

# 6 positive developments and 6 worrying trends for LGBTI people in Europe

[Blog](#), [Annual Review](#)

Our Annual Review of the human rights situation of LGBTI people in Europe and Central Asia shows that there have been two very different sides to the story in 2021. Read on to find out how come.

The scapegoating of LGBTI people for political gain is happening across Europe. In fact, for the third year in a row (see [here](#) and [here](#)), we've reported an enormous rise in anti-LGBTI speech from politicians and public representatives. And it's not just in the usual suspects, Hungary and Poland. Politicians across the region are demonising LGBTI people, and this has led to a wave of anti-LGBTI violence in the streets of Europe.

However, this is just one side of the story. In the face of hate-speech from leaders who want to distract from their own failings and corruption, our Annual Review shows that there has been an unparalleled allied determination to tackle hatred and exclusion in many countries and at European level. National courts, EU institutions and more have been doing an extraordinary work to better protect the rights of LGBTI people throughout 2021, and this is a trend we want to see more of in 2022.

ILGA-Europe's [Annual Review of the Human Rights Situation of LGBTI people in Europe and Central Asia](#) documents legal, political and social developments affecting LGBTI people and communities in 54 countries and four European institutions over the past calendar year.

The publication includes events that occurred between January and December 2021. It provides a snapshot of what happened during the year, at national, regional and international levels, and it documents progress and trends regarding the human rights situation of LGBTI people.

## Six worrying trends for LGBTI people in 2021:

### 1. A severe rise of anti-LGBTI rhetoric from politicians

There was hate-speech from politicians targeting LGBTI people in at least 22 countries across Europe. [A particular low point](#) came on June 15, with Hungary's introduction of legislation introducing a ban on the "portrayal and the promotion of gender identity different from sex at birth, the change of sex and homosexuality" for persons under 18.

On 3 April 2022, the same day as the Hungarian general elections, the ruling Fidesz party will hold a referendum. On 3 April 2022, the same day as the Hungarian general elections, the ruling Fidesz party will hold a referendum. The questions it poses are carefully designed to force voters into siding with Fidesz against the LGBTI community, and to tell the lie that the will of the Hungarian people is at odds with the human rights values of the EU.

### 2. Violence against LGBTI people was rife, and in every country

As a consequence, there was anti-LGBTI hate crime reported in every country. Germany, for instance, had a 39% increase in anti-LGBTI hate crime, while a new app in France, where users can report anti-LGBTI hate crimes, collected reports of 3,896 incidents in its first year. In the second year of the COVID-19 pandemic, domestic violence against LGBTI family members continued to take place widely. There were murders, assaults, corrective rapes, and anti-LGBTI police brutality. In many countries where police brutality took place, the police were not held accountable.

### **3. Rainbow flags were burned, torn down and desecrated**

The rainbow flag was created in 1978 as a symbol of the unity and diversity of LGBTI communities. However, in 2021, it was instrumentalised as a symbol of division between supporters and detractors of LGBTI people. In the months following UEFA's prohibition of Munich's stadium being lit up in rainbow colours during the European Football Championship in June, in support LGBTI people in Hungary, the rainbow flag was desecrated in countries other than those where we've reported such activity, including Germany, Ireland, Italy, Netherlands, Norway, Finland and Spain.

### **4. Young LGBTI people were especially at risk**

A 14-year-old girl in France took her own life after years of lesbophobic and Islamophobic bullying. Over half of LGBTI students in Denmark had suicidal thoughts or self-harmed, while 82% of LGBTI students in Northern Ireland thought of suicide. 80% of LGBT students feel unsafe in school in Ukraine and 40% missed school only this past month because of this. These are just some of the reported cases and figures.

LGBTI youth were often targeted by politicians' hate speech. This particularly affected trans minors. For example, in Sweden, several clinics removed service provision to trans youth on their waiting lists following the pressure of anti-trans opposition.

### **5. In several countries, legal gender recognition reform remains stagnated**

The false narrative pitching trans rights against women's rights continued this year.

Awaited reforms on legal gender recognition procedures did not advance in Andorra, Belgium, Croatia, Finland, Germany, Montenegro, North Macedonia, Slovenia, Sweden and Slovakia, and regression in Greece, Poland, Portugal and Russia. Meanwhile there was some progress in Bulgaria, Croatia, Georgia, Kosovo, Lithuania and Turkey.

The Spanish government adopted its draft LGR legislation this year, setting out self-determination for those 16 or over. As the legislation was debated across the media, there was a spike in anti-trans rhetoric, including from politicians and members of government and a rise in anti-LGBTI hate crime.

### **6. LGBTI asylum seekers continued to face specific difficulties and injustices**

The situation for LGBTI asylum seekers is almost invariably fraught, including in countries where there's been positive legislative change for LGBTI people. Denmark, Estonia, France, Germany, Greece, Malta, The Netherlands, Portugal, Spain, Sweden and the UK are among the countries where LGBTI asylum seekers face double discriminations.

## **Six positive developments for LGBTI people in 2021:**

### **1. Public support for LGBTI people has never been stronger**

It is clear that state-sponsored anti-LGBTI rhetoric and legislation is not matched by public opinion. For example, in Hungary, polls show the public sees the new legislation as a political tool. 73% of Hungarians reject the government's false claim that gay and lesbian people abuse or harm children. 74,5% of Hungarians believe that transgender people should be able to change their gender and name in their official document, while 59% support same-sex marriage.

Also, hardly any Serbians know trans people, but 60% think they should be protected from discrimination. 68% of Romanians think all families, including rainbow families, should be protected, while 40% of Bulgarians would support a party that is pro-LGBTI.

## **2. LGBTI youth demonstrated across Europe**

Young LGBTI people and their peers mobilised in several countries along 2021. In Norway, 14-year-old students in eighth grade organised the first Pride in their town. In Ukraine, hundreds of LGBTI young people held a six-hour rave outside the president's office demanding comprehensive hate crime legislation.

## **3. Courts and human rights institutions firmly protected the rights of LGBTI people**

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

## **4. The top European courts defended LGBTI people's human rights**

Several positive judgments were delivered this year at the European Court of Human Rights on hate crimes, freedom of assembly, legal gender recognition and family rights. The Court of Justice of the EU ruled in the case of [baby Sara](#), the daughter of Bulgarian and British lesbian parents, that if one EU country recognises a parental relationship between a child and its parents, then all member states should, in order to give the child its right to freedom of movement. The court said baby Sara should be issued a Bulgarian passport, and her family should have free movement in all member states of the EU.

## **5. The European Parliament actively supported LGBTI people and their rights**

In March 2021, the European Parliament adopted a resolution declaring the EU an LGBTIQ freedom zone. The resolution condemned the fact that in Poland regions had adopted 'LGBT free zone' resolutions, as well as other persisting LGBTI rights violations in some EU member states. Six months later, the European Parliament adopted its resolution on LGBTIQ rights in the EU, welcoming the EU LGBTIQ Strategy.

## **6. The European Commission made a very powerful commitment**

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