with the agreement of an expert panel. The draft initially placed no limit on the number of times a person can change their legal gender. The adopted version, however, limits it to one, except in special circumstances.

> *"The whole purpose of the law is that people have the right to determine their legal gender and name [...]. Putting restrictions on that is against the whole idea of the law. I guess we'll just have to see how this works in practice, because in the law, it doesn't really say who makes the decision on what is 'special circumstances.'* "Ugla Stefanía Kristjönudóttir Jónsdóttir to the Reykjavík Grapevine

Prior to its adoption, the Synod of Iceland (priest gathering) sent a letter to parliament expressing support for the Act. The Synod also stated that a lecture by Samtökin '78 helped them understand the issues better, and that they are now allies.

POLICE AND LAW ENFORCEMENT

No Borders activist, Elínborg Harpa Önundardóttir was arrested at Reykjavik Pride in August. She was on her way to meet friends, carrying a "queer liberation" sign and wearing a pink mask, when the police stopped her, allegedly because she was in a restricted zone. She was told to remove her mask and leave the area. When she started recording the encounter and called her friends for support, the police pushed her to the ground, arrested her, and took her to the police station. Önundardóttir claimed the police targeted her because she is a known activist.

IRELAND

ASYLUM

In May, the Committee on Justice and Equality of the Houses of the Oireachtas (parliament) started a public consultation on the asylum process and 'Direct Provision' accommodation system in Ireland, highlighting the double isolation and marginalisation experienced by LGBTI asylum seekers. The direct provision system, established and described in 2000 as an interim measure, provides temporary housing for asylum seekers.

EDUCATION

The National School Climate survey by BeLonG To and Columbia University, found that almost three-quarters of LGBTI teenagers feel unsafe in schools.

The National Council for Curriculum and Assessment (NCCA) conducted a review with students, educators, parents/guardians and other stakeholders of relationship and sexuality education (RSE) in primary and post-primary schools. The NCCA's draft report recommends that RSE is grounded in the rights and needs of young people; adopts a holistic approach; consults with students regularly, and aims to integrate LGBTI+ identities and sexual health into the curriculum.

Similarly, the Oireachtas committee for education published a report and made recommendations to the Minister of Education and Skills, Joe McHugh, on RSE.

EQUALITY AND NON-DISCRIMINATION

In May and June, a new nationwide, civil society campaign to highlight and address the harm caused by homophobia, biphobia and transphobia in Ireland, was launched. The "Call It Out" campaign was led by Transgender Equality Network Ireland (TENI) and the team from the Hate and Hostility Research Group at the University of Limerick.

An LGBTI+ group was established in the Houses of the Oireachtas and held its first informal meeting on 26 June, primarily to support LGBTI+ members and staff.

FAMILY

In November, Minister for Health Simon Harris signed the commencement orders for Parts 2 & 3 of the Children and Family Relationships Act 2015, which were the last remaining provisions of this Act to be commenced. These provisions will commence on 5 May 2020, allowing female couples who conceived their children through a registered Fertility Clinic, to both be able to register as parents. Previously, it was only the mother giving birth who was a legal parent. Parents will be able to register as 'mother', 'father' or 'parent'.

LGBT Ireland and Equality for Children continue to campaign to get legislation brought forward that will regulate for surrogacy and other donor assisted reproduction to enable other LGBT+ families to be able legally recognised.

FREEDOM OF ASSEMBLY

The Houses of the Oireachtas raised the rainbow flag at Leinster House on 29 June to mark the occasion of Dublin LGBTI+ Pride and the establishment of the LGBTI+ group (see under **Equality and non-discrimination**).

Pride 2019 in Dublin saw a divergence in the community with some individuals within an activist group called Queer Action Ireland organising Pride Alternative, a demonstration to protest the corporatisation, commodification, and reification of LGBTI+ identities by businesses, the state and the Gardaí (police service) in Pride. Queer Action Ireland is now a grassroots activist group committed to queer liberation and community organising.

The second Trans Pride parade took place in July with over 1,000 people marching. Speaking at Merrion Square, Sara R. Philips, chair of TENI, spoke about the importance of guarding against a rise of transphobia as awareness increases.

> *"Now more than ever we need to be together, we need to stand together, believe in each other and have each other's backs. Most of all, fight back."* - Sara R. Philips, chair of TENI at Dublin Pride

FREEDOM OF ASSOCIATION

In August, Black Pride Ireland, dedicated to the nurturing and uplifting of queer black people in Ireland, was set up. They participated at Galway Pride.

HEALTH

The This is Me - Transgender Healthcare Campaign launched

a sit-in in the Department of Health in April, demanding a meeting with Minister of Health, Simon Harris to discuss the developments that need to be made to the accessibility of trans healthcare. Following this, This is Me founder, Noah Halpin met with Minister Harris in May, who appointed him to the steering committee created by the government and the Health Service Executive (HSE) regarding trans healthcare. TENI already have two appointees to the steering committee.

A further trans healthcare rally took place on 22 September outside the Dáil, highlighting that the current service is inadequate, with waiting times now estimated at over two years. No improvements have been made since the 2017 report of the Irish Commission for Human Rights and Equality, which stated that trans healthcare is in violation of the European Social Charter, is inadequate, and that "treatment is not guaranteed in practice."

LEGAL GENDER RECOGNITION

On 29 November, the Minister for Employment Affairs and Social Protection Regina Doherty published the Report on the Review of the Gender Recognition Act. Civil society welcomed the recommendations to make legal gender recognition (LGR) available to 16 and 17-year-olds on the basis of self-declaration with parental consent. However, it remains concerned that trans youth under 16 will have no access to LGR and those not identifying with binary genders will have no way to get legal recognition of their gender identity. Another review will take place of the legislation under the new recommendations in two years time.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

The National LGBTI+ Inclusion Strategy was published by the Department of Justice on 28 November, including recommendations under Visibility and Inclusion, Equal Treatment, Health and Safety.

The Gaelic Athletic Association (GAA) took part in the Dublin LGBTI+ Pride parade for the first time. A few days earlier the first openly gay Gaelic football referee, David Gough appeared on RTÉ's The 'The Late Late Show' and talked about his difficult experiences in the sport. Gough made history by becoming the first openly gay man to referee the men's senior All Ireland football final in September.

POLICE AND LAW ENFORCEMENT

For the first time this year, members of An Garda Síochána (police service) in uniform took part in Dublin's LGBTI+ Pride parade.
Public opinion

Over 4,000 people signed a petition in January to protest the inclusion of 'Father Ted' TV writer Graham Linehan in a special edition of the TV programme, 'Prime Time' on RTÉ, Ireland's national broadcaster. This edition was a special programme dedicated to trans youth. Linehan had made many transphobic comments, including comparing trans activism to Nazism. A protest was also held outside RTÉ on the night of transmission. The programme went ahead as planned. RTÉ received many complaints, but made no formal comment or apology.

SEXUAL AND REPRODUCTIVE RIGHTS

A PrEP HIV prevention programme came into effect on 4 November, as promised by the Minister of Health, Simon Harris.

ITALY

ASYLUM

On 22 October, a Ministerial decree listing "safe countries" came into force. The list includes 13 countries of which five (Algeria, Ghana, Morocco, Senegal, Tunisia) criminalise same-sex relations. The decree failed to make an exception for LGBTI asylum seekers. Asylum seekers from safe countries will undergo a "fast track procedure". No appeals are possible. 51 civil society organisations signed an appeal against the decree.

BIAS-MOTIVATED SPEECH

On 14 January, a court in Turin ruled that descriptions of the LGBTI movement aiming to "spread paedophilia" by anti-LGBT speaker Silvana de Mari, amounted to defamation.

The annual meeting of the anti-LGBT World Congress of Families, supported by the government, was held in Verona on 30 March. Civil society delivered over 143,000 signatures to the government, protesting the meeting. Tens of thousands held a demonstration on the day of the event. Activists projected huge displays declaring, "Love Makes a Family" in the city.

BIAS-MOTIVATED VIOLENCE

Numerous hate crimes against LGBT people were documented this year, including two murders in May and June. On the occasion of IDAHOT, Arcigay released its documentation of hate crimes and discriminations that were committed against LGBT people in the past 12 months. Arcigay collected 187 cases, which marks a stark increase compared to 119 in the previous year. As a response, Arcigay launched a campaign against homophobia and transphobia.

BODILY INTEGRITY

As part of the UPR, Italy was recommended to ban medically unnecessary and non-consensual surgeries on intersex children.

The UN Committee on the Rights of the Child recommended Italy to implement a human rights based healthcare protocol for intersex children, ban non-consensual and medically unncessary surgeries, guarantee bodily integrity, autonomy and self-determination to children concerned, and provide families with intersex children with adequate counselling and support.

DIVERSITY / EDUCATION / EMPLOYMENT

On 19 February, the Court of Cassation reaffirmed the judgment of the first instance court from 2014 and found in favour of a manager, who was repeatedly called "faggot" by his employer.

On 1 May, Arcigay launched the Have I Told You?/Te L'Ho Mai Detto? campaign to increase the visibility of LGBT people in employment, featuring six protagonists from the community.

The opinion of the CJEU Advocate General, Eleanor Sharpston, published on 31 October, established that an interviewee on a radio show, who said he would never hire a "homosexual" person, violated the principle of equal treatment set out in Council Directive 2000/78/EC.

ENLARGEMENT / EQUALITY AND NON-DISCRIMINATION

On 27 July, the region of Emilia-Romagna adopted the "Regional law against discrimination and violence on the basis of sexual orientation or gender identity". The adoption was preceded by a 39-hour discussion in the Regional Council.

Three Italian trans women were stopped and returned from the airport when arriving for holiday in Egypt, because their gender expression did not match the legal gender in their IDs. Arcigay highlighted the case as a prime example of how delays in legal gender recognition affect trans people.

Italy underwent its third UPR review in November and received 17 recommendations on LGBTI issues, including to renew the National LGBT Strategy.

The CRC recommended Italy to prevent discrimination and if needed, take affirmative action for the benefit of LGBT children and children of LGBT parents.

FAMILY

In January, the Ministry of the Interior amended the decree on "issuing electronic ID cards", setting out that electronic ID cards for minors will be issued at the request of "the father and the mother". The previous wording included "parents". The amendment discriminates against children who have same-sex parents.

On 8 May, the Court of Cassation ruled that a Canadian ruling recognising two fathers whose child was carried to term by a surrogate is not valid in Italy. The Court stated that surrogacy is contrary to public order, constitutional values, and the dignity of women. The partner of the biological father will have to apply for stepchild adoption.

On 18 June, the Constitutional Court confirmed the constitutional legitimacy of the ban on same-sex couples accessing IVF.
On 21 October, the Constitutional Court declared the case of two mothers in Pisa, regarding the registration of their child, inadmissible.

On 11 November, the Court of Cassation referred a case to the joint chambers of the Court on whether full same-sex adoption processed abroad should be recognised in Italy, where only married (different-sex) couples can adopt.

Italy received a UPR recommendation to recognise same-sex parents and allow for adoption by same-sex couples.

FREEDOM OF ASSEMBLY

A record number of 43 Pride marches took place this year.

HEALTH

A lack of available hormones had a harmful impact on the trans community this year, affecting those using testosterone. Although the shortage is the fault of the company producing the drug, activists warned that it is a symptom of the failing trans healthcare system in the country. Most health clinics failed to obtain hormones from abroad.

The drug Progynova, used as part of hormone replacement therapy, was moved to a different cost coverage category (Fascia A to Fascia C). From 1 October onwards it will have to be fully paid for by users. This results in a 300 per cent price increase.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Gianmarco Negri, Italy's first trans mayor was elected in the town of Tromello in May. Negri beat the candidate of the far-right League party.

"The politics of arrogance, violence and oppression, sooner or later will be overcome by a kindness revolution."
- Gianmarco Negri, Mayor of Tromello to The Guardian

PUBLIC OPINION

Results of the first European survey on SOGI based discrimination in sports were published in May. The study found that the level of homophobia and transphobia in sports was higher in Italy than the European average.

The Eurobarometer survey, published in September, found that Italy continues to be below the European average in terms of social acceptance of LGBTI people.

KAZAKHSTAN

ACCESS TO GOODS AND SERVICES

In November, a hotel in Almaty refused to host an event for human rights defenders, organised by Labrys. The hotel management said they believed that the LGBT movement is illegal in Kazakhstan.

BIAS-MOTIVATED SPEECH AND VIOLENCE

Following the resignation of Nursultan Nazarbayev, Kazakhstan held presidential elections on 9 June. During the campaign period Sadi-Bek Tugel, one of the (unsuccessful) candidates, spoke out against the lesbian and gay community, as well as sex workers, saying that they are against "Kazakh mentality" and "cannot be tolerated".

On September 27, the Kazakh bureau of the Radio Free Europe released an interview with a gay man, who was lured on a fake date in July in Nur-Sultan by two men and was tortured, raped and humiliated. After hours of abuse, Ayan managed to escape and call for help. The police detained Ayan's attackers and investigation is ongoing.

Local human rights groups documented over 40 cases of bias-motivated speech and violence between January-July, including in employment, in education, and at home. Some parents told them they should be taken to Chechnya or that they should have been aborted. Some were repeatedly detained by police and threatened with violence unless they shared names of other LGBT people. Several shared that they were later considering suicide.*

BODILY INTEGRITY

In September, a young queer woman in the capital reported* that she was subjected to conversion therapy by her parents. The family got recommendations for "therapy" from the Ministry of Health.

EDUCATION

On 8 March, the UN Committee on Economic, Social and Cultural Rights (CESCR) recommended Kazakhstan to prevent and combat bullying and violence against LGBT students.

EQUALITY AND NON-DISCRIMINATION

The CESCR recommended Kazakhstan to combat discrimination against LGBT persons and adopt comprehensive anti-discrimination legislation that includes SOGI. Kazakhstan received the same recommendation as part of its third UPR review.

On 14 March, the European Parliament adopted a resolution on human rights in Kazakhstan and called for the elimination of discrimination against LGBT people.

In May, two trans women who were forcibly returned from a vacation in Egypt, were denied any assistance by their travel agency, returned to an airport on the other side of the country, and had to cover the incurred travel costs.

In a landmark decision published on 30 July, the Supreme Court ruled that two lesbian women will receive compensation from a Facebook user, Eldar Mamedov, who posted a video of them kissing without their permission in 2018. The video was viewed over 60,000 times, soliciting homophobic comments. The court ruled that the posting violated the victims' right to private life. The first instance court had sided with the women. The second instance court had then stated that "[Kazakhstani] society is not ready for open sexual relations between people of the same sex", that the behavior of the plaintiffs violated "the morale and moral foundations of society", and that Mamedov "acted as a defender of the morals of the population". On 22 July, several UN Special Procedures expressed grave concern about this reasoning. The Supreme Court's ruling is viewed as the first legal victory for LGBTI rights in Kazakhstan.

The Criminal Code sets out criminal liability for rape in Article 120. However, "lesbianism" and "sodomy" carried out with force or threat, are singled out under Articles 121, 122, and 123. On 11 September, the President announced that the government will increase liability for serious crimes, and retain these articles.

FAMILY

The European Parliament resolution (see under **Equality and non-discrimination**), recommended Kazakhstan to ensure equal rights for same-sex couples.

FREEDOM OF ASSEMBLY

Between February and September, feminist and queer activists repeatedly submitted individual applications to the Almaty City

Hall to hold a women's march. All their attempts were rejected on the basis that other events were scheduled in the same place. The City Hall then had a meeting with one activist, in which the authorities expressed a concern that LGBT people may attend the demonstration. In the end, the assembly was authorised and the first feminist assembly in the country took place on 28 September, focusing on the topic of domestic violence.

On August 24, activists submitted a request in the capital Nur-Sultan and Almaty to hold the first LGBT rallies, but both were denied.

Activists held a demonstration on 8 December in Almaty. The event was aimed to focus on the visibility of LBTQ women, but the city did not agree to that. The event took place in a small square, the only place where public campaigns are allowed to be held. This case exemplifies well restrictions on the freedom of assembly.

FREEDOM OF ASSOCIATION

The Almaty Justice Department denied registration to the feminist group Feminita three times between 2018 and 2019, on arbitrary grounds. After numerous appeals, the City Court ruled in September that the group does not aim to strengthen moral values and the family, as required of charitable institutions by the law. According to Feminita, the Court referred to "LBTIQ" being explicitly mentioned in the group's Charter.

In March, the CESCR (see more under **Equality and non-discrimination**) recommended the authorities to guarantee an enabling environment for NGOs, especially LGBT groups by allowing them to freely register.

On 14 August, nearly 30 activists from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan founded the first Central Asian Regional LGBT+ platform.

Kazakhstan received UPR recommendations to create an enabling environment for LGBTI rights activists.

FREEDOM OF EXPRESSION

An art exhibition 'Silly Jokes' was displayed in Astana and Almaty in the spring, marking the 70th Anniversary of the Universal Declaration of Human Rights. Pro-feminist and LGBT artists were among those featured: Kuanysh Bazargaliev presented a piece depicting a traditional Kazakh warrior with a rainbow flag.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

A trans prisoner, Victoria Berkkhodjaeva reported to her lawyer and Kazakhstan's National Preventive Mechanism, that an employee in the Zhaugashty women's prison repeatedly raped her in July. A criminal investigation is ongoing.

HEALTH

In April, Feminita started a research project on the right to health for LBQT women and trans men, finding experiences of mistreatment in medical settings.

On 7 June, a trans woman with a chronic heart condition called an ambulance for help, but was met with a hostile paramedic who called her a "faggot" and a "freak", threatened to kill her, and threw her out of the ambulance. The victim was scared to report the case.

SEXUAL AND REPRODUCTIVE RIGHTS

Feminita's healthcare project (see under **Health**) found that LBTQ women have low level of awareness about HIV and STIs and also very little access to friendly HIV centres in cities, which only cater to sex workers and men who have sex with men. Some LBTQ women are forced to pretend they are sex workers to access these centres.

**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.*

KOSOVO*

BIAS-MOTIVATED SPEECH

In February, the Prosecution initiated (ex-officio) a case against an official in the Ministry of Justice for hate speech against LGBTI people. In a comment on social media the official wrote that homosexuals and LGBTI people should be beheaded. The police took him into custody and held him for 48 hours. LGBTI organisations were unable to get further information regarding the case.

The conservative party Fjala held a press conference on the day of Pride Parade on 10 October, claiming that the march is against the country's values, culture and traditions. Fjala does not have any parliamentary seats.

BIAS-MOTIVATED VIOLENCE

The parliament adopted the new Criminal Code in January, introducing the prohibition of hate crimes and hate speech on grounds of sexual orientation and gender identity. The law entered into force on 14 April. Civil society welcomed the positive legal change, which was hard fought for over the past few years.

A total of 10 hate crimes were reported to the authorities this year, of which eight are pending, and in two the perpetrators were found guilty. An additional 13 cases were only reported to LGBTI organisations.

EQUALITY AND NON-DISCRIMINATION

On the occasion of IDAHOT, 17 May, local NGOs Centre for Social Development (CSGD) and Centre for Equality and Liberty (CEL) held a conference on the 'Constitutional and Equal Rights for LGBTI Persons' in Pristina. The conference focused on legal recognition for same-sex couples in the draft Civil Code and legal gender recognition.

The Advisory and Coordination Group for the LGBTI community, which was created by the government back in 2013, published a new National Action Plan 2019-2022 in April. None of the measures set out in the Action Plan were implemented in 2019.

FAMILY

NGOs CSGD and CEL, together with other human rights organisations, submitted their recommendations to the Ministry of Justice, with regard to the draft Civil Code and legal recognition for same-sex partnerships. The coalition of NGOs recommended either introducing gender-neutral language in the provision on marriage, or adding a new provision on civil unions between same-sex partners. The recommendations were not included in the last published draft. Civil society, which participated in all the public discussions regarding the Civil Code, explained that the exclusion of same-sex partnerships contravenes the Code's principles and numerous articles of the Constitution. If adopted, civil society threatened to refer the issue to the Constitutional Court. Due to the political situation, i.e. not having a government in place, the process is currently stalled.

FREEDOM OF ASSEMBLY

For the third consecutive year, Pride week was successfully held without any incidents. The opening event was held in the government building of the President.

The organisers hosted a conference on measures required by the new government to address some of the key LGBTI rights issues.

The Pride march took place on 10 October. The organisers received no threats prior to the events and media reporting was largely positive.

LEGAL GENDER RECOGNITION

On 2 August, the Court of Appeal issued a historic decision, approving the legal gender recognition of M.P., a trans man, and allowing him to change his name and gender marker. The person's request was first denied by the local Civil Status Office in the town of Prizren, but the local Basic Court ruled in M.P.'s favour.

> *"The Basic Court incorporates and recognises the right to gender identity of persons who may, at a later date, without surgical intervention, request a change of gender."*
> - Court of Appeal

However, the Ministry of Interior and the Civil Registry Agency stated that the judgment will not be considered as precedent and other trans people will have to go through a similar court procedure. Civil society criticised this position and called for regulations on legal gender recognition.

In October, the Constitutional Court found the appeal of Blert Morina inadmissible. Morina filed an appeal after the refusal of the Civil Registry Office and the Civil Registry Agency to change his gender marker and name in 2018. The Court argued that the case should first go to the lower courts.

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

KYRGYZSTAN

ACCESS TO GOODS AND SERVICES

Four cases were recorded this year, where taxi drivers refused to drive trans women. Following a complaint, taxi company Namba fired their driver and invited NGO Kyrgyz Indigo to train its employees.

BIAS-MOTIVATED SPEECH

In March, following the International Women's Day rally (see under **Freedom of assembly**) in Bishkek, news platforms published derogatory articles, public figures and politicians made hateful statements, including threats of violence. MP Jyldyz Musabekova said that those not conforming to their traditional roles should be cursed and beaten. She warned that Kyrgyzstan will soon become "Gayistan". Other politicians made similar statements, some calling for the resignation of Bishkek's mayor. Others included imam Chubak Ajy Jalilov and leader of the Qyrq-Choro Nationalist Movement, Zamirbek Kochorbaev. The Prosecutor General failed to investigate any of these cases.

A photo of a trans woman carrying an "I am proud of being trans!" banner, went viral and stirred hatred and incitement.

A few days after the march, Amanbol Babakulov (Qyrq-Choro) threatened the government with violence should they permit the 1 May picnic. Kochorbaev commended vigilantes for later attacking (see under **Freedom of assembly**) the picnic.

A number of activists living abroad, including a gay activist in Germany, wore the traditional Kyrgyz kalpak at Pride marches, stirring public debate.

In October, a Bishkek court ruled that NewsTV's release of a video featuring a trans woman last year, which caused a lot of hate speech, was illegal. This was the first successful case of an LGBTI person suing the media.

BIAS-MOTIVATED VIOLENCE

A bisexual man was forced to leave the country in January, after two brutal attacks in 2018. The man reported the first incident to the authorities, when he and his friend were beaten up by a group. The second attack was allegedly orchestrated by the police to "teach" the victim that LGBTI people shall not file complaints with the police. During this attack, the word "gay" was carved on the man's body.

In March, Radio Free Europe broadcast an interview with a trans woman, who was attacked and abused by a group of men. The Ministry of Health stated in the video that transphobic violence is common.

A taxi driver refused to drive and assaulted two trans women in Bishkek on 5 May. Other taxi drivers helped to force the women out of the car. Following a complaint, the Prosecutor General replaced an officer who deliberately hindered the investigation. The case is ongoing.

A trans sex worker activist was detained by the police in June without explanation. She posted a live stream and contacted a local news agency.

In June, a trans woman who had been hiding from her family was found by her brother and beaten up. Her whereabouts are currently unknown. In August, a lesbian woman was locked up by her family and abused by her brother. She fled to a shelter.

BODILY INTEGRITY

A lesbian woman was subjected to conversion therapy this year. She was strangled by the imam and lost consciousness three times. She was too frightened to report the case.*

DIVERSITY

Two LGBTI NGOs participated in organising the Women's March. The 8/365 movement of feminist and LGBTI activists was established.

EQUALITY AND NON-DISCRIMINATION

In March, the Prime Minister signed the Human Rights Action Plan (2019-2021), which includes preventing discrimination and violence against LGBT people and adopting a comprehensive anti-discrimination law. On 4 April, Ombudsman Tokon Mamytov met with members of the NGO Equality Coalition to discuss cooperation.

On 10 December, the Ombudsman and UNDP held a meeting with representatives of the Parliament, government, the presidential apparatus and civil society on human rights, and raised violence and discrimination against LGBT people.

FREEDOM OF ASSEMBLY

Two days before the International Women's Day, the authorities attempted to stop the annual Women's March. However, after brief legal debates, the march was permitted. This year, public attention was drawn to slogans and banners on LBTI rights - some have called it the first Pride march in Central Asia.

> *"It is important to attend the rally despite the pressure and attempts to ban it. [...] I joined the rally to demonstrate that I will not be silent [...]."* - Nazik Abylgazieva, Labrys activist (quote from Global Voices)

Public figures, MPs and religious leaders said the march was LGBTI "propaganda" (see under **Bias-motivated speech**).
On 26 April, Labrys's event at the local LGBT+ club in Bishkek was raided by policemen and homophobic activists, including Alexandr Tolmachev of the anti-LGBTI NGO Antiterror, allegedly to carry out a drug search.

An event of the 8/365 Movement on 1 May, was attacked by Qyrq-Choro vigilantes. The 8/365 Movement called on the President to condemn and investigate such attacks. No response followed.

FREEDOM OF ASSOCIATION

On 13 March, the Deputy Chairman of the State Committee for National Security, proposed a law to monitor civil society, including regarding funding, referencing Russian laws as good example.

To further tighten control over civil society, the draft law "On amendments to the law of the Kyrgyz Republic" was initiated in August, allowing for the inspection of NGOs.

FREEDOM OF EXPRESSION

On 19 April, the 'International Assembly of Youth' held a press conference in Bishkek urging the government to ban "LGBT propaganda" that "threatens the country's survival."

HEALTH

Kyrgyz Indigo conducted its first TRANSIT trainings in May, one for 30 medical professionals, and one for 25 trans people, to increase the quality of trans healthcare and mobilise the community.
The first trans health conference focusing on Central Asia was held in September in Kyrgyzstan.

HUMAN RIGHTS DEFENDERS

Following this year's rallies, several activists were targeted by threats, and some were thrown out of their homes. A Labrys staff member and her partner suffered verbal and physical abuse from her family and left the country.

LEGAL GENDER RECOGNITION

Although LGR does not require surgery, trans people continued reporting that they were required to present proof or surgeries. A trans man was denied LGR in April by the Sverdlovsky District Office and a trans woman in May by the Sokuluk District Office.

POLICE AND LAW ENFORCEMENT

Kyrgyz Indigo documented eight police violence cases this year and reported the police's failure to protect the 1 May picnic to the Ethics Commission.

In May, the Ministry of the Interior included a section on LGBT rights in the police academy manual.

SEXUAL AND REPRODUCTIVE RIGHTS

Kyrgyz Indigo conducted a training for trainers on SRHR at the State Medical Institute for Retraining, which retrains doctors.

SOCIAL SECURITY AND SOCIAL PROTECTION

**Some of the information about Kyrgyzstan was shared with ILGA-Europe by activists and so far had not been public.*

LATVIA

BIAS-MOTIVATED SPEECH

Over 500 anti-LGBT posts were removed by a social media platform this year. 20 of these were reported to the police, but criminal proceedings were only initiated in two cases.

BIAS-MOTIVATED VIOLENCE

A total of 29 anti-LGBT hate crimes were reported to Mozaika this year, of which most (17) targeted gay men. The crimes included sexual and physical assault, blackmail, and arson. The victims did not report the cases to the police. The number of crimes signal an increase - in 2018, 22 cases were reported.

DIVERSITY

On 12 February, the Open Centre association launched the Latvian Diversity Charter, joining a number of other EU Member States. The Charter is a voluntary declaration to foster equality, inclusion and respect for vulnerable groups, including the LGBTI community. It has been signed by over 40 entities, including state institutions, municipalities, companies, and organisations.

FAMILY

On 20 June, the Saeima/Parliament voted down the proposal to send draft partnership legislation to the Parliamentary Commissions for review. 23 of 101 voted in favour, 60 against, and one abstained. The draft would have legally recognised same-sex unions. The bill was introduced by the parties Development/For! and New Unity. This was the third time that the Saeima rejected such an initiative.

In July, the UN Committee on the Elimination of Discrimination against Women requested information from Latvia to confirm that same-sex couples are included within the notion of family used in national laws, policies, programmes and strategies, in line with the Committee's general recommendation No. 21.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

Two cases of attempted human trafficking were reported to Mozaika this year by Latvian trans women. After providing support to the two women, Mozaika was threatened by the traffickers. They referred the case to an NGO working in the field.

PUBLIC OPINION

The Eurobarometer 2019 survey found that even though social acceptance of LGBTI people in Latvia has slightly increased in the past four years, it continues to lag far behind the EU average. 72 per cent of those in the EU say there is nothing wrong with same-sex relationships, compared to only 25 per cent in Latvia. The support for same-sex marriage is 69 per cent in the EU, compared to 24 per cent in Latvia. Latvia scored a little better on attitudes towards legal gender recognition, 41 per cent in support versus the EU average of 59 per cent.

SOCIAL SECURITY AND SOCIAL PROTECTION

The first LGBT House was opened on 27 November in Riga. The House will provide services to the LGBT community and their friends, including legal and healthcare services. Free HIV testing is also available.

LIECHTENSTEIN

EQUALITY AND NON-DISCRIMINATION

Human rights NGO Verein für Menschenrechte (VMR) started coordinating civil society cooperation and setting up a network to support LGBTI youth, involving LGBTI NGO FLAY, youth workers, and other experts. The first meeting will take place in 2020.

FAMILY

In 2018, a gay couple applied for a marriage license at the Civil Registry Office. Same-sex couples are not allowed to marry in Liechtenstein, but they can enter a civil partnership since the 2011 Partnership Act. The Administrative Court ruled that the Marriage Act restricting the right to marry to couples "of different sexes" is in violation of the Constitution. The Court referred the Marriage to the State Court for constitutional review. In September this year, the State Court ruled that the wording does not violate either the Constitution or the European Convention on Human Rights. The couple had to withdraw their application for marriage.

LITHUANIA

BIAS-MOTIVATED SPEECH

In March, the national LGBT rights organisation LGL published a media reporting and reference guide for journalists and others on the rights of LGBT people and the discrmination they face. On the basis of this guide, LGL organised eight training sessions in 2019 for a total of 200 media students and professionals.

In May, LGL disseminated 10,000 leaflets about homophobic and transphobic hate speech ("Hate is Not a Family Value") among the residents of the five biggest Lithuanian cities. The action was a response to fliers that were previously mailed to homes, inciting hate against LGBT people and calling for a ban on Baltic Pride. In June, the Ombudsperson for Journalist Ethics concluded the leaflets amounted to hate speech and were in violation of the Law on Provision of Information to the Public.

The public broadcaster reported in June that hateful anonymous comments are alarmingly common on Lithuanian sites. As an example, there was a stark rise in anti-LGBT comments on articles about this year's Baltic Pride in the capital.

In the same month, LGL launched a survey on online hate speech incidents against LGBT people. The results will be published in 2020.

BIAS-MOTIVATED VIOLENCE

In February, LGL launched two initiatives ("Hatred is not a Family Value" and "Identify and Report") to reduce LGBT-motivated hate crimes. Through a series of public and awareness raising events, the campaigns seek to encourage reporting, and educate on the legal basis of LGBT-related hate crimes and hate speech.

In April, the rainbow pedestrian crossing was re-painted outside the LGL office, in preparation for Baltic Pride. The action was sponsored by the Embassy of Canada in Lithuania, private donors and NGOs. In September, the crossing was vandalised and painted blue.

DIVERSITY

In June, ten brands released their logos in rainbow colors to support Baltic Pride. The campaign was coordinated by the popular magazine Žmonės (People). In September, the campaign received the prestigious 'Baltic Best' advertising award. This was the first time that local companies and organisations openly supported the Pride events.

EQUALITY AND NON-DISCRIMINATION

In September, the Parliament began to discuss draft amendments to the Law of Equal Treatment, as initiated by the Office of the Equal Opportunities Ombudsperson. Although the Ombudsperson had considered gender identity related cases under the ground of "gender", the current draft law does not explicitly include gender identity as one of the protected grounds against discrimination. On 14 November, LGL submitted a formal proposal to the Parliament to remedy this. This proposal is in line with the official position of the Ministry of Justice, i.e. to include this ground and expand the legal definition of prohibited discrimination.

FAMILY

On 11 January, the Constitutional Court delivered a landmark judgment concerning the residence permit for the same-sex spouse of a Lithuanian citizen. The case dates back to 2015 when a Belarusian citizen married a Lithuanian man and applied to the immigration authorities for permission to live together with his spouse in Lithuania. The case was referred to the Constitutional Court in 2016, after the Migration Department rejected the request. The Constitutional Court affirmed that the Constitution protects the family life of same-sex couples, and that it safeguards against discrimination based on sexual orientation, and also on gender identity. It also reminded that, as noted in a 2011 Constitutional Court ruling, the Constitutional concept of family may not be derived solely from the institute of marriage; marriage is one of the foundations of the family, but that does not mean that no other form of family than marriage is protected under the Constitution. The Constitutional Court also noted that, unlike the constitutional concept of marriage, the constitutional concept of the family is, among other things, gender-neutral. Human rights defenders are hopeful that this will bring about broader legislative changes and provide for recognition and protection of same-sex unions in the near future.

FREEDOM OF ASSEMBLY

Baltic Pride 2019 March For Equality successfully took place on 8 June in Vilnius, with a record number of 10,000 participants and without any incidents. The event was part of the broader Baltic Pride Festival (4-8 June), which also featured a human rights conference on 6 June. The conference included panel discussions on this year's theme, "Towards a Future European Roadmap for LGBTI Equality" through governmental, civil society and business lenses.

Baltic Pride is held in Lithuania once every three years, and this was the fourth time it took place there. This year's theme was "We Are Family". After the march, the crowd celebrated in a park nearby. This year 15min, a leading national media outlet, was the official media partner of Pride, becoming the first news site in the country to openly support LGBT rights.

FREEDOM OF EXPRESSION

In October the national broadcaster LRT aired an online documentary "Spalvos" ("Colours"), which included stories on same-sex parenting. Despite numerous complaints, the Radio and Television Commission concluded that public information on same-sex parents does not qualify as "detrimental information to the minors". The online petition in support of the documentary collected more than 10,000 signatures.

LEGAL GENDER RECOGNITION

Following 14 successful applications in 2018, trans people continued to be able to access legal gender recognition (LGR) through a judicial procedure this year, without surgery or sterilisation. 9 successful cases were recorded this year.

In June, the Office of the Equal Opportunities Ombudsperson issued a national report on the situation of trans people in Lithuania. The report found that due to a lack of regulations in place, trans people face numerous challenges even after LGR, including in healthcare, private and family life and other areas. In August, the Ministry of Justice announced that it is putting the ongoing LGR reform process on hold, because the issue needs to be examined in more detail.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Tomas Vytautas Raskevičius, LGBT activist and previous staff member of LGL, was elected to be a member of the City Council of Vilnius in the municipal elections in March.

In May, LGL jointly led the Europe-wide campaign #WeDeserveBetter, to enhance digital empathy, tolerance and respect in debates and public discourse on the European Parliamentary elections.

LUXEMBOURG

BIAS-MOTIVATED VIOLENCE

Jean-Baptiste Pouthas, a French gay man was attacked in the Gare district of Luxembourg after a Pride party in July. Despite calling out for help, none of the passerby came to his rescue. Pouthas reported the case to the police.

A few weeks earlier, the Minister of Justice announced that anti-LGBT motives will be considered as aggravating circumstances in an upcoming law reform. Minister Braz reminded that combating violence against LGBT people is part of the country's first LGBTI Action Plan 2018-2023.

EDUCATION

A primary school maths book will be removed from the market because it includes stereotypical portrayals of gay men. The Minister of National Education agreed that the maths exercise including two boys, called Xavier and Étienne, who want to paint their rooms pink, was not appropriate. The excercise refers to the country's Prime Minister Xavier Bettel and Deputy Prime Minister Étienne Schneider, who are both gay.

FOREIGN POLICY

In his speech at the 2019 UN Climate Action Summit in New York on 23 September, Prime Minister Xavier Bettel called on world leaders and said everyone had a duty to challenge hate speech.

> *"I never wanted to be the gay prime minister, but I'm the prime minister and I'm gay. [...] Being gay was not my choice. But not to accept it is a choice. [...] Homophobia is a personal choice. And we have to fight against it."* - Xavier Bettel at the UN Climate Action Summit

Earlier in July at the EU-Arab League summit, Bettel spoke to countries where the death penalty is imposed on same-sex relations, pointing out he himself could be killed.

During his visit to Mexico in April, the Prime Minister commended the Mexican government on its progress on LGBT rights and urged for more action.

MALTA

ASYLUM

An interview with a Tunisian couple in September, highlighted the plight of LGBTIQ asylum seekers in Malta. Fleeing potential imprisonment and death, the couple has been in Malta for two years but remained in legal limbo, with no indication of when and if they would be granted asylum. In the end, one of them was granted status, and the other is waiting for a decision from the appeals board.

BIAS-MOTIVATED VIOLENCE

The Equality Act (see under **Equality and non-discrimination**) includes amendments to the hate crime legislation that would ensure the legal provisions are applicable to individuals and groups alike.

BODILY INTEGRITY

On 26 June, the UN Committee on the Rights of the Child recommended Malta to protect intersex children from all non-consensual and unnecessary medical or surgical procedures, which continue to be practiced despite the ban. Civil society warned that sanctions for these harmful practices were only introduced in 2018, three years after the law was adopted, and that they are much lighter than in the case of female genital mutilation. The CRC also called for support for families and their intersex children and redress for victims.

EDUCATION

In April, the Ministry for Education and Employment launched two National Policy documents: a Policy on Inclusive Education in Schools: Route to Quality Inclusion and a National Inclusive Education Framework, to guide educators, schools, parents, professionals and all other stakeholders.

In April, MGRM issued its report of the 2017 Malta National School Climate Survey, partnered with GLSEN and Columbia University, finding an urgent need for a safe and affirming learning environment for LGBTI students. The report also highlights the positive impact of supportive staff, inclusive policies and curricula. The SOGIGESC Unit is working with the Directorates of Education on a pilot intra-curricular programme with two volunteer middle schools, the plans to extend the program to all middle schools. The Unit held a meeting with the Minister for Education on measures to increase inclusion. In July, a meeting with Education Officers of six key subjects (Personal, Social and Career Development, Social Studies, Ethics, Science, English and Maltese) tackled the themes, incorporating them within each thematic syllabus.

EQUALITY AND NON-DISCRIMINATION

In July, the Equality Act and Human Rights and Equality Commission Act were tabled in Parliament. The Act reached the Committee stage, but is expected to be adopted in 2020.
The Equality Act aims to ensure legal certainty and elevate the principle of equality to a right in itself, and make it applicable to all spheres of life. The Bill also implements the Twelfth Protocol to the European Convention into national law. Once passed, the Equality Act will provide for anti-discrimination measures outside of employment on a range of grounds including sexual orientation, gender identity, gender expression and sex characteristics, as well as providing for cases to be brought on intersectional grounds.

The Human Rights and Equality Commission Act provides for the establishment of a body, in line with the Paris Principles and EU equality legislation, responsible for the promotion and protection of human rights including the right to equal treatment and non-discrimination in Malta.

As part of Malta's second LGBTIQ Equality Strategy and Action Plan (2018-2022), the government launched the All Welcome campaign in June. This campaign encouraged businesses to register through the Equality Ministry and attend an information session, to receive a sticker they can post by their entrance to show that they are LGBTI-friendly. The reaction from the community was mostly negative, with criticism being that the action is turning the clock back in Malta - LGBTI-friendly businesses should be a given by now. Others however welcomed it, saying that businesses and public spaces need to hold diversity training, and proactively create a safe atmosphere for LGBTI people. The campaign is currently on hold.

In September, the SOGIGESC Unit held its first annual conference reporting on the implementation of the LGBTIQ Equality Strategy and Action Plan and published its first Annual Report detailing progress made.

FAMILY

Until September, the Rainbow Families Network has welcomed 27 families, including 36 same-sex parents, and eight parents of trans children. The Network was set up by MGRM and the Malta Foundation for the Wellbeing of Society last year and focuses on organising discussions and information exchange.

HEALTH

Malta's first Gender Wellbeing Clinic, which opened in 2018, has been successfully running and providing services to trans people, including counseling, hormone therapy and other gender affirming healthcare. Up until November, the Clinic had received close to 125 referrals.

On 7 January, the government presented Malta's new guidelines Transgender Healthcare Services, an outcome of lengthy consultations with civil society and other key stakeholders that took place last year. Services will range from primary care, gynecologic and urologic care, reproductive options, voice and communication therapy, psychological support, psychiatric care, psychotherapy and hormonal and surgical treatment. Care will be provided by a multidisciplinary team, including pediatric experts to ensure that the needs of trans children and youth are met.

A lifetime deferral ban on blood donation for men who have sex with men (MSM), was revised and as of September, the deferral period is reduced to one year. Such a lengthy deferral period is still perceived as discriminatory by LGBTI civil society.

POLICE AND LAW ENFORCEMENT

The Ministry for European Affairs and Equality instructed the police to refer to individuals in gender neutral terms in their media reports, to avoid misgendering trans people or exposing their gender assigned at birth without their consent. The SOGIGESC Unit is currently working with the Malta Police Force to develop a policy which deals with trans, intersex and genderqueer persons in police detention.

PUBLIC OPINION

The Eurobarometer, released in October, found that societal support for third option gender markers in the EU was the highest in Malta with 67 per cent.

SEXUAL AND REPRODUCTIVE RIGHTS

While protocols allowing for lesbian couples to access reproductive health services are in place, the licencing of third-party gamete donation is still in the process of being finalised.

MOLDOVA

BIAS-MOTIVATED SPEECH

On 13 September, several online sources distributed fake news about NGO GENDERDOC-M Information Centre, claiming that they distributed leaflets about gay sex to university students. Hundreds of homophobic comments were posted in response.

EQUALITY AND NON-DISCRIMINATION

GENDERDOC-M expressed concern in a public statement about the re-election of Valeriu Ghileţchi, deputy from the incumbent Parliament, as President of the PACE Commission for the Appointment of new judges to the European Court of Human Rights. Ghileţchi is a firm opponent of LGBTI and women's rights. In the end, Ghileţchi's mandate as parliamentary expired, and he was no longer eligible to be re-elected in the role.

FREEDOM OF ASSEMBLY

The LGBTI Moldova Pride Festival took place for the 18th time this year, and the Solidarity March was held on 19 May in Chisinau. The March was held under the motto "I am OK" and was attended by hundreds of supporters. A counter-demonstration was organised by prayer groups with the slogan "It's not OK to be gay", but no violent incidents took place. The conservative anti-LGBT 'Family Festival' was held parallel to the march, supported by President Igor Dodon. Moldovan MP Dumitru Alaiba was the first MP to ever participate in the march. He shared a post on social media in support of the Pride events:

> *"No one, under any pretext, can tell you how to dress, what language to speak, which god to pray for, whom to love. […] And think well – what's the biggest problem in our country, really: the LGBT community or those who stole a billion dollars?"* - MP Dumitru Alaiba

HUMAN RIGHTS DEFENDERS

On the night of 30 May, a car belonging to GENDERDOC-M's lawyer, Doina Ioana Străisteanu, , was set on fire. This is the third time her car was damaged. Străisteanu has been subject to death threats and harassment in the past for her work on LGBT rights. The perpetrators were not found.

POLICE AND LAW ENFORCEMENT

On May 22, three young gay men were lured on a fake date by a police officer. The officer met the three men at the Bălţi railway station, searched and questioned them and gave them a 'moral' lecture. He also took some of their money in exchange for letting them go. The three victims filed a complaint with the Ministry of Internal Affairs; the case is with the Prosecutor's Office.

MONACO

FAMILY

On 4 December, the Parliament adopted a law introducing civil unions for both same-sex and different-sex couples. The law will come into force in 2020. Those in a civil union will have their rights recognised in case of illness, inheritance rights, and co-ownership of a lease. However, the law does not grant the same rights as to married couples in the spheres of adoption or parental rights. In 2018, the Monaco received UPR recommendations to provide legal recognition for same-sex couples and to grant them equal parental rights.

MONTENEGRO

BIAS-MOTIVATED VIOLENCE

The attacker of a trans woman in 2017, was sentenced to four months in prison in February, less than the minimum six months. The High Court later annulled the sentence.

On 28 August, a trans man was attacked in Kolašin. The attackers went to the man's house and when he answered the door, beat, insulted and humiliated him until he lost consciousness. The case was reported and police have arrested three suspects. The Prosecutor labeled it as violent behaviour. The court case is ongoing.

EDUCATION

The first survey on Discrimination against Transgender and Gender Diverse Students in high schools was conducted by Spectra in 2019. The survey uncovered widespread prejudice and lack of knowledge, but also found that students would support trans peers. For instance, a third think that trans and gay meant the same and a fifth are not sure. 40 per cent think that the existence of men and women will be threatened if society accepts trans people. One in two students think that trans people are mentally ill, and 38 per cent believe that it is not normal for a person to change their gender. However 62 per cent would support trans students, and 60 per cent believe that trans people should have equal rights.

EQUALITY AND NON-DISCRIMINATION

A new LGBTI Strategy was adopted in April and includes more concrete measures, a clear budget and indicators than the previous one.

On 18 June, the Committee on Social Affairs in the municipality of Kolašin adopted Montenegro's first local LGBT action plan with a large majority of votes. Bijelo Polje was the second town to follow. These positive developments follow continued cooperation between the municipalities and NGO, Juventas and Queer Montenegro. The two organisations are also working with Podgorica and Kotor and hope that others will follow. The action plan was rejected in Mojkovac.

FAMILY

On 19 July, the Parliament voted on the Law on Life Partnerships of the Persons of the Same Sex, but there was a lack of majority support and the law was not adopted. NGOs expressed their deep disappointment and stated that this failure is not only a sign of Montenegro's lack of commitment to LGB people, but is also a major setback in the democratic process. Although the law was criticised by civil society for creating a separate institution for same-sex couples, it would have provided legal recognition - something that does not exist under Montenegrin law. A new vote on the proposal had been scheduled for December but was again postponed until 2020.

FREEDOM OF ASSEMBLY

In 2018, the Constitutional Court established that the 2015 ban on Nikšić Pride violated the right to peaceful assembly of the members of LGBT Forum Progres and Hiperion. On 13 January this year, the Supreme Court examined the case again and accepted last year's ruling. However, instead of simply reversing the original judgment of the Administrative Court, it decided to return the case for a re-trial. Local NGOs warned that this causes further unnecessary delays in the plaintiffs' right to exercise their freedom of assembly and shows that legal protection is inefficient in Montenegro.

Two gatherings held by trans people took place in Podgorica and Kolašin this year. These were the first such events outside the capital.

HEALTH

On 12 March, the Deputy Ombudsman Siniša Bjeković published an opinion, establishing that two nurses at the Podgorica Health Centre engaged in transphobic and discriminatory behavior when they laughed at Hana Konatar, a trans woman who came for hormone therapy. Konatar is an activist with Association Spektra. She asked the facility to take steps to prevent future discrimination against trans people. The case will now be examined by the Commission for Quality Control.

The lack of hormonal treatment for trans women remained unaddressed by institutions this year, including the Ministry of Health. A Commision for Transgender Health was established in the Clinical Centre in July, and is now in process of developing guidelines on informed consent, a baseline for depathologisation.

LEGAL GENDER RECOGNITION

The national LGBTI Strategy sets out that Montenegro must put a legal framework in place for gender recognition by the end of 2023, and respect international standards when doing so.

POLICE AND LAW ENFORCEMENT

On 1 July, the LGBT community Trust Team and the Police Directorate held their first meeting. Last year, the new Chief of Police, Veselin Veljović promised to re-establish the Trust Team between the police and NGOs to facilitate trust-building and cooperation in tackling anti-LGBT hate speech, hate crimes, and discrimination. The attendees agreed that the Team's Action Plan must be renewed. Meetings are now being organised on a monthly basis.

PUBLIC OPINION

In February, a survey commissioned by the Ministry of Human and Minority Rights revealed a significant change in attitudes regarding the human rights of LGBT people. 47 per cent of citizens believe that the human rights of LGBTI persons are not respected, compared to 30 per cent in 2016. There has also been a drop in anti-LGBTI attitudes. 30 per cent said that LGBT people are harmful and dangerous and need to be "fought" (2016: 50 per cent). 73 per cent show a positive attitude towards their child attending scientific lectures on LGBT people (2016: 45 per cent), but only 27 per cent would be ready to support their child immediately if they were LGB. Support for same-sex couples displaying affection in public decreased from 70 to 50 per cent. However, 64 per cent of Montenegrins would have no problem with a politician being LGB.

> *"Attitude towards LGBT people in Montenegro is definitely experiencing significant changes, first and foremost in a positive sense [...]. This research may be the announcement of a new Montenegrin society and [we] hope that the attitudes shown in this research will come to life both in practice and on a daily basis."* - Željka Cetković, Program Associate at the Center for Civic Education to Fosmedia

NETHERLANDS

ASYLUM

Although the LGBTI Asylum Policy was amended in 2018 to abandon several stereotype-based credibility criteria, COC found that its implementation remains seriously flawed.

In April, the State Secretary made it easier for LGBTI people from Nigeria to obtain asylum, but announced in July that Iranian LGBTI asylum seekers will no longer be granted asylum automatically, as the situation has allegedly improved. COC sent a letter to the Secretary and Parliament arguing the contrary.

BIAS-MOTIVATED SPEECH

In April, Steven Anderson, a preacher of anti-LGBTI hate, announced a visit to the Netherlands. Following civil society protests, the government banned Anderson from entering the country.

BIAS-MOTIVATED VIOLENCE

Several cases of anti-LGBTI violence caught national attention. An action plan against anti-LGBTI violence was sent to Parliament in April, but civil society warned that it lacks concrete measures and instead focuses on existing achievements. After a protest, the Parliament demanded additional measures, such as obligatory training for the police, more support for LGBTI-teams within the police, and a pilot with specialised hate crime officers.

In May, the Lower House increased penalties for inciting discrimination.

BODILY INTEGRITY

In May, the Lower House requested the government to draft a bill banning LGBT conversion therapy, to research its forms and prevalence, and how to end it.

The government failed to implement the 2018 recommendation of the UN Committee against Torture (CAT) this year, to ban non-consensual and medically unnecessary treatment on intersex children, and provide redress for victims. However, in December the Lower House requested the government to investigate these practices.

EDUCATION

Education on respect for sexual diversity was made obligatory in all vocational schools, as had been the case for all primary and secondary schools since 2012. Education on sex diversity is not obligatory.

EMPLOYMENT

In May, the Parliament requested the government to investigate barriers for trans people in employment, including regarding leave and sick leave, and how to improve their employment situation.

EQUALITY AND NON-DISCRIMINATION

250 prominent orthodox-protestants signed the Dutch version of the anti-LGBTI Nashville Declaration, leading to public outcry. Many churches raised the rainbow flag in response.

On 3 July, the Equal Treatment Act was successfully amended by the Senate, introducing gender identity, gender expression, and sex characteristics as prohibited grounds of discrimination in Article 1. Although the Act includes sex characteristics, the intersex persons continue to be medicalised. The Minister of Health has repeatedly referred to intersex as a disease.

In August, COC called for adding an explicit ban on discrimination against LGBTI people in the Constitution. Three parties proposed an amendment to do so.

FAMILY

In July, the government announced it would not issue a bill to recognise three or four parents to a child, breaking a promise of the Rainbow Ballot Agreement and ignoring the advice of a Commission of State. Civil society protested.
The government announced that it would issue a surrogacy bill, expected in 2020.

FOREIGN POLICY

In September, the King called on the UN General Assembly to support LGBTI rights. In November, the government announced that supporting LGBTI rights worldwide will remain a priority. The Lower House voted for a resolution asking that LGBTI human

rights are one of three priorities of the Dutch membership of the UN Human Rights Council.

FREEDOM OF ASSEMBLY

For the second year in a row, the intersex community joined different Pride activities in multiple cities, but continued to struggle with a lack of visibility and acceptance.

HEALTH

Delivering on its promise, the Department of Health, Welfare and Sports introduced a subsidy for breast augmentation for trans women who are ineligible to receive coverage through the basic health insurance.

The Quartermaster (process leader) on trans healthcare, appointed in 2018, presented the first results of their work this year. In June, they published guidelines on providing multidisciplinary care. Although waiting times have decreased, they remain too long.

In November, the Quartermaster convened a symposium on the future of trans healthcare, featuring presentations on depathologisation and informed consent models. However, the new somatic trans healthcare standard, published in November, requires a mental health diagnosis for accessing trans healthcare.

From February, men who have sex with men (MSM) will are able to donate blood four (instead of 12 months) after their last sexual intercourse. Civil society called for removing the time referral period altogether.

> *"We find this unnecessarily discriminatory. In our opinion, risk behavior should be the criterion: not with whom you have sex, but whether you have safe sex."* - Philip Tijsma, COC Netherlands

Fulfilling its promise made last year, on 1 August the government introduced almost full cost coverage of PrEP and other related care for MSM - long fought for by NGOs. Civil society is concerned that only 6,500 men will be covered and the medication will only be available in Community Health Services (GGD), not at GPs.

LEGAL GENDER RECOGNITION

In March, the Parliament adopted a motion to study the opportunities and barriers of not having gender markers on IDs and passports. In April, NGOs urged the government to remove gender markers from Dutch EU IDs, allowed by the new EU regulation.

The Evaluation of the Transgender Law was finalised on 10 April: the law will be amended to bring legal gender recognition (LGR) more in line with the principle of self-determination. Trans people will no longer need an expert declaration from a doctor or psychiatrist. A four-week reflection will allow individuals to change their mind. Trans youth under 16 will be able to change their gender marker by going to court and if needed, will also be able to change it back without a court date. A public consultation was launched on 10 December on the draft law. A final proposal is expected in 2020.

Local LGBTI organisations partially welcomed the change, but warned that it still violates the right of trans youth to self-determination. They are also concerned that X gender markers are only available through the court system, failing anyone, including intersex and trans people, who do not identify as either male or female or want to leave the gender category on their ID blank.

On 29 July, Nanoah Struik became the first trans person and the second adult citizen allowed by the court to have an X gender marker on their passport.

SEXUAL AND REPRODUCTIVE RIGHTS

In March, Minister for Medical Care Bruno Bruins (VVD) announced that health insurance will only cover medically assisted insemination in case of infertility, excluding single women and lesbian couples. A petition against the decision was successful. In the end, a new subsidy will cover the treatment for these groups from 1 January 2020.

NORTH MACEDONIA

ACCESS TO GOODS AND SERVICES

In February, a trans woman was harassed at a pharmacy and denied hormones, which had been prescribed by her doctor. NGO Coalition Margins reported the case to the Pharmaceutical Chamber, the Ombudsperson, the Ministry of Health and the State Health Inspectorate. None of the authorities found discrimination to date.

BIAS-MOTIVATED SPEECH

The increase in LGBTI visibility and hate speech went hand-in-hand this year. NGOs documented 216 cases this year, 73 during Pride weekend. A number of criminal complaints were filed, but were either dismissed or are pending. The authorities did not condemn any of the cases.

Following the Minister of Health's announcement in June, that trans healthcare will be covered by public insurance (see under **Health**), several transphobic articles were shared on social media. Following public pressure, the Ministry withdrew the decision.

Prime Minister Zoran Zaev received harsh public criticism for calling the detained businessman Bojan Jovanovski, a "faggot". Zaev apologised.

As part of the UPR, North Macedonia accepted recommendations to investigate and prosecute anti-LGBTI hate crimes.

BIAS-MOTIVATED VIOLENCE

The SOGI-inclusive Criminal Code was inefficient in addressing hate crimes this year. The police and prosecution failed to recognise and pursue these cases. NGOs documented numerous hate crimes, including physical violence (40), verbal and psychological violence (16), and domestic violence (3).

EDUCATION

In July, the Parliament adopted the new Law on Primary Education, providing protection against discrimination and violence on grounds of SOGI and making it mandatory for schools to report cases, imposing a fine if this is not done. Civil society welcomed the law.

Some schools showed willingness to improve the situation, but systemic change is lacking. NGOs remained the only actors to address bullying.

North Macedonia accepted UPR recommendations to remove school textbooks that stigmatise LGBTI people.

EMPLOYMENT

The Commission for Protection from Discrimination (CPD) and the State Labour Inspectorate failed to establish discrimination in a case where a trans man was subjected to harassment during a job interview in 2018. The interviewer said, "even the animals do not live like that," and asked transphobic questions.

A gay man living with HIV was fired, his dismissal letter saying that his status was a threat to the workplace environment and colleagues. The victim did not report the case to the authorities.

EQUALITY AND NON-DISCRIMINATION

North Macedonia received 14 UPR recommendations on SOGIESC issues and accepted all of them.

On 11 March, the long awaited Law on Protection and Prevention against Discrimination was adopted, including SOGI as protected grounds. The 'Network against homophobia and transphobia' and other NGOs and activists, held a demonstration outside the Parliament in the morning, calling for adoption. The law was previously stalled in the Parliament for 11 months, due to hostile attitudes of some of the key leaders in the process, such as the President of the Parliamentary Commission for Labor and Social Policy and several MPs. In January, the Deputy Prime Minister (DUI) said that the law has some "disputable categories", like LGBT. The law entered into force on 22 May.

The old CPD was dismissed in August, and the new Commission remains to be established. A public call for new members was announced in June, but further information on the procedure was not shared since then. NGOs are concerned no Commission will be in place until the 2020 elections, leaving North Macedonia without an equality body for more than a year.

North Macedonia hosted a national LGBTI conference "*Advancement of the Rights of the LGBTI Community in North Macedonia*" between 27-28 June, sharing good regional practices.

FREEDOM OF ASSEMBLY

The first Skopje Pride took place on 29 June, with nearly 2,000 participants. A few hundred counter-protesters gathered outside an Orthodox Christian cathedral and a violent mob attacked activists (see more under **Human rights defenders**). The counter-protesters chanted hateful slogans and were joined by organisations for "the protection of family values" and priests.

The Pride Weekend and the March for Visibility of Trans people took place without incidents.

HEALTH

In May, the Ministry of Health set up a working group to improve trans healthcare. In June, the Minister of Health made a public announcement during a conference that the costs of trans healthcare will be covered by public insurance (see under **Bias-motivated speech**). His statements sparked public criticism and the decision was later withdrawn.

Subversive Front documented two incidents where gay men living with HIV faced discrimination in healthcare. The victims did not report them to the authorities.

HUMAN RIGHTS DEFENDERS

Bekim Asani, chair of the LGBT United Tetovo Macedonia, and six other activists were attacked by a group of 20 after Skopje Pride. They were dragged from taxis, beaten, and threatened with murder and rape. Three police officers were also attacked when trying to intervene. Thanks to the intervention of more police officers, the activists sustained only minor injuries and the assailants were eventually arrested, a criminal investigation was opened. The investigation is ongoing and court proceedings are expected.

LEGAL GENDER RECOGNITION

On 19 January, the European Court of Human Rights published its judgment in the X v. the former Yugoslav Republic of Macedonia case, establishing that the lack of a clear legal framework on legal gender recognition (LGR) violates trans people's right to private and family life. In lack of trans specific healthcare services in Macedonia, Person X had started hormonal therapy and undergone mastectomy in Serbia. He then changed his name in Macedonia, but was unable to change his gender marker and gendered personal ID number. The Court did not rule on the requirement of sterility, which the authorities claimed would be necessary for legal transition, as it already established a violation. The Court also stated, that Macedonia had no clear position on the sterility requirement. The case of Person X was documented in a video in February, which attracted over 15,000 views, contributing to the increasing visibility of trans people in the country. The judgment has not been implemented and Person X's documents remain unchanged.

Previously in 2018, the Minister for Labour and Social Policy confirmed that introducing a law on LGR would be a priority issue. The working group, set up in 2018, was very active this year and prepared the draft section on LGR in the Law on birth registration. NGO members of the working group advocated for a quick and transparent process, based on self-determination.

PUBLIC OPINION

According to the findings of two public opinion polls by the Institute for Human Rights, 80 per cent of respondents thought that 'homosexuality' was a disease.

NORWAY

ASYLUM

On 3 May, the Gender Equality Ombudsman (LDO) sent a formal letter to the Directorate of Immigration (UDI) criticising the current family reunification requirements, i.e. that partners must be married, or living together for at least two years, or have children together. These are either impossible or too dangerous for most LGBTI refugees to fulfil. The UDI responded that the current regulations are adequate and that decisions are made on a case-by-case basis. The Ministry of Justice and Emergency agreed.

Nahia Riviera, a trans asylum seeker, was sexually assaulted in a reception centre. The perpetrator got away with a 10,000NOK (1,000EUR) fine. Riviera was later denied asylum.

BIAS-MOTIVATED SPEECH

The Institute for Social Research (ISF) published a report on hate speech, highlighting that 23 per cent of LGBT people have been targeted within the past year, which is twice as high as in the general population. 15 per cent of LGBT people have personally received threats during the same period, compared to four per cent in the general population. Those belonging to several minority groups, especially LGBT Muslims, were at significantly higher risk of being targeted. Ethnic minorities also reported feeling excluded from LGBT groups. Most cases of hate speech took place online.

The neo-Nazi group, the Nordic Resistance Movement (DNM) continued to be active this year. LGBTI activists reported that members of the DNM came to their events and took photos of attendees, intimidating the community.

BIAS-MOTIVATED VIOLENCE

Hate crimes against LGBT people have been on the rise in recent years, particularly around Pride events. In March, the Oslo police district warned of the increasing hate crime rates in the capital: 238 cases were documented in 2018, which is a 20 per cent increase compared to 2017. Following ethnic minorities (57 per cent), LGBT people are the second most targeted group (20 per cent). The total number of reported hate crimes in Norway also increased by 13.7 per cent during the same period, to a total of 622 cases.

Hate crime related measures of the LGBTI Action Plan, such as police training, are yet to be implemented. Civil society hopes the Parliament will add gender identity and expression to the Penal Code's hate crime section in 2020. As part of its third UPR review, Norway accepted a recommendation to combat anti-LGBT hate crimes, hate speech and discrimination, but noted one on adding GIE to the Penal Code.

BODILY INTEGRITY

The Norwegian Directorate For Children, Youth and Family Affairs published two reports regarding intersex people's human rights this year. In March, they released the "Law and Intersex in Norway; Challenges and Opportunities" report, recommending postponing any medical interventions on intersex children until they are able to consent; including 'sex characteristics' in anti-discrimination, hate crime and hateful speech legislation, introducing flexible gender recognition systems, e.g. gender-neutral social security numbers. No recommendation was made to ban medically unnecessary and non-consensual surgeries performed on intersex children.

The second report, "Life situation for people with variation in physical development in Norway" was based on interviews with intersex people, parents, and healthcare professionals. It found that two out of three medical professionals believed their job was to choose a gender and align a baby's body accordingly. Parents were overall convinced that surgery was a good idea and expressed concern about bullying and wanting their children to be/feel "normal". While some intersex adults were satisfied with their surgeries, many felt stressed in intimate relationships, felt lonely, different, or struggled in everyday life.

In June, the Labour Party announced a ten-point plan on LGBTI rights, including banning intersex genital mutilation and conversion therapy. The Parliament rejected the plan.

EDUCATION

The new National Education Plans were published in December. The Plans are less concrete than before and include SOGIESC issues to a lesser extent.

FAMILY

In May, the expert group reviewing the Children's Act, which was set up last year, held a hearing. FRI advocated for the Act to become more inclusive of diverse families. The group will present its final report next year.

HEALTH

The working group, created in 2018 presented the draft of the new national guidelines on trans healthcare in the fall. The group includes civil society representatives and aims to bring the regulations in line with ICD-11 and WPATH's standards of care. The guidelines were referred for public consultation in November, which will end in February 2020. The draft states that non-binary trans people must have access to trans healthcare, that a psychiatric diagnosis should not be a requirement of access, and that healthcare providers must respect everyone's self-defined gender identity. Civil society welcomed these standards, but is concerned about the continuing central role of the National Treatment Centre for Transsexualism (NBTS), e.g. in creating more gender clinics, increasing the capacity of healthcare professionals, and establishing "inclusion and exclusion criteria". The draft also includes "contraindications", such as someone being on the autism spectrum.

In September, the Norwegian Patient Organisation for Gender Incongruence (PKI), published the findings of its survey on trans people's experiences with the NBTS. 71 per cent of the 148 respondents reported mistreatment.

Responding to civil society pressure, the Ministry of Health confirmed in May that the NBTS cannot deny services to trans people who have accessed hormones or surgeries elsewhere, as set out in a policy it adopted last April. However, the NBTS declared in several cases this year that it did not have the competency to diagnose people who were treated elsewhere. Several reported fearing rejection by the NBTS. Further, the NBTS reported several trans healthcare providers to the health authorities this year, possibly to deter other facilities from providing healthcare services.

A number of trans people reported the NBTS pressuring them to undergo sterilisation, saying they were told that their placement on the waiting list for top surgery would not be secure otherwise.

As part of the UPR, Norway agreed to guarantee the right and access to healthcare for trans people.

POLICE AND LAW ENFORCEMENT

The Oslo police district organised a public discussion during Pride to publicly apologise for contributing to anti-LGBT attitudes, discrimination and violence in Norway's past.

FRI's training program, Pink Competency Justice faced funding cuts again, which threatens its future.

The new Action plan against racism was published in December, and includes the creation of a national competency centre regarding hate crimes.

SEXUAL AND REPRODUCTIVE RIGHTS

In June, the Parliament voted to amend the abortion law, restricting the right to reduce the number of fetuses during pregnancy. Those carrying multiple featuses and wanting a reduction will now have to appear before an abortion committee to present their case.

POLAND

ACCESS TO GOODS AND SERVICES

On 26 June, the Constitutional Tribunal ruled that the refusal of services is not a crime and classifying it as misdemeanor is unconstitutional. In 2018, the Supreme Court established that a printer from Łódź discriminated when it unlawfully refused to print materials for an LGBT foundation. The June ruling applies to refusal in general, not just on the ground of sexual orientation. From now on, similar cases will have to be referred to the civil courts.

BIAS-MOTIVATED SPEECH

In March, Poland's ruling Law and Justice (PiS) party leader Jarosław Kaczyński said that the Warsaw mayor's support of LGBT people (see under **Equality and non-discrimination**) was an attack on children and families. The Church and other conservative circles used similar rhetoric.

In the following months, more than 80 towns declared that they are "LGBT-free zones" or "free from LGBT ideology". Lublin city presented awards to local officials opposing "LGBT ideology". According to LGBT activists, these actions supported the nationalist-conservative party, which continuously used anti-LGBT rhetoric in the lead-up to the autumn elections. The government referred to the election as an ideological war.

On 17 July, the conservative Gazeta Polska newspaper launched a campaign enclosing "LGBT-free zone" stickers in its weekly edition. The editor said their point was not to incite hatred, but instead to demonstrate that they would be subject to censorship for printing anti-LGBT views. The conservative government stated they would not sanction the paper, to protect freedom of speech.

Several public figures condemned the campaign, including the US Ambassador and Warsaw's deputy mayor, Paweł Rabiej, who likened it to the Nazi era. LGBT activist Bart Staszewski brought the case to the Warsaw District Court, which placed an injunction on the stickers on 25 July. It is uncertain if the stickers will be banned permanently.

On 2 August, the Krakow Archbishop Marek Jedraszewski called the LGBT movement a "rainbow plague".

On 18 December, the European Parliament adopted a resolution on discrimination and hate speech against LGBTI people, including LGBTI-free zones, calling on Poland to revoke resolutions attacking LGBTI rights, including local bills against "LGBT ideology".

BIAS-MOTIVATED VIOLENCE

The UN Committee Against Torture urged Poland to take all measures to combat violence against LGBT people.

BODILY INTEGRITY

With the support of NGO, Campaign against Homophobia (KPH), representatives of the liberal Nowoczesna party submitted a draft bill to the Parliament in February, to ban conversion therapy against LGB people. The bill was sent for consultations on 1 March, but stalled since. International bodies had urged Poland to ban the harmful practice.

EDUCATION

Over 50 organisations and groups asked the Ministry of Education in a joint letter to remove Barbara Nowak from her position as Education Superintendent, after she linked homosexuality with pedophilia. Nowak was also one of the loudest critics of "Rainbow Friday", KPH's campaign for the safety and well-being of LGBTI students, which suffered severe backlash in 2018. Schools were then subjected to random inspections by the Ministry, to see if they had any rainbow materials or clothing on the premises. Rainbow Friday was not targeted this year.

EQUALITY AND NON-DISCRIMINATION

In February, the Warsaw mayor Rafał Trzaskowski of the opposition Civic Platform (PO) party, signed a declaration to support LGBT people. The declaration identifies five pillars: safety, education, culture and sports, workplace and administration, and sets out practical steps such as establishing a community centre, launching a crisis hotline, and introducing anti-discrimination classes in all Warsaw schools. The document was jointly drafted by a number of NGOs and activists. The Children's Rights Ombudsperson shared some legal concerns over the declaration. However, the Ombudsperson, Poland's formal Equality Body, expressed his support.

FAMILY

The first official rainbow family organisation Fundacja Tęczowe Rodziny held a seminar in Poznan, attended by parents and their children.

In December, the Supreme Administrative Court (SAC) put rainbow families in legal limbo by ruling that foreign birth certificates featuring same-sex parents will not be recognised in Poland. At the same time, it affirmed that children of Polish citizens should receive a passport and a social security number. Legal experts are expecting difficulties in how this ruling will affect rainbow families.

FREEDOM OF ASSEMBLY

Hateful rhetoric from the government and the Church, and violence at Pride marches went hand-in-hand this year. Local authorities tried to ban the first ever Equality March in Kielce, though it was successfully held on 13 July. Hateful banners and crowds surrounded the march.

A week later, on 20 July, the first Equality March in Białystok, attended by roughly 1,000 people, was violently attacked by groups of extremists who burned flags, threw smoke bombs, bottles and rotten eggs at the participants, and injured and beat up several people. A truck with a megaphone shouted propaganda about how gays and lesbians rape children, and angry mobs totaling 4,000 people yelled slurs. The police used tear gas to separate the extremists from the March, and detained around 20 of them. Some politicians, including the Prime Minister Mateusz Morawiecki, condemned the attacks.

In protest to the March, the governing party PiS organised a so-called "family picnic". Security guards at the entrance refused to let in anyone who had come from the March.

A few days later, 1,000 people gathered in Warsaw to protest against the brutal attacks in Białystok.

Three weeks later, on 10 August, the first Pride March in Plock took place and was heavily protected by riot gear police. About 2,000 people joined the march and hundreds held a counter-protest against them. No incidents were recorded.

The Lublin Pride march, held on 28 September, was under serious threat due to an attempted bomb attack that the police successfully blocked.

Local authorities issued bans on Equality Marches in Lublin, Nowy Sącz, Gorzów Wielkopolski, Kielce and Gniezno this year. Activists successfully challenged these bans in court.

A record number of 24 Pride marches took place between March and October, a huge increase compared to 14 in 2018. Warsaw held one of its largest Pride marches to date on 8 June, with tens of thousands participating.

FREEDOM OF EXPRESSION

Artist Elżbieta Podlesna's home was raided on 6 May, after they posted pictures around the city featuring the Virgin Mary and baby Jesus with rainbow halos. The police confiscated their belongings; detained and questioned them for hours. Minister of Interior, Joachim Brudzinski commended the police.

LEGAL GENDER RECOGNITION

On 23 October, the Warsaw District Court ruled that the authorities must provide LGR for trans refugees, even though they have no Polish citizenship. The judgment will also benefit permanent residents.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In February, Poland's first openly gay politician, Robert Biedron, launched a new progressive party Wiosna (Spring). During the autumn elections, Spring formed a coalition with Razem and the Social Democratic Alliance (SLD) and secured 49 seats.

A total of 277 Polish MEP candidates signed ILGA-Europe's Come out pledge. Eight were elected.

In November, President of the trans NGO Akceptacja Foundation, Anna Szymkowiak became the Chairwoman of the Citizens' Dialogue Commission (KDO) at the President's Plenipotentiary for Equality. Szymkowiak is the first trans person in the position.

PORTUGAL

BIAS-MOTIVATED SPEECH

In March, Porto's Court of Appeal judge Neto de Moura condemned same-sex marriage and adoption by same-sex couples. Previously, the Judge passed victim-blaming judgments in domestic violence cases and is now banned from taking such cases.

BIAS-MOTIVATED VIOLENCE

In February, a lesbian couple was verbally and physically assaulted in Costa da Caparica. The couple called the police, who failed to show up. They reported the attack and the court case is ongoing.

In July, a young trans man was targeted by physical and verbal violence in Coimbra, twice within a few days. The attack was reported to the police.

In September, a gay couple was verbally and physically assaulted in downtown Lisbon. The police were nearby and identified the perpetrators, but let them go.

In November, the courts sentenced three perpetrators to jail time and a fine of 17,599 EURO, for verbally and physically assaulting a gay couple in Coimbra in 2018.

BODILY INTEGRITY

On 10 January, a news piece was published on conversion therapy carried out by psychologists to change one's sexual orientation. Four days later, a total of 250 psychologists submitted an open letter to the regulatory body (OPP) that issues licences to psychologists, to demand an investigation of these practices. A day later, the body affirmed that homosexuality was not a mental illnes and conversion therapy cannot be justified. They reported the case to the OPP's jurisdictional council. Some of the therapists conducting the practice are still listed in the OPP's directory.

DATA COLLECTION

In December, a book was launched about the experiences of gay and lesbian individuals during the dictatorship, featuring ten testimonies.

EDUCATION

On International Women's Day, 8 March, the Secretary of State on Education, João Costa published a statement reminding of the importance of educating students about gender equality and protecting LBT girls from discrimination and violence. He condemned attempts to label the ongoing work in schools and as spreading "gender ideology".

85 MPs and members of the Social Democractic Party (PSD) and People's Party (CDS) submitted a request to the Constitutional Court to review and withdraw paragraphs one and three of Article 12 in Law No. 38/2018 on the right to self-determination of gender identity and gender expression and the protection of the sexual characteristics of each person, which was adopted last year. On 23 July, six local NGOs published a 10-point response, clarifying the importance of the law in the sphere of education and questioning the request.

In late July, two concrete efforts were made to facilitate the implementation of Law No. 38/2018 in education. Firstly, the Secretary of State of Science, Technology and Higher Education issued a recommendation for universities to amend trans people's certificates to reflect their gender identity, free of charge. Secondly, the Secretary of State for Citizenship and Equality and the Secretary of State for Education published a regulation for primary and secondary schools on administrative measures to facilitate the inclusion of trans and intersex students. These include awareness raising on SOGIESC issues, designating a staff person handling discrimination cases, respect and use students' gender identity, pronouns and chosen names, and gender expression. The regulation was widely debated in the media, sparking anti-trans rhetoric and resulting in a petition against its implementation.

EQUALITY AND NON-DISCRIMINATION

The government published the first report on the implementation of the National Action Plan on SOGIESC issues, adopted in 2018 within the framework of the National Strategy for Equality and Non-Discrimination.

On 17 May, ILGA Portugal released its Pink Report on the implementation of Recommendation of the Committee of

Ministers of the Council of Europe and included ten concrete measures that the government needs to take. These include the amendment of all anti-discrimination laws and the Constitution to include the grounds of SOGIESC in their scope.

As part of its third UPR review, Portugal received and accepted two recommendations to combat discrimination and exclusion on the basis of sexual orientation.

FAMILY

Although the law introducing adoption for same-sex couples entered into force three years ago, case workers of the Social Security Institute in charge of adoption procedures have still not been trained properly. ILGA Portugal expressed concern that the case workers are unaware of the specific issues of rainbow families, including discrimination they may face or problematic language that may be hurtful to them.

FREEDOM OF ASSEMBLY

Pride marches were held in the cities of Aveiro and Barcelos for the first time, on 15 June and 13 July.

HEALTH

Although the blood donation ban against men who have sex with men (MSM) was removed in 2016, several reported that they are still rejected as donors. On 13 March, the Portuguese Institute of Blood and Transplantation published a call for donations, which received a lot of comments from MSM revealing the discriminatory practice. In April, the National Institute for Health Dr. Ricardo Jorge established a working group of health professionals and NGO representatives to analyse the rules and decide if it is necessary to prepare a study on donor risk behavior and exclusion criteria. The decision will be made next year.

In July, the Directorate-General for Health publicly presented the first volume of the Health Strategy for LGBTI Persons, devoted to the promotion of health for trans and intersex persons. This document was prepared with input from LGBTI organisations.

HUMAN RIGHTS DEFENDERS

On 9 September, Lara Crespo, one of the first trans activists in the country, committed suicide, at 48 years old.

LEGAL GENDER RECOGNITION

By October, a total of 274 people, including 21 minors, had used the new gender recognition law and changed their gender marker on their IDs. The law, adopted in July 2018, established the self-determination model and entered into force last year. However, some trans people had difficulties with their gender recognition process as civil registries were unaware of the legal change and continued to ask for a medical diagnosis. The Ministry of Justice shared with NGOs that they are working on remedying this through their internal communication portal.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In October, two trans men launched a Youtube channel to talk about trans and LGBTI+ topics.

PUBLIC OPINION

In late November, the Parliament approved a statement of sympathy to the trans community on Trans Day of Remembrance.

SOCIAL SECURITY AND SOCIAL PROTECTION

A safe apartment was opened in Lisbon in December, run by an NGO and the City Hall, to house young people who were expelled from home because of their SOGI.

ROMANIA

BIAS-MOTIVATED VIOLENCE

Two trans women were sexually and verbally harassed, and later physically assaulted on 8 June in Sibiu. The women were approached by a man in a club, who later physically assaulted them in a second club. No one intervened to defend the women, while they were being beaten. They fought back and managed to escape the attacker, locked themselves in the bathroom, called the police and reported the violence. The case is currently pending, the victims have not heard back from the police.

In September, the Council of Europe Committee of Ministers examined the execution of the M.C. AND A.C. v. Romania case on the basis of the state report submitted in 2018 and ACCEPT input. The Committee called on the government to swiftly adopt and implement common methods for the investigation of hate crime; to provide training to police and judicial authorities on hate crimes; to rapidly start collecting data on the prevalence of hate crimes; to assess the need for any additional or corrective action.

EDUCATION

In late November, Senator Christian Lungu submitted a draft bill banning "sex and gender proselitism" in education, aiming to exclude any information regarding sexual orientation and gender identity from Romanian schools. The bill allows police to fine anyone discussing these topics in school with up to 10,000EUR.

FAMILY

On 18 March, the Senate rejected two bills that would have introduced civil partnership for same-sex couples. The bill was a result of successful negotiations between the National Council for Combating Discrimination (CNCD), civil society, and party representatives. Following last year's failed referendum against same-sex families, civil society believes the Senate's move is a sign of regression.

On 26 June, the Social Democratic Party (PSD) Deputy Adriana Tușa submitted a draft law to regulate some legal situations of co-habiting couples, including same-sex couples. Civil society criticised the draft law and affirmed that the government should instead introduce civil partnership, thus granting adequate legal protections to same-sex couples.

"We consider this draft law unconstitutional and contrary to the European Convention on Human Rights. We remind that in the Coman-Hamilton case, in July 2018, the Constitutional Court of Romania ruled that the right of same-sex families have to be legally recognized and their rights and obligations must correspond to those of different-sex couples [...] [The draft law] is just further confirmation that the government considers same-sex families as inferior, made up of second-class citizens." - ACCEPT Association

In April, ACCEPT Association brought a group of cases to the European Court of Human Rights, on behalf of seven same-sex couples, claiming that the lack of civil partnership violates their right to private and family life and is discriminatory on grounds of sexual orientation. Similar applications from 13 more families were made in October and December, making this the largest coordinated group effort against a member state at the level of the European Court for the recognition of rainbow families.

FREEDOM OF ASSEMBLY

Pride week TM was organised in Timișoara for the first time between 3 and 9 June, by LGBTQ+ organisation Identity Education. The events included an exhibition, concerts, and discussions. Members of far-right and Christian groups tried to disturb the events, but were unsuccessful. Anti-LGBTI hatred intensified on social media and on news sites. Pride week in Cluj and Bucharest took place in the following weeks, both attracting record numbers.

RUSSIA

BIAS-MOTIVATED SPEECH

In a handful of cases, authorities in Yekaterinburg imposed fines (70EUR) on individuals for posting homophobic comments on the VKontakte social network. These are the first instances where hate speech was penalised.

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, a court in Tatarstan sentenced a man to one year in prison for physically attacking a teenager who he thought was gay.

In March, a district court in St. Petersburg sentenced two men to 10 and 3.5 years in prison for seriously injuring two gay tourists during the World Cup last year.

EMPLOYMENT

Following an almost two-year legal battle, on 9 April a St. Petersburg court ruled in favor of Anastasia Vasilieva (alias) and against her employer. Anastasia had been dismissed from her job at a St. Petersburg printing company in July 2017, following her legal transition. She was fired because her job is one of 456 listed as unsafe for women. Previously, the UN Committee on the Elimination of Discrimination Against Women (CEDAW) found the list discriminatory. Anastasia became the first trans person in Russia to defend her labour rights at court and this was the first positive court decision of this kind.

FAMILY

In a landmark case in April, a court in the Novgorod Region upheld the parental rights of a mother of two boys, in a lawsuit filed by her former spouse. The ex-husband requested the children to be removed from their mother, because the eldest adult son is gay.

Upon the appeal of the Commissioner for the Rights of the Child, the Investigative Committee launched a criminal case against child protection services in July for allowing a gay couple to adopt two children. The family sought asylum in the US in August. Because adoption by same-sex couples is not prohibited in Russia, the case is alarming.

In March, the European Commission against Racism and Intolerance (ECRI) published its country report on Russia, calling for legal recognition for same-sex couples.

FOREIGN POLICY

In June, the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution on reinstating the Russian delegation's rights with conditions, including ending the persecution of LGBT people. Russia must submit a report by April 2020.

FREEDOM OF ASSEMBLY

On 6 May, the ruling of the European Court of Human Rights in the Alekseev and Others v. Russia case entered into force, establishing that the prohibition of LGBT public events in Russia is unjustified and violates the Convention. However, events continued to be de facto banned this year.

Activists were detained by police in St. Petersburg on a Day of Silence rally in April; on IDAHOBIT at the Rainbow Flashmob in St. Petersburg; in Volgograd for holding a protest against persecution in Chechnya in July; and at a Pride event in St. Petersburg in August.

Extremists disrupted an LGBT-themed discussion in April in Yekaterinburg; and the Side by Side Festival in Moscow in May and St. Petersburg in November.

The Statutory Court of St. Petersburg ruled in May that the authorities' practice of banning LGBT events in "hyde parks" under the pretext that other events had already been scheduled, is unlawful.

In September, the Queerfest human rights festival was successfully held in St. Petersburg. At the request of Coming Out and the St. Petersburg Ombudsman, the police ensured the safety of participants.

FREEDOM OF ASSOCIATION

In March, the police raided the Rakurs LGBT initiative's community centre in Arkhangelsk and seized informational brochures, accusing the group of "gay propaganda". The court refused to process the case.

In June, the Centre for Societal and Informational Initiatives "Action", which focuses on HIV prevention and LGBT community support, was fined 300,000 roubles (4,250EUR) for refusing to register on the "foreign agents" list despite foreign funding it had received.

On 16 July, the European Court of Human Rights unanimously ruled in the case of Zhdanov and Others v. Russia that Russia's refusal to register LGBT associations violated their freedom of association and was discriminatory. Organisations' registration requests were refused by authorities and domestic courts because of formal irregularities in their applications or because they were said to destroy the morals of society. Russia was ordered to pay 42,500EUR in damages.

FREEDOM OF EXPRESSION

On 24 July, several political organisations held a rally in St. Petersburg to protest the arbitrariness of the local elections, featuring flags and signs. The Alliance of heterosexual and LGBT people for equality was told by the organisers to remove their rainbow flags. A week later, a similar protest took place in Moscow featuring rainbow flags. No incidents were reported.

DEVELOPMENTS RELATED TO THE 'ANTI-PROPAGANDA' LAW

Despite continued criticism, such as by the European Commission against Racism and Intolerance (see under **Family**), the anti-propaganda law continued to be implemented this year.

In February, the site 'Barents Observer' was blocked due to an article about coming out. Its owners lost the resulting lawsuit in June, and appealed. Gay.ru, which was blocked last year by the censorship body Roskomnadzor, lost their court battle, but started a new website, xgay.ru, this year.

In May, Moscow authorities warned municipalities to keep an eye out on performances of Friendzone. The Moscow Commissioner for Human Rights said that the school pop-punk band promotes non-traditional sexual relations.

On 30 May, the movie 'Elton John' (aka 'Rocketman') was released in Russia, but scenes featuring kisses and sex between men were completely cut.

On 14 June, the Council on Complaints against the Press found that REN TV was unethical in its negative propaganda reporting on the Side by Side Film Festival.

On 1 July, LGBT activist Alexander Yubors, member of the Callisto LGBT movement in Yaroslavl, was charged with spreading "propaganda of homosexuality among minors".

Yulia Tsvetkova, feminist/LGBT activist and director of a children's theatre studio in Komsomolsk-on-Amur, was placed under house arrest in November. Tstetkova faces criminal charges and two-to-six years in prison for allegedly distributing pornography and propaganda of non-traditional sexual relations. She posted body positive and feminist art on social media and ran a play for children about gender, which was banned in the spring.

In November, a trans woman was sentenced to three years in prison, which she will serve in a men's penal colony. She was sentenced for distributing pornography after sharing manga pictures online.

In November, a criminal case was launched against the YouTube 'Real Talk' video show. The show featured children having a discussion with Maxim Pankratov, a gay man and producer of the show, which was framed as sexual assault on children by the authorities. Pankratov has been targeted by hate speech and hate crime attempts since.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

Despite interventions of the Parliamentary Assembly of the Council of Europe (PACE), the European Parliament and the UN, perpetrators of murder, torture and ill-treatment of LGBTI people in Chechnya have continued persecuting LGBT people with impunity.

On 11 January, the independent Russian newspaper Novaya Gazeta reported that at least 40 LGBT people had been detained, imprisoned and tortured since December 2018 and at least two people died. Both men and women were targeted this time. PACE condemned these attacks on 15 January

The European Parliament's LGBTI Intergroup, the Council of Europe Human Rights Commissioner Dunja Mijatović, and seven UN Special Procedures mandate holders, the Council of Europe's anti-torture Committee, and more than 30 states at the 40th Session of the UN Human Rights Council, made similar statements.

On 26 February, the Federal Investigative Committee in Russia referred a report by the Russian LGBT Network to its Investigation Department in Chechnya, about new waves of persecution. Therefore the perpetrators were tasked with investigating whether or not they were participating in the persecution.

On 24 May, Maxim Lapunov, one of the victims of the mass persecution, filed a complaint to the European Court of Human Rights, which was communicated to Russia on 14 November.
The PACE Rapporteur on the continuing need to restore human rights and the rule of law in the North Caucasus region held a three-day fact finding visit in Russia in September. His report is to be published.

HUMAN RIGHTS DEFENDERS

In January, Igor Kochetkov, Director of the Russian LGBT Network, was sent a YouTube video in which he was threatened with murder unless he stayed away from Chechnya. Kochetkov reported the threat of the Prosecutor's Office and the Ministry of Internal Affairs. Following the inaction of the authorities, Kochetkov sued the police and a St. Petersburg court ruled in his favour in June. The police appealed the judgment. On 4 February, Human Rights Commissioner Dunja Mijatović called on Russia's law enforcement and investigative authorities to ensure his safety and investigate the threats.

On 17 May, seven men broke into the apartment of a Russian LGBT Network volunteer in St. Petersburg and threatened him and his colleagues with violence and murder. The attackers were looking for the organisation's emergency program coordinator, David Isteev, and a woman who had recently fled Chechnya.

In mid-July, the Yekaterinburg LGBT Resource Centre received threats. The senders claimed that they already "liquidated gays in Chechnya and Ukraine" and warned the centre would be next if it did not shut down. The letter referenced the website of the extremist group Saw, which posted a list of LGBT activists and allies on their site, including addresses, and called for their murder. Saw posted that they "prepared very dangerous and cruel gifts" for those listed. On 17 July, the Russian authorities banned and took down the page.

Yelena Grigoryeva, a well-known LGBT activist in St. Petersburg was found dead in the street close to her apartment on 21 July, with multiple stab wounds and signs strangulation on her body. Grigoryeva was one of the people on the Saw list. She had reported several threats of violence, but no action followed. The police arrested two murder suspects, but have been heavily criticised for the inefficiency of their investigation, including with regard to the Saw list. On 5 August, the Directorate for Countering Extremism under the Ministry of Internal Affairs decided to stop investigations trying to identify the creators of the list. Their reasoning stated that the website had already been taken down. The murder created well-founded fear within the LGBTI community, and many are concerned it normalised violence. LGBT activist, Nikita Tomilov was identified by Saw as their next target. Tomilov left Russia to seek asylum in the EU.

In August, five Russian LGBT groups joined together to push for investigations by launching an online petition gathering 40,000 signatures in a few days.

Activist Anna Dvornichenko, based in Rostov-on-Don, was attacked twice.

LEGAL GENDER RECOGNITION

Two new medical commissions, which can issue medical certificates for trans people wanting to change their legal gender, were established this year.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In September, LGBT rights activist and the first openly gay politician in Russia, Sergey Troshin, was elected a municipal deputy in St. Petersburg.

PUBLIC OPINION

According to the Levada Centre's survey, conducted in the spring, the level of public support for LGBT rights has grown and is the highest in the past 10 years, at almost 50 per cent.

SAN MARINO

BIAS-MOTIVATED VIOLENCE

As part of its third UPR review, San Marino was recommended to adopt hate crime legislation that includes sexual orientation and gender identity as protected grounds.

EQUALITY AND NON-DISCRIMINATION

On 2 June, San Marino banned discrimination in the Constitution, on the basis of sexual orientation. The move was backed by a referendum, where 71 per cent voted in support.

San Marino also received UPR recommendations to ban discrimination on the ground of gender identity as well.

FAMILY

Legislation on civil unions came into effect in December 2018 and as of July 2019, seven same-sex couples have availed of the legislation. The partners in a civil union do not have the same rights as those in a marriage. The trade union CSU submitted an official question to the Secretary of State for the Interior Affairs to extend the right to maternity leave for couples in civil unions.

San Marino received UPR recommendations to grant legal protection to same-sex couples and allow for adoption by same-sex couples.

SERBIA

ASYLUM

In March, a gay man from Iran was granted refugee status due to persecution on the basis of his sexual orientation.

BIAS-MOTIVATED VIOLENCE

Belgrade's Pride Information Centre was attacked four times since December 2018. Although the police were informed of the possibility of one of the attacks in October, they did nothing to prevent it. The Serbian authorities said they would not investigate the attack since no one was injured and the property was not damaged.

Hate crimes against LGBT people continue to be a serious issue in Serbia. Da se zna! documented 51 anti-LGBT+ cases of discrimination, harassment, and violence between January and October, of which 22 were physical attacks.

On 24 June, a lesbian couple was harassed at the Engineering Students' Club (KST). The security staff refused to protect them, saying they were to blame and should not have kissed. Shortly after, one of the women was denied entry to the club. The Commissioner for the Protection of Equality established that the club discriminated, but KST refused to implement the recommendations. Later, KST published an apology.

EDUCATION

Following last year's positive developments, thanks to NGO Labris's advocacy efforts, all textbooks with homophobic content were successfully withdrawn by the Institute of Textbooks. The amended textbooks will not yet be included in the 2019/2020 curriculum.

Labris held two trainings for 40 teachers and school psychologists in high schools this year. On a positive note, many joined from outside Belgrade.

EQUALITY AND NON-DISCRIMINATION

The UN Committee on the Elimination of Discrimination against Women urged Serbia to address discrimination on the basis of SOGI in the new gender equality legislation, and to speedily adopt it.

FAMILY

In February, Prime Minister Ana Brnabic and her partner had a baby. The news sparked mixed reactions. Some local activists criticised Brnabic and her government for not having done enough for LGBT people, especially regarding family rights.
A lesbian couple in Novi Sad and two lesbian couples in Belgrade went to the Registrar to get married. As the Constitution defines marriage as a union between a man and a woman, they were refused. They all turned to the Administrative Court and will bring the case to the European Court if necessary.

FREEDOM OF ASSEMBLY

The director of Da se zna!, Dragoslava Barzut was harassed and spat on several times during the Women's March on 8 March. The police refused to intervene and did not follow up with Barzut to make a statement. Barzut filed a criminal lawsuit against the attackers in June. The perpetrators failed to show up at the court hearings.

The first Pride gathering in Novi Sad took place on IDAHOT, 17 May, and no incidents or threats were reported. Even though this was a gathering, and not a march, it was the first Pride event to take place outside the capital. Following the Pride, the director of ERA (LGBTI Equal Rights Association for Western Balkans and Turkey) and her partner were threatened by a group of men and found refuge in a cafe. The attack was reported to the police.

The Pride of Serbia took place on 29 June. Brankica Janković, Commissioner for the Protection of Equality, congratulated the community and reminded the authorities of their duties to protect the rights of LGBT people. In particular, she highlighted that Serbia needs to legally recognise same-sex relationships and improve trans specific healthcare services.

Leading up to Pride, several parents joined Da se zna!'s campaign and stood in support of their LGBT children by posting under #NeOdricemSe ("I will never disown my child") and speaking in mainstream media.

> *"The first thing that came to mind when I heard [my daughter come out to me] was - how brave my child is. I have long suspected that my daughter is gay and was glad she included me in her life."* - Gordana Paunovic in Vecernje Novosti

Belgrade Pride took place on 15 September with roughly 2,000 participants. Prime Minister Ana Brnabić and her partner also attended, as well as Fredd E. 'Tree' Sequoia from the Stonewall Inn in New York. The event was preceded by 'The Pride Caravan', which consisted of unannounced 'flash' marches in ten cities all around Serbia, to show support to the LGBTI community. The march was interrupted in Valjevo and banned in Novi Pazar.

FREEDOM OF EXPRESSION

In June, the Gay Lesbian Info Centre reported that the number of articles featuring LGBT-related topics significantly decreased last year, as compared to previous years.

LEGAL GENDER RECOGNITION

The new legislation on legal gender recognition, adopted in December 2018, entered into force on 1 January. The law sets out that surgeries and sterilisation will no longer be required, but a diagnosis and hormonal therapy continue to be mandatory. Civil society warned that the remaining requirements violate trans people's fundamental rights.

POLICE AND LAW ENFORCEMENT

Labris convened two national conferences for LGBTI liaison officers in July, in Belgrade and Borkovac, to build their capacity in handling anti-LGBT hate crimes. Labris also held three meetings, bringing together liaison officers and the LGBTI community in Belgrade in April, and in Novi Sad and Niš in July. The meetings helped build trust in the community, and increase the knowledge of liaison officers about the needs of LGBT people.

SEXUAL AND REPRODUCTIVE RIGHTS

In August, the Ministry of Health imposed a ban on artificial insemination and IVF, for anyone who has a "history of homosexual relations during the last five years." Many NGOs are challenging the law as it violates the Constitution and the anti-discrimination law.

In August, the Gay Lesbian Info Centre requested the Ministry of Health to ammend regulations currently imposing a blanket ban on LGB people donating reproductive cells and embryos. Complaints were launched with the Commissioner for the Protection of Equality as well.

Earlier in March, the CEDAW urged Serbia to enhance access to family planning services and artificial insemination for LBTI persons.

SOCIAL SECURITY AND SOCIAL PROTECTION

On 30 January, Da se zna!, the Belgrade Municipality of Vračar and the Institution of Culture, Božidarac launched a Counseling Centre for LGBT+ people. It currently opens for three hours every week.

The City of Belgrade offered a space in the city center to five LGBTIQ organisations free of charge. The space can be used for gatherings, conferences, counseling - the scope of activities will be decided by the five NGOs, members of the "Local Network for prevention of discrimination and providing support for LGBT persons in Belgrade".

SLOVAKIA

BIAS-MOTIVATED SPEECH

In February, as part of his candidacy hearing to serve as a judge on the Constitutional Court, Chairman of the ruling party, Smer, Robert Fico stated that adoption by same-sex couples is "perversion" (see more under **Family**). Fico was not appointed as a judge.

During the presidential elections in March (see under **Equality and non-discrimination**), several parties used homophobic hate speech in their campaigns. Civil society called on politicians to abstain from hate speech against the community.

As part of the UPR, Slovakia accepted recommendations to combat anti-LGBTI hate speech.

EDUCATION

The 2018 amendment to the Higher Education Act, obliging universities and colleges to issue new certificates, such as university degrees, for trans people who have changed their legal gender, was successfully implemented this year.

EMPLOYMENT

In July, the website platy.sk released the results of their survey, finding that one in every 10 Slovakian employees have an LGBTI colleague. The rate was highest among those working in the capital, and the lowest in the region of Trenčín. The research revealed a significant correlation between having LGBTI colleagues and positive perception. 91 per cent of those who have an LGBTI colleague were positive towards the community, compared to 33 per cent of those who do not.

EQUALITY AND NON-DISCRIMINATION

The March presidential elections were won by Zuzana Čaputová of the Progressive Slovakia party. LGBT rights were one of the key issues in Čaputová's campaign, who expressed support for civil partnership and adoption by same-sex parents.

FAMILY

In August, Robert Fico (Smer) announced on social media that he would seek to amend the Constitution to ensure that only married couples have the right to adoption (see more under **Bias-motivated speech**).

The Coman judgment was implemented in Slovakia this year, granting residence to EU citizens and their spouse or civil partner, if that union was registered in the EU. Legal issues remain for couples who registered their partnership outside the EU, who have no legal proof of their relationship, or who consist of a Slovakian citizen and a non-EU national (regardless of the legal status of their partnership). In September, the opposition party Freedom and Solidarity (SaS) proposed an amendment to the law on the residence of foreigners to remedy this, whereby same-sex couples consisting of a Slovakian citizen and a non-EU national, could apply for residence anyway. The proposal was rejected by Parliament.

Evangelist pastor and theologian, Ondrej Prostredník expressed his support for the LGBT community in an interview, including civil partnership. The interview is important, given that most religious leaders in Slovakia are hostile towards LGBT rights.

As part of the Universal Periodic Review (UPR), Slovakia noted a recommendation to introduce marriage equality, and accepted the recommendation to protect same-sex couples from discrimination and provide them with some legal recognition.

FREEDOM OF ASSEMBLY

Despite the Ministry of Culture's refusal for financial support (see under **Freedom of association**), Rainbow Pride in Bratislava went ahead on 20 July without any incidents. An estimated 10,000 people celebrated, while the event was attended by the mayor Matúš Vallo, Ombudswoman Mária Patakyová and theologian Ondrej Prostredník (see under **Family**).

On 29 June, a Pride march was held in Banská Bystrica for the first time. Banská Bystrica is now the third city to host an annual Pride event in Slovakia, following Bratislava and Košice.

FREEDOM OF ASSOCIATION

In April, the Ministry of Culture denied funding to all civil society proposals that were submitted by LGBTI groups. For a decade, LGBTI groups had received funds from the Ministry's subsidy program in support of cultural activities of disadvantaged groups, including for the LGBT Film Festival and Rainbow Pride Bratislava. Minister Ľubica Laššáková (Smer) did not sign off on the grants, despite the fact that the expert commission evaluating the

applications recommended that they should be approved. In May, the Ministry published a new set of criteria for future funding, which drastically limited the scope of activities NGOs could apply for and will make it impossible for LGBTI groups to apply for funding. There was no consultation preceding this move. In response, LGBTI NGOs called on the Ministry to withdraw the new guidelines and immediately start consultations with civil society. A coalition of 125 organisations and institutions, and a petition gathering over 9,000 signatures, called on Laššáková to step down.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Inakost organised the first Slovak LGBT Awards ceremony in December, giving out awards in the categories of media, business, art, visibility and initiative of the year. The initiative of the year award was given to the Festival of Transgender Culture, which was organised by Waldemar Švábenský in honor of his trans son, who committed suicide in 2018.

PUBLIC OPINION

In June, a survey conducted by the Focus polling agency among 402 teenagers found that 28 per cent would not welcome LGBTI people in their neighbourhood, compared to 75 per cent not wanting to live close to a political extremist. 61 per cent thought that LGBTI people were in a worse position than the average Slovak.

In September, the poll conducted by the AKO polling agency for the Rainbow PRIDE Bratislava organisation found that 57 per cent support registered partnerships, which is a seven per cent increase compared to 2015.

SLOVENIA

BIAS-MOTIVATED VIOLENCE

Legebitra launched the Ni Prav/"It's not right" online platform as part of the "Call it Hate" campaign, where victims of anti-LGBTI discrimination and violence can report cases, get information about the reporting process, or seek support on these sites. TransAkcija launched a similar site, where they received nine reports, three of which were anonymous. Legebitra documented 10 cases.

On the morning of 1 November, one of Slovenia's few LGBTI spaces, Tiffany Club in Ljubljana, was violently attacked by a group. The door, windows and walls were smashed, and some of the employees inside were threatened with hateful shouting. By the time the police arrived, the attackers had fled. The community held a protest outside the club and Prime Minister Marjan Sarec condemned the attack. The police investigation is ongoing.

In October, a gay man was beaten up in Murska Sobota and in November a gay man was thrown out of club and targeted with homophobic threats. A police are investigating.

The European Commission against Racism and Intolerance (see under **Health**) also found that Slovenia has failed to regularly publish information on the number of hate crimes and that there is no guidance given to officers on how to collect data.

BODILY INTEGRITY

In March, an INTERcoalition was formed, upon the initiative of TransAkcija including NGOs Amnesty International Slovenia, Legebitra, Ljubljana Pride, Association DIH and Association ŠKUC. On 30 September and 1 October, a two-day visit of six intersex representatives from OII Europe took place, during which several events were held, including an Intersex 101 lecture for medical students at the Faculty for Medicine of the University of Ljubljana; a community event with the local LGBTI community; and meetings with various political parties, the Ministry of Health, the Advocate of the Principle of Equality. As well as a lot of media work resulted in the largest media presence of intersex persons in Slovenia to date. TransAkcija and OII Europe also created a new intersex awareness raising video: "What Intersex people want you to know". The next steps of the INTERcoalition is gathering more data from medical practitioners about how intersex persons, especially infants and children are being treated with the Slovene healthcare system, continuing with awareness raising events and advocacy.

As part of its third UPR review, Slovenia received recommendations to ban non-consensual surgeries on intersex children.

EDUCATION

In June, Legebitra published "Rainbow in the pocket", the first manual in Slovenia for youth workers and teachers on LGBTI issues.

EQUALITY AND NON-DISCRIMINATION

The city of Ljubljana was awarded the Emerging Europe Award for its project, Equality-Friendly Initiative of the Year: LGBT Friendly, which grants certificates to organisations that have created an LGBT-friendly environment.

As part of the UPR, Slovenia was recommended to combat anti-LGBTI prejudice, stereotypes, discrimination, and hate crimes, and to put in place awareness raising campaigns.

FAMILY

This year for the first time, newborns of lesbian couples were granted a birth certificate featuring two women as legal parents. In all of these cases, the parents had been living in a civil partnership.

FOREIGN POLICY

On IDAHOT on 17 May, the Foreign Ministry called for the decriminalisation of same-sex relations around the world.

FREEDOM OF ASSEMBLY

The first Pride march was held in Slovenia's second largest city, Maribor on 30 June. The event was attended by roughly 800 people and took place without any incidents. On the evening of the march, however, several groups of LGBTI people were harassed in the street.

FREEDOM OF ASSOCIATION

TransAkcija, Slovenia's first and only trans organisation celebrated its fifth birthday in the summer.

HEALTH

The European Commission against Racism and Intolerance (ECRI) published its report on Slovenia in June. The ECRI recommended Slovenia to establish clear guidelines on gender affirming healthcare. Following a petition sent to the Ministry of Health last year, the Ministry has been in correspondence with TransAkcija and Legebitra, and in November the organisations received the information that the consilium for gender affirming healthcare will be formally recognised. However, the Ministry will not initiate a protocol of services to be developed. The Ministry also claimed that trans healthcare in Slovenia is well organised.
Slovenia received UPR recommendations to ensure the availability of specific health services for trans persons.

HUMAN RIGHTS DEFENDERS

In April, a rock was thrown through the window of the LGBTI association DIH. The police are investigating.

LEGAL GENDER RECOGNITION

The ECRI (see under **Health**) recommended Slovenia to put in place a law regulating the change of name and gender. The government reported during its UPR review in Geneva that the working group mandated to prepare a draft law had been set up, but does not currently include civil society representatives. In November, TransAkcija was in contact with the Ministry of labour, family, social affairs and equal opportunities where the group is based and they explicitly said no NGO representatives will be included, regardless of a clearly expressed willingness to cooperate.

Slovenia received UPR recommendations to put in place human rights based gender recognition legislation.

SEXUAL AND REPRODUCTIVE RIGHTS

Slovenia received UPR recommendations to promote the access of same-sex couples to sexual and reproductive health programmes.

SPAIN

BIAS-MOTIVATED SPEECH

On a radio show, comedian Paco Arevalo denied Franco's persecution of gay people, sparking criticism. The radio station apologised.

Following the far-right Vox's debut in the Senate, in February the party vetoed a motion to tackle homophobia in sports. In its election campaigns in May, Vox vowed to ban Pride marches and compared homosexuality to "bestiality". In the November elections, Vox came in as the third strongest party.

The Feminist Party, led by Lidia Falcón, verbally attacked trans people in a series of trans exclusionary Twitter posts, calling them "pimps and children buyers" and claimed that the legal gender recognition law was imposed on Spain by the "gay lobby". Trans activists condemned this as hate speech.

BIAS-MOTIVATED VIOLENCE

Several anti-LGBT hate crimes were committed this year. NGOs continued calling for comprehensive hate crime legislation that protects LGBTI people. A trans sex worker was brutally murdered by a client in Avilés on 21 September. Gay men were verbally harassed, threatened and assulted in Barcelona, Tenerife, and Valencia.

In July, a man was found guilty, fined and sentenced to six months in prison for making homophobic threats and slurs in public in Barcelona three years ago.

On 10 December, a Barcelona court found six members of the Pilla pilla group guilty, for luring gay men on fake dates in 2013, ambushing them, making videos of them and publicly accusing them of pedophilia. The group's leader was sentenced to six years in jail.

On 19 December, politician Ángel Vázquez suffered a homophobic attack in Burjassot

BODILY INTEGRITY

In March, the National Federation of Lesbians, Gays, Transsexuals and Bisexuals (FELGTB) expressed concern about conversion therapies and warned that in the regions of La Rioja, Asturias, Cantabria, Castilla y León, Canarias or Castilla – La Mancha, where no laws are in place to protect LGBTI people, the risk was even higher. Only Andalusia, Madrid, Valencia and Aragon have banned conversion therapies.

In September, the Community of Madrid imposed a 20,000EUR fine on Elena Lorenzo, who was reported to provide conversion therapy online three years ago. Conversion therapies on SOGI grounds are banned in Madrid.

DATA COLLECTION

The Home Office published its 2018 hate crime report in September this year, finding a slight (4 per cent) decrease in anti-LGBTI hate crimes compared to the previous year. This is contrary to hate crime monitoring by NGOs. The Madrilenian Observatory found a 7 per cent increase during the same period. The Catalan Observatory found a stark 30 per cent increase in anti-LGBT hate crimes in the first six months of 2019, compared to 2018.

EDUCATION

LGBTI students remained exposed to discrimination and violence in schools due to the delay in adopting the federal anti-discrimination law (see under **Equality and non-discrimination**). From January on, teachers and students are obliged to report cases of bullying, including against LGBTI students.

The Complutense University of Madrid launched an MA program in LGBTI Studies.

The Catholic Hazteoir distributed leaflets to 23,000 schools and 6,000 parent associations as part of their #MisHijosMiDecisión/MyChildrenMyDecision campaign. The Data Protection Agency launched an investigation regarding data protection violation. The campaign called for a "parental PIN", i.e. mandatory parental consent before children can attend talks about LGBT equality. The Murcia government introduced the measure.

In late December, homophobic posters appeared in Murcia schools; the police investigates.

In December, the Education Department of Castilla and Leon suspended the implementation of the protocol on the inclusion and safety of trans and gender non-conforming students, after the Superior Court of Justice admitted the lawsuit filed by the Christian Lawyers in the summer.

EMPLOYMENT

The report "LGBTI diversity in employment in Spain" by Mpatika found that only 38 per cent of LGBTI people are out at work.

EQUALITY AND NON-DISCRIMINATION

The LGBTI Equality Law, drafted in 2017, continued to be stalled in parliament this year. In January, the Equality Commission removed most articles and references to trans people from the text, which was heavily criticised by FELGTB. On IDAHOT, 17 May, FELGTB launched a map showing various levels of legal protection for LGBTI people, highlighting with concern the regions of Asturias, Cantabria, Castilla-La Mancha, Castilla y León and La Rioja, where no specific legislation is in place.

On 29 April, the Catalan government announced that they would make their forms more inclusive by adding a non-binary gender option and including families having a single parent or same-sex parents.

In June, the FELGTB Observatory against Homophobia presented its new findings regarding discrimination and violence against LGBT people in Catalonia, revealing that 65 per cent of cases remain unreported. Gay men were most targeted by physical attacks and verbal insults and trans people suffered the highest levels of discrimination in access to goods and services and discrimination in employment. Discrimination and violence were most common in Barcelona, and increased compared to last year.

On 31 July, the Regional Minister of Social Rights, Noemí Santana, in Canaria announced that it will create a Vice Ministry of Equality, headed by long-time LGBTI activist Sylvia Jaén.

The Regional Government of Murcia announced in August the creation of the first ever "Consejería" LGBT (ministry at regional level) in Spain.

On 1 August, the government launched the Orienta service for LGBTI people to provide support for LGBT people and their families in Valencia, Castelló and Alicante.

FAMILY

In the ongoing debate on surrogacy, politicians in Valencia spoke very negatively about rainbow families in November. LGBTI organisations expressed concern in a joint press release.

FREEDOM OF ASSEMBLY

Members of the centre-right Ciudadanos party were blocked from attending Pride in Barcelona and Madrid by protesters. The party was criticised by the community for forming alliances with the anti-LGBT Vox party.

FREEDOM OF ASSOCIATION

50 young people attended the first trans camp in Andalusia, organised by the Sylvia Rivera Transgender Association.

HEALTH

FELGTB's survey found that 50 per cent of trans people delay going to the doctor in fear of discrimination and harassment.

LEGAL GENDER RECOGNITION

On 18 July, the Constitutional Court ruled against excluding trans minors from Law 3/2007 regulating legal gender recognition (LGR). The judgment lifts the age limitation on the law, making it possible for trans youth under 18 to change their gender marker the same way that adults would. Previously, trans minors had to go to court. Legal protections for trans youth vary across the regions. In December, the first minor changed his legal gender, as endorsed by the Supreme Court.

FELGTB's map (see under **Equality and non-discrimination**) revealed that only nine of the 17 regions recognise the right of trans people to self-determination in LGR.

A group of left-wing parties started to push for regional legislation on LGR in Rioja again, after the failed attempts of the previous legislature.

An eight-year old trans girl Elsa, spoke at the Parliamentary Assembly of Extremadura in December, calling for laws that protect LGBTI people. The Spain's acting President commended her.

SOCIAL SECURITY AND SOCIAL PROTECTION

A shelter for LGBTI refugees opened in Madrid.

SWEDEN

AGE OF CONSENT

Investigative journalists from the newspaper, Svenska Dagbladet set up a fake account of a 14 year-old boy on a dating site, which received over 100 propositions in days, including from a key person in the Pride community. Regrettably, the action focused on LGBT sites, wrongfully suggesting that pedophilia is characteristic of the LGBT community only. Stockholm Pride issued a statement that they are investigating the case and will take immediate measures if the rumour is true. The age of consent in Sweden is 15.

ASYLUM

RFSL continued to criticise the asylum authorities for unlawfully denying asylum status from LGBT asylum seekers, often questioning their credibility or whether they would be persecuted in their countries of origin. The Swedish Migration Court denied the asylum claim of a 19-year-old gay man from Iran this year. Mehdi Shokr Khoda stated he feared for his life as he could be executed in Iran both for being gay and Christian. The Court said they lacked evidence of Khoda's sexual orientation and faith, despite his relationship with his partner and his conversion in Sweden.

In June, the parliament decided to prolong changes in the asylum law until 2021. The changes were initially introduced in 2016 on a temporary basis. Instead of permanent residence, the changes made temporary residence the default status granted to refugees. They also made family reunification harder for those that were granted status as "alternatively in need of protection" ("alternativt skyddsbehövande"). The changes have negatively affected the assessment of asylum claims, including by LGBTI asylum seekers, as found by RFSL. Stricter rules on family reunification were not prolonged.

BIAS-MOTIVATED SPEECH

The amendments on the hate speech legislation to include transgender people entered into force on 1 January.

DIVERSITY

Rainbow Muslims, a group of LGBT Muslims in Sweden, took part in Stockholm Pride for the first time.

FAMILY

From 1 July, parental leave can be transferred to a partner without the requirement of having been or being married to the person or them being another legal parent or guardian of the child. RFSL welcomed the positive change, partly because it gives extended rights to families where more than two parents are taking care of the child. An important family law case is making its way to the European Court of Human Rights, as Sweden still makes a difference between children of same-sex and different-sex couples if they reside abroad. Petra Nordqvist, a Swedish citizen and her wife Lindsay Manning, a British citizen, live together in the UK and have two children. In the UK, Petra is recognised as the parent of both Emma and Theo. In Sweden however, she is only recognised as the parent of Emma, who she gave birth to. In 2017, the Swedish Tax Agency declared that Theo cannot be recognised as Petra's child and will not be granted citizenship. Petra would have to move to Sweden to adopt Theo, which she cannot do in the UK as she is recognised as a parent there. Several other cases have been referred to the Supreme Administrative Court, which has now referred Petra and Lindsay's case to the European Court of Human Rights.

HEALTH

In April, a TV program (Uppdrag Granskning) on the Swedish public service television company (SVT) presented a story on the negative experiences of a few trans people who accessed trans healthcare, and also views from parents' of young trans people. Trans people and trans rights organizations such as RFSL harshly criticised the show for spreading misinformation on gender affirmative healthcare. Following the broadcast, heated public debate sparked condemnation of young trans people's access to trans specific healthcare, using transphobic and stigmatising language. Trans youth have been routinely excluded from these discussions.

LEGAL GENDER RECOGNITION

The introduction of new gender recognition legislation was further stalled during 2019. The government ordered further consultation, following the public debate stirred by Uppdrag Granskning's show on trans healthcare in April (see under **Health**) and on legal gender recognition in October.
The latter criticised the fact that under the legislation, gender

recognition would be made available for trans people under the age of 18.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In May, RFSL cancelled its participation in this year's Almedalen political festival in Visby to protest that the police had permitted the neo-Nazi group Nordiska Motståndsrörelsen - NMR (Nordic Resistance Movement) to be present during the past three years, and to highlight security concerns. In 2018, NMR's presence led to several cases of disruption and charges of assault. In July, the government appointed a parliamentary committee to investigate if racist organisations should be outlawed, which, if implemented, would make NMR illegal.

SEXUAL AND REPRODUCTIVE RIGHTS

A series of events organised by and for sex workers and allies took place in Stockholm between 28-30 September. On 28 and 29 September, workshops were organised on self-advocacy, healthcare and other key issues. On 30 September, local sex worker organisation Fuckförbundet and the International Committee on the Rights of Sex Workers in Europe (ICRSE) held an international conference marking the 20th anniversary of the Swedish Model. Fuckförbundet presented its report "20 years of failing sex workers: a community report on the impact of the 1999 Swedish Sex Purchase Act", calling for decriminalisation. The conference was followed by a demonstration by participants.

SWITZERLAND

ASYLUM

The Federal Administrative Court decided on 12 September, that a trans asylum seeker will not be at risk if sent back to her home country, Morocco. The applicant claimed asylum presenting as gay man, but came out as a trans woman during the court procedure. She is in a registered partnership. The court acknowledged that same-sex conduct is criminalised in Morocco, but used the discretion argument, saying the couple could live in Morocco.

BIAS-MOTIVATED SPEECH

As decided on 8 April, a referendum will be held in February 2020 regarding the inclusion of sexual orientation in the hate speech legislation.

BIAS-MOTIVATED VIOLENCE

An increasing number of violent incidents, primarily against gay men, were reported this year, including an attack against an information stand at IDAHOT, May 17, and a gay couple being attacked on their way home from Pride in June. Both cases happened in Zurich.

In relation to IDAHOT, MPs in 15 cantons asked for data collection on homophobic and transphobic hate crimes, and training for police.

On 26 September, the National Council supported a motion by MP Rosmarie Quadranti, Conservative Democratic Party (BDP) to collect data on hate crimes based on SOGIESC. The Council of States will have to vote on the motion.

On 1 November, the Federal Council adopted a decree setting out that it will co-fund structural, technical and organisational costs aimed to increase the safety and security of vulnerable groups. The decree only mentions sexual orientation explicitly. Despite the recommendations of LGBTI organisations, GIGESC are not included in the text, only in how it is interpreted.

BODILY INTEGRITY

On 10 April, the Grand Council Geneva adopted two motions to prohibit genital mutilations on intersex persons, to grant reparation to victims, and to provide free psycho-social support for intersex persons and their families. On 16 October however, the Council of States Geneva stated that no such surgeries have been performed since 2012, and therefore no ban is needed. There is evidence of the contrary: Switzerland submitted an Annex to its response to the List of Issues by the UN Committee on Economic, Social, and Cultural Rights in 2019, which included the number of surgeries conducted.

EQUALITY AND NON-DISCRIMINATION

On 5 April, the Federal Court stated that direct discrimination based on sexual orientation is not covered by Equality Act. In a case involving a gay man who was not re-hired for a job in the military, the Court explained that the Act only covers direct discrimination when it takes place on the ground of sex or gender, but not sexual orientation. The Court however affirmed that discrimination against trans and intersex people would be considered under sex or gender.

In October, the City of Bern became a member of the Rainbow Cities Network and presented its new Gender Equality Action Plan (2019-2022) in September, which includes LGBTI issues.

FAMILY

For the first time in Swiss history, the result of a referendum was overturned by the Federal Court. On 10 April, the court ruled that the 2016 referendum on the tax rules affecting married couples and the definition of marriage, needs to be re-run.

On 30 August, the National Council's legal commission continued the discussion on marriage equality. The majority were in favor of marriage equality (17 to 7), but only the minority (12 to 13) supported allowing sperm donations for same-sex female couples. Earlier in February, NGO Dachverband Regenbogenfamilien held a demonstration demanding marriage equality and access to sperm donation for lesbian couples.

A local court in Bern decided that a co-mother, despite not being a legal parent, had to pay child support after the children she had with her partner. The court argued that as the couple lived in a registered partnership, the same rules apply as in the case of married couples.

HEALTH

On 8 May, the Federal Court ruled that health insurance companies must evaluate the risks of phalloplasty performed in Switzerland, before deciding on the cost reimbursement of such surgeries performed abroad. The case was filed by the insurance company of a trans man who underwent phalloplasty in Germany, because only five or six procedures per annum are performed in Switzerland and are low in quality. The first instance court ruled in the man's favour, but the insurance company appealed to the Federal Court. It is still unclear if the insurance company needs to pay or not.

HUMAN RIGHTS DEFENDERS

The Swiss Rainbow Families Association was awarded this year's Equality Price from the City of Zurich.

LEGAL GENDER RECOGNITION

In June, a local court granted legal gender recognition (LGR) to a nine-year-old trans child, and stated that the child was capable of making their own judgment without parental consent.

As of October, trans people in the Canton of Zurich can change their name based on self-determination and have to pay half the regular fee. The first requests were processed within one week.

On 6 December, the Federal Council presented a draft law allowing for LGR based on self-determination in a quick and low-cost administrative procedure. They proposed removal of the right of minors capable of making their own judgment to apply for LGR without their parents consent.

Local trans NGO TGNS's community survey with 200 non-binary people found that more than half would not want to have a gender marker in their IDs, and three-quarters would ask for a non-binary gender marker if that was an option. Out of five potential gender markers, "X" was the best rated.

POLICE AND LAW ENFORCEMENT

On 13 November, the Canton parliament of Basel-Stadt included gender identity in its law on detention to better protect trans people in regard to placement.

PUBLIC OPINION

According to the Federal Statistical Office's survey, 65 per cent of women and 53 per cent of men say that same-sex couples should have the same rights as heterosexual couples. 58 per cent (2013: 46.6 percent) of women and 43 per cent (2013: 32.4 per cent) of men agreed that a child can also grow up happily with same-sex couple.

TAJIKISTAN

ACCESS TO GOODS AND SERVICES

On 5 September, the Ministry of Health and Social Welfare approved the introduction of HIV self-testing. Seven community-based organisations will be provided with the self-testing kits, which they can share with key populations.

BIAS-MOTIVATED VIOLENCE

Local activists recorded 12* hate crime cases this year, including three murders, rape, blackmail, and extortion. It is feared that the number is much higher, but victims are afraid to ask for legal help. In fear of repercussions, journalists do not report on such cases.

On 11 May, a trans woman was stopped* in the street by two people who claimed to be police officers and was verbally and physically assaulted by them. The officers told the victim to cooperate with them and help blackmail her friends. One of the perpetrators left his phone number. The victim reported the case to the Ministry of Internal Affairs and as instructed, went to the police station to bring the case forward. She reported the phone number as well. The two officers were called in for questioning, but they denied the incident and said this was the first time they saw the victim.

In September, a gay man was raped and murdered by a group of six men who lured him on a fake date*. The victim's body was found in the river in Dushanbe. There was no investigation launched.

EQUALITY AND NON-DISCRIMINATION

In January, the Ombudsperson stated that recommendations by the international community to ensure equal rights for LGBTI people will not be respected by Tajikistan. His reasoning included "the norms of morale and ethics of relationships between the people in the country". Although Tajikistan decriminalised consensual same-sex relations in 1998, being LGBTI is a taboo.

Stigma and discrimination against LGBTI people is actively upheld by public figures who use anti-LGBTI rhetoric. Authorities are said to keep a registrar of LGBTI people, which perpetuates hate in society and fear in the community.

On 25 July, the UN Human Rights Committee recommended Tajikistan to combat discrimination and violence on grounds of SOGI, to tackle hate speech, hate crimes, and to ensure that such registrars are promptly erased. The Committee was also concerned about the Ombudsperson's statement from January.

FAMILY

Local activists implemented the project "I am close to you" this year, which sought to share stories of challenges and difficulties and also acceptance, support, and love from siblings of LGBT people. Several meetings were held for LGBT people and their siblings. 200 cards were shared with LGBT people featuring positive stories. The project helped many siblings be more supportive.

FREEDOM OF ASSOCIATION

The government looks to Russia when it comes to legislation aimed to control civil society. The new Administrative Procedure Code and the new Law on Non-Commercial Organisations continue being drafted. There is no information when the former would be sent to Parliament. The latter was submitted in 2017, but there has been no update on the process since. Both bills could significantly limit the operation and freedoms of civil society.

Local civil society groups were subjected to several audits this year by law enforcement agencies and the Governmental Committee on National Security, and were accused of spreading LGBT propaganda. These adits created fear among human rights defenders and LGBT activists.

HEALTH

Due to high levels of violence and discrimination and a lack of mental health support services, at least five LGBT people committed suicide this year.*

Prior to applying to the Global Fund, the Ministry of Health approved PrEP in February, which was recommended to Tajikistan by WHO. The draft protocol was introduced at the National Coordinating Committee's meeting in July. The final version will be published in 2020. The Republican AIDS Center has been implementing the clinical protocol. The draft sets out that 80-85 men who have sex with men (MSM) and 15-20 trans people will have access to PrEP.

At the same time, Article 119 of the Code of Administrative

Offences was amended in August, imposing increased penalties on HIV positive and TB patients who refuse medical care and treatment.

POLICE AND LAW ENFORCEMENT

Police officers detained* several GBT people and sex workers and subjected them to forced HIV testing. The officers allegedly made lists of these individuals that may be used for further persecution.

SEXUAL AND REPRODUCTIVE RIGHTS

Article 130 of the Code of Administrative Offences was amended in August, imposing increased penalties on sex workers, including fines and detention for up to 15 days.

**Some of the information about Tajikistan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous.*

TURKEY

ACCESS TO GOODS AND SERVICES

In January, the Turkish National Human Rights Institution (TİHEK) rejected two trans women's complaint that they were denied accommodation in a hotel last summer, because gender identity is not a protected ground. The Administrative Court reversed the TİHEK's decision in December.

Two trans women and a trans man were denied entrance to the club 222 Park in Eskişehir on 6 March. They called the police, who made jokes about them with the security staff and stood by as they suffered physical assault by three individuals. The police later handcuffed the victims and drove them to a hospital. The victims filed a complaint, but the case was dismissed. The police officers also filed a complaint against the victims for insulting and injuring public officials. The first hearing was postponed to 2020.

BIAS-MOTIVATED SPEECH

The Minister of Internal Affairs, Süleyman Soylu made several anti-LGBTI statements this year.

LGBTI+ people were targeted by hate speech at a symposium organised by Turkish National Human Rights Institution (TİHEK) in May.

On 5 July, the Friday khutbah of Presidency of Religious Affairs read in all mosques, included anti-LGBTI statements.

Transphobic statements by a prominent academic stirred public debate on trans-exclusionary radical feminism (TERF) on social media in August. Several NGOs stood in support of trans people.

BIAS-MOTIVATED VIOLENCE

Several trans woman were victims of murder this year. Hande Şeker was murdered by a police officer in Izmir on 9 January; Gokce Saygi was killed in her home in Antalya in May; Defne was killed in her house in Afyonkarahisar in June. Court cases are ongoing. Activists organised a demonstration against police brutality, commemorating Şeker.

A group of trans women were attacked in a park in Antep in June and were then detained and verbally abused by police officers.

EDUCATION

The President of the Council of Higher Education, Yekta Saraç stated that the concept of "gender" does not conform with Turkey's values and that the curricula of Women's Studies and Gender courses must be closely monitored. Soon after, the Council of Higher Education cancelled a project on gender equality and removed their "Gender Policy Paper" from their website.

EMPLOYMENT

Kağıthane Municipality fired three garbage truck drivers after discovering they were "in a homosexual relationship". On 30 January, the 34th Labor Court of İstanbul nullified R.S.'s firing and enforced their re-employment.

In 2013, a police officer was fired by the Ministry of Interior because he is gay. The Court ruled that this was illegal and reinstated the officer in his job. The Council of State overturned the court ruling in February this year. The Council argued that according to the Law on Public Officers, police officers may not engage in anything shameful or disgraceful - even though the law does not mention same-sex relations qualifying as such. Decree no.682 of 2017 does explicitly say that members of the police or army cannot be "homosexual", but this entered into force years after the officer's firing. The officer appealed to the Constitutional Court.

An HIV positive gay teacher was fired from his job in July, after the Ankara school found out about his status. Once an HIV positive diagnosis is made, doctors are obliged to report it to the Ministry of Health for statistical purposes. However, in this case, the information was further shared, violating the teacher's right to private life.

FREEDOM OF ASSEMBLY

Kaos GL and Pink Life NGOs successfully challenged a ban on LGBTI events in Ankara. The ban was initially imposed for the time of Turkey's state of emergency in 2017. However, it was not lifted by the Ankara governor's office when the emergency rule ended in 2018, but remained in force indefinitely and has been extended to LGBTI events in general. On 19 April, the Ankara 12th Regional Administrative Court lifted the blanket ban and

stated that events need to be protected. The ruling affirmed that indefinite bans violate fundamental rights and are unlawful.
Despite the ruling, bans and attacks on Pride events and marches continued to take place. On 6 May the Middle East Technical University (METU) rectorate in Ankara banned the annual Pride march on campus, planned for 10 May. The LGBTI+ students group at the university called for international solidarity and mobilisation. The group held the event despite the ban, and were met with police who used pepper spray, plastic bullets and tear gas to disperse them. A professor and 21 students were detained, and released the same night. The students were later denied access to their student loans, which was eventually reversed by the courts.

> *"Pride for us, is the one day we can come together and express ourselves on campus as who we are. We just want to celebrate the LGBTI community like many of our peers in other countries. We are asking everyone to stand in solidarity with us and help us celebrate Pride at METU again this year."* - Melike Balkan, one of the participating students (Amnesty International)

In the following weeks, Turkish authorities banned Pride events in Izmir, Antalya, and Mersin. A film screening and a workshop on LGBTI rights, which were part of a local cultural festival, were also banned in Tunceli.

On 14 June, the Izmir Governorship banned Pride events and the march that would have taken place three days later. On 19 June, the court lifted the ban on events, but ruled on 21 June that the march shall remain banned. Regardless, Pride march participants gathered in the city on 22 June and were violently attacked by the police.

Every year since 2015, Istanbul Pride has been banned by the authorities. This year, the Governor's Office stated in their reasoning that Taksim square is not a place for marches and demonstrations. When the organisers offered to hold the march in Bakırköy, the Office said all their events were of "public concern". A day before the planned march, the 27th İstanbul Pride Week Committee called for a gathering at Taksim at 5pm. The organisers read out a statement. Police appeared in riot gear and the crowd was attacked several times. Five people were taken into custody.

On 28 June, 31 Council of Europe Member States condemned these bans and called on Turkey to uphold freedom of assembly. A number of Republican People's Party (CHP) municipalities expressed support for Istanbul Pride, which was harshly criticised by the Turkish Women and Democracy Association (KADEM), led by President's daughter Sümeyye Erdoğan.

On 17 April, students successfully held the seventh Pride parade at Boğaziçi University. It was the only Pride march not banned in Turkey this year.

The third annual Queer Olympix, planned for 24 August in Istanbul, were cancelled by the Kadıköy District Governor's Office at the last minute, "to protect public health, public order, and public morality". Around 130 LGBT+ athletes were to compete in the event.

Police fired tear gas at the participants of the women's rights rally in November. The Minister of Interior stated LGBTI activists attacked the police.

FREEDOM OF EXPRESSION

Anti-LGBTI censorship by the Radio and Television Supreme Council (RTÜK) was frequent this year. RTÜK suspended the show 9-1-1 by Fox Life for featuring a gay couple, saying that such portrayal is contrary to the national and moral values of society. On 1 August, a new law gave RTÜK the power to censor online content, such as Netflix and demand personal information about its users.

On 6 March, Çağlar Cilara, the host of the Channel 5 TV program 'Matters in Question' discussed LGBTI rights with Beyoğlu municipality's CHP mayoral candidate Alper Taş. When Taş spoke in support of LGBTI people, Cilara agreed and was immediately fired from his job. The programme was cancelled.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

In February Buse Aydın, a trans woman who had been sentenced

to life and imprisoned for 24 years in a men's prison, and in solitary confinement "for her own safety" for the past five, was denied access to gender affirming surgery by the Ministry of Justice. The decision came after Buse went on a hunger strike for the second time to protest previous denials and to put pressure on the administrator to move her to a women's prison. The Peoples' Democratic Party (HDP) Ankara Representative Filiz Kerestecioğlu posed questions on the mistreatment to the Minister of Justice in Parliament.

HEALTH

In July, the Medical Ethics Committee imposed a 945TL (148EURO) fine on the urologist Dr. Cem, who subjected his patient N.Ö., a gay man, to homophobic slurs and published the story on his Facebook page last year.

LEGAL GENDER RECOGNITION

In July, the 10th Chamber of the Council of State upheld a lower court ruling affirming that clinics in Turkey cannot refuse to perform gender affirmation surgeries. In 2017, the Cerrahpaşa OB-GYN department stated they would no longer perform hysterectomies on trans men. Surgery being a requirement of legal gender recognition (LGR), this practically made LGR inaccessible. Although the Supreme Court previously ruled that sterilisation is no longer a requirement of LGR, doctors continued to require sterilisation this year.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

NGOs SPoD and Genç LGBTI+ published the "LGBTI+ Friendly Municipality Protocol" in January, providing guidance for mayoral candidates. The Protocol was signed by 27 candidates from 10 different provinces, four of whom were successfully elected.

POLICE AND LAW ENFORCEMENT

Seven trans women were detained in Kayseri without any justification and were held for 48 hours. Two of the women face charges of running a sex worker ring.

TURKMENISTAN

ASYLUM

Several LGBT people left* the country this year and applied for asylum in Europe. Many turned to various NGOs working abroad, asking for information on asylum processes. Most cited discrimination and police brutality as the reason for leaving.

BIAS-MOTIVATED VIOLENCE

Hate crimes against LGBTQI people were common this year and primarily committed by the police. In most cases, police officers pretended to be LGBTQI people on social media, lured people on a fake date, blackmailed them and detained them if they failed to pay. In some cases, the victims were also physically assaulted. Between August and September, 25 LGBTQI people were detained in such targeted attacks. Due to criminalisation, the victims were not able to report the cases.

On 22 October, the Turkmen Bureau of the Radio Free Europe/Radio Liberty (RFE/RL) shared the story of Kasymberdy Garaev, a gay man who was lured on a fake date by police officers and was later detained, beaten and tortured. Thanks to his connections, the man was soon released. Soon after the article was published, the man shared a video with RFE/RL saying he feared he would disappear. He was ordered to appear at the police station and was detained. His parents and siblings also disappeared. On 1 November, Human Rights Watch called on the government to give detailed information about Garaev and his family's whereabouts. On 6 November, Garaev claimed in a video message that he was not gay and that the video was sent to RFE by mistake. According to local LGBT activists, after Garaev was forced to publicly recant everything, he was sent back to prison. The Alternative News of Turkmenistan also released an article claiming that Garaev had disappeared again. His friends have not been able to contact him after his final call with RFE/RL on 6 November.

DATA COLLECTION

The first needs assessment in the LGBT community was carried out by Kyrgyz Indigo NGO this year, to learn more about the human rights situation. As part of this work, ILGA-Europe spoke to individuals on a dating site, who shared examples of persecution (see under **Equality and non-discrimination**).

EQUALITY AND NON-DISCRIMINATION

LGBT people are not protected from violence or discrimination in any legislation or policy. Quite the contrary, Article 135 of the Penal Code criminalises consensual same-sex relations between men ("lying with men"), punishable with up to two years of imprisonment or placement in a psychiatric institution for two-to-five years. The aim of treatment is to "cure" the individual of homosexuality, which is considered a psychiatric disorder. The law has been rarely cited when used against MSM, allegedly so the government can claim that there are no LGBT people in the country.

There is very little information about the situation of LB women. Although "homosexuality" among women is not explicitly criminalises, LB women suffer the same stigma and discrimination and multiple layers of oppression because of their gender.

There are very few stories of LGBT people in the country. Those gathered as part of this year's research (see under **Data collection)**, were stories of police abuse including threats, blackmail, verbal and physical harassment, and unlawful detention.

FREEDOM OF ASSOCIATION

Human rights organisations cannot freely operate in the country. Some small initiatives have been carried out by Kyrgyz Indigo, keeping in mind the safety risks involved.

HEALTH

In 2016, the Turkmen Government adopted the "Law on Combating the Spread of Diseases as a result of HIV", which sets out that citizens, foreigners and stateless persons have the right to free antiretroviral therapy. However, the law also includes a specific clause, which states that "relevant healthcare authorities will decide who receives treatment depending on the seriousness of the HIV infection". In fear of exclusion, LGBT people do not disclose their identity. The government and medical institutions have been reported to ignore HIV and provide information on prevention and treatment.

POLICE AND LAW ENFORCEMENT

Authorities do not proactively 'hunt' for MSM as long as they keep a low profile.* However, police have used blackmail and extortion against MSM, threatening victims with imprisonment or placement in a psychiatric institution (see under **Bias-motivated violence and Equality and non-discrimination**). In some cases, victims were unable to pay the police and were put behind bars or outed to relatives. Fearing persecution, the victims do not report these cases.

**Some of the information about Turkmenistan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous.*

UKRAINE

EQUALITY AND NON-DISCRIMINATION

The government did not make progress on the implementation of the National Strategy on Human Rights, its relevant Action Plan (2015-2020), and their sections relevant for LGBTI rights, including on hate crimes and family rights (see under **Family**).
The campaign demanding that authorities ban "homosexual propaganda" and "protect the traditional family" continued this year, but much fewer petitions and appeals were filed than last year.

In May, the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity carried out a country visit to Ukraine. The Independent Expert highlighted that legislation is adequate but implementation is lacking; that LGBTI people are by and large forced to hide their identities 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.

FAMILY

The Human Rights Action Plan sets out that Ukraine needs to provide legal recognition to same-sex and different-sex couples. Last year, the Ministry of Justice adopted its report on the implementation of the Strategy, but regrettably inserted a remark that the "implementation [of legalisation] is impossible". The LGBT Human Rights Nash Mir Centre launched a campaign asking LGBT people to urge the Cabinet of Ministers to legally recognise civil partnership. On 12 February, the Centre handed over 500 appeals to the government, and later added another 500. On 19 February, the Centre also sent a letter and a detailed policy paper to the Prime Minister, urging him to ensure that Ukraine lives up to its promises.

FREEDOM OF ASSEMBLY

The Second European Lesbian* Conference was held between 11 - 14 April in Kyiv, bringing together around 300 participants from Europe and Central Asia. Protesters from far-right and religious groups tried to block access to the hotel, to break into the premises and throw tear gas canisters from outside. Police successfully held them back and protected the conference participants. The Conference called for more inclusive societies, the protection of human rights, and safeguards against sexual, domestic and reproductive violence and discrimination in the region.

On 19 April, the police in Dnipro raided the local gay club "Potemkin". More than 20 police officers participated and ordered those in the club to lie down and stay on the floor for hours. They also seized everyone's mobile phones. The police were aggressive and used homophobic remarks, including jokes and insults. They forced two foreigners to loudly sing the Ukrainian anthem. They also inflicted injuries on one person. The owners of the club and some of the victims filed a complaint to the police department in Dnipro. LGBT Human Rights Nash Mir Center appealed to the National Police of Ukraine in Dnipropetrovsk oblast, and the Parliamentary Commissioner for Human Rights. On 24 April, the National Police of Ukraine in Dnipropetrovsk oblast published a statement explaining that the raid was part of a pre-trial investigation initiated under Part 2 of Article 302 of the Criminal Code of Ukraine, "Creating or running brothels and trading in prostitution." This was heavily criticised by civil society.

The biggest ever Pride March was held in Kyiv on 23 June, bringing together 8,000 people. For the first time, a public institution, the Public Health Centre of the Ministry of Health joined Pride Week (see under **Health**). Some extremists tried to disrupt the march, which was heavily guarded by police and successfully went on as planned on its original route. Some participants were attacked after the march.

On 15 September, a Pride march was held for the first time in Kharkiv, the second largest Ukrainian city. With 3,000 people attending, the march was the biggest LGBT event to date outside the capital. The mayor of Kharkiv Hennadii Kernes and the City Council announced that they would demand a ban at court, but stepped back. Participants in the march were attacked by far-right counter-protesters, who threw eggs at them. After the march, some were chased and beaten by extremists, and suffered injuries. The police detained 17 perpetrators and started two criminal investigations.

On 23 November, NGO Insight held a Trans March on Transgender Day of Remembrance (TDOR) in Kyiv. Eighty joined the march, which was attacked by extremists of "Tradition and Order", who held a counter-demonstration. Six attackers were detained by the police and charged with petty hooliganism.

FREEDOM OF ASSOCIATION

Two amendments to the tax code and the law on public associations were rejected by parliament this year. The amendments would have required NGOs to submit detailed reports about their finances and staff, including any external partners they work with or fund. In case of non-compliance, NGOs would have faced fines or a shut-down.

HEALTH

Despite promises made by the Ministry of Health last year, no steps were taken to approve the new trans healthcare protocol this year. Following the elections, the position of the new Minister of Health Zoryana Skaletska is yet to be known.

The Director General of the Ministry of Health Volodymyr Kurpita published a statement on 21 June in support of LGBT people and the Pride march, which was held two days later. Kurpita highlighted the importance of removing stigma against LGBT people and ensuring the right to health for all.

HUMAN RIGHTS DEFENDERS

Well-known LGBTI+ activist Olena Shevchenko was attacked in the street on 1 November in Kyiv, suffering minor injuries. Civil society called on the authorities to investigate the attack and take into account the homophobic motive.

UNITED KINGDOM

ASYLUM

The Home Office was reported in September to have denied asylum to at least 3,100 individuals who had fled a country where same-sex relations are criminalised. In August, the story of a gay asylum seeker made headlines as the ruling immigration judge refused his claim because he did not have a "gay demeanor".

The UK Lesbian and Gay Immigration Group (UKLGIG) launched a new campaign, featuring LGBTI people who have been in immigration detention, to urge MPs to support amendments to the Immigration Bill to bring in a 28-day limit to detention.

BIAS-MOTIVATED VIOLENCE

The UN Committee on the Elimination of Discrimination against Women urged the UK to combat hate crimes against trans people, ensure effective investigation and prosecution.

Police records revealed that anti-LGBT hate crimes and incidents in England and Wales increased from 5,807 in 2014-15, to 13,530 in 2018-19. However, the rate of prosecution has dropped from 20 per cent to eight per cent. The number of homophobic attacks doubled, while transphobic attacks tripled. The Home Office's Hate Crime statistics for 2018/19, released in October, also showed a 10 per cent increase anti-LGBT attacks in England and Wales, compared to the previous year.

On 30 May, a female couple was attacked by a group of men in London. The case went viral after the victims posted a picture of their injuries. London's mayor, Sadiq Khan, and then Prime Minister Theresa May condemned the attack.

MPs also called for increased measures against anti-LGBT hate online. In 2020 a Law Commission will start reviewing whether current hate crime laws are effective in combating online and offline abuse.

In Northern Ireland, Mr Justice Marrinan is carrying out a review of hate crime legislation, looking at hate crime categories and protected groups, effectiveness of enhanced sentencing and the potential for introducing new criminal offences.

BODILY INTEGRITY

The CEDAW urged the UK to ensure support and counseling to intersex children and their parents about their options, and provide redress and remedies to those subjected to non-consensual surgeries.

DATA COLLECTION

Legislation was passed in Scotland in June and by the UK Parliament in October, to include questions on sexual orientation and trans status/history in the 2021 Census. These questions will be optional to answer, and only for respondents aged over 16.

As in 2011, the draft guidance for the England and Wales 2021 Census enables trans people to respond to the sex question in line with their gender identity. The Scottish Government proposes the same, but some MSPs oppose the change. The Scottish Government will present its final proposal to Parliament in early 2020.

DIVERSITY

The LGBTQI Gypsy, Roma & Traveller Conference was held in Wales on 4 July, featuring activists and representatives of the government and the Council of Europe.

EDUCATION

Same-sex relationship education will be mandatory in all English and Welsh primary schools as of September 2020, thanks to the new guidance on teaching Relationships Education, adopted in April. Parents in several towns protested against the change. An injunction banned the protests in June, but they continued on a weekly basis outside the injunction zone. Education Secretary Gavin Williamson, appointed in July, affirmed that they will be supporting all schools in England and Wales in the undertaking. However, the government was criticised for its lack of appropriate response to the protests that were still ongoing in September.

The Scottish Government's LGBT Inclusive Education Implementation Group worked during the year to create a national framework including curriculum content, teaching materials, teacher training, and schools assessment criteria, to ensure LGBT inclusion in Scottish schools. A separate Intersex/VSC/DSD Working Group considered intersex-related content for Relationships Education. The changes will be implemented from 2021 onwards.

On 16 October, the NI Education Authority published its guidance for schools on supporting trans children.

EMPLOYMENT

68 per cent of LGBT people in the UK have been sexually harassed at work, as revealed by the survey of the Trades Union Congress. This rate is 37 per cent in the general population.

EQUALITY AND NON-DISCRIMINATION

Following up on the National LGBT Survey, the UK Government published a Call for Evidence in January on the experiences of intersex people, looking at experiences in healthcare, education and employment.

Several objectives of the LGBT Equality Plan were achieved this year, such as recruiting a National Advisor for LGBT Health in NHS England, providing dedicated funding for tackling anti-LGBT bullying in England's schools, and supporting LGBT-inclusive health initiatives. The LGBT Advisory Panel was established in March and includes key LGBT advocates from a range of trans and LGBT organisations. A number of key objectives, set out in the Plan, still need to be achieved, including banning conversion therapy.
In August, a permanent rainbow crossing was unveiled in London.

FAMILY

Following eight years of civil society campaigning by Love Equality and others, the UK Parliament passed the Northern Ireland Bill on 9 July, introducing same-sex marriage in the region within three months, if the devolved NI government did not return by 21 October. The devolved government did not return and parliament must now pass legislation before 13 January, 2020. The first marriages could take place early in 2020.

A trans man, who gave birth to his child, took the UK government to court for not allowing him to be featured on his child's birth certificate as the father. Freddy McConnell lost the case at the High Court in September. McConnell legally transitioned before accessing IVF treatment and becoming a parent. He is appealing the judgment.

In September, the Scottish Government introduced the Civil Partnership Bill, which will open civil partnership to mixed-sex couples, and allow trans people in civil partnerships to change their legal gender without ending the partnership. Similar legislation for England and Wales came into effect on 2 December.

FREEDOM OF ASSEMBLY

London's first ever Trans Pride March was held on 14 September and attended by 1,500 participants.

NGO Imaan announced that it will hold Britain's first LGBT Muslim festival next year. Imaan celebrated its 20th anniversary this year.

FREEDOM OF ASSOCIATION

Marking the start of LGBT History month, the government announced in February that 12 LGBT groups were granted a total of 2.6 millionGBP state funding as part of the LGBT Action Plan.

HEALTH

In January, the NHS England launched a new Long Term Plan that sets out its goals for the next decade. Under the remit of "Making sure everyone gets the best start in life" the NHS will fund Mental Health Teams working in 20-25 per cent of schools and colleges across the country. These teams will receive training to support LGBT young people.

In March, the government appointed Michael Brady, Medical Director of the Terrence Higgins Trust and a sexual health and HIV consultant at King's College Hospital, as its first National Adviser for LGBT Health.

The NI Department of Health commissioned research into trans healthcare. The Health & Social Care Board are working on a project to improve services, but did not address issues such as long waiting times. CSOs are exploring launching community based services at the Belfast Trans Resource Centre.

LEGAL GENDER RECOGNITION

Following the 2018 public consultation, the legal gender recognition (LGR) reform process in Scotland was delayed in June for a year, to allow an additional consultation on a draft bill. Social Security Secretary Shirley-Anne Somerville announced that she wants to reach "maximum consensus" on the issue. Although the SNP Government supports reform, 15 national and local SNP politicians published a letter calling on the government to not rush into "changing the definition of male and female". This ties into an increase in anti-trans rhetoric and the formation of anti-trans groups. The government also confirmed that they would not provide legal recognition for non-binary people.

The law reform process in England and Wales has been stalled following the consultation process launched last year. Incoming Minister for Women and Equalities, Liz Truss stated they would continue the process, but would not rush it.

The government has been criticised by civil society for failing to publish the results of the consultation that was expected in mid-2019. Civil society has called for a process of LGR based on

self-determination with a simple statutory declaration, the legal recognition of non-binary identities, and for the minimum age to be lowered from 18 to 16.

PUBLIC OPINION

Results of the British Social Attitudes survey revealed that the acceptance of same-sex relationships has slowed down in UK, with a significant minority remaining hostile. Fewer respondents felt that prejudice against trans people is wrong in principle than in the case of anti-LGB prejudice.

SEXUAL AND REPRODUCTIVE RIGHTS

On 9 July, the UK Parliament passed the Northern Ireland Bill, decriminalising abortion in Northern Ireland. Regulations are currently being developed.

On 15 October, a pardon came into effect for everyone convicted in Scotland of sexual offences between men that are no longer crimes. The pardon applies to all those convicted, whether still living or not.

SOCIAL SECURITY AND SOCIAL PROTECTION

Almost half of young homeless LGBT people become homeless because of family rejection. Of them, half come from religious backgrounds, primarily Christian or Muslim, as shared by the Albert Kennedy Trust (AKT). The country's first permanent LGBT Shelter opened in London in May, run by the Outside Project.

The UK's first retirement home for LGBT people is planned to be set up next year.

UZBEKISTAN

BIAS-MOTIVATED SPEECH

On 16 October, the National News Agency of Uzbekistan published an article claiming that recent discussions on Article 120 of the Criminal Code are aiming to normalise homosexuality and introduce it in Uzbekistan via "social manipulation". The author Mirkomil Sobitov stated that "homosexuality is a call to end the human race".

BIAS-MOTIVATED VIOLENCE

A gay man was attacked by a group of homophobic attackers in the province of Samarkand in April. One of the perpetrators had been chatting with the victim for two months on a Russian social media site, often used by LGBTI people in Central Asia for dating. When the victim arrived at the set-up date, he was forced into a car by the attackers and brought to a canal where he was undressed, beaten and video-taped naked. The victim managed to escape by jumping into the canal and risking his life. Since same-sex relations are criminalised in Uzbekistan, he did not go to the police to report the attack. He also feared he would be disrespected and mocked if the case went public.

In August, a Telegram channel called @tashgangs spread videos where LGBT people were outed, beaten, threatened with rape or tortured, for instance by being forced to sit on bottles. The perpetrators are also visible in the videos, and call on others to join them in "punishing" LGBT people. A similar channel, called @ ANTI_GAY, was blocked by Telegram previously.

On 12 September, a trans woman sex worker was brutally murdered by two clients she previously reported to the police. The police forced her to report the two men so they could blackmail and extort money from them.

In November, the news platform Kun.Uz released an audio-recording of the Tashkent mayor threatening two of their journalists:

> *"I can do it in six seconds! Do you doubt it?! I can easily make you gay. […] I'll put you in a gay taxi and take a picture. […] You can disappear from home without a trace and no one will look for you! Not a single living soul! They may write that you drowned somewhere. Now life is like that."* - Mayor of Tashkent, Jahongir Artykhodzhaev

The incident took place in August when the journalists accused the deputy mayor of corruption and abuse of power. On 17 November, the Agency for Information and Mass Communications (AIMC) confirmed that the case was referred to the Justice Ministry and Prosecutor General's Office to investigate the threats. The Prosecutor did not press charges against the mayor. Authorities using Art. 120 of the Criminal Code (see under **Equality and non-discrimination**) for threats and blackmail remain common in Uzbekistan.

EDUCATION

A teenage boy committed suicide in Kashkadarya in October, following bullying, physical abuse, and humilitation by teachers and the deputy director.

EQUALITY AND NON-DISCRIMINATION

Uzbekistan is one of the two Central Asian countries, along with Turkmenistan, which retained provisions criminalising same-sex relations from the Soviet (RSFSR) Criminal Code. Accordingly, Article 120 of the Criminal Code stipulates that "bezakalbazlyk" (sodomy) is punishable by placement in a mental health institution from one-to-three years, or up to three years of imprisonment. As a consequence of criminalisation, LGBT people are routinely subjected to arbitrary arrests, ill-treatment, persecution and surveillance. They are unable to register organisations, report cases of violence and discrimination to the police, or have access to the court system.

Article 120 is also applied against LB women, who have reported being detained, raped, and humiliated by the police. LB women are often subjected to forced marriage by their families. In August, the government adopted the law "On Protection of Women from Harassment and Violence", but failed to define marital rape, leaving LB women in forced marriages without protection.

Since President Mirziyoyev took over as President in 2016, the country has seen unprecedented reforms. These were continued in 2019, but as before, were mostly economic and rarely related to human rights. Local activists report that human rights related reforms are mostly "cosmetic" and aim to present a positive image of the country, but fail to create meaningful and systemic change.

"Uzbekistan has become an 'open box', but it is still a 'box'" - a local LGBT activist to ILGA-Europe*

On 1 March, the European Parliament adopted a report on the new comprehensive agreement between the EU and Uzbekistan, which had been negotiated for over a year. The report recommends Uzbekistan to decriminalise consensual same-sexual relations and foster a culture of tolerance for LGBTI people. It is hoped that as part of the ongoing reform process, the government will implement the recommendations.

Uzbekistan had expressed interest in becoming a GSP+ country, for which it has to implement 27 UN conventions. Although Uzbekistan has started to speedily ratify some, ILGA-Europe and other human rights partners remain concerned that LGBT people remain unprotected, including due to criminalisation.

On 24 July, the Uzbek bureau of Radio Free Europe received a letter in which anonymous LGBTI activists called on the government to decriminalise same-sex relations. A video appealing to the President was also published in August. Mirziyoyev has not stated his position on the issue of decriminalisation, but Uzbekistan rejected its LGBT-related UPR recommendations last year.

Following these appeals, the police launched an internal operation called "Oriyat" in August and September, detaining several LGBT people and sex workers.* On 10 September, police raided a nightclub popular among gay men and detained at least ten people.

In September, the government responded to the List of Issues published by the UN Committee against Torture and stated it has no record of violence against LGBT people.

FREEDOM OF EXPRESSION

On 20 August, in an interview with Radio Free Europe, an activist in exile called upon the President to decriminalise same-sex relations. Following the interview, the police called to his relatives' houses. Local activists also reported* that LGBT people have been increasingly persecuted since the interview.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

The UN Committee against Torture recommended Uzbekistan to investigate all allegations on torture against LGBT people and repeal Article 120.

** Some of the information about Uzbekistan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous.*

ILGA EUROPE