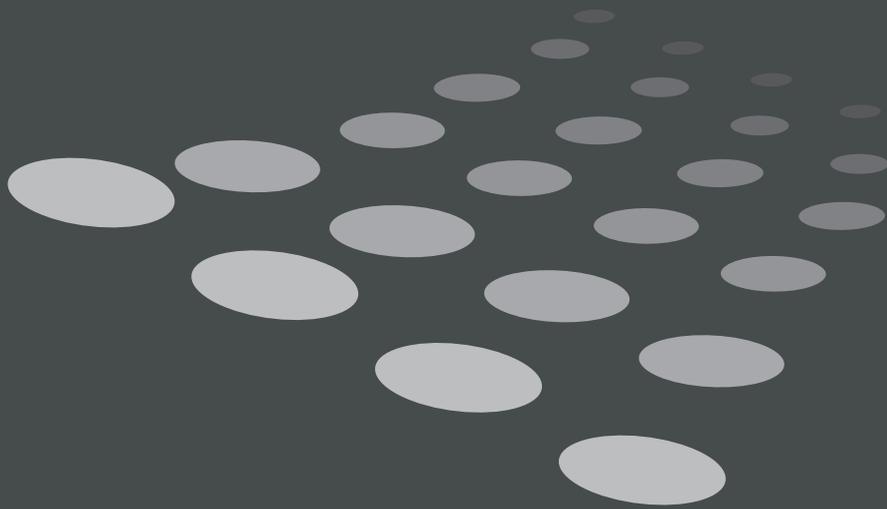




ILGA-Europe

**Annual Review of the Human Rights Situation of
Lesbian, Gay, Bisexual, Trans and Intersex People
in Europe**

2015



ILGA-Europe in brief

- ILGA-Europe is the European Region of the International Lesbian, Gay, Bisexual, Trans & Intersex Association (ILGA).
- ILGA-Europe works for equality and human rights for lesbian, gay, bisexual, trans & intersex (LGBTI) people at European level.
- ILGA-Europe is an international non-governmental umbrella organisation, bringing together 422 organisations from 45 countries in Europe.
- ILGA-Europe advocates for human rights and equality for LGBTI people before European level organisations such as the European Union (EU), the Council of Europe (CoE) and the Organization for Security and Cooperation in Europe (OSCE).
- ILGA-Europe strengthens the European LGBTI movement by providing trainings and support to its member organisations and other LGBTI groups on lobbying, advocacy, fundraising, organisational development and communications.
- ILGA-Europe was established as a separate region of ILGA and an independent legal entity in 1996. ILGA was established in 1978.
- Since 1997, ILGA-Europe enjoys participative status at the Council of Europe.
- Since 2006, ILGA-Europe enjoys consultative status at the Economic and Social Council of the United Nations (ECOSOC) and also advocates for equality and human rights of LGBTI people at the UN level.
- ILGA-Europe has its office in Brussels.
- ILGA-Europe receives funding from public and private donors.



rue Belliard straat 12
Brussels B-1040
Belgium
Tel.: +32 2 609 54 10
Fax: + 32 2 609 54 19
info@ilga-europe.org
www.ilga-europe.org

Design & layout: Silja Pogule, www.siljapo.com
Printer: Corelio Printing, www.corelioprinting.be

ISBN 978-92-95066-11-3



Supported by the PROGRESS Programme
of the European Union



Use your smart phone
to download this
Annual Review



ILGA-Europe
Annual Review of the Human Rights Situation of
Lesbian, Gay, Bisexual, Trans and Intersex People
in Europe
2015

This Review covers the period of January to December 2014.

May 2015

Table of contents

Acknowledgements	7		
Introduction	8		
A note on data collection and presentation	9		
How to use this Annual Review	10		
Highlights, key developments and trends	11		
Institutional reviews	17		
United Nations	18		
Council of Europe	21		
European Union	24		
Organization for Security and Co-operation in Europe	28		
Country reviews	30		
Albania	31	Liechtenstein	101
Andorra	34	Lithuania	102
Armenia	36	Luxembourg	106
Austria	39	FYR Macedonia	108
Azerbaijan	41	Malta	111
Belarus	43	Moldova	114
Belgium	46	Monaco	117
Bosnia and Herzegovina	49	Montenegro	118
Bulgaria	52	The Netherlands	121
Croatia	55	Norway	124
Cyprus	58	Poland	127
Czech Republic	61	Portugal	130
Denmark	63	Romania	132
Estonia	66	Russia	134
Finland	68	San Marino	140
France	71	Serbia	142
Georgia	75	Slovakia	145
Germany	78	Slovenia	148
Greece	81	Spain	151
Hungary	84	Sweden	154
Iceland	87	Switzerland	158
Ireland	89	Turkey	161
Italy	92	Ukraine	163
Kosovo*	96	United Kingdom	168
Latvia	99	Glossary	172
		Index	177

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

Acknowledgements

ILGA-Europe would like to acknowledge and extend its gratitude to the following individuals who have contributed to the completion of this edition of the *Annual Review*:

- Bruno Selun, Kumquat Consult, for compiling country information and drafting country chapters in liaison with national experts.
- Board and staff members of ILGA-Europe for overall research, drafting and editing work: Paulo Côte-Real, Joyce Hamilton, Boris Balaneţkii-Schlütter, Emma Cassidy, Michael Cerulus, Katrin Hugendubel, Nanna Moe, Evelyne Paradis, Björn van Roozendaal, Anastasia Smirnova and Nigel Warner.
- Member organisations of ILGA-Europe, country experts and other contributors:
Ekaterine Aghdgo, Elhan Bagirov, Zeynep Bilginsoy, Viachaslau Bortnik, Natasha Boshkova, Emina Bošnjak, Gabi Calleja, Agata Chaber, Milan Djuric, Tamás Dombos, Wiktor Dynarski, Oddvar Thorbjørnsen Faltin, Amarildo Fecanji, Angela Frolova, Kristine Garina, Sasa Gavric, Costa Gavrielides, Yuri Guaiana, Natia Gvianishvili, Iustina Ionescu, Klaus Jetz, Sanja Juras, Aili Kala, Danijel Kalezić, Kseniya Kirichenko, Romi Kollárik, Iina Korkiamäki, Konstantina Kosmidou, Biljana Kotevska, Murat Köylü, Vlola Krasniqi, Andrii Kravchuk, Kurt Krickler, Tim Hopkins, Mamikon Hovsepyan, Søren Laursen, Hilmar Magnússon, Simon Maljevac, Ayaz Manji, Natalia Mankouskaya, Nvard Margaryan, Alberto Martín-Pérez, Antonio Mihajlov, Stevan Milivojević, Jenifer Rebollo Norberto, Krisztina Orban, Lucie Otahalova, Irene Petropoulou, Monika Pisankaneva, Tomas Vytautas Raskevičius, Aleks Recher, Jovanka Todorović Savović, Gabrielle Schneider, Alexander Schuster, Brian Sheehan, Robert Simon, Radoslav Stoyanov, Philip Tijsma, Katrien Vanleirberghe, Vladana Vasic, Ulrika Westerlund and others who we may have mistakenly omitted in spite of their contributions towards this edition of the *Annual Review*.

Introduction

Welcome to the fourth edition of ILGA-Europe's *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe*. The publication includes events that occurred between January - December 2014. 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 institutional reviews and country chapters focus on 2014, our highlights section puts these trends in context, with reference to further developments that took place in early 2015, prior to the *Review's* publication.

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.

For the purposes of documentation and comparability of information, this *Annual Review* remains largely faithful to the format established in previous editions. Major developments will be emphasised with colourful textboxes and the Index directs readers interested in particular topics to the most relevant chapters. This year, we have added a Glossary, containing some of the most commonly used acronyms and definitions, to help make our country chapters as clear as possible. The country chapters contained in the *Annual Review* will also be available to view online through our website and our new *Rainbow Europe* web module.

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

annualreview@ilga-europe.org

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

ILGA-Europe's Annual Review Team
May 2015

A note on data collection and presentation

Collecting and presenting data on developments at national level in 49 countries represents a significant challenge for ILGA-Europe. Not only are we dealing with original reports in many different languages, the use of terminology around LGBTI issues is often not harmonised across Europe. 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 respect 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 49 countries in intricate detail. Firstly, the event itself may not have been adequately reported, or perhaps the reports were confusing or contradictory and ILGA-Europe were unable to verify them.

Secondly, the primary goal of the *Annual Review* is to reflect the human rights situation of LGBTI people and their position in society. This means that our primary focus is on events and LGBTI NGO work that represent important milestones towards the acknowledgement of the rights of the LGBTI community in that country.

Thirdly, information on intersex issues was collected where available but unfortunately intersex people's human rights remain largely unaddressed at national level.

Finally, this is only our fourth *Annual Review*. While we always strive to develop our rigorous data collection system, a number of limitations remained. We will incorporate the lessons learnt during the previous three *Annual Reviews* and continue to improve the quality of our reporting on LGBTI issues in Europe.

How to use this Annual Review?

This *Annual Review* covers developments at national and international level between 1 January 2014 and 31 December 2014. The *Review* itself is divided into two main sections. **Institutional reviews** provide an overview of developments at the United Nations, the Council of Europe, the European Union and the Organization for Security and Co-operation in Europe. The second section, **Country reviews**, contains 49 chapters covering all European countries in alphabetical order.

Each of the chapters uses standardised thematic categories to order the information – this facilitates searches and comparative analysis between chapters. The Index at the end of the *Annual Review* tells you where to find information in particular categories. The Index is accompanied by a Glossary which explains some of the acronyms and terminology we use in the country chapters. The presentation of information in each category is marked by introductory bullet points and follows a chronological order, without distinguishing between positive and negative developments.

Finally, each country chapter opens with a short introduction that gives readers a snapshot of the LGBTI human rights situation in that country.

Highlights,
key
developments
and trends

If 2013 was a year of increasing contrasts, then 2014 was certainly the year that saw these contrasts cemented themselves for lesbian, gay, bisexual, trans and intersex people in Europe. As we reflect on the 12 months that have elapsed since the launch of our last Annual Review, we are first and foremost heartened by the historic strides made by some European countries who demonstrated great leadership when they adopted new benchmarks for LGBTI equality. Whether this is through ground-breaking legislative moves, such as Denmark's progressive legal gender recognition law; or through setting standards by placing equality issues at the foundation of a legal system, as Malta did by giving gender identity constitutional protection from discrimination, great steps forward were made in 2014.

Other developments are more subtle, but no less noteworthy. Political conversations and press coverage has evolved in many countries, giving LGBTI issues a new level of prominence. Italy's EU presidency saw the first high-level conference with a specific focus on LGBTI rights taking place in the EU Council. Malta and Sweden co-hosted the IDAHOT 2014 Forum which united European leaders in the fight for equality and saw 17 countries sign a declaration of intent to mark 17 May. The fact that 26% of elected MEPs have signed ILGA-Europe's Come Out Pledge is another positive sign of the times.

The other side of the story is that a number of countries have seen LGBTI rights eroded even further, while others have simply stalled in terms of equality development. Specifically, Russia's anti-equality sentiment is now impacting former USSR countries and their LGBTI communities. Opponents in Western Europe have emerged under the banner of 'family values' and a need to guard children against so-called 'gender theory'. These developments serve as potent reminders that the work of securing rights is far from being done. We cannot take the positive developments of the past decade for granted; they can easily come under threat.

Some of the most important developments since IDAHOT 2014 relate to the recognition of the **human rights of trans and intersex people**. It is clear that trans people in Europe continue to face particularly high rates of discrimination, especially in the areas of employment, education and access to healthcare. In its first trans specific report, the EU's Fundamental Rights Agency (FRA) called the results of the largest survey in Europe on the experience of trans people "alarming". The survey pointed to "a vicious circle of fear and ignorance, of intolerance and discrimination or even hate-motivated violence and crime". But the FRA also highlighted that legal frameworks and good policies do have a positive impact on trans people's lives.

In this context, it is very encouraging that gender identity is increasingly being recognised in its own right as a ground of discrimination across Europe; from Malta, the first European country to explicitly name it in its constitution, to Portugal, the 21st country to include gender identity as a protected ground of discrimination in the field of employment. Even more striking is the fact that European governments are finally starting to adopt legal gender recognition legislation which fully complies with human rights standards. Denmark was the prime example of this in 2014, becoming the first European country to allow trans individuals to have their correct gender recognised without a medical diagnosis or judicial authorisation. The Danish model inspired the Spanish region of Andalusia to adopt similar provisions, while The Netherlands adopted a new law on gender recognition which removes previous requirements for a court order, surgery, and permanent sterilisation. More countries are currently discussing laws on legal gender recognition, including Poland, Serbia, Norway and Ireland.

In April 2015, Malta took benchmarking to the next level and became the first country in the world to enact legal provisions protecting the **human rights of intersex people**. The *Gender Identity, Gender Expression and Sex Characteristics Act* adopted by the Maltese parliament not only provides a legal gender recognition procedure for

adults and minors, it also prohibits any unnecessary surgical procedure on the sex characteristics of a person without their consent. The human rights of intersex people are also finally being named as part of the human rights agenda. In May 2014, the Council of Europe's Human Rights Commissioner issued a Human Rights Comment on the human rights of intersex people, raising awareness of the huge barriers they face in the enjoyment of their human rights. Building on this comment, an eagerly anticipated issue paper on intersex rights will be released by the Council of Europe in May 2015 during the IDAHOT Forum in Montenegro.

The number of European countries with **marriage equality** continued to increase in 2014. Marriage equality entered into force in the UK (everywhere except Northern Ireland) and in Luxembourg, so the total now stands at 11 countries in Europe. Finland also made significant strides by adopting marriage equality provisions that will be enacted in early 2017, while all major political parties formally support marriage equality ahead of the May 2015 referendum in Ireland. Registered partnerships became legal in Andorra, Croatia, Estonia – the first former USSR country to grant same-sex couples the right to officially enter unions –, and Malta, where the government guided a highly progressive bill through parliament. In March 2015, the Slovenian parliament passed a gender neutral marriage bill that could come into force later this year. The vote demonstrated the social change that has taken place in Slovenia, where a referendum rejected similar legislative amendments in 2012.

Beyond recognition of couples, **parenting rights** also evolved in other positive ways. Belgium, the Netherlands and France made it easier for non-biological mothers in lesbian couples to see their children recognised. Adoption rights progressed in Andorra, Croatia, Denmark, Germany, and Malta. By the end of the year, discussions on new adoption rights were ongoing in Switzerland and the Czech Republic. Regrettably, Portugal reneged on promises made in 2013 to allow same-sex couples to adopt, and no progress was made in 2014. In January 2015,

draft laws on same-sex adoption rights were rejected for a third time by the Portuguese parliament.

While more European countries are moving progressively along the road of family rights, others are unfortunately moving in the other direction by adopting **restrictive definitions** of marriage in their national constitutions and legislation. Following debates throughout 2014, the government and parliament of the FYR Macedonia voted to constitutionally define marriage as being between a man and a woman in January 2015. The amendment also increased the parliamentary majority needed to pass any future proposals on same-sex unions. In Slovakia, the socialist government imposed a constitutional ban on equal marriage, in exchange for the opposition's support for reform of the judiciary in 2014. This was followed by a referendum, called for by ultra-conservative and religiously-inspired groups in February 2015, which was fortunately defeated; only 21% of registered voters took part, less than the 50% threshold required. Similar discussions are taking place in Georgia and in Switzerland, where a referendum is expected to take place in 2015.

When we think of the word 'government', we tend to conjure up images relating to their legislative function. However the government's role does not stop when the ink dries on a new law. They play a vital role in instigating change through public policy. Action plans or national strategies are often just as useful when seeking to inform the public and shape opinion.

In 2014, the trend of adopting **national strategies for LGBTI equality** continued. Some countries adopted new strategies, or included sexual orientation and gender identity as part of wider human rights or non-discrimination plans: Georgia, Serbia, Slovakia, and Sweden did so, and preparatory work was underway in Iceland and Bulgaria. However, Norway declined to renew its national action plan for LGBTI equality, and Albania and Italy were both criticised for failing to implement theirs.

This is where national governments need to redouble their efforts in the coming 12 months. Strong policies only become effective when coupled with dedicated implementation; otherwise they are reduced to well-meaning but powerless pieces of paper.

The past year also offered several powerful examples of influential figureheads contributing to LGBTI **visibility in public life**. Several openly gay mayoral candidates were successful in elections, for example in Poland and Turkey. In an exciting move, Latvian foreign minister Edgars Rinkēvičs took to Twitter to come out as gay and received much support from his European counterparts, including EU High Representative Federica Mogherini. Memorably, Conchita Wurst was crowned the winner at the 2014 Eurovision Song Contest, after some objections from anti-equality campaigners. Singers and politicians alike – they have all become symbols of the growing visibility of LGBTI people and their allies in European society.

Peaceful and protected **prides** continued to be a marker of positive change. Inaugural prides were celebrated in Albania and Cyprus – the last EU country to hold prides –, while Belgrade Pride took place without incident for the first time in 4 years, and in Moldova the Pride parade unfolded peacefully for the second time. Such instances cannot be taken for granted however and Montenegro served as a reminder of this. The parade was heavily protected and took place practically in secret in November, having been rescheduled following consultation with police earlier in the summer.

A growing number of European countries are receiving claims from **LGBTI asylum-seekers**. The issue is not only one of grave importance for countries with historically high levels of asylum applications; it is fast becoming a concern for the entire continent. Several countries – namely Montenegro, Slovenia and Portugal – recognised asylum claims based on sexual orientation for the first time in 2014.

More governments are learning to implement international and European standards in relation to asylum and sexual orientation. European case law is progressively developing to give guidance on application of legal standards. One case of particular interest to LGBTI asylum seekers was the CJEU's ruling in *A, B, and C*. In December, the European Unions' highest court insisted that asylum assessment procedures cannot violate the individual's rights to human dignity and private and family life. This means that assessments cannot be based on stereotypes or include personal questions; a decision that should help to guide national authorities.

Against the backdrop of historic standard-setting and changes in societal attitudes, the reality for LGBTI communities in Europe today is unfortunately marred by serious drawbacks. In several countries, the space available for human rights defenders to promote and advocate for human rights in general, and the rights of LGBTI people specifically, continued to shrink. Human rights defenders in countries as diverse as Armenia, FYR Macedonia, Hungary, Serbia, Spain, Turkey and Russia signalled developments which risk violating basic human rights such as right to liberty, freedom of association, freedom of expression and information as well as freedom of the press and wider media. These restrictions can manifest themselves through the introduction of 'foreign agents' laws, making it difficult for NGOs to receive funding from abroad. In Russia, the enactment of such laws led to NGO inspection visits. Another characteristic of the backlash is that the participation of NGOs in policy-making becomes more restricted, as was the case in Hungary. The repressive NGO climate was also characterised by the enforcement of 'anti-propaganda' laws in Russia and Lithuania, and the discussion of a similar draft law in Belarus. In Bulgaria, the far right drafted such a bill but failed to see it adopted, so far. Positively, MPs in Ukraine withdrew a draft 'anti-propaganda' law after the October parliamentary elections (although Russia's federal 'anti-propaganda' law now applies in occupied Crimea).

2014 was also the year that saw anti-equality groups increasingly use education as a battlefield. Indeed, the inclusion of LGBTI and diversity issues in the school curriculum met with strong **opposition from anti-equality groups** in several EU Member States. They opposed the teaching of diversity and sexuality in school, and vocally protested against new or existing lesson plans in Germany and Slovakia. In addition to protests, in France, Italy, and Poland these groups also criticised what they termed “gender theory” or “gender ideology”, referring to any argument in favour of equality or non-discrimination – for LGBTI people as well as women. However, they have not prevented positive developments from unfolding in several countries: The Netherlands amended its law to forbid religious schools from firing openly LGBT teachers or expelling students; and in Croatia, textbooks were altered to remove homophobic content. The importance of this topic was underlined by Council of Europe Commissioner for Human Rights Nils Muižnieks, with his comment stating that LGBTI children have the right to safety and equality. When education is used as a battlefield, it is clear something must be done to protect vulnerable LGBTI students or staff in every school in Europe.

Broader geo-politics – namely the **influence of Russia** in its neighbouring region – also continued to be a hugely influential factor when it comes to advancing the rights of the LGBTI communities in Eastern Europe. Russian political leaders continue to successfully use a conservative narrative – which leaves no place for LGBTI people – to build a new national identity. This, in turn, creates a new ‘ideological wall’ to the West and the backlash against human rights in Russia is spreading beyond the country’s borders. As Armenia, Belarus, Kazakhstan, and Russia signed the founding treaties of the Eurasian Economic Union, homophobic and transphobic language grew. This heightened rhetoric aimed to differentiate between East and West, positioning the Eurasian bloc as fiercely traditionalist when it came to family.

The Eurasian ideology didn’t stop at the bloc’s Western borders. Political figures in several other European countries expressed sympathy with Eurasian views: in Bulgaria, far-right party Ataka launched its campaign for the European Parliament elections from Moscow, attacking “europederasty” [sic]. In France, the president of the far-right Front National’s youth branch supported introducing an ‘anti-propaganda’ law in schools. European equality politics were criticised as a Western “cradle of decay” by a homophobic politician in Lithuania, or as “discrediting the institution of family” in Belarus. Sadly, the pernicious threat posed by the Russian-based violent extremist group, Occupy Paedophilia, continued this year in Moldova.

Unfortunately, a common theme, year after year, continues to be the high incidence of **homophobic and transphobic violence** across the European region. Again in 2014, surveys on violence and reports of attacks targeting the LGBTI communities have confirmed this is a European-wide trend; with stories emerging from The Netherlands, the UK, Spain, Serbia and Montenegro. Trans women and sex workers are particularly vulnerable to violent attacks. This trend has become all too apparent in Turkey, where there were several reported cases of trans women being harassed by the police or murdered again this year. On a positive note, more governments, such as Greece and Spain, are equipping themselves with stronger legislation and policies on hate crime. But, in most countries, the under-reporting of violence and impunity for perpetrators remain chronic impediments to effective prevention of homophobic and transphobic violence.

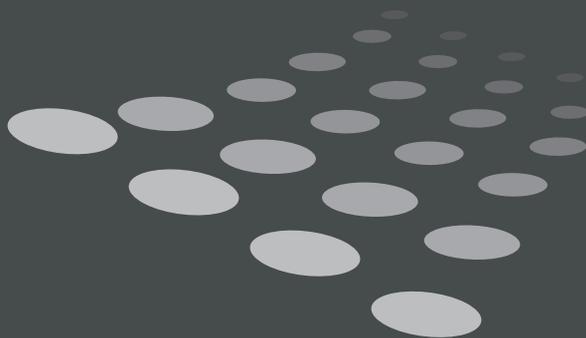
Reports of **homophobic and transphobic discourse** by political and religious authorities is another unfortunate recurring feature of our Annual Review, from Armenia, Belarus and Moldova, to Spain and Cyprus. That being said, 2014 did witness something of an evolution, as individuals and groups willing to challenge these hierarchical views emerged. While the Archbishop of Cyprus’ public clarification was not a complete epiphany,

his recognition that the Church had been wrong to call homosexuality an 'affliction' was a step in the right direction. Members of the clergy in other countries have asked the Church to temper its language in relation to LGBTI people, notably in Belgium in 2014 and in Ireland prior to the 2015 marriage equality referendum.

When considering the trends described here, it is striking to see just how much **political leadership** was a crucial ingredient in the recipe for change. There is no doubt that credit must be given to politicians and decision-makers who made the difference by choosing to exercise leadership. Fulfilling their duty as public officials to make sure that everyone can lead their lives in the best way possible, the Maltese Civil Liberties Minister Helena Dalli and Estonian President Toomas Ilves stand out amongst European decision-makers because they took steps to make equality a reality, not allowing their decisions to be dictated by prejudice or fear of opposition.

It is equally true that a lack of political will constitutes one of the most enduring barriers to greater equality. Unfortunately, examples of this abound across Europe. It happens at institutional level when EU decision-makers stall the adoption of an EU LGBTI action plan; or when EU heads of state turn a blind eye to anti-propaganda laws or profoundly undemocratic laws enacted by some EU governments. It happens at national level when politicians allow extremist anti-human rights voices to dictate their political agenda. It happens when governments allow forced sterilisation of individuals to go on in 21st century Europe. Let us hope that 2015 will bring more examples similar to Malta and Estonia. Now, more than ever, Europe needs political leaders to work with and for LGBTI people in Europe.

Institutional reviews



United
Nations

A landmark resolution on sexual orientation and gender identity was adopted by the UN Human Rights Council, showing a continued commitment to the basic human rights of LGBTI people. The resolution followed in the footsteps of the first resolution adopted three years ago and calls for an updated report from the UN High Commissioner for Human Rights. The vote count shows an increased support base of states across the regions within the UN.

Bias-motivated violence

- In December, the General Assembly adopted a resolution on extra-judicial executions protecting the right to life of all people. It called upon states to investigate killings based on discriminatory grounds, including killings that target people based on their sexual orientation or gender identity. It is the first resolution at the General Assembly to make specific reference to sexual orientation and gender identity. An amendment to weaken the resolution, removing reference to any of the groups particularly at risk of extrajudicial killings including LGBTI people, was voted down by a wide margin.

Equality and non-discrimination

- In September, the Human Rights Council (HRC) adopted a landmark resolution on 'Human Rights, Sexual Orientation and Gender Identity'. It condemned violence and discrimination on the basis of sexual orientation and gender identity and recognised a pattern of violence and discrimination across all regions of the world, including Europe. Previously, during the HRC in June 2014, six Latin American states made a joint statement calling for human rights violations based on sexual orientation and gender identity to be addressed more systematically within the UN. In September, Brazil, Chile, Colombia, Uruguay and 42 co-sponsoring states introduced the Sexual Orientation Gender Identity Resolution. It was adopted with 25 votes in favour, 14 against and 7 abstentions, showing an increasing support base for LGBTI rights across all regions within the UN. The only European state to vote against the resolution was Russia. Seven hostile amendments introduced by Egypt on behalf of ten states were successfully voted down.

- The 2014 resolution follows the first ever resolution adopted in June 2011 by the Council. The 2014 resolution asks the High Commissioner for Human Rights to update the 2012 report on violence and discrimination on the basis of sexual orientation and gender identity (A/HRC//19/41), with a view to sharing

good practices and ways to overcome violence and discrimination.

- In September, the new UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein assumed his position at the opening of the Human Rights Council with supportive remarks: "There is no justification ever, for the degrading, the debasing or the exploitation of other human beings – on whatever basis: nationality, race, ethnicity, religion, gender, sexual orientation, disability, age or caste." His comments follow on from the ground-breaking work carried out by his predecessor, Navi Pillay, and UN Secretary General, Ban Ki-Moon, on issues of sexual orientation and gender identity.

- Human rights violations against LGBTI people in Albania, FYR Macedonia, Norway, Portugal and Slovakia were brought to the attention of the Human Rights Council under Universal Periodic Review (UPR) reports and statements. The UPR mechanism has become an important instrument for many LGBTI organisations and allies to raise attention to human rights violations against LGBTI people in countries under review and hold their governments accountable. An increased involvement in the UPR process has led to high and continuous visibility of LGBTI issues at each UPR session. Final reports were adopted for Albania, FYR Macedonia, Norway, Portugal, San Marino and Slovakia. These countries received and responded to recommendations pertaining to sexual orientation and gender identity.

- In November, the UN General Assembly's Third Committee adopted the United Nations' first ever resolution on bullying. Although explicit references to homo- and transphobia were stripped during negotiations, the resolution makes reference to bullying related to discrimination and stereotyping, and points out the greater risk for vulnerable groups. The resolution asks for a report by the UN Special Representative on Violence against Children on the causes and effects of bullying, as well as ways to overcome it, by 2016.

Family

- A first attempt in March 2013 to introduce a resolution on the protection of the family by a cross-regional group of nine states (Bangladesh, Egypt, Mauritania, Morocco, Qatar, Russia, Tunisia, Uganda and Zimbabwe) failed because other states proposed a number of amendments including a reference to 'various forms of the family'. In June 2014, a second attempt was more successful. After the same types of amendments were made by some countries, Russia proposed a 'no-action motion', thereby blocking any amendments made on the text, that was adopted by a very slim margin. This procedure is rarely used in the HRC, as it blocks any dialogue on the issue at hand. The fact that Russia got enough support for this no-action motion sets a bad precedent for discussions on issues considered to be controversial.
- In December on International Human Rights Day, a special event took place at the UN General Assembly, themed 'Love is a Family Value'. Around this event, the New York-based International Gay and Lesbian Human Rights Commission organised a 'week of advocacy' for a cross-regional group of LGBTI activists, including an LGBTI activist from Moldova, to speak to states.

Council of Europe

In recent years, the Council of Europe has established clear standards for the human rights of LGBTI individuals on the European continent. In 2014, a great deal of emphasis was placed on promoting and supporting the detailed implementation of these standards by member states, and on condemning flagrant violations.

Bias-motivated speech

- In September, following a visit to France, the Council of Europe Commissioner for Human Rights Nils Muižnieks, expressed concern at an upsurge in racist, anti-Semitic, anti-Muslim and homophobic rhetoric and acts.
- In December, the Commissioner for Human Rights urged Hungarian authorities to abstain from using demeaning rhetoric against a number of groups, including LGBTI individuals, and to condemn all instances of hate speech.

Bias-motivated violence

- In January, delegates to the Parliamentary Assembly of the Council of Europe (PACE) highlighted the high levels of hate-related murders of LGBTI people in Turkey. Their Written Declaration expressed shock that the Turkish government's proposals for criminalising bias-motivated actions failed to include crimes motivated by homophobia or transphobia. PACE delegates also called on Russian authorities to end their campaign stigmatising LGBT people, pointing out that it was leading to an intensification of violence and discrimination.
- Following his visit to Georgia, in May the Commissioner for Human Rights expressed concern at violence against LGBTI persons. His report also highlighted the law enforcement bodies' practice of treating such violence as 'petty hooliganism'.
- In November, the PACE Monitoring Committee Rapporteurs for Moldova condemned a violent attack on the office of LGBT rights organisation GENDERDOC-M, and called for unequivocal measures to be taken to root out the extremist groups behind the violence.

Equality and non-discrimination

- The European Commission against Racism and Intolerance (ECRI), as part of its five-year monitoring cycle, in 2014 adopted the fifth report on Bulgaria, Greece, Norway, Slovakia and Switzerland, as well as the fourth report on Slovenia.

- In January, the Council of Europe's Committee of Ministers supported proposals for further action to combat sexual orientation and gender identity discrimination, in line with its 2010 Recommendation to member states on this subject. The Committee also agreed to review implementation of the Recommendation in four years' time. Later in the year, an internal task force to ensure mainstreaming of sexual orientation and gender identity issues was established.

- In June, the Commissioner for Human Rights, in a report on Montenegro, noted the significant progress made in the protection of the rights of LGBTI persons. However, he added that homophobia remains a serious problem in Montenegrin society.

- The Council of Europe Director of Human Dignity and Equality, Marja Ruotanen, delivered the opening address at ILGA-Europe's annual conference in Riga in October. This was followed by a workshop organised by the Council of Europe on its work combatting sexual orientation and gender identity discrimination.

- The Commissioner for Human Rights issued a statement in October in which he expressed concern at the bullying and violence experienced by LGBTI children and stressed their right to full enjoyment of human rights and a safe environment.

- In November, the Council of Europe organised a 'training of trainers' seminar for police officers on non-discrimination with a focus on Roma and sexual orientation/gender identity.

Freedom of assembly

- In March, the PACE General Rapporteur urged the Lithuanian Parliament to reject a proposed legal change which could result in the imposition of fines on those demonstrating publicly in "defiance of constitutionally established family values".

- In September, the Committee of Ministers, in supervising implementation of the judgment of the European Court of Human Rights (ECtHR) in *Alekseyev v. Russia* (the Moscow Pride cases), expressed serious concern that similar requests to hold public events had recently been refused on the basis of the federal “propaganda” law, despite previous assurances by the Russian authorities to the contrary. It noted with great regret that the right to freedom of assembly was not sufficiently protected, and urged Russian authorities to take the measures necessary to implement the judgment prior to a further review of the case in mid-2015.

Freedom of expression

- The PACE, on accepting the request of the Kyrgyz Parliament for partner for democracy status in April, stressed the importance of Kyrgyzstan not introducing a law prohibiting “homosexual propaganda”, and of combating discrimination and violence based on sexual orientation and gender identity.
- In December, the Commissioner for Human Rights published a report on Hungary, in which he welcomed progress made in fighting discrimination against LGBTI persons, but expressed concern at attempts to introduce legislation criminalising the “promotion” of homosexuality and to ban the annual Pride March in 2011 and 2012.

Intersex

- In May, the Commissioner for Human Rights issued a statement expressing concern at intersex people’s lack of recognition in Europe. He urged governments to review their current legislation and medical practices, to identify gaps in protection of intersex people, and to take measures to address their problems.
- In December, the Council of Europe issued an expert study on the human rights challenges of trans and intersex children. The report highlighted the importance of information, better knowledge and understanding of trans and intersex children, in order to protect them against violence related to sex and gender norms.

Legal gender recognition

- In January, the European Committee of Social Rights requested all states party to the European Social Charter to provide information on whether legal gender recognition of trans people requires that they undergo sterilisation or any other invasive medical treatment which could impair their health or physical integrity.
- In July, the ECtHR ruled, in the case of *Hämäläinen v. Finland*, that Finland did not violate the human rights of a trans woman by requiring that her marriage be downgraded to a registered partnership in order for her to obtain her legal gender recognition.

- In September, the Committee of Ministers noted with concern the continuing failure of the Lithuanian authorities to put in place procedures enabling gender reassignment in accordance with the judgment by the ECtHR in *L. v. Lithuania*; and urged the authorities to take the necessary action by making the case subject to an enhanced level of supervision.

European Union

The start of the next five-year term of the European Commission and European Parliament was marked by promising commitments to step up actions on LGBTI equality. While nearly 25% of newly-elected members of Parliament pledged support for the human rights of LGBTI people, several members of the new Commission made positive statements in the areas of anti-discrimination, enlargement, foreign policy, and health, as well as on a future EU LGBTI strategy. The new President of the Commission also named the work to unblock the EU anti-discrimination directive outside employment in the European Council as one of its priorities. This was followed by the first-ever European Council conference on sexual orientation and gender identity. In addition, the Agency for Fundamental Rights launched an important report on the discrimination faced by trans people in the EU, and the Court of Justice of the EU delivered positive rulings and opinions in the field of asylum and blood donation. In short, 2014 was a year of great promise in the EU, which will need to be translated into concrete action in the coming years.

Asylum

- In December, the Court of Justice of the European Union (CJEU) issued a joint ruling in *A, B, C v Staatssecretaris van Veiligheid en Justitie (cases C-148-150/13)*, clarifying that when assessing the claims of asylum seekers fleeing persecution due to their sexual orientation, Member States' asylum authorities had to respect the claimants' dignity and privacy. The CJEU ruled that assessments must not be based "only on stereotyped notions concerning homosexuals"; must not include questions on applicants' sexual practices; must not 'test' the applicants' sexuality, including with images or films of sexual acts; and must not infer that claims lack credibility only because applicants failed to disclose their sexual orientation from the beginning of the procedure.

Bias-motivated violence

- In November, the Agency for Fundamental Rights (FRA) and the Italian Presidency of the Council of the EU hosted the first meeting of the Hate Crime Working Party with participants from 25 Member States, as well as the European Commission and the OSCE's Office for Democratic Institutions and Human Rights (ODIHR). Discussions focused on reporting and recording of hate crime, enhancing multi-agency partnerships and training for public service providers. In December, representatives of the European Commission and of the Council of the EU participated in ILGA-Europe's seminar "Stepping up the fight against hate crimes – Towards an inclusive response to homophobic and transphobic violence and hatred".

Data collection

- In December, the Agency for Fundamental Rights (FRA) published a comparative study on the experience of trans people in EU Member States. The study surveyed the responses of 6,579 trans individuals to the FRA's 2013 EU LGBT Survey, and found that trans people faced discrimination when looking for employment (EU average: 37%), in education (24%), and when accessing healthcare (22%). 15% of respondents also reported being attacked or threatened with violence in the year preceding the survey.

Education

- During his hearing before the European Parliament, Commissioner Tibor Navracsics (Education, Culture, Youth and Sport) said he was "deeply and personally" committed to equality, freedom, and human rights.

Employment

- During her hearing before the European Parliament, Commissioner Marianne Thyssen (Employment, Social Affairs, Skills and Labour Mobility) committed to combatting all discrimination.

Enlargement

- In October, the European Commission published its annual reports on progress towards EU accession for Albania, Bosnia and Herzegovina, Kosovo, the FYR Macedonia, Montenegro, Serbia, and Turkey. All reports analysed legal and social progress in relation to sexual orientation and gender identity, and underlined clear standards in all areas of government, particularly to combat hate speech, hate crime, and secure freedom of assembly and expression.

- In November, Members of the Pre-Accession Countries' Parliaments and the European Parliament, in cooperation with Italian Presidency of the Council of the EU and the European Commission, organised a conference on fundamental rights that had an important focus on LGBTI issues in EU Enlargement countries.

- During his hearing before the European Parliament, Commissioner Johannes Hahn (European Neighbourhood Policy and Enlargement Negotiations) said "discrimination has no place in the countries that wish to join the EU", and underlined human rights were an integral part of the EU's foreign policy.

Equality and non-discrimination

- In February, the European Parliament adopted a report requesting an EU roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity from the European Commission. The

report asked for a comprehensive EU policy covering 11 areas of EU competence: non-discrimination (in general, in employment, in education, in health, in access to goods and services); action specific to trans and intersex persons; citizenship, families and freedom of movement; freedom of assembly and expression; hate speech and crime; asylum; and enlargement and external action. A clear majority adopted the report (394 MEPs in favour, 176 against). After her hearing before the European Parliament, Commissioner Věra Jourová (Justice and Gender Equality) wrote to MEPs to say the EU “need[s] a straightforward and concrete action plan”.

- In July, the Advocate General of the CJEU delivered a negative opinion on France’s ban on blood donation for men who have sex with men (see **France**).
- In October, designated Commission President Juncker stated his clear commitment to finally unblocking the negotiations on the horizontal anti-discrimination directive which would forbid discrimination based on religion or belief, disability, age or sexual orientation in access to goods and services, education, and access to social benefits. The directive’s adoption was also one of the priorities set out in the mission letter to Commissioner Jourova by President Juncker. The Italian Presidency supported this initiative and put the draft directive back on the agenda of the Employment, Social Policy, Health and Consumer Affairs Council configuration (EPSCO) in December.
- In October, the Italian Presidency of the Council of the European Union hosted the first European Council conference on LGBTI issues, *Tackling sexual orientation and gender identity discrimination: next steps in EU and Member State policy making*.
- During his hearing before the European Parliament, Commissioner Frans Timmermans (First Vice-President, portfolio including the Rule of Law and the Charter of Fundamental Rights) said he would “stand for fundamental rights”, work with human rights activists,

and hold Member States to their responsibilities under the Charter of Fundamental Rights.

Foreign policy

- In January, Commissioner Malmström held a joint press conference with the Russian LGBT Network and ILGA-Europe in Moscow to raise concerns over the human rights situation of LGBTI people in Russia.
- Ahead of the Sochi Winter Olympic Games in February (see **Russia**), the European Parliament adopted a resolution criticising the federal ‘anti-propaganda’ law and the law on foreign agents, adopted in 2013 and 2012 respectively, noting violence and discrimination against LGBTI people had increased since their adoption.
- In March, the European Parliament adopted a resolution asking the Commission and Member States to consider suspending cooperation with Uganda and Nigeria over new homophobic laws. The request wasn’t followed up.
- The EU hosted a summit with the heads of state and government from over 40 African countries in April. The meeting avoided a discussion of LGBTI issues, but then Belgian Prime Minister Elio Di Rupo remarked during his official dinner address: “We cannot tolerate anywhere that some may be deprived of their rights and persecuted due to their origin, their sexual orientation, their religion, or their convictions”.
- After the Ukrainian conflict began in 2013, the European Commission opened the second phase of the visa liberalisation process for Ukrainian nationals travelling to the EU, and abandoned earlier demands that Ukraine adopt a law against discrimination in employment. The Ukrainian government committed to reforming its Labour Code in the near future (see **Ukraine**).
- During her hearing before the European Parliament, High Representative of the Union for Foreign Affairs and

Security Policy Federica Mogherini said human rights were at the core of the EU's foreign policies, and insisted the EU must be consistent with its internal and external human rights standards.

Health

- During his hearing before the European Parliament, Commissioner Vytenis Andriukaitis (Health) responded to a question on discrimination of trans people in healthcare: "We can't allow any discrimination in the field of healthcare."

Participation in public, cultural and political life

- Ahead of the elections to the European Parliament in May, 1,128 candidates signed ILGA-Europe's Come Out Pledge to advance LGBTI equality (most supporters: Spain, 162; least supporters: Romania, 0). 203 supporters were elected (27% of 751 MEPs). ILGA-Europe also hosted a debate between representatives of the Alliance of Liberals and Democrats for Europe, the European Green Party, the European Left Party, the European People's Party, and the Party of European Socialists. All representatives agreed the European Union should adopt a roadmap for LGBTI equality (see **Equality and non-discrimination**).

- On the occasion of the Pope's visit to the institution in November, European Parliament Vice-President Ulrike Lunacek (Greens/EFA, Austria) handed the pontiff a rainbow scarf, explaining it symbolised peace and respect for LGBTI people's rights.

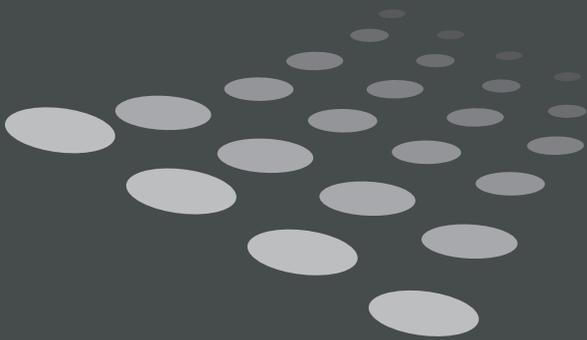
Organization for Security and Co-operation in Europe

The OSCE continued its work on bias-motivated speech and violence in 2014. It published its annual report on hate crime, now covering incidents in no less than 45 countries, and identified under-reporting as the key challenge.

Bias-motivated speech and violence

- In June, the Swiss chairmanship of the OSCE organised a conference on 'OSCE and Human Rights Defenders' in Bern.
- In September, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) released two new tools to help participating states counter hate crime, including those targeting LGBT people. The first tool aimed to improve investigation and prosecution of hate crimes, while the second tool aimed to address gaps in data collection and monitoring.
- In November, ODIHR published its annual report *Hate Crimes in the OSCE Region* on incidents that happened in 2013. Thirty-six participating states submitted information, but thanks to the numerous NGO submissions – including ILGA-Europe's – 45 countries were actually covered (5 more than the year before). The research confirmed the vast disparity in definitions, reporting mechanisms and data collection and singled out under-reporting as the key challenge.
- In December, ODIHR participated in ILGA-Europe's seminar "Stepping up the fight against hate crimes – Towards an inclusive response to homophobic and transphobic violence and hatred" together with representatives of NGOs, the EU and Council of Europe.

Country
reviews





Albania



A Pride march took place in Tirana for the first time. Both the government and the police supported the event, and no incidents were reported. Parliamentarians debated the Ombudsman's first national report into the rights of LGBTI people, and the Minister for Social Welfare and Youth suggested allowing same-sex unions. General awareness of LGBTI people and their rights remained low overall, although authorities – in particular the Commissioner for Protection from Discrimination – lent support to several events and the opening of Albania's first LGBTI shelter.

Bias-motivated speech

- In May, leader of the Black Alliance Party (a small nationalist party with no national representation) Kreshnik Spahiu said in a press conference that LGBTI people were “the lowest in society” and “a terrible virus”. Mr Spahiu called for a counter-demonstration to oppose the Pride march (see **Freedom of assembly**), but the police banned any counter-protest.
- During the same month, 57 intellectuals published a petition, entitled *Healthy family, healthy nation*, in daily newspapers *Panorama* and *Tema*. In connection with the Pride event in Tirana (see **Freedom of assembly**), the authors incited hatred against LGBTI people in Albania, Kosovo, and Macedonia. After realising they had signed a homophobic column, two authors withdrew their names the day after its publication. Following declarations by more signatories that they were unaware of the petition’s contents, NGO Pink Embassy filed a fraud complaint with the prosecutor. At the end of the year, neither Pink Embassy nor the Ombudsman had received any information on the result of the prosecutor’s investigation.

Bias-motivated violence

- In December, NGOs Aleanca LGBT and ProLGBT opened a shelter for LGBTI individuals who are homeless, victims of domestic violence, or at risk of violence. The service provides housing and medical assistance for up to 8 people for a period of 6 months each, and employs 12 staff members. Minister of Social Welfare and Youth Erion Veliaj, the Director of the government-run Agency for Supporting Civil Society Organisations, as well as British and EU diplomats, attended the opening.
- NGO PINK Embassy reported several individual cases of violence and discrimination throughout the year, including instances where LGBTI people were kicked out of their home, had their resources cut by unsupportive family members, or were sexually abused. Some victims sought to leave Albania.

Education

- In November, the Commissioner for Protection from Discrimination and NGO PINK Embassy signed an agreement with the Ministry of Education and Sports, aiming to assess

the prevalence of homophobic and transphobic bullying and discrimination in high schools. They agreed to conduct a nationwide study and teachers’ trainings in six major cities, as well as holding a national conference.

Enlargement

- Albania has been considered a potential candidate to join the European Union since 2003. In its annual report on progress towards EU accession, the European Commission noted in October that cooperation between state authorities and LGBTI NGOs had progressed. However, the Commission regretted that the government hadn’t yet set up an inter-ministerial working group to implement the *Action Plan for Non-Discrimination on the Basis of Sexual Orientation and Gender Identity*, adopted in 2012 with support from the Council of Europe.

Equality and non-discrimination

- The Commissioner for Protection from Discrimination published its first report on the protection and respect of the rights of LGBTI people, which he presented to the Parliament’s Subcommittee on Human Rights in December. It comprehensively surveyed the topic, and recommended aligning law and policy with the Council of Europe’s *Recommendation of the Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity*, notably in the area of hate crime legislation; to educate the public about LGBTI issues; to ensure that victims of discrimination know about their rights; and to provide training to police, healthcare, welfare, judiciary, and education professionals.
- In January, NGO PINK Embassy hosted a workshop on inclusion and non-discrimination for LGBT people together with the Commissioner for Protection from Discrimination. Governmental and human rights bodies, the Council of Europe, and NGOs all took part in the event, which concluded by making recommendations to government.
- In October, the Ministry of Social Welfare and Youth Strategy invited several NGOs, including PINK Embassy, to provide their input towards its draft *Social Inclusion Strategy*, due to cover the years 2014–2020. The final version of the strategy had not been published by the end of 2014.

- In November, NGO PINK Embassy signed a cooperation agreement with the municipalities of Tirana, Durrës, Elbasan, Korçë, Shkodër, and Vlorë. The agreement foresees an improvement in the quality of services for LGBTI people through joint work on areas such as education, healthcare, or welfare services at local level.

Family

- The Ministry of Social Welfare and Youth started preparatory work to amend the Family Code, with a view to legalising same-sex unions. Although the Parliament was due to discuss potential amendments in the first half of the year, they hadn't been put forward by the end of 2014.

Freedom of assembly

- The first walking Pride march unfolded peacefully in the capital Tirana on 17 May, International Day Against Homophobia and Transphobia. (Bike rides against homophobia and transphobia had taken place peacefully in previous years.) About 60 people took part in the march along a central avenue, and into a popular central neighbourhood. It was organised amid tensions between LGBTI NGOs; some wished to organise the events while others opposed this idea. In preceding days, the annual Festival of Diversity featured LGBTI cultural events, conferences, and movie screenings with the participation of the Commissioner for Protection from Discrimination and the Ombudsman. The European Union Delegation to Albania also supported the events.

Legal gender recognition

- In December, the Council of Europe and the Ombudsman jointly hosted a peer exchange workshop for Albanian officials on legal gender recognition. This event was attended by government officials, NGO representatives and other agencies from several countries, including Denmark, Greece, Malta, the Netherlands and Sweden.



Andorra



Lawmakers adopted civil unions in November, similar to marriage in all aspects, including adoption rights.

Family

- In May, the General Council (unicameral parliament) debated the introduction of civil unions. The Social-Democratic Party (PSA) proposed introducing same-sex marriage, but the ruling Democrats for Andorra (DA, centre-right) preferred a “prudent and progressive” reform at first. Partners in a civil union will be able to adopt jointly, under the same conditions as married different-sex couples. The law was adopted in November.



Armenia



Hostility and discrimination against LGBTI people remained widespread. A court ruled in favour of a newspaper which published a “black list of gay lobbyists” featuring LGBTI people and human rights defenders’ contact details, and ordered LGBTI activists to pay legal fees and damages to its editor. Hate speech and violence were still pervasive, while the police and the judiciary systematically added to the predicament of victims and prisoners. Homophobic and transphobic tensions mounted as Armenia announced it would join the Eurasian Economic Union. Set against this exceedingly negative backdrop, NGOs have hinted that the LGBTI community has begun to emigrate from Armenia.

Bias-motivated speech

- In May, newspaper *Iravunk* published a “black list of gay lobbyists”, containing the names of LGBTI individuals and human rights defenders, their contact details and Facebook accounts. It branded them “enemies of the nation”, called for their dismissal, and encouraged readers to stop interacting with them. Several of the people demanded a retraction, but more articles followed. Other newspapers and authorities ignored requests for condemnations. Two organisations – LGBTI NGO Pink Armenia, representing 16 individuals listed; and humanitarian NGO New Generation (who also work on LGBT projects), representing 3 of their staff members listed – sued editor-in-chief Hovhannes Galajyan for damaging the listed individuals’ “honour and dignity”. After a trial in October, the court ruled that the editor-in-chief had exercised his right to freedom of expression, since the public had an interest in the issue. The court ordered plaintiffs to pay AMD 150,000 (EUR 275) for *Iravunk*’s legal costs, and the same amount in compensation to the editor-in-chief.

- In October, MPs debated an annual report on the activities of the Human Rights Defender (the ombudsman), criticising his contacts with LGBTI organisations. MPs from the Republican Party (HHK, right-wing) and the Heritage party (Zharangutyun, liberal) criticised a new agreement between the ombudsman and LGBTI NGO PINK Armenia. Because the NGO had condemned opponents to Conchita Wurst, winner of the European Song Contest, hostile MPs asked the ombudsman whether he wanted to “defend Conchita” and her supporters, or to protect “family morals”. They also called on opposition parties to not “praise Conchitas”, nor “bring Conchitas to power”.

Bias-motivated violence

- Activists reported that since Armenia joined the newly announced Eurasian Economic Union (EEU) (whose proponents argue that homosexuality is a ‘Western import’; see **Foreign policy**), hostility against LGBTI people had increased.

Equality and non-discrimination

- Following a fact-finding visit to Armenia in June, the Parliamentary Assembly of the Council of Europe issued a negative comment on the country’s honouring of obligations and commitments under the European Convention on Human Rights. It found that LGBTI people “are generally viewed in negative or even hostile terms in Armenian society, with several violent incidents being reported.”

Foreign policy

- Armenia’s ambassador to the United Nations, Vahram Kazhoyan, joined the UN Free & Equal campaign for the protection of LGBTI people’s human rights worldwide. In September, he posted an official picture to his Facebook account holding the sign “No to homophobia: Hate is not a family value!” against an official UN background. His hierarchy doesn’t appear to have disavowed the stunt. In October, President Serzh Sarkisian signed a treaty for Armenia to formally join the EEU, an economic and political union with Belarus, Kazakhstan, and Russia (see **Russia**).

Freedom from torture, cruel, inhuman or degrading treatment

- In the talk show ‘Kisabac lusamutner’, television channel ATV exposed a singer to the accusation of being a paedophile and having raped an underage boy. The face of the singer, who had declined an invitation to appear on the show, was shown on TV in this context. The accusation was made by the “United Youth League”. During the show, its co-president Sevak Hovhannisyanyan asserted that the singer was a member of a new religious group to “promote homosexuality and paedophilia”. The accusations were not questioned nor verified.

- In December, the Group of Public Monitors supervising the judiciary presented their annual report for 2013. Presenting the report, one spokesman said that in prisons, “the most vulnerable groups are homosexuals who, in hierarchical relations, are at the lowest level”. They added that homosexual prisoners lived “separately from other prisoners, as well as ha[d] separate dishes, utensils,

[...] no one gets in touch with them. Homosexuals are often forced to engage in compulsory activities that are considered the most discriminatory in penitentiaries, such as sewage cleaning”.

Freedom of expression

- After Armenia joined the Eurasian Economic Union (see **Foreign policy**), LGBTI activists became worried that authorities would draft another ‘anti-propaganda’ law, inspired by Russia. (Such a bill had been put forward, and later withdrawn, in 2013.)

Human rights defenders

- In September, the chair of renowned human rights NGO Helsinki Association of Armenia started an informal ‘alliance of heterosexuals to protect members of the LGBT community’.
- In a 2014 report reviewing the situation of human rights defenders nationwide, the NGO Helsinki Citizens’ Assembly – Vanadzor recommended paying particular attention to the protection of human rights defenders working on LGBTI issues.

Police and law enforcement

- NGOs reported several cases where police officers mocked or harassed hate crime victims seeking help. In one case, a trans woman went to the police in September after a group of attackers beat her in the city centre of Yerevan. Instead of investigating the case, officers accused the victim of performing sex work, and started an administrative case against her. She later withdrew her claim from the police and the assault was left unexamined.

Public opinion

- The Advanced Public Research Group surveyed 1,300 respondents on issues including human rights. 88% of respondents thought the rights of ‘sexual minorities’ should be limited; 8% thought nothing should change; and 1% thought ‘sexual minorities’ deserved more rights than they had.



Austria



Although LGBTI people remained fairly well accepted in society, no notable political drive to improve their rights could be noted. The Constitutional Court ruled all women must be able to use medically assisted procreation, whether in a partnership or a marriage, and regardless of their partner's gender. A Member of the European Parliament was assaulted at a Pride event in Vienna, and singer Conchita Wurst won the Eurovision Song Contest.

Bias-motivated violence

- An assailant attacked openly lesbian Member of the European Parliament Ulrike Lunacek (Greens/EFA) while she gave a television interview on the Green Party's float during the Vienna Pride march, in June. He threw butyric acid, a noxious substance with a strong stench. The liquid damaged her clothes and the journalist's camera. This was the first time a physical attack had taken place at the Pride event. Newspaper *Österreich* reported that although the man was identified, prosecutors closed the case since no one had been injured. The perpetrator was found to be mentally ill, and to have carried out three similar attacks against animal rights activists in the past.

Equality and non-discrimination

- A week after Austrian singer Conchita Wurst won the Eurovision Song Contest (see **Participation in public, cultural and political life**), a spokesperson for the Austrian People's Party (ÖVP, centre-right; in coalition with the centre-left Social Democratic Party, SPÖ) said the party remained opposed to any improvement of the federal anti-discrimination legislation, including measures to outlaw discrimination in areas outside of employment.

Family

- In January, the Constitutional Court ruled several provisions of the federal law on medically assisted procreation were unconstitutional. One of these provisions banned lesbian couples in a domestic or registered partnership from using medically assisted procreation. (The law was also highly restrictive for different-sex couples.) The Ministry of Justice introduced a bill to ensure equal access to medically assisted insemination treatment for women whether in a domestic partnership, registered partnership, or marriage, and regardless of her partner's gender. The bill was due for parliamentary approval in 2015.
- Following numerous legal hurdles, a lesbian couple was eventually allowed to apply to become foster parents in the state of Lower Austria. The couple had initially applied in 2010, but regional authorities rejected their application, arguing regional law didn't foresee same-sex

couples fostering. The couple had previously lost regional and federal lawsuits, but in March the regional government announced a policy change, allowing same-sex couples to apply.

Participation in public, cultural and political life

- Singer Conchita Wurst won the 2014 Eurovision Song Contest, hosted in Denmark and watched by 195 million viewers worldwide (according to the European Broadcasting Union). Conchita Wurst is the female stage persona of male artist Thomas Neuwirth. She was widely acclaimed, but also created controversy as conservative commenters and politicians questioned whether a drag artist should be welcome on mainstream television (see notably **Armenia, Belarus, Bulgaria, Hungary, Montenegro, Romania, Russia and Serbia**).



Azerbaijan



The situation remained very daunting for LGBTI individuals, who are almost invisible within a highly repressive society. A young man committed suicide due to homophobia, and LGBTI NGOs held a forum in Baku.

Bias-motivated violence

- An activist from Baku fled the country after reporting multiple threats and attacks due to his sexual orientation.

Freedom of assembly

- To mark International Day Against Homophobia and Transphobia, a group of LGBTI activists organised a symbolic gathering together with support from the Dutch embassy. On 17 May, they visited a historical site, along with allies, carrying rainbow flags. The event was moderately well publicised and was not obstructed in any way.

Human rights defenders

- Isa Sahmarli, a 20-year-old LGBTI activist, committed suicide in January. He left a note linking his act to pervasive homophobia.
- In July, LGBTI activists and groups held a forum on LGBT and gender-related issues in Baku.



Belarus



Authorities and public figures maintained an extremely negative attitude towards LGBTI people, with scarce hope for any forthcoming change. The government put forward a draft 'anti-propaganda' law which could further restrict discussion of sexual orientation and gender identity. The police and Ministry of Interior continued to pressurise activists into ceasing their activities with intimidating interrogation and threats of false criminal charges. On a more positive note, several NGOs joined forces to demand fairer treatment for LGBTI people, religious minorities, and disabled individuals. A survey of online media coverage of LGBTI issues also pointed to some positive reporting of LGBTI issues.

Bias-motivated speech

- Several public figures made disparaging remarks about LGBTI people throughout the year. In February, in interviews given to LGBTI website *gaypress.eu*, Dmitry Dashkevich, president of Young Front (a Belarusian youth organisation registered in the Czech Republic, affiliated to the youth branch of the European People's Party) and Belarusian Christian Democratic Party leader Vitaly Rymashevskiy both criticised Pride events, calling them "propaganda of sin". In April, head of the Belarusian Orthodox Church Metropolitan Paul said he was "concerned about the influence of the West" trying to impose "quite unconventional images of family status", which he said showed "the complete degradation of [the West's] moral state". The head of the department of clinical sexology at the Minsk Psychiatric Clinic, Oleg Khimko, said in March that homosexuality was abnormal, and could be caused by boys being raised by single mothers. In November, he declared it was possible to "prevent transsexuality" in heterosexual families.
- During the Eurovision Song Contest finale in May, won by singer Conchita Wurst, the Belarusian TV presenter wondered, live on air, how parents would explain to their children that the winner was a bearded woman, adding: "What a freak Austrians sent to the contest!" After the show, Metropolitan Paul added: "If they distort the image of man, I am against such competitions. They tried to assimilate the image of Christ – long hair, beard – but it turned into a parody".
- In June, Journalists for Tolerance presented their analysis of online media over the previous 12 months. Surveying 11 websites and 257 news items, the group found that 40% addressed LGBTI issues positively, 22% negatively, and 37% neutrally. Independent media mostly steered clear of the topic, while state media portrayed it negatively.

Bias-motivated violence

- In May, assailants attacked and severely injured a young man leaving a gay party. At the end of 2014, the young man was still unconscious in hospital. His attacker was arrested and sentenced to 32 months' imprisonment

by the court of first instance. A higher court ordered a trial review after both the victim's family and the prosecutor appealed.

Foreign policy

- In May, President Alexander Lukashenko signed the founding treaty of the Eurasian Economic Union (EEU) together with the leaders of Russia and Kazakhstan (and later Armenia). (See **Russia**)
- At the UN General Assembly in October, Foreign Affairs Minister Vladimir Makei complained that Belarus witnessed "more and more aggressive imposture of alien cultural preferences" by "the West", which sought to "abandon traditional family values".

Freedom of assembly

- The Ministry of Interior banned the annual World AIDS Day event planned for November. It warned organising NGO Vstrecha ('Meeting') that it couldn't guarantee the event's safety, because "gay activists from across the country come to attend, so [the ministry] can't let that happen".

Freedom of association

- Continuing a trend that started in 2013, the Ministry of Interior's Department on Drugs and Trafficking 'invited' several activists to attend interviews. Once again, these interviews were an exercise in intimidation, designed to encourage activists to cease their activities. In one particular interview in January, the police threatened two activists from GayBelarus with criminal liability for running an unregistered NGO.
- The author of an online article about a serious homophobic assault (see **Bias-motivated violence**) was also 'invited', as police told her they "could arrange problems" if she kept "promoting homosexuality". Finally, local police summoned one of the founders of the unregistered NGO Republican LGBT and pressured him into testifying that he had raped an unknown girl. The police sampled the activist's saliva despite his protests; his DNA was added to a police database, kept away from public scrutiny or regulations.

Freedom of expression

- In January, Viachaslau Bortnik and Vadzim Kruk, LGBTI activists from Homiel started a national campaign against anti-gay laws in Belarus. This followed the Belarusian parliament's announcement in December 2013 that it intended to introduce *a bill on the protection of children from information harmful to their health and development*. Throughout 2014, concerned activists wrote letters to the responsible government bodies, asking them to ensure that the new legislation would not discriminate against LGBTI people.

- Responding to the activists' concerns, Lyudmila Mikhalkova, the chair of the parliamentary commission on legislation wrote that their recommendation would be taken into account by MPs (letter of 12 November 2014).

In December, the government introduced the announced bill, which would forbid disseminating any information "discrediting the institution of family" to children. The draft bill didn't mention any specific penal or criminal sanctions. By the end of the year, MP Galina Lazovskaya (independent) had started steering the legislation through its first reading in the parliament's Committee on Human Rights, National Relations and Mass Media.

- Organisers of the Chernobyl Way march, a procession organised by the opposition annually since 1988 and one of the rare authorised demonstrations, explained LGBTI people would only be able to take part in the march if they could present certificates which proved that their relatives were affected by the Chernobyl accident.

- *MakeOut*, a new online magazine on gender and sexuality in Belarus, was launched in January. It is edited by individual activists.

Human rights defenders

- Several human rights groups joined forces in January to create the Network Against Discrimination, including the Belarusian Helsinki Committee, the Office for the Rights of Persons with Disabilities, GayBelarus, and the Civil Initiative for the Free Exercise of Religion. The network organised a roundtable in July, discussing the

need for anti-discrimination legislation covering several grounds, including sexual orientation, disability, and religion.

- Three activists fled to Sweden and sought asylum there, following increased pressure from authorities to stop their activities, including interrogations and threats of criminal prosecution (the leader of GayBelarus and his partner, also an activist, in January; and Vadzim Kruk, LGBTI activist and former coordinator of NGO Vstrecha in June). By the end of the year, Swedish authorities had yet to reach a decision in all three cases.

Respect for private and family life

- In September, the *Evening Mogilev* newspaper ran a damning story about a trans man. It included offensive language as well as details of his operation and presumed alcoholism. The newspaper had received details of his private life from the judge instructing a case in which the man was accused of theft. Several newspapers reprinted passages from the article, repeating the insults, without any consequences.



Belgium



Belgium remained highly accepting of LGBTI individuals. Both political and religious leaders spoke out in favour of diversity, although reports of street harassment continued. In a widely-publicised case, a tribunal acknowledged a murder motivated by homophobia for the first time in Belgium. Requests for legal gender recognition rose, and the Senate welcomed its first openly trans member.

Bias-motivated speech

- Following a television documentary on sexist street harassment in Brussels, newspaper *Het Laatste Nieuws* revealed that Brussels police had received 449 complaints about street harassment and intimidation (including with homophobic or transphobic motives) in the first eight months of 2014. A police chief explained that although all complaints were transmitted to the prosecutor and recorded, they were scarcely examined due to tribunals' limited resources or lack of proof. During the same time period, only 18 perpetrators, who were actually caught in the act, received a municipal administrative penalty.

Bias-motivated violence

- In March, the Liège Assize Court sentenced the murderer of a gay man to 25 years' imprisonment. This was the first time that a Belgian court recognised a homophobic motive. The tribunal considered homophobia an aggravating factor in its sentencing.
- The Flemish Policy Research Centre on Equality Policies published ethnographic research into experiences of homophobic violence in Brussels. 111 participants took part. The study suggested that non-conforming gender expression was a leading trigger of homophobic violence, and that while the city centre's LGBTI-friendly area was generally considered safe, violence did occur outside LGBTI-friendly bars and clubs.
- They also published a report on the prevalence and context of homophobic violence and one on transphobic violence. It found that verbal, and to a lesser degree physical, violence was widespread and under-reported.

Employment

- In July, a primary school headmaster asked a prospective teacher not to reveal his homosexuality. The teacher initially accepted the job, but later decided he couldn't lie to pupils, and refused the post. Brussels Director-General for Education Charles Huygens claimed this wasn't discrimination, but a matter of neutrality since teachers shouldn't discuss their personal lives with children. Brussels Secretary of State for Equal Opportunities Bianca Debaets (Christian-Democratic and

Flemish, CD&V) disagreed, emphasising it wasn't for discrimination victims to adapt to a hostile work environment, but for the work environment not to discriminate. Flemish Minister of Education Hilde Crevits (CD&V) also supported the teacher's coming out. At the end of the year, the teacher was looking for employment outside the education sector.

Equality and non-discrimination

- Writing an open letter ahead of the October synod on the family in the Vatican, Bishop of Antwerp Johan Bonny called on the Church to "break with its defensive attitude", abandon its "offensive" language in relation to love, sexuality and relationships, and welcome gay and lesbian individuals. In December, he added the Church should recognise same-sex couples' unions. Mr Bonny was rumoured to be in good stead to replace conservative Archbishop André-Joseph Léonard, due to retire in 2015.
- There was an important expansion of antidiscrimination laws in 2014. The Gender Law, on combatting discrimination between men and women, now includes gender identity and gender expression as discrimination grounds. Regional decrees were also adapted, meaning that discrimination in areas of public life on the basis of gender identity or gender expression is now explicitly forbidden.
- In March, the Flemish Parliament adopted a non-binding resolution on the social acceptance of trans people, recommending better services and integration in the fields of education, research, the media, employment, healthcare and welfare. The text received cross-party support.

Family

- In May, the parliament adopted a law to automatically recognise the non-biological mother's parenthood in lesbian couples. The law will come into force on 1 January 2015. Both mothers will be automatically recognised in married couples. In other cases (registered or unregistered lesbian couples), the non-biological mother will be able to legally recognise the child at birth. The reform also

granted non-biological mothers the same rights as fathers in different-sex couples.

Foreign policy

- During the summit of EU and African heads of states in April, openly gay Prime Minister Elio Di Rupo called on his African counterparts to respect the rights of LGBTI people. During a state dinner he hosted, Mr Di Rupo said: “We cannot tolerate that some are denied their rights and persecuted for their origins, their sexual orientation, their religion and their convictions”. Most African leaders attended the event, including leaders from Uganda and Nigeria, which passed harsh homophobic laws in late 2013 and early 2014.

Legal gender recognition

- The resolution that Flemish MPs adopted in March (see **Equality and non-discrimination**) also recommended ending medical requirements for legal gender recognition, including sterilisation.
- Doctors at Ghent University Hospital reported that increased numbers of trans individuals signed up for gender reassignment surgery. Numbers rose steadily from 17 in the “early 1990s” and 27 in the year 2000, to 133 individuals signing up for the procedure in 2013. Waiting times lengthened to four months for initial appointments, and two years for operations.

Participation in public, cultural and political life

- Petra De Sutter (Groen, Flemish green party) became the first openly trans woman to sit in the Federal Senate. She also ran in the elections to the European Parliament in May, but her party failed to collect enough votes. She became a delegate to the Parliamentary Assembly of the Council of Europe.



Bosnia and Herzegovina



LGBTI activists gained more visibility, which led to an increase in attacks and threats. Masked men attacked a Sarajevo LGBTI film festival which the police failed to protect, and by the end of the year no perpetrators had been found – confirming a general trend of weak judicial responses to hate crime. Positively, the Constitutional Court ruled that authorities had failed to uphold LGBTI activists’ right to freedom of assembly in a landmark 2008 case. Finally, police officers in the Sarajevo canton (district) started receiving training on homophobic and transphobic hate crime, and established contact points for sexual orientation and gender identity issues in four precincts.

Bias-motivated speech

- The NGO Sarajevo Open Centre documented 44 incidents of hate speech against LGBTI people during the year. Most incidents took place online, including comments, Facebook pages, or articles on the xenophobic online portal *Saff*. Although almost all of these cases were reported to the police, no perpetrators had been sanctioned by the end of the year.

Bias-motivated violence

- In February, 14 masked attackers broke into a panel discussion at the annual Merlinka LGBTI movie festival. They chanted homophobic insults and injured three audience members. Organisers continued the screenings. The following day, newspaper *Balkan Insight* reported that “several dozen people” had gathered at the cinema in support of the festival. Two men were arrested, but organisers complained the police had failed to protect the venue, despite being warned about threats (no officers were on site at the time of the attack). Earlier, a Facebook page entitled “Let’s stop the Parade of Faggots on 1 May 2014”, set up by a group of football fans from Sarajevo, had encouraged people to attack the festival. In its February resolution on progress towards EU accession for Bosnia and Herzegovina, the European Parliament condemned the attack and called for better police protection in future. By the end of the year, no one had been arrested.

- The NGO Sarajevo Open Centre documented 20 incidents of hate crimes. 11 of these had targeted activists and members of LGBTI NGOs. 13 of these cases were reported to authorities, but no response had been given by the end of the year.

Education

- In June, the Sarajevo Open Centre, Foundation CURE, and the Heinrich Böll Foundation trained secondary school staff in the Unsko-sanski canton. The cantonal ministry of education supported the training, which raised awareness of LGBTI issues among 17 staff members – teachers, teaching assistants, and psychologists – from different high schools.

Enlargement

- Bosnia and Herzegovina is considered a potential candidate to join the European Union since 2003. In its annual report on progress towards EU accession, the European Commission noted in October that “hate speech, hate crimes and violent attacks against LGBTI people and human rights defenders ha[d] increased” proportionately to the LGBTI community’s increased visibility. The Commission regretted the lack of hate crime legislation, as well as that “the judiciary, law enforcement agencies and the general public” remained mostly unaware of the issues LGBTI people face.

Equality and non-discrimination

- NGO Sarajevo Open Centre documented six cases of discrimination. Three of these were incitement to discrimination in a secondary school or universities. Other cases consisted of a ban on blood donation for gay men in Republika Srpska; permanent incitement to discriminate against LGBTI people in magazine *Saff*; and refusals to issue civil status certificates (see **Family**).

Family

- Following the adoption of the Croatian same-sex partnership act (see **Croatia**), the number of LGBT individuals from Bosnia and Herzegovina wanting to enter registered partnerships in Croatia has increased. This has proven problematic because one document needed is the certificate of free marital status, on which the name of the intended partner, who according to the laws of Bosnia and Herzegovina must be of the opposite sex, needs to be provided. Certificates naming a same-sex partner would not be issued. LGBT couples have resorted to other methods of obtaining these certificates, stating they were needed for scholarship or job applications.

Freedom of assembly

- After the Queer Sarajevo Festival was attacked in 2008, the Constitutional Court confirmed in September that the organisers’ right to freedom of assembly had been violated. The court ordered the federal government and the government of the Sarajevo canton to each pay

Association Q BAM 3,000 (EUR 1,500) for failing to protect their rights adequately.

Freedom of association

- A new LGBTI organisation, the Banja Luka Queer Association of Queer Activists (BUKA), registered in 2014. The organisation ran several different events, met with representatives of Republika Srpska's Ministry of Interior and Gender Centre, and plans increased advocacy work towards the institutions in the future.

Police and law enforcement

- In May, the Ministry of Interior of the Sarajevo canton established contact points for LGBTI crime victims in four police precincts. In its report on progress towards EU accession (see **Enlargement**), the European Commission noted that 19 police officers had been trained on LGBTI rights in Sarajevo.
- With the assistance of the Sarajevo Open Centre, the cantonal ministry also started training its officers about homophobic and transphobic hate crimes. More than 1,000 officers were trained during 2014.
- While on holiday, a gay couple from the Netherlands was intimidated by border officers as they drove from Croatia into Bosnia and Herzegovina. The officers intimidatingly asked if they were boyfriends, which led the men to pretend they were friends; rummaged through their shared suitcase; and showed personal items including a bottle of lubricant to colleagues while laughing. The couple several weeks later complained to the Bosnian embassy in the Netherlands. The ambassador offered his sincere apologies, and wrote that he had passed on their complaint. NGO Sarajevo Open Centre also filed a complaint to the Ombudsperson for Human Rights in relation to this case.



Bulgaria



LGBTI people in Bulgaria continued living in a hostile environment, as sexual orientation and gender identity were rarely discussed or considered positively. Although a court ruled that negative remarks made against gay men on television constituted homophobic harassment, bias-motivated speech remained frequent. MPs rejected an 'anti-propaganda' law proposed by the far right in January, but the bill was reintroduced after elections in October. Worryingly, an LGBTI organisation faced legal obstacles when trying to register. On a positive note, a judge ruled that gender recognition was possible without undergoing gender reassignment surgery.

Bias-motivated speech

- In January, the Supreme Administrative Court ruled against film director Andrey Slabakov, who had declared in a 2011 television interview that “gays are more dangerous than smoking because they spread AIDS on a mass scale”. Two LGBTI activists had complained to the Commission for Protection against Discrimination, which found no violation of the law. The activists then appealed before the district administrative court, which ruled in their favour before the commission appealed the ruling. The Supreme Administrative Court upheld the district court’s ruling, and considered that Mr Slabakov’s remarks on prime time television constituted harassment on the ground of sexual orientation. The ruling required the Commission for Protection against Discrimination to fine Mr Slabakov BGN 250–2,000 (EUR 130–1,000), but it had yet to do so by the end of the year.
- After singer Conchita Wurst won the Eurovision Song Contest in May, European Parliament candidate Angel Dzhambazki (Bulgarian National Movement, VMRO, nationalist) called the victory of “a bearded creature” a “very dangerous trend” for Europe’s “value system”. Mr Dzhambazki was elected to the European Parliament, and sits in the Group of the European Conservatives and Reformists (ECR).
- As parties started campaigning for the European Parliament elections in May, Volen Siderov, leader of Ataka (far-right, nationalist party) launched his own campaign from Moscow. He attacked the EU for imposing “europederasty” (sic) and same-sex marriage in Bulgaria (where it is illegal), and pledged that if his party came to power, Bulgaria would leave NATO and the EU to resume “full relations with Russia, whom [Ataka] consider[s] a brother nation”. His party received 3% of the vote, with no candidate elected.

Equality and non-discrimination

- The LGBTI NGO Bilitis Resource Centre and the human rights NGO Helsinki Committee jointly proposed developing a national strategy for LGBTI equality. They approached mainstream political parties, some of whom (GERB, centre-right) offered to bring it up internally.

Following the October elections, the NGOs submitted their proposal to the government, the Commission for Protection against Discrimination, and the Ombudsperson. By the end of the year, only the Commission had expressed interest.

Freedom of assembly

- The Sofia Pride march took place in July, after organisers postponed it in June out of solidarity with the victims of severe regional floods. Organisers turned to the Sofia Administrative Court twice, as the Sofia Municipality suggested alternative routes which would have severely restricted the event’s visibility. The court ruled freedom of assembly was upheld since alternative routes were offered. Finally, the Municipality negotiated a better alternative route, which satisfied organisers. Organisers claimed that up to a thousand marchers attended. The main political parties ignored the event. While the Green Party of Bulgaria and Bulgarian Left (BL, socialist) sent written statements of support, Viktor Lilov (Reformist Block) was the only politician to attend the march. Eleven embassies (EU Member States, Norway, the USA, and South Africa) issued a statement of support. Far-right Ataka supporters chanted “Kill the pederasts”. While the police kept them at bay, the counter-protest did force the march to make a diversion. The national Orthodox Church and Ataka both condemned the counter-protest.

Freedom of association

- Two courts refused to register GLAS (Gays and Lesbians Accepted in Society), a new NGO for LGBTI people’s parents. The court ruled that although all criteria were formally fulfilled, there was “no need for a new association” representing LGBTI people. Activists appealed, but the Sofia Appellate Court upheld the earlier ruling, based on different reasoning. In the end, the NGO filed a new court application, and they were registered.

Freedom of expression

- In January, Ataka introduced an amendment to the Penal Code, seeking to punish the manifestation of “homosexual orientation” in “events, rallies and parades,

or through the media and the internet". The motion proposed fines of up to BGN 10,000 (EUR 5,100), and one to five years in prison. Ataka MP Adrian Asenov echoed arguments frequently made by homophobic leaders in the former USSR that "gay propaganda [had] reached such levels that it threaten[ed] the demographic situation". The amendment was defeated by a large majority of MPs the following day. (The Committee on Human Rights and Citizens' Complaints had already discussed it in November 2013, and considered it unconstitutional and discriminatory.) Ataka reintroduced a similar bill after the October parliamentary elections, which hadn't been debated by the end of the year.

Legal gender recognition

- The Sofia City Court declined to legally recognise a trans person's gender, arguing the person hadn't undergone gender reassignment surgery. Bilitis Resource Centre and the individual appealed, and the higher court agreed the surgery wasn't a legal prerequisite for legal gender recognition, acceding to the individual's request.
- The first-ever case concerning an intersex person's gender reassignment was heard in court. The individual sought to have their gender recognised, based on a 'medical mistake in determining the actual gender at birth'. The court requested additional documents, and postponed the case to 2015.



Croatia



In the wake of the December 2013 referendum against marriage equality, the government fulfilled its promise to allow same-sex couples to enter registered partnerships, similar in rights to marriage except for joint adoption. Freedom of assembly appeared to grow stronger, as Pride events took place across several cities. Authorities acknowledged that legal gender recognition didn't require an operation. However, NGOs complained that the judiciary was slow to reach decisions in cases of discrimination based on sexual orientation and gender identity.

Bias-motivated violence

- As the parliament discussed amending the Criminal Code in September, human rights NGOs asked MPs to reintroduce penalties for violent behaviour. (The previous reform of the code came into force in 2013, classifying violent behaviour as a simple misdemeanour.) NGOs argued that while leaving no mark, violent behaviour such as bullying, cornering victims, or pushing them around deserved more appropriate sanctions. MPs from a variety of political parties including the Social Democrat Party (SDP), the Croatian People's Party (HNS, liberal) and Sustainable Development of Croatia (ORaH, green) supported amending the code accordingly. The reform remained under discussion by the end of the year.
- After severe violence marred the first Split Pride in 2011, activists sued the state for failing to protect the event. The first court hearings for the case took place this year. The court had yet to reach a decision by the end of the year.

Education

- Editors published new textbooks, reflecting slight changes that NGOs had requested. In previous years, lesbian NGO Kontra had complained to the Ministry of Education and the Ombudswoman for Gender Equality that some books (mostly for religious education) featured homophobic content, but also that homosexuality was only ever mentioned in the context of HIV/AIDS education. One religious textbook republished this year, *With Christ to Life*, removed a sentence previously claiming that medicine hadn't properly investigated homosexuality.
- The Zagreb Administrative Court insisted that the Supreme Court reach a decision in a 2009 case, in which LGBTI NGOs sued a religion teacher who taught pupils that homosexuality was a disease. The lower court requested a ruling within six months.

Employment

- The Supreme Court confirmed a 2012 judgment by the Varaždin Municipal Court, which ruled that Zagreb University had discriminated against an employee, Dario Krešić, by blocking his career progression and harassing

him due to his sexual orientation. The Supreme Court rejected the university's appeal. In retribution, the university sued their former employee, claiming his complaint had damaged their reputation. Mr Krešić was fined HRK 30,000 (EUR 3,900) under that lawsuit, a ruling he appealed. No final decision had been reached by the end of the year.

Family

- The parliament adopted the *Law on Life Partnerships for Persons of the Same Sex* in July, granting same-sex couples similar rights to married different-sex couples. The law had been promised two years earlier, but had been slowed down by the constitutional referendum to outlaw same-sex marriage in December 2013 (where 66% of voters opted to constitutionally forbid marriage equality). After the referendum took place, the government announced it would accelerate work on the *Life Partnership* bill. Countering critics, Prime Minister Zoran Milanović (Social Democratic Party, SDP) said this was "a humane law, an inclusive and not an exclusive law". The bill was approved with 89 votes in favour, and 16 against. It states that life partners of the same sex form a family, and defines rights in the areas of inheritance, taxation, pensions, and healthcare. It also grants rights to existing same-sex parents, but does not allow for joint adoption despite an amendment three MPs (SDP, HNS, and Croatian Labour Party) put forward. The Catholic-inspired conservative group In the Name of the Family, which organised the anti-equality referendum in 2013, opposed the new law.

Freedom of assembly

- On 17 May, International Day Against Homophobia and Transphobia, activists demonstrated at the site of the violent 2011 Pride march in Split, asking for the reintroduction of 'violent behaviour' in the Criminal Code (see **Bias-motivated violence**).
- The Zagreb and Split Pride events took place peacefully in June. ORaH party leader Mirela Holy spoke at the Zagreb event, and both the Mayor and Deputy Mayor of Split spoke at the event in Split.

- In September, a Pride march took place for the first time in Croatia's fourth largest city, Osijek. Organisers reported the police had cooperated fully during preparations. 300 marchers walked through the city centre. A non-violent local boycott campaign called on the public to avoid the city centre while the parade took place.
- In August, activists inflated a giant rainbow balloon above a renowned swimming competition on the Dalmatian island of Vis. They sought to call attention to homophobia and transphobia, particularly in sports, which activists explained is higher than in the capital. Activists explained that local authorities wanted to ban the demonstration, but feared creating controversy during the tourist season.

Legal gender recognition

- Following a four-year legal battle with public authorities, an 18-year-old boy was allowed to change his identification papers without undergoing sterilising gender reassignment surgery. With his mother's support, the boy had followed hormonal therapy and had lived in his true gender for a long time. His mother led a legal battle to change his documents without an operation, which authorities insisted on despite the law not requiring it. The Constitutional Court eventually ruled that the Ministry of Public Administration had to change the documents. Several bodies, including the Ministry of Health and the National Health Council, amended their procedures to reflect the new jurisprudence.



Cyprus



Overall, acceptance of LGBTI people appeared to grow in all but the most conservative corners of society. The first Pride took place peacefully, and a great number of politicians from almost all parties supported the event. Two legal reforms moved forward, albeit at varying pace: a 2013 bill to punish incitement to hatred on grounds of sexual orientation or gender identity remained stalled, and a public consultation was opened on the *Civil Partnership Draft Bill* for same-sex couples. In an isolated incident, the police shut down a photo exhibition held on International Transgender Day of Remembrance.

Bias-motivated speech

- After NGO Accept – LGBT Cyprus announced the Cyprus Pride Festival in May (see **Freedom of assembly**), the Church of Cyprus issued a statement calling homosexuality “an affliction and a moral downfall” resulting in “an increase in divorce, paedophilia, people dying of AIDS”, and “families torn apart”. This led to negative reactions from the public and several media outlets. When the NGO’s president confronted Archbishop of Cyprus Chrysostomos II about these statements (see **Equality and non-discrimination**), the prelate publicly recognised that they had been wrong, but maintained the Church’s strong objection to the *Civil Partnership Draft Bill* (see **Family**) and to the penalisation of homophobic views (see below).

- The parliament’s Legal Affairs Committee continued debating a bill to amend the Penal Code, punishing incitement to violence and hatred on grounds of sexual orientation and gender identity with a fine of up to EUR 5,000, and up to three years’ imprisonment. (Lower penalties than for incitement to hatred on other grounds, such as ethnicity.) The government had put the proposal forward in 2013, but discussions stalled due to lack of political leadership. Following the Cyprus Pride Festival (see **Freedom of assembly**), Committee Chairman Sotiris Sampson said he and colleagues were committed to passing the law, but no further discussion took place before the end of the year. Accept – LGBT Cyprus criticised MPs for failing to deliver on their promise.

Employment

- Researchers found that gay and lesbian jobseekers in Cyprus were up to 43% less likely to be interviewed for a job. Dr Nick Drydak, based at Anglia Ruskin University in the United Kingdom, sent out 9,062 mock applications for positions in offices, industrial jobs, hospitality jobs, and the retail industry. The fake CVs and cover letters presented four almost identical profiles: two male and two female, with similar qualifications and experiences. Researchers found that CVs mentioning volunteer experience in the ‘Cypriot Homosexual Association’

received 39% fewer responses for male applicants, and 43% fewer responses for female applicants.

Equality and non-discrimination

- Following the Cyprus Pride Festival, the Commissioner for Administration and Human Rights (the Ombudsman) hosted a meeting with both Accept – LGBT Cyprus and Church of Cyprus clerics. This was the first time the Church and representatives of the LGBTI community met.

Family

- In June, a cross-party ad-hoc committee was formed to discuss the government’s *Civil Partnership Draft Bill*. The legislation sought to legalise civil unions between all couples, regardless of their gender. Accept – LGBT Cyprus regretted the government’s attempt to create a mere legal agreement, without recognising civil partners as family. The draft was open to public consultation in October, and LGBTI activists hoped it would be adopted in 2015.

Freedom of assembly

- The two-week Cyprus Pride Festival culminated with the first-ever Pride march, in which the press counted several thousand participants. Organisers had expected several hundred participants, but were overwhelmed by the event’s popularity. The march received wide political support from almost all parties; former President of Cyprus Giorgos Vassiliou; the European Parliament’s Office in Cyprus; the European Commission’s Representation in Cyprus; and ambassadors and embassy staff from 15 countries (Australia, Brazil, Canada, the EU, Israel, Norway, and the United States). The embassies of Denmark, Finland, the Netherlands, Sweden and the United States flew rainbow flags on the day. International pop singer Anna Vissi also attended the march. 81-year-old Alecos Modinos, who won a 1993 European Court of Human Rights case against Cyprus for its laws criminalising homosexuality, headed the procession. A group of Orthodox Christian counter-protesters, including clerics, demonstrated against the event outside the parliament and sent a letter to the President in protest.

Freedom of expression

- The police shut down a photo exhibition which Accept – LGBT Cyprus had organised on International Transgender Day of Remembrance, 20 November. The police seized all the photographs, questioned Accept's president, charged him for 'displaying lewd content in public', and confiscated photographs with male genitalia as evidence. The Assistant Attorney General later described the episode as a "demonstration of excessive zeal", and made recommendations to the police to avoid similar incidents. Minister of Justice Ionas Nicolaou also denounced the incident, which he called "unnecessary, disproportionate and repressive". The exhibition took part in a rented space in a municipality-owned building, following the agreement of the Mayor.

Human rights defenders

- For the first time, the Cyprus Pride Festival featured a public discussion of the challenges intersex people face. A wide variety of speakers addressed the audience, including child surgery specialists, clinical psychologists and representatives of anti-discrimination bodies.

Legal gender recognition

- Commissioner for Administration and Human Rights Eliza Savvidou accused the Civil Registry and Migration Department of transphobia, as it failed to process a trans woman's request for social assistance. The Commissioner pointed to several administrative shortcomings, possibly motivated by transphobia, which had kept the woman in legal limbo for several years. Ms Savvidou suggested that the authorities implement "a clear framework" for "quick and transparent administrative procedures through which trans individuals can change their sex and name based on their own self-definition on all their official documents, including birth certificate, passport, identity card, driving licence, educational documents, etc."

Cyprus, Northern

The northern part of Cyprus finally decriminalised intercourse between consenting adults of the same sex. A march uniting the LGBTI community across the North/South divide also took place.

Criminalisation

Fulfilling reform pledges made several years ago, the local parliament eventually reformed the local Penal Code in January to stop criminalising consensual acts between two people of the same sex. Upon a proposal from the local government, parliamentarians abolished articles 171 and 173, which punished consensual same-sex acts with up to five years in prison, and attempts to 'commit' them with up to three years' imprisonment. This was the continent's last remaining law criminalising homosexual acts.

Freedom of assembly

On International Day Against Homophobia and Transphobia on 17 May, North-Cypriot NGO Queer Cyprus organised a Rainbow Walk in the northern part of Nicosia. The walk was organised together with other NGOs, including Accept – LGBT Cyprus from the Republic of Cyprus. Over 200 people attended.



Czech Republic



Acceptance of LGBTI people remained generally high, although no effective progress could be noted in law or policy. Parliamentarians proposed amending the *Registered Partnership Act* to allow second-parent adoption, but no conclusion had been reached by the end of the year.

Family

- In September, MPs submitted a proposal to amend the *Registered Partnership Act* in order to allow second-parent adoption. (This was partly motivated by a 2011 census by the Czech Statistical Office, which found that 925 children lived in same-sex families.) MPs from several groups put the proposal forward, including Committee for Families and Equal Opportunities Chair Radka Maxová (ANO, liberal), and Speaker Jan Hamáček (Czech Social Democratic Party, ČSSD). (The proposal had already been submitted in 2013, but MPs failed to examine it ahead of elections.) The proposal remained unexamined by the end of the year.

Public opinion

- Polling agency CVVM released the results of a national survey in July, indicating that respondents largely supported existing registered partnerships (73% for, 23% against), with a majority also supporting second-parent adoption (58% for, 32% against). Marriage and joint adoption both fell short of a supportive majority, with 45% in favour and 48% against in both cases.
- In a global survey on morality published in April by Pew Research, 56% of respondents in the Czech Republic rated homosexuality as morally acceptable, 27% as not a moral issue, and 14% as morally unacceptable.

Social security and social protection

- LGBTI NGO PROUD started offering social workers courses on issues linked to sexual orientation and gender identity. The courses included training from a psychologist, a sociologist, and a lawyer.



Denmark



Denmark became the first European country to allow trans individuals to have their correct gender recognised without a medical diagnosis or judicial authorisation. Joint adoption and automatic parent recognition became easier for same-sex parents, and acceptance of LGBTI people remained high overall. Denmark also continued promoting and protecting LGBTI people's human rights worldwide. Regrettably, same-sex couples remained unable to enter any form of union in the Faroe Islands.

Access to goods and services

- The owner of a hotel in the rural town of Vig refused a room to a gay couple, arguing the town wasn't ready for gay customers. The district court of Esbjerg fined the owner DKK 5.000 (EUR 660) for discrimination on the ground of sexual orientation.

Bias-motivated speech

- In an interview with the *Jyllands-Posten* newspaper, Danish Islamic Council spokesperson Mohamed Al Maimouni referred to homosexuality as "wrong", a "disease", and offered to advise individuals wishing to "get out of the situation they are in". (However, he conceded that anyone was welcome at the new grand mosque of Denmark, regardless of their sexual orientation.) Minister for Children, Gender Equality, Integration and Social Affairs Manu Sareen dismissed this as a "completely absurd statement", while MP Martin Henriksen (Danish People's Party, DF, populist/nationalist) said this was an example of conservative Islam. Conversely, the chair of Sabaah, an NGO for LGBTI people from ethnic minorities, felt it was positive that homosexuality was explicitly debated, and that Mr Al Maimouni had stated everyone was welcome to the mosque.
- After singer Conchita Wurst won the Eurovision Song Contest in May, Christian Democrats (right-wing, minority party) chair Stig Grenov protested the victory, telling the *Jyllands-Posten* that the winner "took the show and abused it to make a political statement". He added that homosexuals "want everything to be the same [...] They raped the show and force-fed it to the rest of us".

Bias-motivated violence

- In the small town of Mariager, a lesbian couple and their children were harassed over two months during summer 2014 with homophobic graffiti and vandalism on their property. Furthermore, they received numerous messages on living 'in sin' and references to the Bible. Although they received supportive press coverage and their community's backing, they decided to move. The police charged a man for harassment but there was no progress by the end of 2014.

Equality and non-discrimination

- In May, all opposition parties called on Health Minister Nick Hækkerup to review the blanket ban on blood donation for men who have sex with men. Opposition leaders argued that deferrals for blood donations must be assessed on the basis of individuals' sexual behaviour, instead of their sexual orientation. The minister declared himself open to discussing the ban with the parties' representatives; this hadn't happened by the end of the year.

Family

- In May, a gay couple was allowed to adopt a foreign child for the first time since joint adoption became legal in 2010. Two other joint adoptions took place among same-sex couples since 2010, both involving children from Denmark.
- The government put forward a bill allowing unmarried couples to access joint and second-parent adoption regardless of their gender. All parties except the Danish People's Party, were in favour. The law will enter into force in January 2015.
- Although the *Children's Act* adopted in 2013 should have enabled automatic parenthood recognition for children born to lesbian couples or lesbian couples and fathers via artificial insemination, clinics implemented the reform rather haphazardly. After same-sex families complained, the government looked into individual cases and reminded fertility clinics of their obligations.
- On 1 October, a ceremony at the Copenhagen Town Hall marked the 25th anniversary of the world's first-ever civil partnership, in 1989. Copenhagen Mayor Frank Jensen and Princess Mary attended the ceremony.

Foreign policy

- In February, Trade and Development Cooperation Minister Mogens Jensen reacted to the adoption of the highly controversial *Anti-Homosexuality Act* in Uganda by "restructur[ing] close to DKK 50m [EUR 6.7m] of the Danish development assistance to Uganda". The minister announced that parts of the development aid would be redirected, away from the government to civil society and

private sector activities instead. (Germany, Norway, Sweden, and the World Bank also reduced their aid to Uganda following the new law.)

- Denmark continued promoting LGBTI people's human rights worldwide; Danish embassies in Japan and Cuba supported various events. The government (together with the Dutch government) also started contributing to a new private-public fund, AmplifyChange, to support work on sexual and reproductive health rights and non-discrimination in the Global South. The government announced an initial contribution of DKK 82m (EUR 11m).
- The Danish embassy in Cyprus also supported the national Pride event by flying a rainbow flag on the day (see **Cyprus**).

Health

- The Health and Medicines Authority planned to release new guidance on health treatments for trans people. However, LGBTI NGOs sternly criticised a draft version, arguing it was paternalistic and failed to take account of patients' needs. The guidance was published in December (VEJ nr 10353 af 19/12/2014). The criticism did not result in any significant changes.

Legal gender recognition

- Denmark became the first European country to allow legal gender recognition without any diagnosis or surgery. Following lengthy inter-ministerial work and after consulting LGBTI NGOs, the government opted for a 'declaration only' approach. Ministers submitted two bills to the parliament in March, and MPs adopted them in June. The reform allows all citizens above 18 to apply for a legal gender change. New identification documents (including the national identification number, which reflects citizens' gender) will be issued after a personal declaration followed by a 6-month reflection period. The law came into force on 1 September. Trans NGOs remarked that the law could be further improved by scrapping the reflection period, and allowing minors to use the procedure as trans teenagers may find it difficult to wait until 18.

Participation in public, cultural and political life

- Following several failed attempts in previous years, in April the Copenhagen City Council agreed to rename a square 'Rainbow Square'. The Square was officially renamed in July.

Public opinion

- A poll published in August by agency Gallup surveyed public opinion in the Faroe Islands, which are part of the Kingdom of Denmark. (Neither marriage nor registered partnerships are open to same-sex couples in the Faroe Islands jurisdiction.) Faroe news outlets reported that 61% of respondents supported marriage equality, while 32% opposed it.



Estonia



Estonia became the first former USSR country to open unions (cohabitation agreements) to same-sex couples, as politicians demonstrated courage and leadership in the face of hesitant public opinion. More employers expressed support for equality in the workplace, and people fearing persecution due to their sexual orientation were granted asylum.

Asylum

- Two people who feared persecution due to their sexual orientation applied for asylum. Both were from Bangladesh and were granted refugee status in October.

Bias-motivated speech

- After the debate on the Cohabitation Act ended in October (see **Family**), Centre Party (EK, centre-left) vice-chairman in Tartu, Silver Kuusik, said he was “ashamed” that four Centre Party MPs had supported the legislation, calling them “highly paid state destroyers” and pledging to “liquidate” them. Lauri Laasi, one of the supportive MPs, filed a complaint to the party’s board, and Mr Kuusik was later expelled.

Employment

- 21 new public and private entities signed the Estonian Diversity Charter, a pledge to combat discrimination by international companies, local and national businesses, and public sector organisations. By the end of the year, 52 signatories had committed to a discrimination-free work environment and equal treatment. The charter receives support from the Ministry of Social Affairs and the European Commission.

Equality and non-discrimination

- In July, the government adopted its *Development plan for social security, inclusion and equal opportunities 2016–2023*, establishing cross-departmental initiatives in the fields of social security, welfare, poverty, gender equality, and equal opportunities. Among other aspects, the plan aims to promote tolerance. The Estonian LGBT Association joined the plan’s steering committee.

Family

- The parliament adopted the *Cohabitation Act* in October, granting taxation, property, inheritance, and next-of-kin rights to couples regardless of their gender. Parties in the ruling coalition (Estonian Reform Party, RE, liberal; and Social Democratic Party, SDE) proposed the bill, while the Union of Pro Patria and Res Publica (IRL, conservative) and the Conservative People’s Party of

Estonia (EKRE, nationalist) opposed it. MPs completed the bill’s first reading in June. In July, IRL asked for the bill to be put to a referendum. The bill’s lead author, MP Valdo Randpere (RE), rejected the suggestion, insisting politicians had to lead opinion instead of following it. A supportive petition gathered 2,700 signatures from academics and public figures, and the Austrian, British, Dutch, Spanish and US embassies expressed their encouragement. By contrast, opponents demonstrated against the bill and spammed MPs by e-mail. MPs adopted the legislation at second reading in October, with 40 votes in favour and 38 against. The president signed it on the same day. The law will take effect on 1 January 2016, but still required MPs to adopt implementing acts. Deputy EKRE chairman Martin Helme pledged his party would overturn the law if it came to power.

“The fundamental document of democratic Estonia – our Constitution – requires equal treatment of all people. Estonian society will not survive intolerance of its own people. There are too few of us to discriminate against anyone.”

**President Toomas Hendri Ilves,
upon ratifying the law on 9 October**

Foreign policy

- Responding to the coming out of Latvian Foreign Affairs Minister Edgars Rinkēvičs on Twitter (see **Latvia**), President Toomas Hendri Ilves supportively tweeted he was “a very brave man and a very good foreign minister”.

Public opinion

- In August, polling agency ERR surveyed 555 people and found that 58% of respondents opposed the *Cohabitation Bill*, while 34% supported it. 52% of respondents under 35 supported the legislation.
- In September, the Diversity Enriches campaign surveyed 1,010 people on issues linked to equality and discrimination. 64% of respondents agreed gay and lesbian people needed protection against discrimination outside of the workplace, and 26% opposed the idea. 40% opposed civil partnerships for same-sex couples.



Finland



Equal marriage was debated for most of the year, ending with a successful vote for marriage equality in parliament. Regrettably, the Prime Minister gave in to pressure from the Christian Democrats, a junior coalition partner, which opposed amending the law to stop requiring trans individuals to be sterilised and divorced before their gender is legally recognised. Meanwhile, the European Court of Human Rights confirmed Finland could require married trans individuals to dissolve their marriage before obtaining new identity documents, since they could opt for a registered partnership with significant rights.

Bias-motivated speech

● In July, the Archbishop of the Evangelical Lutheran Church in Finland, Kari Mäkinen, apologised for the Church's negative approach towards LGBTI people. He said that "cruelty was cruelty", even if it had become more subtle in recent times.

"When I think of the outside pressure and treatment that we have been guilty of displaying towards sexual minorities as a Church and as a society for decades and how it still continues, I think it's time for an apology. Without any explanations or prevarications."

Archbishop Kari Mäkinen, 14 July

Equality and non-discrimination

● In December, a lengthy legislative reform process reached its conclusion. Wide-ranging changes to the anti-discrimination law were agreed with 164 MPs voting in favour (21 against) and are due to come into force in January 2015. The Gender Equality Act, and the mandate of the Gender Equality Ombudsman, now explicitly includes gender identity, gender expression and sex characteristics. A new Non-Discrimination Ombudsman was created, whose mandate will cover sexual orientation, age, disability, religion or belief, nationality, language, health condition, family relations, opinion or other personal characteristics.

● During a Helsinki Pride event, Lutheran pastor Toni Fagerholm said a blessing as two women were exchanging vows in a public ceremony. Several spokespeople for the Lutheran Church later stressed this had been a prayer (not a blessing, which is forbidden under Church rules).

● A doctrinal dialogue between the Finnish Lutheran Church and the Russian Orthodox Church scheduled in September was cancelled. Russian religious leaders wanted to agree in advance on a statement condemning homosexuality, but their Finnish counterparts disagreed.

Family

● Members of Parliament examined a citizens' initiative in favour of marriage equality, 'I do 2013' ('Tahdon 2013'), which had received 167,000 signatures in December 2013.

In June, the Committee on Legal Affairs refused to back the proposal by 10 votes against it, and 6 in favour. In November, the plenary overturned the committee's decision, and voted in favour of the proposal by 105 votes in favour and 92 against. Activists gathered outside and reacted with chants and kisses. MPs from half the National Coalition Party (the Christian Democrats of Finland (KD), The Finns Party (PS, nationalist), and the Centre Party (Kesk, liberal) opposed the proposal. The other half of the National Coalition Party (the Green League, the Left Alliance (socialist), the Social Democratic Party (SDP), and the Swedish Party (SFP, minority party)) supported it. At the end of the year, the president had not yet signed the bill into law, so the exact date when marriage equality will enter in force was still unclear.

● The Ministry of Justice set up a working group to review the law for non-biological mothers in lesbian couples. The group proposed that non-biological mothers in lesbian couples using fertility treatment be automatically recognised as the child's mother, instead of having to adopt their partner's child at birth. The change would apply to cohabiting partners, and women in same-sex unions. The proposal remained open to public consultation by the end of the year.

● In December, Minister of Health and Social Services Susanna Huovinen (Social Democratic Party) requested fertility clinics to examine their procedures in order to ensure they did not discriminate on the basis of sexual orientation or gender identity. The request followed sustained campaigning by LGBTI NGOs on the issue.

Foreign policy

● The Finnish embassy in Cyprus supported the national Pride event by flying a rainbow flag on the day (see **Cyprus**).

Legal gender recognition

● The European Court of Human Rights ruled that the state had been within its rights to require a trans woman to divorce before her gender could be legally recognised. In the case *Hämäläinen v. Finland (application no. 37359/09)*, a trans woman who was born male and underwent

gender reassignment surgery in 2009 sought to obtain new identification documents. Authorities refused, asking her to either divorce her wife, or convert their marriage to a registered partnership. The court's Grand Chamber confirmed a lower chamber's judgment that, under the European Convention on Human Rights, it was proportionate to convert a marriage into a registered partnership in this case, since in Finland partnerships provided same-sex couples with effective legal protection. Ms Hämäläinen and trans rights NGOs criticised the ruling.

- The Ministry of Social Affairs and Health drafted a bill to amend the *Legal Gender Recognition Act (563/2002)*. The draft planned to stop requiring trans individuals to be sterilised, and to stop them from either divorcing or downgrading an existing marriage into a civil partnership. In December, Prime Minister Alexander Stubb (National Coalition Party) announced his government wouldn't submit the bill to parliament due to firm opposition from the Christian Democrats, a junior coalition partner.

Participation in public, cultural and political life

- Finnish postal service Itella started producing three stamps featuring the art of Tom of Finland (Touko Laaksonen), honouring the 20th-century artist's globally-renowned homoerotic work. The stamps show semi-naked moustachioed men, as well as their chest and buttocks. Halpa-Halli department stores announced they wouldn't stock them, referring to their management's "values", "Christian beliefs", and desire "not to offend customers". However, the stamps were generally very well received, and broke philatelic sales records within weeks.

Public opinion

- Throughout the year, polls indicated wide support for marriage equality. A poll of 1,010 individuals commissioned by Tahdon 2013 in March suggested that 65% of respondents nationwide supported marriage equality, while 27% opposed it, and 8% were unsure. A November poll provided similar numbers.

- A survey of priests in the Finnish Evangelical Lutheran Church found that 44% of respondents supported marriage equality, while 41% opposed it.



France



While acceptance remained high overall, homophobic and transphobic voices – cultural, political, religious – became louder and more assertive. As anti-equality groups and politicians (right-wing and far-right) continued efforts to undermine equal marriage and adoption rights acquired in 2013, the government shied away from further LGBT-friendly reforms. Positively, local, national, and European courts delivered several rulings affirming family rights. But lesbian couples remained barred from using medically assisted procreation despite earlier governmental promises, and legal gender recognition remained fraught with serious obstacles. The Ministry of Education also failed to take resolute action against discrimination in schools.

Bias-motivated speech

- In April, Christian Democratic Party honorary president Christine Boutin (PCD, Christian conservative) said in an interview that homosexuality was “an abomination”. NGO Inter-LGBT sued her for incitation to hatred, and the police received over 10,000 individual complaints. Court hearings were scheduled for 2015.
- In May, a court found the magazine *Minute* guilty of insult and incitement to hatred for a 2012 cover showing two men almost naked at a Pride march, alongside derogatory terms. The magazine was fined EUR 7,000.
- In September, former president Nicolas Sarkozy (Union for a Popular Movement, UMP, right-wing) said the socialist government had “humiliated families and humiliated people who love the family” by allowing same-sex couples to marry in 2013. He later said he wanted to repeal marriage rights for same-sex couples (see **Family**).
- In November, MP Daniel Fasquelle (UMP) put forward a bill to allow “children prisoners of same-sex couples” to renounce their adoption upon turning 18. He later apologised for using the phrase, but maintained his proposal.

Bias-motivated violence

- Following a highly publicised homophobic attack in Paris in 2013, a court sentenced two of the four attackers to 30 months in prison. A third received a 6-month suspended sentence for failing to assist the victims, and by the end of the year the fourth attacker had yet to be tried by a juvenile court.
- A local court condemned a Front National councillor (FN, far-right populist) in Auxerre for assaulting pro-equality demonstrators outside the town hall. He was condemned to 8 months’ imprisonment (suspended), an EUR 800 fine, and two years of ineligibility.

Diversity

- MP and former minister for elderly persons Michèle Delaunay (Parti Socialiste, PS, social-democratic) tried amending a bill on elderly care to include care provisions for LGBTI individuals in retirement homes. The

amendment was ruled inadmissible as it would have cost implications and therefore needed to be put forward as an amendment to the budget law.

Education

- The government fell short of its promise to extend a pilot programme for sexuality and diversity education to all schools in 2014–2015, with the new plan focusing only on sexism and gender-based stereotypes, leaving out sexual orientation and gender identity.
- Throughout the year, anti-equality organisation Manif Pour Tous campaigned against sexuality and diversity education. In July, it sent letters to all 1,048 head teachers in the Loire-Atlantique region, telling them that watchful parents would oppose any mention of “gender theory” or LGBT issues in class. Another anti-equality group, Printemps Français, campaigned to withdraw children’s books from library shelves (one about a boy wanting to buy a dress, and one about a child with two fathers). These campaigns received very limited coverage.
- Following a complaint by anti-equality groups, the Council of State (France’s highest administrative court) ruled that schools couldn’t work with Ligne Azur, an LGBT helpline for young people which also provides school trainings. The court explained that since Ligne Azur mentioned medically assisted procreation for lesbian women without stating it was illegal, schools couldn’t use their services. Ligne Azur later updated their materials. Other LGBT NGOs also reported that requests for in-school workshops decreased sharply.

Equality and non-discrimination

- Ahead of local elections in March and elections to the European Parliament in May, Manif Pour Tous produced a charter and a manifesto for candidates to pledge they would “protect the family”, i.e. restrict the rights of LGBT people and their families. Organisers avoided declaring how many supportive mayors and councillors had been elected. The European elections pledge was signed by 22 of 74 elected Members of the European Parliament (mostly from the FN, with some from UMP).

- The government nominated Jacques Toubon (UMP) to the position of Defender of Rights (the ombudsman). Prompted by LGBT NGOs, left-wing parties opposed his nomination because he had voted against the decriminalisation of homosexuality in 1981, and opposed civil partnerships in 1999. He explained that he had since changed his mind. The parliament approved his nomination in July, and he started working favourably on LGBT topics.
- In July, the Advocate General at the CJEU issued an opinion criticising France's permanent blood donation ban for men who have sex with men. In the case *Léger v Ministre des affaires sociales et de la santé and Établissement français du sang (C-528/13)*, the Advocate General opined the ban was "too broad and too generic", and should be based on risky sexual behaviour rather than sexual preference, as foreseen under EU law. The case remained opened by the end of the year.

Family

Marriage and adoption

- On the first anniversary of the marriage equality law in May, national statistics agency Insee said that 7,000 same-sex couples had wed between late May and December 2013, and "around 10,000" such marriages had taken place in 2014 (4% of the total). UMP and FN politicians continued demanding a repeal of the law, although a poll of UMP supporters found that 56% opposed a repeal. In November, two of the three candidates to the presidency of UMP, including former president Nicolas Sarkozy (who later won the race), pledged they would repeal the law if UMP came back to power in 2017.
- La Manif Pour Tous, which had led opposition to equal marriage in 2013, organised two demonstrations to protest against marriage and adoption rights, as well as access to medically assisted procreation and surrogacy for same-sex couples (although neither are legal, nor were proposals made to legalise them). The demonstrations gathered 80,000 and 70,000 marchers respectively, according to the police. NGO All Out's

pro-equality petition gathered over 243,000 signatures on the same occasion.

Medically assisted procreation

- Although government had pledged in 2013 it would allow medically assisted procreation for lesbian couples, Interior Minister Manuel Valls announced in February – on a visit to the Vatican – that there would be no such law. Europe Ecology/The Greens (EELV, green) MPs drafted a bill on the issue, but it had yet to be examined by the end of the year.
- After second-parent adoption became legal in 2013, non-biological mothers sought to adopt their wives' children. Some regional courts questioned the legality of these adoptions, due to the fact that couples had used medically assisted procreation abroad (it is illegal in France). In September, the Court of Cassation ruled they were lawful.

Freedom of expression

- In January, FN youth branch president Julien Rochedy said he would support a Russia-inspired 'anti-propaganda' law in French schools.
- In May, authorities in the small town of Le Pecq removed jewellery ads featuring a woman about to kiss her own image. The Mayor claimed he had received complaints from conservative parents about the posters.

Legal gender recognition

- In October, three PS MPs published a draft bill to facilitate legal gender recognition. The draft envisaged a request for gender recognition to the state prosecutor, who would respond within three months. Trans NGOs objected that individuals shouldn't have to prove their identity to a tribunal. The bill wasn't tabled by the end of the year.

Public opinion

- In September, polling institute Oxoda published the results of a national survey in which 73% of respondents said they didn't want the government to repeal the equal marriage law, while 26% did.

- In October, an Ifop survey showed 53% of respondents nationwide supported medically assisted procreation for lesbian couples.
- A survey of Catholic believers in 12 countries worldwide found that in France, 43% of respondents supported marriage equality (51% opposed it), and 27% thought the Church should perform marriages for same-sex couples (67% opposed it).



Georgia



Hostility against LGBTI people remained palpable. Positively, the parliament adopted a new law against discrimination in all spheres, covering both sexual orientation and gender identity; a court agreed that gay and bisexual men shouldn't be banned from donating blood; and the ombudsman proved supportive of LGBTI issues. The government and parliament also adopted comprehensive human rights strategies, and Georgia signed international treaties with both the European Union and the Council of Europe. However, the country found itself under pressure from pro-Russia forces labelling LGBTI people as a Western import. Bias-motivated speech and violence remained common.

Bias-motivated speech

- A former minister, Davit Darakhvelidze, gave an interview to newspaper *Versia* in May, stating that “Homosexuals are sick and they deserve pity”. Commenting the murder of a trans woman, on television in November, MP Otar Chrdileli (Georgian Dream, governing coalition) argued LGBTI people were “provoking society”. Mr Chrdileli further argued LGBTI people had taken part in video blackmailing organised by the previous government, in 2013.

Bias-motivated violence

- Following extreme, large-scale violence at a peaceful gathering on International Day Against Homophobia and Transphobia in May 2013, LGBTI activists chose not to organise a public event this year after the police said they wouldn’t be able to protect it (see **Freedom of assembly**). However, one LGBTI activist reported that a representative of the Eurasian Institute (a think-tank close to the Eurasian Economic Union, see **Russia**) tried to bribe him, offering GEL 40,000 (EUR 17,430) and a new passport in exchange for organising a Pride rally. This occurred in May and June, shortly before Georgia signed an agreement with the European Union (see **Foreign policy**).
- In their July report, the United Nations’ Committee on the Elimination of Discrimination against Women expressed concern about “physical violence and harassment faced by lesbian, bisexual and transsexual women”.
- In November, 23-year-old trans woman Sabi Beriani was brutally murdered in her apartment. Her attacker forcefully entered, slit her throat, stabbed her multiple times, set the apartment on fire, and left. The police arrested the perpetrator. Although the police stated that Ms Beriani was killed due to an argument over money, another trans woman told the police and the press that the same individual had attacked her at her home on the same day. She fought back with the help of a neighbour. This pattern led human rights NGOs Identoba and EMC to believe transphobia had motivated Ms Beriani’s assassination; at time of writing, the investigation into this case had been concluded

without transphobia being considered as aggravated offence.

Equality and non-discrimination

- In May, the parliament approved the *Law on the Elimination of All Forms of Discrimination (2391-IIb)*, outlawing discrimination in all areas and on numerous grounds, including sexual orientation and gender identity. The law had drawn criticism from conservatives, notably for its inclusion of sexual orientation and gender identity. Justice Minister Tea Tsulukiani appeared on a television show in May, and attempted to defend the bill by arguing that the law “had nothing to do” with “same-sex marriage and physical relations between persons of the same sex”, which were “a huge sin”. 115 MPs voted in favour of the bill at its third reading, while 11 MPs voted against. The European Union had asked Georgia to adopt the law as part of negotiations for a visa-free agreement (see **Foreign Policy**). The Georgian Orthodox Church had campaigned against the inclusion of sexual orientation and gender identity in the law, arguing it would “legalise homosexuality” (which was decriminalised in 2000). Although NGOs widely welcomed the law, some criticised the lack of a new body to supervise its implementation. Instead of a new Inspector for Equality Protection, a Department for Equality was opened at the Public Defender of Georgia (the ombudsman) to oversee the law’s implementation. In September, NGOs said that little had changed following the law’s passage, although hostility towards LGBTI people had increased.
- In May, the parliament adopted a *National Human Rights Strategy 2014 – 2020* while the government published a two-year *National Human Rights Action Plan*. Both include sexual orientation and gender identity. The action plan is dedicated to combatting homophobic and transphobic discrimination and recommends trainings for law-enforcement agency representatives and prosecutors. It includes training sessions focusing on hate crimes, helping officials to identify hate crime, collect information and create statistics. In 2014, 80 prosecutors took part in these courses. Regarding data collection, the state has not

taken any concrete steps. Statistics on the prevalence and nature of LGBT discrimination are still not gathered or analysed.

- The Public Defender of Georgia published his annual report, *The Situation of Human Rights and Freedoms in Georgia*. The report analysed the situation of LGBT persons for the first time, noting that although laws weren't "discriminatory towards LGBT persons, [their] practical enforcement [did not] ensure adequate legal guarantees". The ombudsman's report also noted "quite frequent" "incidents of discrimination" in employment, health, and social and economic relations.
- In August, a conservative group claimed it collected 30,000 signatures for a petition to erase sexual orientation from the list of grounds protected under the new anti-discrimination law. The petition was submitted to the parliament's Committee on Human Rights and Civil Integration, which refused to consider it on a technicality. Organisers pledged they would resubmit it.
- LGBTI NGO Identoba won a case before the Constitutional Court, which ruled in June that the Ministry of Health had been wrong to ban men who have sex with men from donating blood. Citing the constitutional clause on equality, the court agreed that doctors should base deferrals on risky sexual behaviour, and not sexual preference.

Family

- In March, Prime Minister Irakli Garibashvili announced his government would propose amending the Constitution to specify that marriage was between a man and a woman. His announcement came as MPs discussed the new anti-discrimination bill (see **Equality and non-discrimination**), which the Prime Minister sought to 'balance' with a constitutional ban on equal marriage. Justice Minister Tea Tsulukiani supported the initiative. Identoba demonstrated against the amendment outside the State Chancellery building. By the end of the year, the amendment hadn't been put forward nor mentioned again.

Foreign policy

- In June, Georgia signed an association agreement with the European Union, facilitating trade and travel between them. The same month, Justice Minister Tea Tsulukiani signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (also known as the Istanbul Convention), due for parliamentary ratification in 2015.

Freedom of assembly

- While the police claimed they wouldn't be able to protect an LGBTI-themed event on International Day Against Homophobia and Transphobia, the Georgian Orthodox Church organised a march for the "traditional family" on the same day.

Legal gender recognition

- In their July report, the United Nations' Committee on the Elimination of Discrimination against Women urged Georgia to "abolish restrictions for transgender persons to obtain identity documents".
- The NGO Women's Initiatives Supporting Group conducted a study in 2014 on the situation of trans persons in Georgia, which included recommendations for a more transparent and accessible administrative system for changing gender markers on documents. This was followed by a roundtable in December where a Ministry for Justice representative underlined the ministry's keenness to tackle the issue.



Germany



While acceptance of LGBTI people remained satisfactory, there were no positive evolutions in either law or policy, apart from MPs allowing successive adoption for same-sex couples, following a 2013 Constitutional Court ruling. MPs stopped short of granting same-sex couples full adoption rights. Regional ministers made progressive calls for intersex- and trans-friendly policies. Germany continued to support the rights of LGBTI people worldwide. In several regions, anti-equality groups opposed plans for sexual diversity education, but regional governments maintained their position on the issue. Finally, the Constitutional Court ruled that the Church could fire LGBTI and divorced employees.

Bias-motivated violence

- The Council of Europe's Commission against Racism and Intolerance (ECRI) reported that levels of violence against LGBT persons were high, and "adolescents [were] particularly affected". ECRI noted large discrepancies between the German authorities' recorded crime rate (40 incidents on average nationwide in 2011 and 2012), and survey data collected by NGOs ("three murders and several dozen physical assaults" for 2011, and a reported 16% of 24,000 respondents having experienced violence in 2006–2007).

Bodily integrity

- In October, the conference of regional family and equality ministers called on the federal government to take several measures to improve the welfare of intersex people, including legal protection to prevent unnecessary surgeries on intersex babies, which they compared to female genital mutilation. Regional ministers also asked for federal anti-discrimination legislation to be adapted; called for easier procedures to change one's name and gender; and suggested it was redundant to record citizens' sex in the national population register.

Diversity

- Lesbian NGO Safia reserved an area of 50 coffins and urns for women in a Berlin cemetery. Members of Safia, mostly lesbian women of 40 years or over, said they wished to be buried alongside their friends and people of the same sex. They stressed that anyone would be welcome regardless of their gender or sexual orientation, but that women would be granted priority burial spots.

Education

- In late 2013, the regional government of Baden-Württemberg (a coalition between Alliance 90/The Greens and the Social Democratic Party, SPD) presented plans to introduce sexual diversity education in its school curriculum. The plan foresaw lessons about respect and acceptance in relation to sexual orientation and gender identity. In January, an online petition gathered over 192,000 signatures to oppose what it called the "ideology

of the rainbow". The Lesbian and Gay Federation in Germany (LSVD) filed a police report against the petition's authors for failing to delete comments inciting homophobia on their website, but the complaint was dismissed. The regional parliament's Committee on Petitions rejected the petition, saying it would stick to its original plan to adapt the curriculum in 2015. Demonstrations against the plan took place in Stuttgart in April, June and October. The regional government of Niedersachsen announced similar plans, and a similar protests took place in Hannover in November.

Employment

- In November, the Constitutional Court ruled that the Catholic Church had the right to dismiss LGBTI employees, as well as divorced or remarried employees, if it considered they breached the Church's "moral views". (The Church employs about 40% of workers in social sectors.)

Equality and non-discrimination

- Justice Minister Heiko Maas (SPD) introduced a bill to amend the Penal Code, and punish bias-motivated crimes. Racist and xenophobic crimes were explicitly mentioned, while homophobic and transphobic motives were implicitly included under "other misanthropic" motives. LSVD criticised the proposal.
- The Evangelical Lutheran Church in Northern Germany opted to allow its gay clergy to live in church residences with their partners. Pastors amended the Church's policy, by an overwhelming majority, to treat gay clergy the same way as their heterosexual counterparts, provided they are in a registered partnership.

Family

- In January, openly gay former Minister for Foreign Affairs Guido Westerwelle (Free Democratic Party, FDP, liberal) used his first interview out of government to urge Chancellor Angela Merkel (Christian Democratic Union, CDU) to decide whether her new government would support marriage equality. Despite a parliamentary majority in favour of marriage equality, the issue was

excluded from the coalition agreement between CDU and SPD.

- In May, the federal parliament voted to allow successive adoptions for registered partners of the same sex, including retroactively to 2001. This was previously possible for married, and therefore different-sex couples only. The Constitutional Court in 2013 ruled this unconstitutional and ordered MPs to change the law. MPs stuck to the ruling's minimum requirement, and stopped short of allowing same-sex couples to adopt jointly. The Bundesrat (the parliament representing the 16 Länder) urged the Bundestag (the federal parliament) to grant full adoption rights to same-sex registered partners.

Foreign policy

- Federal Commissioner for Human Rights and Humanitarian Aid Christoph Strässer expressed concern after a German citizen was violently attacked in Serbia in September (see **Serbia**).
- Responding to the adoption of the harsh *Anti-Homosexuality Act* in Uganda in February, Germany redirected EUR 300,000 of development aid away from the government, and towards NGOs in Uganda and Eastern Africa. (Denmark, Norway, Sweden, and the World Bank also reduced their aid to Uganda following the new law.) Germany continued supporting LGBTI-related projects in the Global South.

Human rights defenders

- In May, LSVD and the Network of European LGBT Families Associations (NELFA) hosted a conference on LGBTI-friendly education. The Ministry of Family Affairs supported the event. Organisers reported 300 people from 17 European countries (including 100 children) attended.

Participation in public, cultural and political life

- In January, newly-appointed Minister of Environment Barbara Hendricks (SPD) told the *Rheinische Post* newspaper that she would celebrate the new year "with her [female] life partner", becoming the first openly

lesbian member of the federal government. The same month, football player Thomas Hitzlsperger came out as gay after he retired. He became the first top-level, international German player to come out. The founder of Alternative for Germany (AfD, right-wing Eurosceptic), Bernd Lucke, said he would have preferred to see Mr Hitzlsperger "commit to family values".

- During the Pride season in June, the Minister of Family, Seniors, Women and Youth was the first minister to raise the rainbow flag in front of the ministry building in Berlin, together with LSVD.

Public opinion

- In a global survey on morality published in April by Pew Research, 51% of respondents in Germany rated homosexuality as morally acceptable, 38% as not a moral issue, and 8% as morally unacceptable.
- In November, the Friedrich Ebert Foundation published research into public attitudes towards discrimination. Hostility towards LGBTI people was estimated at 13% among 16-30-year-olds; 5% among 30-60-year-olds; and at 21% among those over 60.



Greece



Disapproval of LGBTI people remained high, stirred up by comments from the Greek Orthodox Church and right-wing politicians. This led to several homophobic and transphobic attacks. Positively, the parliament adopted a law punishing bias-motivated speech and crime, including on grounds of sexual orientation and gender identity. Rules were also modified to punish homophobic or transphobic behaviour among the police. Greece continued to drag its feet on the implementation of a 2013 ruling of the European Court of Human Rights, still forbidding same-sex couples from entering registered partnerships available to different-sex couples.

Bias-motivated speech

● In September, the Hellenic Parliament approved a bill increasing penalties for incitement to hatred based on several grounds, including sexual orientation and gender identity. Intentional bias-motivated speech will now be punishable by up to three years' imprisonment, and a fine of up to EUR 20,000. Criminal acts motivated by hatred will be punishable by the same prison sentence, and a fine of up to EUR 100,000. The law is a response to the surge of racist and xenophobic speech and attacks by neo-Nazi party Golden Dawn. The bill also harmonised Greek law with minimum standards set by the European Union in its 2008 *Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law*. In the days leading up to the vote, LGBTI activists demonstrated outside the parliament to demand tougher penalties.

● The Greek Orthodox Church continued to lead attacks against the LGBTI community. Using familiar rhetoric, a local bishop expressed the view that LGBTI people were "dogs", and homosexuality is "a perversion of the human existence" ahead of the June Pride march in Thessaloniki (see **Freedom of assembly**).

● Documents leaked from the Kremlin showed that in September, a large delegation of Greek religious, political, and cultural figures took part in the World Congress of Families (see **Russia**). Delegates included Deputy Speaker of the Hellenic Parliament Maria Kollia Tsaroucha (Independent Greeks, nationalist/Euro sceptic); MP Anastasios Nerantzis (New Democracy, ND, right-wing); an adviser to the Deputy Minister for International Affairs; the Chief Secretary for Religious Affairs at the Ministry of Education; the government's Secretary-general for Mass Media; Orthodox leaders Metropolitan Chrysostomos of Patras, and a church rector from Athens; the publisher of Orthodox newspaper *Dogma*; and a senior staff member at television channel MTV Greece.

Bias-motivated violence

● LGBTI NGOs reported at least five homophobic or transphobic attacks in Athens. In one case, two men

were assaulted by "10 to 15 men with shaved heads and wearing black T-shirts", according to the newspaper *Efimerida ton Syntakton*; attackers broke one of the men's ankle. In another attack, a trans woman was assaulted while she took part in a solidarity protest with cleaning staff outside the Ministry of Finance; the trans woman and the assailant pressed charges against one another. In another case, two young men were left injured on a public square as the police arrived too late to catch their attackers.

● The Ombudsman's office reported that during the last two years, over 280 racist and homophobic attacks were recorded, resulting in several injuries and four deaths.

Family

● While debating the bill against racism (see **Bias-motivated speech**), the Coalition of the Radical Left – Unitary Social Front (SYRIZA, socialist-communist), the Panhellenic Socialist Movement (PASOK, social-democratic, junior coalition partner), and the Democratic Left (DIMAR, centre-left) put forward resolutions to open up registered partnerships to same-sex couples. The Ministry of Justice ruled the resolutions inadmissible, arguing this was under the remit of the *Law on Family*, scheduled for discussion at a later date (although NGOs doubted whether the government would make any proposals). (In 2013, the European Court of Human Rights had condemned Greece for barring same-sex couples from entering partnerships. The government first pledged it would allow the change, but senior coalition partner ND gave into conservative pressure, explaining that "in exchange" for not implementing the court ruling, the bill against racism would cover sexual orientation and gender identity.)

Freedom of assembly

● The third Thessaloniki Pride march attracted 6,000 marchers, according to the police. Mayor Yiannis Boutaris and several European and North-American diplomats also took part in the march.

Legal gender recognition

- In December, Member of Parliament Fotini Pipili (ND) submitted three parliamentary questions to the Ministers of Justice, of Internal Affairs, and of Public Order and Citizens' Protection. He asked the government whether it would allow legal gender recognition without any medical or other requirements; train police and law enforcement officers about gender identity issues; and outlaw discrimination on the basis of gender identity in the fields of employment, access to goods and services, and housing.

Participation in public, cultural and political life

- LGBTI NGOs surveyed 500 young LGBTI voters ahead of the May 2014 elections to the European Parliament. It found that four in five respondents would not vote for candidates from parties with anti-LGBTI ideals. 92% of respondents felt the rights of LGBTI people were either secured to a small extent, or not at all.

Police and law enforcement

- The law regulating the work of the police was amended in March, introducing tougher penalties for officers behaving arbitrarily against individuals due to their sexual orientation or gender identity, among other grounds.

Public opinion

- In a global survey on morality published in April by Pew Research, 24% of respondents in Greece rated homosexuality as morally acceptable, 24% as not a moral issue, and 45% as morally unacceptable. These were the least LGBTI-friendly results among the European countries surveyed, apart from Russia.



Hungary



The Pride festival and two trans-themed events unfolded peacefully in Budapest. Positive rulings and decisions were handed down concerning bias-motivated violence, education, and freedom of assembly. Worryingly, the government launched administrative restrictions on human rights and anti-corruption NGOs (including LGBTI organisations) in receipt of foreign funding. The legal and policy landscape remained rather restrictive – if not hostile – to LGBTI people.

Asylum

- In February, authorities granted asylum to a trans man from Iran who feared persecution based on his gender identity. He had first fled to Denmark in 2013, but was returned to Hungary under EU rules specifying that asylum must be requested in the EU Member State of arrival. Two NGOs supported him through the asylum process.

Bias-motivated speech

- Far-right party Jobbik and junior coalition partner Christian Democratic People's Party (KDNP, Christian conservative) both criticised the Budapest Pride festival (see **Freedom of assembly**). Standing outside the Toldi cinema while the festival was underway, a Jobbik spokesperson said the Pride festival was "shameful", "perverted" and a "provocation against the majority". He added that LGBTI people weren't harassed in the country, and that if it acceded to power, his party would ban LGBTI-themed events. KDNP issued a statement disapproving the event as a "shocking" and "deliberate political provocation".
- After singer Conchita Wurst won the Eurovision Song Contest in May, and in the run-up to the European Parliament elections the same month, far-right party Jobbik published a picture showing Conchita Wurst over an EU flag, and a blonde Hungarian woman over the Hungarian flag, with the words "You choose!" Jobbik leader MP Gábor Vona said his party "[did] not see the future of Europe in a bearded woman".

Bias-motivated violence

- In February, the Debrecen Regional Court of Appeal upheld a lower court's decision to sentence a man to life imprisonment for killing an elderly gay pharmacist in 2012. The courts recognised the murderer's avowed homophobic motive.
- In a report on Hungary issued in December, the Council of Europe's Commissioner for Human Rights expressed concern about the "climate of hostility towards LGBTI persons in the country resulting in some cases in hate speech and hate crimes targeting these persons".

The Commissioner called on Hungarian authorities "to take all necessary measures to ensure that all cases of physical or other violence against LGBTI persons are promptly and adequately investigated, prosecuted and sanctioned", and advised taking further legal and policy measures.

Education

- In September, the Equal Treatment Authority found a school had unlawfully discriminated against a child whose application was rejected because he had two mothers. His mother applied for a place in 2013, and although the interview had gone well, the school's rejection e-mail mentioned that the boy's "family status" prevented him from joining the school. After the family complained to the Equal Treatment Authority, the school argued other children would have bullied him. The authority rejected the argument, insisting it was the school's mission to teach tolerance, and fined the school HUF 50,000 (EUR 160). The school paid the fine, and the boy's parents enrolled him at another school.

Freedom of assembly

- In January, the Metropolitan Court of Budapest ruled against the city's police force, whose ban of Budapest Pride in 2012 amounted to direct discrimination. While the police had argued the event's size and route were unmanageable, LGBTI NGO Háttér Society and an individual complainant argued that larger marches on the same route had been allowed. The court found that the ban was not only discriminatory, but also constituted harassment, as the police decision contributed to a hostile environment against gay people. The Budapest police were ordered to issue a letter of apology, and not ban the march in future. The force appealed, and in September the Budapest Regional Court of Appeal upheld the decision in favour of Háttér Society.
- By contrast, the Budapest Pride festival and march took place peacefully in July this year. Organisers reported over 10,000 marchers, and regretted that although the police protected the march efficiently, officers failed to protect marchers from hostile hecklers as they arrived.

Police cordoned off the immediate parade route, and the public could only view the procession from balconies, side streets, or from several streets away. For the first time in years, far-right protesters didn't confront the event directly; a counter-protest took place away from the site. High profile companies including Google and Prezi took part, as did political leaders: MP Bernadett Szél (Politics Can Be Different, LMP, green), and Gábor Fodor, chair of the Hungarian Liberal Party.

- Two trans-related events unfolded peacefully. In May, the European Transgender Council took place in Budapest, receiving support from the Hungarian Liberal Party and Commissioner for Fundamental Rights (the ombudsman) László Székely. In October, trans rights festival TranszFeszt took place for the first time; no incidents were reported, and the Commissioner for Fundamental Rights also wrote a letter of support.

Freedom of association

- In May, the office of the Prime Minister launched financial investigations against NGOs which it labelled "left-leaning" and "problematic", including renowned human rights and anti-corruption NGOs, as well as three LGBTI organisations: Labrisz Lesbian Association, Háttér Society, and the Rainbow Mission Foundation. All organisations inspected had received funds from Norway, and to some extent had criticised anti-democratic reforms since Viktor Orbán came to power in 2010. In September, the police raided the office of two organisations administering Norwegian funds. LGBTI NGOs joined a campaign against the raids in solidarity. International civil society as well as a number of international politicians and institutions raised concerns about these raids.

Health

(This entry corrects an omission from our Annual Review for the year 2013.)

- In 2013, trans rights NGO Transvanilla asked the Department of Health to support the depathologisation of trans individuals. In June, the department expressed support for the change, and pledged to stop considering trans individuals as mentally ill if the World Health

Organization updates its International Classification of Diseases.

Participation in public, cultural and political life

- Ahead of the elections to the National Assembly and European Parliament in April and May, the Hungarian LGBT Alliance (comprising several LGBTI NGOs) set up a billboard campaign in Budapest, calling on LGBTI people to take part in the vote. It featured a lesbian and a gay couple with the slogan "Hey You! Are you voting?"

Police and law enforcement

- In June, the Independent Police Complaint Board found that the police had violated the fundamental rights of two hate crime victims, who had been threatened with a baseball bat in August 2013. The Board found that the police had acted in a discriminatory manner by siding with the perpetrators, implying the same-sex couple had committed a crime when they started kissing on the street.



Iceland



The experience of LGBTI people in Iceland remained very positive, although a rare homophobic attack was noted in the capital. The parliament outlawed discrimination on the basis of gender identity when accessing goods and services, as well as protecting against hate crime and hate speech based on gender identity. A new committee started drafting a national plan for LGBTI equality. Finally, Iceland remained committed to upholding LGBTI people's human rights worldwide.

Access to goods and services

- The parliament outlawed discrimination on the basis of gender identity when accessing goods and services.

Bias-motivated speech

- In January, the parliament extended equal legal protection against bias-motivated speech and violence to trans people, by adding gender identity to the list of protected grounds in the General Penal Code. Minister of Interior Hanna Birna Kiristjánsdóttir had made the proposal in 2013, in order to align legislation with the *Recommendation of the Council of Europe Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity* from 2010.

Bias-motivated violence

- In February, Iceland's largest daily newspaper *Fréttablaðið* featured a young trans man and a young gay man on its front page, who shared personal stories about harassment and violence they had experienced in Reykjavík.
- In March, an unknown attacker harassed and punched a young gay man in the face, because the latter was kissing his partner at Reykjavík's main public square (Austurvöllur). He called for assistance, but the police didn't arrive at the scene.

Equality and non-discrimination

- In April, Minister for Housing and Social Affairs Eygló Harðardóttir appointed a temporary committee on LGBTI issues. The committee was composed of representatives from political parties, and from the LGBTI movement. It was tasked to draft a comprehensive action plan to improve the situation of LGBTI people nationwide. Although the committee was due to complete its work by October, it was still working by the end of the year.
- In November, activist Troy Michael Jonsson pledged he would sue the state for its permanent ban on gay and bisexual men donating blood. He momentarily suspended his legal action when in December, the government said it would look into the matter.

Foreign policy

- In February, Minister of Education Illugi Gunnarsson travelled to the Sochi Winter Olympic Games (see **Russia**). Discreetly protesting against Russia's new 'anti-propaganda' law, he wore a rainbow scarf during the opening ceremony.
- In May, the parliament unanimously passed a resolution strongly condemning Uganda's new *Anti-Homosexuality Act*, adopted in February. Foreign Affairs Minister Gunnar Bragi Sveinsson also deplored the new law', and repeated Iceland's commitment to LGBTI rights worldwide. By the end of the year, Iceland hadn't changed its development aid policy for Uganda.

Human rights defenders

- In March, LGBTI NGO Samtökin '78 held a fundraising concert together with Amnesty International, with proceeds supporting the work of LGBTI organisations in Uganda. The event took place under the patronage of former Prime Minister Jóhanna Sigurðardóttir, who is openly lesbian, and pop star Paul Oscar, who is openly gay.
- In June, a new NGO was founded for intersex people and their friends: Intersex Iceland.



Ireland



Ireland continued to make steady progress towards equality in the fields of family, legal gender recognition, education, and employment. A national referendum on marriage equality was confirmed for May 2015; polls showed high public support for marriage equality, and all political parties formally supported it. The government put forward proposals for the legal recognition of parenting, and gender recognition procedures. Regrettably, decisions by state broadcaster RTÉ and the national broadcasting authority made it complicated to criticise homophobic views in the media.

Access to goods and services

- In January, the Equality Tribunal ruled in favour of Deirdre O'Byrne, a trans woman who complained of unfair treatment by her bank upon changing her legal name. In 2010, Ms O'Byrne informed her bank AIB of the name she would be known under legally. While the bank agreed to change her name and gender on her credit card, it required Ms O'Byrne to close her current account and open a new one. She received no satisfactory explanation for the extra requirement, and approached the Financial Services Ombudsman, who found no issue with the bank's request. The Equality Tribunal ruled that the bank had discriminated against Ms O'Byrne due to her gender, and awarded her EUR 5,000.

Asylum

- In November, the High Court ruled that a Georgian man, who had sought asylum since 2007 because he feared persecution for being gay, had not received proper consideration for his claims. The court found that earlier decisions didn't properly examine whether the man was gay, nor the genuine level of threat he would face if returned to Georgia. Another asylum tribunal was ordered to review his case.

Bias-motivated violence

- The NGO Transgender Equality Network Ireland (TENI) published the first report from their Stop Transphobia and Discrimination campaign. The report documented 32 bias-motivated incidents against trans individuals, of which 15 were designated hate crimes. 88% of respondents, all trans, reported experiencing verbal abuse or insults; 28% experienced threats of violence; 19% experienced physical violence; and 6% experienced sexual harassment.
- In December, the NGO Gay and Lesbian Equality Network (GLEN) launched a new campaign against LGBT-phobic hate crime, including anonymous reporting website stophatecrime.ie.

Employment

- In March, Trinity College Dublin and GLEN published research into LGB people's experience at work. Researchers surveyed 590 individuals in full-time employment in 2011. 88% of respondents said they had experienced discrimination, verbal or physical harassment, or had left their job because of discrimination. Lesbian women and bisexual individuals were slightly more affected than gay men on average. The research concluded with recommendations to employers to make their workplace LGB-friendly.
- Following a public consultation, the Irish Human Rights and Equality Commission recommended amending the *Employment Equality Act* to make it clear that schools and hospitals run by religious entities must abide by anti-discrimination legislation, and may not discriminate employees on the basis of their sexual orientation or gender identity if these are irrelevant to their work. In September, the Minister of State responsible for the Department of Justice and Equality, Aodhán Ó Ríordáin MP (Labour), announced that he would propose to amend the Employment Equality Act accordingly; this still hadn't happened by the end of the year.

Family

- Taoiseach (Prime Minister) Enda Kenny confirmed announcements made in 2013 that a national referendum on equal marriage would take place in May 2015. The Church of Ireland's Bishop of Cork, Dr Paul Botton, said he "certainly support[ed] civil same-sex marriage", although he remained the only religious leader to express support this year. The Catholic Church announced it would oppose it, and distributed a document against marriage equality in all parishes.
- In April, Fine Gael (centre-right, main party in the government coalition) overwhelmingly passed a motion at its annual conference to support marriage equality.
- In June, GLEN announced that 1,467 lesbian and gay couples had contracted a civil partnership since it became legal in 2011.

- In September, the government published a draft of the *General Scheme for the Children and Family Relationships Bill*. The draft proposed a range of changes in the areas of guardianship; custody and access; maintenance provisions; adoption; parenting for children born through assisted human reproduction; updated the parenthood aspects of civil partnership legislation; and proposed allowing civil partners to jointly adopt children. The bill itself hadn't been published by the end of the year.

Freedom of expression

- In January, artist Rory O'Neill (whose stage drag persona, Panti Bliss, is known nationwide) criticised newspaper columnists with anti-gay views, calling them homophobes on a televised show. The columnists sued broadcaster RTÉ for libel. To settle the matter, RTÉ paid them and issued a public apology. Human rights NGOs and activists criticised the apology, and Stephen Donnelly MP (Independent) put forward a bill removing "offence" from the *Broadcasting Act*. The bill was defeated.
- In August, the Broadcasting Authority of Ireland (BAI) ruled that a radio show had failed to remain neutral because its host and guests all supported equal marriage ahead of the 2015 referendum. The BAI upheld a complaint from the religiously-inspired Family and Media Association, stating that in the absence of alternative views, the host should have provided an alternative perspective. In November, another BAI decision sanctioned a presenter on *Newstalk's Breakfast Show* who had expressed his impatience to vote in favour of marriage equality in the referendum. The BAI ruled the presenter had been partial.

Legal gender recognition

- In December, the government published a draft *Gender Recognition Bill* to finally enable gender recognition under the law. (A legal change was expected since 2007, which the UN Human Rights Committee said was a "regrettable delay".) The new procedure would include a medical evaluation, followed by approval from a psychiatrist or an endocrinologist. TENI called the medical

diagnosis requirement "restrictive and unnecessary". The bill would also allow trans 16-and-17-year-olds to have their gender recognised following two practitioners' medical consent – including one without any connection to the child, parental consent, and a court order, which TENI said was highly burdensome. Finally, the bill would require married trans individuals to divorce in order to have their gender legally recognised, a requirement the UN Human Rights Committee and the Council of Europe's Commissioner for Human Rights both criticised.

- Dr Lydia Foy suspended legal proceedings against the state before the High Court after government expressed its "firm intention" to enact the *Gender Recognition Bill* by 2015. Dr Foy continued seeking redress for the government's refusal to issue a birth certificate reflecting her gender after transition. The High Court had condemned the government in 2007.

Participation in public, cultural and political life

- Ahead of the elections to the European Parliament in May, eight candidates from Dublin took part in a debate on LGBT rights. All supported LGBT equality, both in Ireland and Europe.

Police and law enforcement

- In November, the independent Garda (police) Inspectorate advised updating police investigations of homophobic incidents, and recommended the establishment of a separate LGBT liaison officer role.

Public opinion

- Three polls surveyed public opinion on equal marriage ahead of the 2015 referendum, giving consistent results in January, October, and December. Polls by the *Irish Independent* and the *Irish Times* showed high support for equal marriage (76%, 67%, 71%), moderate opposition (19%, 20%, 17%), and stable indecision (5%, 9%, 9%).



Italy



Several mayors repeatedly sought to recognise same-sex unions locally (either recognising unions contracted abroad, or allowing residents to register their union in civil registers), leading to lengthy exchanges between local executives and the judiciary about the recognition of marriages contracted abroad. The government pledged several times that it would propose registered partnerships nationwide by January 2015. A regional court authorised the transcription of the birth certificate of a child born abroad to two mothers, and two contradictory rulings were issued on step-child adoption. Diversity education proved highly divisive, and led the responsible minister to review existing guidance.

Bias-motivated speech

- Referring to the Winter Olympic Games in Russia, International Olympic Committee member and former President of the Italian National Olympic Committee Mario Pescante said the United States' sending openly lesbian athletes in its delegation was "political terrorism [...] in the name of rights". (Also see **Foreign policy**)
- In August, a court in Bergamo fined former MP Carlo Taormina EUR 10,000, and ordered him to apologise for saying he would never hire gay people because they were "against nature" in a 2013 radio interview. LGBTI NGO Rete Lenford sued him for discrimination based on sexual orientation in employment. The condemnation was the first of its kind.
- Weekly gossip magazine *Visto* included a booklet *The Best Gay Jokes* in its August edition. The gay joke book was severely criticised, and *Visto's* editor-in-chief apologised.
- A group called the Standing Sentinels ('Sentinelle in Piedi'), inspired by a similar initiative in France, staged vigils in various cities throughout the year to protest against equality policies and same-sex unions.

Bias-motivated violence

- In June, the office of Di Gay Project in Rome was pelted with excrement as attackers shouted death threats at those inside, newspaper *Corriere della Sera* reported.

Education

- Religiously-inspired parents groups, right-wing politicians, and religious leaders sternly criticised new diversity lessons in schools. The lessons were delivered in partnership with LGBTI organisations, and followed guidance from the National Office against Racial Discrimination (UNAR, also tasked with combating homophobia) and a chartered psychologists' institute. The Archbishop of Genoa claimed they "destroy[ed] the family", turning classrooms into "re-education and indoctrination camps". While the trainings were overall uneventful, in March, the Ministry of Education rescinded the trainings. Education Minister Stefania Giannini (Civic Choice, SC, centrist) maintained the government's commitment to combatting stigma and discrimination,

and pledged to issue new guidelines. Ministry employees eventually received training in November, but without involving LGBTI NGOs.

- In July, the City Council of Verona adopted a motion condemning diversity lessons (see above), and affirming the "right of the family", which it said was "a union between a man and a woman", "not to be contradicted or denigrated" by teachers. It asked the Mayor to monitor how diversity trainings were implemented, which the Mayor declined. The Regional Council of Lombardy adopted a similar motion the same month, put forward by the far-right party Northern League (LN).
- A religious teacher told his class of 16-year-olds in Turin that homosexuality was a "psychological problem" which could be "cured". The headmaster launched an investigation into what he called "a serious incident".

Employment

- The headmistress of a publicly-funded Catholic school in Trento declined to renew a lesbian teacher's contract, explaining to local newspaper *Trentino* that she had a duty to "protect the school environment" and "moral ethics". Education Minister Stefania Giannini launched an investigation, and Undersecretary for Reform Ivan Scalfarotto (PD), said the non-renewal was "intolerable".
- Italy's second largest bank, Intesa Sanpaolo, started providing benefits to employees in any marriage, including same-sex marriages contracted abroad and not recognised in Italy. Unions welcomed the agreement.
- In Sicily, public transport company AMAT granted 15 days of marital leave to an employee planning to marry their same-sex partner, the full entitlement foreseen for legally-sanctioned weddings.

Equality and non-discrimination

- Only after numerous controversies, alerts by LGBTI organisations, and a warning by the EU to Italy, did the Italian government in October reintroduce the fight against discrimination, also based on sexual orientation and gender identity, in its National Operational Programme (NOP) on social inclusion 2014-2020.

Family

- Prime Minister Matteo Renzi (PD) promised in June and July that a bill on same-sex unions would come to the senate floor by January 2015. Minister of Interior Angelino Alfano (New Centre-Right, NCD, Christian-democratic) also declared in July that his party had “no difficulty reasoning about a matter that exists, namely the protection of people living together, including gays”. However, he stressed NCD non-negotiably opposed marriage, adoption and surrogacy or pension reversibility.
- After some municipalities registered same-sex unions in previous years, more local authorities followed this year, while opposition arose in other municipalities. Mayors and local courts in Bologna, Grosseto, Naples, Rome, and Milan started transcribing same-sex couples’ foreign marriages into local civil registers. In October, Interior Minister Angelino Alfano (NCD) told local authorities to annul the transcription of these unions, as they didn’t conform to national law. If local authorities didn’t, his ministry would annul them, he stated. Rome Mayor Ignazio Marino (PD) protested by carrying out 16 same-sex unions in the city hall on the day the Vatican held its global synod on the family. (The Rome prefecture later annulled them.) Regional Affairs Minister Maria Carmela Lanzetta welcomed the insistence of some mayors, saying “this [was] the input we need[ed] to come up with a fair law”.
- In September, Rome’s Juvenile Court ruled for the first time that a woman could adopt her female partner’s child, conceived via artificial insemination in Spain. Judges ruled that since the two women couldn’t marry, a derogation was possible in the best interest of the child. By contrast, in October, a prosecutor opposed an Italian woman’s application to transcribe her adoption of her female partner’s child (legal under United States law) in Italy. The case remained open at the end of the year.
- In October, the Turin Court of Appeal overturned a lower court ruling, and allowed transcribing the birth certificate of a child born to two mothers into Italian registers. The child was born in Spain to Italian and

Spanish mothers. After they divorced, the ruling allowed the child to live with his mother in Italy.

Foreign policy

- Ahead of the Winter Olympic Games in February, then Prime Minister Enrico Letta said he would “reiterate Italy’s opposition to any discriminatory norm against gays, inside or outside sports”.

Freedom of expression

- In March, six LGBTI activists were arrested for countering a protest by the Standing Sentinels (see **Bias-motivated speech**) in Perugia and were charged for breaching the peace. They had shouted “Fascists!” and “Bigots!” and kissed in front of the crowd. When an MP questioned the incident in parliament, Interior Minister Angelino Alfano condemned the counter-protest. A trial was scheduled for 2015.

Human rights defenders

- An intersex activist was elected honorary President of NGO Certi Diritti for the first time in 2014.

Legal gender recognition

- In June, the Constitutional Court ruled that a local registry had been wrong to dissolve a marriage *ex officio*, after the husband changed his legal gender in 2009. The Constitutional Court ruled that the dissolution was illegal, their marriage could remain as it was, since the law does not provide for an alternative to marriage for two women. The court insisted, as it did in 2010, that the parliament had a duty to urgently allow same-sex unions.

Participation in public, cultural and political life

- Former Prime Minister Silvio Berlusconi (Forza Italia, FI, right-wing) said in June that “the [fight] for civil rights for homosexuals is a fight that in a truly modern and democratic country should be everyone’s responsibility”. His remarks followed his girlfriend becoming a member of LGBTI NGO Arcigay after a day

of Pride marches nationwide, newspaper La Repubblica reported.

Public opinion

- In a global survey on morality published in April by Pew Research, 42% of respondents in Italy rated homosexuality as morally acceptable, 31% as not a moral issue, and 19% as morally unacceptable.
- A survey of Catholic believers in 12 countries worldwide found that in Italy, 30% of respondents supported marriage equality (66% opposed it), and 16% thought the Church should perform marriages for same-sex couples (80% opposed it).



Kosovo*



While a general atmosphere of hostility towards LGBTI people remained, the government and police in 2014 demonstrated professionalism in dealing with members of the LGBTI community and issues linked to sexual orientation and gender identity. Despite promises from government, laws against discrimination and for gender equality stalled after the general election in June.

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

Bias-motivated speech

- On Valentine's Day, four women from visual performance group Haveit staged a kiss on a central avenue in the capital, Pristina. After posting it on Facebook, both positive and negative comments began to accumulate, including death threats, which were reported to the authorities.
- Online hate speech, including death threats, also occurred after European Integration Minister Vlora Çitaku took part in a march organised on International Day Against Homophobia and Transphobia (see **Freedom of assembly**).
- LGBTI NGO QESH reported that, during the year, 136 media reports on LGBTI were issued, in print and online. 57% of the articles were positive, 33% neutral, and 10% presented sexual orientation and gender identity negatively or hatefully. However, the NGO noted that online comments were consistently negative or hateful.

Bias-motivated violence

- The Pristina Basic Court ruled in the case of *Kosovo 2.0*, an online news outlet whose event was attacked in December 2012. The court convicted three individuals for forcefully preventing the launch party of the 'Sex' edition of the magazine from taking place. They each received a suspended 14-month prison sentence, a punishment viewed as insufficient by human rights NGOs.

Enlargement

- Kosovo is considered a potential candidate to join the European Union since 2008. In its annual report on progress towards EU accession, the European Commission noted in October that the *Law on Anti-Discrimination* had yet to be adopted, and harmonised with the law regulating the work of the Ombudsperson and laws on gender equality. The Commission also regretted that cases of hate speech and threats against LGBTI people were seldom investigated, noting that authorities had to improve in this field.

Equality and non-discrimination

- The *Bill on Anti-Discrimination* put forward by the government in 2013, sought to update existing law to

include protection on grounds of sexual orientation and gender identity. The Bill had still not been adopted by the end of the year, despite government promises of its passage in 2014.

- The *Gender Equality Bill*, which includes protection from discrimination on the ground of "gender reassignment", had also yet to be adopted by the end of the year.

Family

- Speaking at a university in the United States in September, President of the Constitutional Court of Kosovo Enver Hasani said that the Constitution theoretically allowed for same-sex marriages. In response to a question from the audience, Mr Hasani recalled that article 37 stated: "Based on free will, everyone enjoys the right to marry and the right to have a family as provided by law". He added, however, that this didn't reflect the current consensus.

Freedom of assembly

- QESH held two events: a photo exhibition portraying the LGBTI community in March, and the Diversity Week in October. The police provided adequate protection to both events, which gathered between 200 and 300 participants each.
- For the first time and in partnership with other NGOs, QESH organised a street rally and reception on the occasion of International Day Against Homophobia and Transphobia, on 17 May. NGOs reported the rally gathered 60 participants, including representatives from the government, international institutions, and several embassies. The police provided optimal protection to the event.

Human rights defenders

- The Center for Equality and Liberty (CEL), a new NGO focusing on human rights, sexual orientation and gender identity, started its activities.

Police and law enforcement

- NGO QESH trained over 80 police officers, prosecutors, and judges on issues related to sexual orientation and

gender identity. However, the NGO regretted that during the training for prosecutors it became apparent that none of the participants knew that the law already provided specific protection from hate crimes based on sexual orientation.



Latvia



In a brave move, Minister for Foreign Affairs Edgars Rinkēvičs became the first ever Latvian politician to come out as gay. However, bias-motivated speech remained frequent in the highest political and religious circles, including from the President. An anti-equality, religiously-inspired group sought to trigger a referendum to limit freedom of expression in relation to LGBTI issues, but failed to collect enough signatures.

Bias-motivated speech

- In an open letter, Catholic, Lutheran, Protestant, Orthodox, and Baptist leaders warned of the dangers of 'homosexual propaganda' and teaching about tolerance and equality. They also encouraged vigilance against any legislative initiative that would bring additional rights to LGBTI people – such as same-sex unions – and warned against 'spreading homosexual propaganda' in educational settings.
- Commenting on Estonia's legalisation of cohabitation agreements (see **Estonia**), Roman Catholic Archbishop Zbignevs Stankevičs said in October he was "very sorry for Estonia", and said similar laws should never be passed in Latvia. He also explained that same-sex relationships were "against nature" and responsible for "destroying human identity", before insisting his comments weren't homophobic.
- In a December interview to conservative newspaper *Neatkarīgā*, President Andris Bērziņš regretted the positive publicity around the EuroPride event scheduled for 2015, stating that homosexuality "should not be advertised in any way" as it "leads nowhere". Mr Bērziņš further regretted that the event would take place in Latvia, and made negative comments about activists and NGOs who defended LGBTI rights.
- A senior MP, Inga Priede (Unity, centre-right), tweeted in December: "Thank God! The Germans shot them [homosexuals] in their time. Good for demographics". Her tweet led to a barrage of negative reactions, including from her own party and from the Prime Minister (of the same party). She resigned from the board of Unity one week before her mandate ended, and Unity's leadership stressed that her "categorically unacceptable" outburst didn't reflect the party's position.

Family

- Immediately after the coming out of Foreign Affairs Minister Edgars Rinkēvičs (see **Participation in public, cultural and political life**), Justice Minister Dzintars Rasnačs (National Alliance, NA, conservative/nationalist) warned that his government would never legalise same-sex unions, recalling that the Constitution specified

marriage was between a man and a woman. He added that same-sex couples could "arrange their affairs" through powers of attorney and wills.

Foreign policy

- Foreign Affairs Minister Edgars Rinkēvičs banned Russian actor-turned-Orthodox-priest Ivan Okhlobystin from entering Latvia. The minister explained this with reference to Okhlobystin's comment "death to Ukrainians", and his statement that "gays should be burned in ovens". The minister stressed this language could be classified as incitement to hatred.

Freedom of expression

- In July, organisers of a referendum aiming to ban the 'promotion' of homosexuality to children announced they had so far collected 7,000 signatures, short of the legal threshold of 30,000. A spokesman for the anti-equality and religiously-inspired group said the initiative, named "Protecting our Children!", aimed to collect enough signatures to force a referendum before the government has a chance to adopt any anti-discrimination policy. The previous month, Ombudsman Juris Jansons issued a statement calling the initiative "deceptive", as it sought to limit LGBTI people's rights rather than protect children. The initiative failed when the petition closed in November with approximately 12,000 signatures.

Participation in public, cultural and political life

- On 6 November, a day after his ministerial post was confirmed, Foreign Affairs Minister Edgars Rinkēvičs (Unity) tweeted that he was proud to be gay, and that he supported the idea of registered partnerships for all couples. His tweet in two languages was retweeted several thousand times, and gained extensive coverage in national and international news outlets, mostly online.

"Our country must create a legal framework for all types of partnerships, I will fight for it, I know that there will immediately be megahysteria but #Proudtobegay"

Foreign Affairs Minister Edgars Rinkēvičs
(@edgarsrinkevics), 6 November



Liechtenstein



No developments related to sexual orientation or gender identity were recorded in 2014.



Lithuania



Lawmakers debated numerous proposals to restrict LGBTI rights to freedom of expression and assembly, although none were adopted this year. Proposals were mostly the work of two rogue lawmakers, but received support from MPs across political groups (the Liberal Movement alone systematically opposed anti-LGBTI initiatives). Ominously, two fairy tales and a video presenting LGBTI families as being equal to others were banned, or saw their broadcasting severely restricted. MPs also actively kept legal gender recognition off the statute books.

Access to goods and services

- The Office of the Equal Opportunities Ombudsperson found that a sticker depicting two men having sex under the slogan “STOP AIDS” on the door of a supermarket’s security room violated the *Law on Equal Opportunities*, and ordered the supermarket to remove it. The ombudsperson also asked a gym in Kaunas to remove a sticker featuring a rainbow-coloured rooster with a diagonal line running through it.

Bias-motivated speech

- A young man named Šarūnas from the district of Biržai committed suicide in January, seemingly due to his fear that his sexual orientation would be disapproved of. National NGOs have expressed frustration that no policy initiatives or broader public discussion on the dangers of homophobic and transphobic bullying took place in the aftermath of this event.
- In June, MPs continued to examine amendment *XIIP-687* to the Criminal Code, which would legally protect bias-motivated speech. MPs sent the proposal to the Committee on Education, Science and Culture for further debate. In December, the committee unanimously sent the proposal back to its authors for improvement.
- In December, two young men came out to their friends by publishing a photo on Facebook showing a kiss between them. The NGO Lithuanian Gay League (LGL) complained to the Office of the Prosecutor General that numerous comments called for violence against the boys because of their sexual orientation, sanctioned under the Criminal Code. On 30 December 2014, the Prosecutor refused to start a pre-trial investigation. LGL appealed this decision before the national courts.

Bias-motivated violence

- The Vilnius District Court abandoned a case against MP Petras Gražulis (Order and Justice, TT, nationalist/populist), chair of his party’s parliamentary group, who broke police lines protecting the Baltic Pride to attack marchers in 2013. The court’s decision follows MPs’ 2013 vote to uphold his parliamentary immunity.

Education

- In December, the Ministry of Education and Science established a working group to develop a curriculum for sexuality education. The group included representatives from the Confederation of Archbishops, as well as the anti-equality National Association of Families and Parents. No women’s rights or LGBTI organisations were invited to join.

Equality and non-discrimination

- In January, the archdiocese of Vilnius granted the use of a building to the city council. The space, currently hosting a church and a monastery, will welcome an elementary school, a cultural venue, and a concert hall. Website 15min.lt reported that the lease signed between Church and city authorities classified certain activities as forbidden, including anything related to homosexuality.
- In November, the parliament rejected a candidate for the post of Equal Opportunities Ombudsperson. During her hearing, lawyer Diana Gumbrevičiūtė-Kuzminskienė expressed support for the legal recognition of same-sex unions. Several MPs criticised her views as well as her involvement with LGL and other LGBTI causes. The post remained unfilled at the end of year.

Family

- In January, Petras Gražulis (TT) put forward an amendment to the *Law on Children’s Rights Protection* to forbid same-sex couples from adopting Lithuanian children abroad. The parliament’s legal service warned that the amendment would run counter to the European Convention on Human Rights. The proposal echoed a similar Russian policy (see **Russia**).
- Reacting to the legalisation of cohabitation agreements in neighbouring Estonia (see **Estonia**), Justice Minister Juozas Bernatoniš (Social Democratic Party, LSDP) said that “civil partnerships won’t be considered as long as [he is] the minister.”
- A constitutional amendment from December 2013, which sought to specify that ‘family life’ refers to marriage, motherhood or fatherhood, lapsed in 2014, as the Committee on Legal Affairs failed to deliver an

opinion on the proposal. The parliament was due to assign it to a new committee in 2015.

Foreign policy

- In February, MP Petras Gražulis (TT) at the Parliamentary Assembly of the Council of Europe praised Russia's 'anti-propaganda' laws. Mr Gražulis explained the European Union was "a cradle of decay" bringing "evil" to its Member States. Both socialist and Christian-democratic Lithuanian delegates criticised his comments.
- Commenting on the coming out of Latvian Foreign Affairs Minister Edgars Rinkevičs in November (see **Latvia**), Speaker of the Seimas Loreta Graužinienė (LSDP) commented that out of "frankness", he should have come out prior to his appointment. Foreign Affairs Minister Linas Linkevičius (LSDP) had a friendlier reaction.

"Edgars, my friend, I admire your courage and sincerity!"

Tweet by Foreign Affairs Minister Linas Linkevičius, (@LinkeviciusL) 7 November

Freedom of assembly

- The Rainbow Days, a three-week festival in May, took place undisturbed. It featured private and public events, including a rainbow bus that toured Vilnius on International Day Against Homophobia and Transphobia. In July, the Sapho Fest took place in the district of Papiškai, attracting 200 participants. In August, the week-long LGBTI movie festival *Kreivės* was held in Vilnius.

Freedom of expression

- In March, MPs postponed the adoption of *Bill XIP-4490(2)*. The bill sought to punish the "public denigration of constitutional moral values" with fines of up to LTL 6,000 (EUR 1,800). Its author Petras Gražulis (TT) cited Prides as events contradicting morality, and said he would "personally go to court and see administrative penalties imposed" if he saw homosexual relationships "promoted".
- In May, the Lithuanian Office of the Inspector of Journalist Ethics concluded that two fairy tales featuring same-sex attraction were "harmful to minors", and should

be hidden from under-14s. The inspector's office cited the controversial 2010 *Law on the protection of minors against the detrimental effects of public information*, explaining that the fairy tales "encourag[ed] the concept of entering a marriage and creating a family other than stipulated in the Constitution". The book, which also contained children's stories about ethnic minorities, Roma people, and people with disabilities, was withdrawn from shelves and from the editor's catalogue. In September, current Ombudsperson for Children's Rights and acting Ombudsperson for Equal Opportunities Edita Žiobienė sternly criticised the inspector's decision, adding that the *Law on the protection of minors* could be incompatible with the *Law on equal opportunities*. Human rights NGOs republished the book in December after raising funds.

- LGL produced a video addressing negative stereotypes about LGBTI people, showing snapshots from the lives of same-sex couples, and informing viewers that they may have LGBTI people in their own social circle. Lrytas TV asked for the video to be edited, TV3 asked the Office of the Inspector of Journalist Ethics to certify the video was legal, and LNK ignored requests to air it. In September, the ethics inspector's experts unanimously agreed the video could have a "negative influence on minors" because it featured LGBTI symbols. The Union of Lithuanian Psychologists disagreed. Following the inspector's decision, TV3 agreed to air the video after 11pm if it was marked as unsuitable for minors. In October, LGL appealed the inspector's decision before the Vilnius Regional Administrative court; the court declared itself incompetent. Activists appealed before the Supreme Administrative Court, which rejected the appeal in December. In October, LGL and ILGA-Europe lodged a complaint before the European Commission, claiming the law breached the European Union's 2010 *Audiovisual Media Services Directive*.

Legal gender recognition

- In July, the parliament rejected a comprehensive reform of the *Law on civil registry (XIP-2017(3))* and of the Civil Code (*XIP-2018(3)*), because one of its amendments would have allowed trans individuals to change their legal

gender. (In 2007, the European Court of Human Rights had condemned Lithuania in the case *L. v Lithuania* (application no. 27527/03) because its laws mentioned the possibility of changing one's legal gender, but lacked any procedure to do so. The government sought to address the gap with this amendment.) The bill was returned to the Ministry of Justice with instructions to remove the article on legal gender recognition.

Participation in public, cultural and political life

- In April, the National Radio and Television Network (LRT) aired a debate between presidential candidates on social issues, including LGBTI issues. Zigmantas Balčytis (LSDP) said he “respect[ed] the issues sexual minorities [were] facing”, and he would seek to “educate society”. Artūras Zuokas (Lithuanian Liberty Alliance, a local party), Mayor of Vilnius, said he opposed equal marriage, but would favour registered partnerships. Artūras Paulauskas (Labour Party, DP, liberal) and Bronis Ropė (Peasant and Greens Union, LVŽS, green) opposed any rights being granted. (Mr Ropė was later elected to the European Parliament and sits with Greens/EFA) Valdemaras Tomasevskis (Electoral Action of Poles in Lithuania, LLRA, Christian-democratic) fumed that homosexuality was “a disease and an evil force”.
- LGL reported that despite their repeated best efforts, Speaker of the Seimas Loreta Graužinienė (DP) repeatedly avoided meeting them to hear concerns about eight legislative proposals detrimental to the rights of LGBTI people. Her office explained that she wouldn't have any time in 2014.
- In June, news portal delfi.lt published a list of openly LGBTI individuals nationwide to increase their visibility.

Public opinion

- In a January survey by the Chamber of Notaries, 11% of respondents supported the introduction of same-sex partnerships, 79% opposed it, and 10% didn't answer.



Luxembourg



In 2014, the parliament voted overwhelmingly in favour of marriage equality.

Family

- The Chamber of Deputies voted overwhelmingly in favour of marriage equality. The reform had been initiated in 2010, but was only placed on the parliament's agenda in 2013. A petition arguing that the reform would harm children threatened to delay the vote, but only gathered 3,187 signatures, less than the 4,500-signature threshold required to force a parliamentary debate. 56 out of 60 MPs voted in favour. The Alternative Democratic Reform Party's 3 MPs (ADR, conservative) voted against, as did one MP from the Christian Social People's Party (CSV, centre-right). The law also equalised the age of marital consent at 18 for both women and men; abolished the legal requirement for a prenuptial medical examination; and made it easier to annul forced marriages. The law was due to enter into force on 1 January 2015.

Legal gender recognition

- In August, Minister of Justice Félix Braz responded to a parliamentary question saying that he intended to reform the legislation regarding the process trans people had to go through to change gender markers on official documents. No draft legislation had been introduced by the end of 2014.

Participation in public, cultural and political life

- Prime Minister Xavier Bettel, who is openly gay, announced he would marry his partner following the marriage equality vote.



FYR Macedonia



Although Pride events took place without violence for the first time in Skopje, LGBTI activists were the victims of an organised attack on a café in October. No progress could be noted in a climate of general hostility towards LGBTI people created by mainstream press, most of the political establishment, and society at large. Institutions and laws preventing discrimination still exclude sexual orientation and gender identity from their scope. Police forces and the judiciary both continued to display active indifference to hate speech and hate crime. Finally, the government initiated amendments to the Constitution, specifying that both marriages and registered partnerships were strictly unions between a man and a woman.

Bias-motivated speech

- Numerous hateful comments emerged on social media before and following the café attack in October (see **Bias-motivated violence**). An event in Tetovo attracted similar comments (see **Freedom of assembly**), with some social media users expressing the wish that LGBTI people would “die from AIDS”, and issuing death threats to organisers and their families.

Bias-motivated violence

- In October, 20 hooded assailants violently attacked a café where activists were celebrating the LGBTI Centre’s second anniversary. Perpetrators stormed the Damar Café in central Skopje, throwing bottles, crates, and chairs at individuals. Two people were injured, one severely. Activists reported assailants told them to leave, as “faggots were not welcome here”. They left before the police arrived. The ruling party Internal Macedonian Revolutionary Organization (VMRO-DPMNE, right-wing conservative) condemned the attack as “immature, irresponsible and shameful”, adding it “[did] not agree, [did] not support and condemn[ed] any act of violence, violent behaviour and aggression”. No perpetrators had been identified by the end of the year.

Education

- Several human rights NGOs condemned the Saints Cyril and Methodius state university’s plans to open an Institute of Family Studies. According to *Balkan Insight*, the programme intended to address “the role of the family in preventing and suppressing social deviations”, including homosexuality and divorce. Sociology and religion professor Zoran Matevski, responsible for the programme, explained the course intended “to restore family values” in a “moral vacuum, with an increased number of divorces, prostitution, alcoholism, and drug addiction all lowering moral values”. By the end of the year, the programme was not featured on the university’s website.

Enlargement

- FYR Macedonia formally applied to join the European Union in 2004, although negotiations

haven’t started yet. In its annual report on progress towards EU accession, the European Commission noted in October that perpetrators of violent attacks against the LGBTI Support Centre in previous years had yet to be prosecuted. The Commission added that national law still failed EU non-discrimination standards on the ground of sexual orientation, and stressed that “much more focus needs to be placed on [the] effective implementation of the existing human rights framework” in relation to LGBTI people’s rights.

Family

- In July, the government asked the parliament to submit a set of amendments to the Constitution, including one specifying that marriage is the union of a man and a woman. Parliamentarians provided just enough support (82 out of 123, the two thirds required for constitutional amendments) to proceed to the next phase. However, in August the government altered its proposals to further specify that “registered cohabitation”, or any other form of “registered life partnership”, were a “life union solely between one woman and one man”. This led MP Liljana Popovska, leader of the Democratic Renewal of Macedonia (DOM, green, junior coalition partner), to withdraw her support. Following a country visit, the Council of Europe’s Commission for Democracy through Law (the Venice Commission) said the amendment was “problematic”, and recalled that under European Court of Human Rights jurisprudence, there was no justification for Member States to provide registered partnerships to different-sex couples only. The commission added that elevating marriage “to the rank of constitutional principle [did] not seem necessary from the legal point of view”. In December, the government reworded its amendments so that any future family-related legislation (including registered partnerships) would require a two-thirds majority in parliament. Following the country visit, Minister of Justice Adnan Jashari said the government would withdraw the amendments on cohabitation.

Freedom of assembly

- In June, LGBTI NGOs held a Pride Week in Skopje featuring exhibitions, screenings, workshops, roundtables, and parties. This was the second Skopje Pride Week and for the first time it took place without any reported violence.
- An LGBTI event took place in the north-western town of Tetovo for the first time on 10 December, International Human Rights Day. Organisers faced hostility from locals, arguing there were “no gay Albanians”. (Ethnic Albanians make up a majority of the population of the town and its surrounding region.) However, there were no recorded incidents of violence at the event and the police provided adequate protection.

Police and law enforcement

- Following the Skopje café attack in October (see **Bias-motivated violence**), human rights NGOs complained to the police that ineffective investigations into previous attacks had contributed to the latest assault. The police responded by stating that they had filed the relevant reports with the prosecutor’s office. This was followed by a statement from the general prosecutor, asserting he wasn’t familiar with the October attack, nor with any other previous attack on the LGBTI community.



Malta



Malta broke new ground in 2014 with outstanding positive legal developments. Lawmakers banned discrimination based on sexual orientation and gender identity under the Constitution – the first European country to constitutionally outlaw discrimination based on gender identity; legalised civil unions for all couples, including joint adoption rights; and proposed aligning legal gender recognition procedures to the highest human rights standards. The government and its parliamentary majority also strengthened the rights of trans people at work, and proposed better protections for intersex people’s right to bodily integrity.

Bias-motivated violence

- The draft *Gender Identity, Gender Expression and Sex Characteristics Bill* put forward in October (see **Legal gender recognition**) by the government proposed adding gender expression and sex characteristics to the list of aggravating circumstances for bias-motivated crimes under the Criminal Code. The adoption of the bill by parliament was expected in early 2015.

Bodily integrity

- The draft *Gender Identity, Gender Expression and Sex Characteristics Bill* put forward in October (see **Legal gender recognition**) by the government also seeks to outlaw any non-medically required treatment on a person's sex characteristics without their informed consent. This provision makes it illegal for doctors and parents to alter babies' sex characteristics at birth.

Education

- In December, the Ministry for Education and Employment launched a new policy: *Addressing Bullying Behaviour in Schools*. For the first time, it made reference to homophobic and transphobic bullying. A dedicated anti-bullying unit within the Ministry's Student Services department will meet with schools to inform them about the policy and its implications.

Employment

- The *Employment and Industrial Relations Act* was amended in August to outlaw discrimination based on gender identity in the workplace.

Equality and non-discrimination

- The parliamentary sitting which passed the *Civil Unions Act* (see **Family**) also amended the Constitution to outlaw discrimination based on sexual orientation and gender identity. The change was adopted unanimously.
- Malta welcomed EU representatives, national parliamentarians, NGOs and LGBTI activists to Valletta in May for the 2nd annual IDAHOT Forum. Under the theme of "Responses to Homophobia and Transphobia", European governments were encouraged to support the

call for a comprehensive EU policy or roadmap, as suggested in 2013. By the end of the year, the number of supportive countries had risen to 14.

Family

- In April, the parliament adopted the *Civil Unions Act* put forward in 2013, enabling both same-sex and different-sex couples to enter a union with all the rights and obligations available under marriage, including joint and second-parent adoption. All same-sex unions established abroad will be recognised as civil unions. The opposition Nationalist Party (PN, centre-right) supported civil unions, but criticised the bill, together with the Catholic Church, for allowing same-sex couples to adopt together. Prime Minister Joseph Muscat (Labour Party, PL, social-democratic) insisted this was in the best interest of children living with same-sex couples. The parliamentary majority maintained joint adoption rights despite dissenting polls (see **Public opinion**). In January, President George Abela had called on politicians to 'protect the natural family', i.e. not grant family rights to same-sex couples. In the end, all 37 PL MPs present voted in favour of the bill, while all 30 PN MPs abstained. Legal experts and LGBTI NGOs warned that the new law conflicts with the existing law on artificial insemination, since it bans third party gametes donation.

Legal gender recognition

- In October, Civil Liberties Minister Helena Dalli put forward a draft *Gender Identity, Gender Expression and Sex Characteristics Bill* to simplify legal gender recognition procedures, and align them with human rights standards. The legislation would allow trans individuals to change their birth certificates and identification documents without undergoing gender reassignment surgery, or receiving a medical diagnosis. The draft foresaw requiring individuals to declare their gender in a notarial deed. Minors would be able to do so, with their parents' approval and following a specific court procedure. The draft would also add gender expression and sex characteristic to the list of grounds protected from discrimination under the Criminal Code, and make it

illegal to operate on intersex children when not medically required. The LGBTI Consultative Council, which gathers both civil society and government officials, helped prepare the bill. The *Times of Malta* newspaper reported that a public consultation on the bill's contents received overwhelmingly encouraging responses. The UN High Commissioner for Refugees suggested the bill apply to all residents (including refugees and asylum-seekers), and not only citizens. The Children's Commissioner and the Paediatrics Association welcomed the bill's application for minors, but asked for better safeguards. The Catholic Church published a position paper criticising the proposal, arguing it didn't serve "the common good".

Participation in public, cultural and political life

- Ahead of the elections to the European Parliament in May, university student groups invited candidates to debate on LGBTI rights. Arnold Cassola (Democratic Alternative, AD, green), Miriam Dalli (PL), Roberta Metsola (PN), Marlene Mizzi (PL), and Jonathan Shaw (PN) all expressed support for LGBTI issues.

Public opinion

- In January, research firm Misco surveyed 500 people for a poll commissioned by the Catholic Church. The reported results stated that 80% of respondents were against adoption rights for same-sex couples, but newspaper *Malta Today* underlined it wasn't provided with answers to the survey's other questions.



Moldova



LGBTI people continued to live in a hostile environment as general acceptance failed to increase. Positively, the police adequately protected the Pride march and an LGBTI festival in the capital, and an Orthodox bishop was fined for incitement to hatred. Three trans individuals succeeded in seeing their gender legally recognised in court. On a more worrying note, a violent group started intimidating the LGBTI community, as well as entrapping and humiliating gay and bisexual young men before posting videos of these encounters online.

Asylum

- The Department of Migration and Asylum rejected a Nigerian national's application for asylum, who had arrived in 2013 claiming he had been persecuted due to his sexual orientation. Authorities established that since the man's region of origin didn't enforce Sharia law and punish homosexuality with death (which parts of Nigeria do), his fears were unfounded.

Bias-motivated speech

- A court fined Orthodox Bishop Markel MDL 10,000 (EUR 415) for his public statement that "92% of homosexuals are HIV/AIDS patients", and for calling on schools and medical institutions to not employ them. LGBTI NGO GENDERDOC-M brought a case against him. The bishop also had to pay the organisation's legal fees (MDL 12,000, EUR 500). Immediately after the court decision, the bishop held a press conference where he refused to apologise for his remarks, adding that "not 92% but 95% of homosexuals ha[d] HIV/AIDS". GENDERDOC-M denounced his repeat statement and, when the Prosecutor's Office refused to open a criminal investigation, submitted a claim to the European Court of Human Rights.

- The militia-like group 'Occupy Paedophilia' (see **Freedom from torture, cruel, inhuman or degrading treatment**) sent threats to LGBTI NGO GENDERDOC-M, telling its leaders to "quiet" a member of their staff, or they would "quiet" her themselves. GENDERDOC-M turned to the police for assistance, but the police declared themselves unable to find the group's leader. The police closed the administrative investigation after 3 months.

Bias-motivated violence

- In September, 'Occupy Paedophilia' extremists (see **Freedom from torture, cruel, inhuman or degrading treatment**) attacked GENDERDOC-M's office where about 40 individuals were gathered. Activists counted eight assailants ("some of them visibly minors") wearing medical masks, throwing eggs at people and shouting insults. The police fined the group's leader MDL 1,000

(EUR 50) for hooliganism, without mentioning any homophobic motives.

- In October, eight Occupy Pedophilia members, including their leader, arrived at an event dedicated to International Coming Out Day. They entered the Chişinău theatre where the event had been taking place and, although they did not manifest any violent behaviour, organisers had to suspend the performance. The gang members left the venue before the police arrived.

Equality and non-discrimination

- The Council for Prevention and Elimination of Discrimination and Ensuring Equality issued two decisions: one on discrimination based on sexual orientation, and one on incitement to discrimination. The Council has no penalty-enforcing powers. In the first case Angela Frolov, representative of NGO GENDERDOC-M, complained that Orthodox clergyman, Ghenadie Valuță, attempted to perform a religious ritual over her during a live televised talk show because of her alleged homosexuality. In June, the Council found Ghenadie Văluță liable for discrimination on the grounds of sexual orientation. In December, Angela Frolov filed a lawsuit against Ghenadie Văluță. Also in December, Occupy Paedophilia leader Stanislav Ghibadulin was found liable for victimisation, incitement to discrimination and harassment on the ground of sexual orientation.

Freedom from torture, cruel, inhuman or degrading treatment

- The group 'Occupy Paedophilia', started targeting LGBTI individuals in Moldova. Originating from Russia, with branches in Ukraine and Kazakhstan, 'Occupy' members pose as gay or bisexual men who wish to meet their peers. The groups set up meetings with their future victims to entrap them, and humiliate, beat, sexually assault or torture them before posting a video of the encounter online. At least seven videos of this kind were posted in Moldova. At least three criminal investigations were initiated following victims' complaints.

Freedom of assembly

- Between 100 and 130 people took part in a Pride march in central Chişinău on International Day Against Homophobia and Transphobia, as part of a week-long LGBTI festival. The police protected marchers from a similar number of protesters, several of whom were arrested. The US and Swedish ambassadors attended the event, as did the UN Resident Coordinator, and Polish MP Robert Biedroń, rapporteur on the rights of LGBT people in the Parliamentary Assembly of the Council of Europe. This was the second time nationwide a Pride march unfolded peacefully.

Legal gender recognition

- Three trans individuals applied to court and obtained a name and gender change. (However, the procedure remained unclear.)

Participation in public, cultural and political life

- During the campaign for parliamentary elections, candidate Oleg Brega (Independent) stated he supported the rights of LGBTI people, as well as marriage equality. This candidate gathered more than 14,000 votes (approximately 1% of all casted ballots), more than any other independent candidate. Yet, those votes were insufficient to pass the electoral threshold and gain a seat in the Parliament.

"I find it amazing and acceptable for a gay couple to be able to adopt a child, to bring up and educate him or her with parental love."

Oleg Brega, independent candidate, 13 November

Police and law enforcement

- GENDERDOC-M reported high levels of resistance on the part of police officers and the Prosecutor's Office when reporting bias-motivated crime. The judiciary discarded 13 complaints due to lack of evidence, although the NGO affirmed sufficient evidence was submitted. In cases which remained open, prosecutors ignored claims that the crimes were motivated by bias. By the end of the year, two cases had been reopened.

Public opinion

- In November, website Testelectoral.md asked 11,000 respondents whether civil marriage should be opened to same-sex partners. 19% agreed, 72% disagreed, and 9% didn't have an opinion.



Monaco



No developments related to sexual orientation or gender identity were recorded in 2014.



Montenegro



Public acceptance of the LGBTI community remained low overall, and authorities failed to address discrimination convincingly. The lack of progress on the part of the Ombudsman's office in cases related to homophobia and transphobia remained particularly concerning. Threats and physical violence were as prevalent as in previous years. In an encouraging move, judiciary and police staff received training on issues linked to sexual orientation and gender identity. Freedom of assembly remained guaranteed. Authorities also granted asylum for the first time to a gay man who fled persecution.

Access to goods and services

- Two reports have been filed against health workers employed by the Clinical centre of Montenegro. The first case involved health workers who were spreading hatred towards the LGBT community through social networks. The case was reported and is ongoing. The second case involved a medical worker who verbally offended an LGBT patient during an examination and caused the patient's post-operative stitches to bleed. A disciplinary commission of the Clinical Center of Montenegro fined the medical worker and the patient also filed a criminal report to the Prosecutor office for maltreatment. The Prosecutors office has filed a criminal bill of indictment which was accepted by the Court. The first hearing had not taken place by the end of the year.

Asylum

- A gay Iranian man obtained asylum and Montenegrin nationality. While examining his case, Ministry of Interior staff asked explicit questions about his sexuality, but stopped doing so after consulting the NGO LGBT Forum Progress. The ministry heard that he had been sentenced to death and approved his case, granting asylum on the ground of someone's fear of persecution based on their sexual orientation for the first time.

Bias-motivated speech

- After singer Conchita Wurst won the Eurovision Song Contest in May, Orthodox cleric Patriarch Amfilohije declared the massive regional floods "[weren't] a coincidence, but a warning" against "the wild side", i.e. LGBTI people.

Bias-motivated violence

- During 2014, the LGBTIQ Social Centre in Podgorica was attacked 24 times, including stones being thrown, windows broken, and tear gas bombings. The LGBTIQ Social Centre, opened by NGO LGBT Forum Progress in late 2013, is a social gathering place for the LGBTIQ Community. All attacks were reported to the police, but no perpetrators were identified. The centre installed CCTV

cameras, and the police started regular surveillance in the evenings and during social gatherings.

- LGBT Forum Progress recorded 218 incidents of hate crime, hate speech, and discrimination against LGBTI individuals in the period January 2013 – May 2014.
- The director of LGBT Forum Progress reported that he has been physically attacked 19 times since he took up his position in September 2013, and now has to wear a personal alarm system.

Education

- In April, a judge ruled for the first time that discrimination based on sexual orientation had taken place in a high school in the city of Bar. The school management had removed photographs from an exhibition in the high school after the gay artist had publicly declared his sexual orientation. The Basic Court of Bar declared the school's action was in violation of anti-discrimination law on the basis of sexual orientation and gender identity and ordered the return of the photographs to the exhibition.
- The Faculty of Medicine at the University of Montenegro adopted a policy against discrimination for LGBT students and staff, with trainings planned on human rights and LGBTI issues. The faculty designed and adopted the policy in partnership with LGBTI NGOs Juventas and Queer Montenegro. NGOs reported this as the first such policy in a university nationally.

Employment

- The anti-discrimination policy adopted at the University of Montenegro's Faculty of Medicine also applied to staff members (see **Education**).

Enlargement

- Montenegro formally applied to join the European Union in 2008, and negotiations have been on-going since 2012. In its annual report on progress towards EU accession, the European Commission noted in October that "some progress was made", notably to train civil servants, judges, and police officers to deal with LGBTI issues. The Commission believed that greater efforts

were required from the judiciary, as “criminal convictions for attacks against members of the LGBTI community remain few, while cases are often classed as minor offences”.

Freedom of assembly

- The Pride march scheduled in June was postponed following consultations with the police. It was held on 2 November at a location kept secret until the last minute, where up to 200 participants marched without incident under the protection of 2,000 police officers, Agence France Presse reported. The head of the EU Delegation to Montenegro took part in the march.

Human rights defenders

- In May, the Merlinka queer film festival took place for the first time in Montenegro. No incidents were reported. (The festival has taken place annually in Serbia since 2009, commemorating a trans Serb known as Merlinka who was killed in 2003.)
- The LGBT Shelter closed due to insufficient funding. The organisation provided social services, including accommodation and counselling, to LGBTI people expelled from their home.

Legal gender recognition

- For the first time a protocol for legal gender recognition was put in place and several individuals started the procedure. However, the procedure is still medicalised and involves counselling, hormonal therapy, and surgery and sterilisation as a final step. Before the finalisation of the procedure, it is impossible for an individual to change the gender marker in their documents.

Police and law enforcement

- NGO LGBT Forum Progress conducted a series of training sessions on sexual orientation and gender identity for judges, issuing three publications throughout the year. The publications were the result of cooperation between LGBT Forum Progress and the Supreme Court of Montenegro and focused on LGBT rights in court

procedures and practice. By the end of the year, the trainings for prosecutors were on-going.

- On 10 December, International Human Rights Day, LGBTI activists disrupted a speech by the Ombudsman, ringing bells as he spoke. They protested against the fact that the institution had ignored cases related to homophobia and transphobia, including an open case filed against the Deputy Ombudsman. In its annual report (see **Enlargement**), the European Commission also questioned the institution’s efficiency due to limited resources.



The Netherlands



The Netherlands continued to enjoy high levels of acceptance for LGBTI people overall, although a police report did indicate that cases of discrimination and violence against LGB people had increased. A new procedure for legal gender recognition means that sterilisation is no longer compulsory; same-sex couples now enjoy almost all the same parenting rights as different-sex couples; and civil servants must agree to marry all couples, regardless of their gender. The government also commissioned numerous reports into the situation of LGBTI people.

Asylum

- The government amended its policy on asylum, making it easier for LGBTI people from Russia to request international protection, while it became more difficult for Iranian nationals to do so.
- Asylum authorities partnered with LGBTI NGO COC Netherlands to improve LGBTI asylum-seekers' safety while in housing or detention.

Bias-motivated violence

- The police released a report into the prevalence of homophobic violence in the period 2009–2013. It showed that reported cases of violence almost doubled in two years, rising from 623 in 2011 to 1,143 in 2012 nationwide. (Although improved reporting rates may partly explain the increase, researchers underlined such a steep rise necessarily implied more cases.)
- In terms of legislative protection, the Dutch Penal Code does not include gender identity as a discrimination ground and the Netherlands still does not have hate crime legislation that increases the maximum penalty if a crime is bias-motivated.

Education

- In May, the Second Chamber (parliament's lower chamber) amended the law to forbid religious schools from firing teachers – or expelling students – due to their sexual orientation. The First Chamber (the upper chamber) had yet to validate the change by the end of the year.

Employment

- The government commissioned a survey into the experience of LGBT employees at work and published its results in October. 50% of respondents across all sectors reported hearing gay jokes at work. The report also found that employees still hid their sexual orientation at work (15% of lesbian women, 22% of gay men, as well as 50% of bisexual women and 74% of bisexual men).

Equality and non-discrimination

- The government commissioned its first report into the experience of intersex people, shedding light on the

problems they face in several fields, including education, employment, and healthcare. Following the publication of the report's results, the Minister of Emancipation stated in December that she would look into possible policy measures for intersex people, in cooperation with the Minister for Healthcare.

- COC Netherlands published the report *The Rights of LGBTI Children in The Netherlands*. The report made policy recommendations on the rights of LGBTI people under 18, particularly with regard to health, education, information, non-discrimination, protection from violence, and on having their views adequately heard.

Family

- A law on parental rights, which the parliament had approved in 2013, came into force in April. The new legislation automatically grants parental rights to a biological mother's female partner at birth, without any court procedure. Similarly, it grants automatic parental authority to the male partner of a man who adopted a child.
- In November, new legislation came into force stipulating that civil servants must work in accordance with the principles laid down in anti-discrimination law, leaving no room for civil servants to refuse officiating duties at same-sex weddings based on their personal convictions. The law forbids local councils to employ new civil servants who refuse to marry same-sex couples, and allows them to dismiss those who refuse.
- The government established a committee to look into the possibility of a child having more than two legal parents.

Foreign policy

- Ahead of the Winter Olympic Games organised by Russia in February (see **Russia**), COC Netherlands called for a reduced official delegation in order to convey the Netherlands' disapproval of Russian 'anti-propaganda' laws. Nevertheless, Prime Minister Mark Rutte, the King, and the Queen all travelled to Sochi, and the Prime Minister discussed "the situation of the LGBT community" with Mr Putin.

- The Dutch embassy in Cyprus supported the national Pride event by flying a rainbow flag on the day (see **Cyprus**). The Netherlands continued supporting LGBTI-related projects worldwide, reflecting the fact that promoting LGBTI rights is one of the three main human rights areas prioritised by the Dutch Ministry of Foreign Affairs.

Health

- In the first half of the year, the main hospital for gender-related treatments, the Free University Medical Centre (VUmc) in Amsterdam, warned it couldn't accept new patients due to a lack of funding from insurance companies and the government. The situation was later rectified, but patients had to wait for up to 18 months for treatment.

Legal gender recognition

- A new law on gender recognition came into force in July. The new legislation only requires an expert opinion to certify the trans person wishes to permanently live in their preferred gender. It also allows minors 16 years old and above to avail of the procedure. The new legislation removes previous requirements for a court order, surgery, and permanent sterilisation. COC Netherlands and the Dutch Transgender Network welcomed the change, but argued the 16-year-old minimum and expert opinion requirement could also be abolished.

Police and law enforcement

- Following a meeting with COC in May, Minister for Security and Justice Ivo Opstelten (People's Party for Freedom and Democracy, VVD, centre-right/liberal) made combatting LGBTI-phobic violence a priority in the field of policing for 2015–2018. In parallel, the police started setting up regional units dealing specifically with homophobic and transphobic crime.

Public opinion

- In November, the Netherlands Institute for Cultural Research/SCP published its survey on acceptance of LGBT people within various communities. Results revealed 53%

of Dutch people of Islamic faith surveyed agreed with the statement "homosexuality is (almost) always wrong"; 50% of Dutch people with both Moroccan and Turkish background agreed with the same statement.



Norway



Norway amended its 200-year-old Constitution to universally outlaw any form of discrimination. A national debate on whether the Church of Norway should bless same-sex unions captured national attention, and the government started work to reform legal gender recognition procedures. Oslo hosted the EuroPride festival, and hostile views remained uncommon – although the police did record more bias-motivated crimes than in 2013. Finally, the government opted not to renew a national action plan for LGBTI equality.

Asylum

- In September, an asylum court believed two asylum-seekers were gay, but stated they could go back to Iran and hide their sexual orientation. The court added it had no proof that Iran punished homosexuality with the death penalty. The two men could appeal the decision, but it is unclear whether they did so by the end of 2014.

Bias-motivated speech

- During the debate on same-sex unions in the Church of Norway (see **Equality and non-discrimination**), Labour Party councillor Edward Dawes (A, social-democratic) suggested that “gays should start their own Church”, and argued that LGBTI people were more likely to sexually abuse children. Party leader Sverre Myrli considered excluding him, but didn’t.
- Ahead of the EuroPride festival, which took place in June in Oslo, religious fundamentalist Ubaydullah Hussain opened a Facebook page “Stop gays in Oslo’s streets” with a rainbow flag in flames. The page received limited attention, and progressive Muslim voices rose to the defence of LGBTI people.

Bias-motivated violence

- In the first eight months of 2014, the police registered 32 incidents of homophobic or transphobic crime, up by 50% for the same period last year. (A total of 34 cases were recorded during 2013.)
- In March, a court found ten teenagers guilty of a homophobic attack against a 50-year-old gay man. In 2012, the 20-year-olds had created a fake profile on a dating website to lure their victim to a car park, where they attacked him with an air rifle and a baseball bat while filming the scene. The victim escaped to shouts of “fucking faggot!” and called the police, who arrived on site. The court sentenced each culprit to between 160 and 190 days of community service, and jointly fined them NOK 100,000 (EUR 11,000). In another court case, three individuals were found guilty of another homophobic attack in which they assaulted a gay man with a bottle.

Equality and non-discrimination

- On the 200-year anniversary of the Constitution, MPs unanimously amended the text to specify: “All are equal before the law. No person shall be subjected to unfair or undue different treatment.” No grounds were specified, and the new anti-discrimination provision applies universally.
- The 2008 national action plan for LGBTI equality expired in 2013, and the government didn’t announce a follow-up plan. NGOs expressed their dissatisfaction.
- The Priestly Society, which convenes 2,500 priests nationwide, debated whether to bless same-sex unions. About 50 members resigned since the society called for the blessings, and the Church of Norway’s 12 bishops were split on the issue (8 bishops were in favour, 4 against). A synod took place in April, where a specific liturgy for same-sex blessings was narrowly rejected, and religious leaders opted for a simpler blessing ceremony. Prime Minister Erna Solberg (Right, H, conservative) weighed in, saying that “personally” she “believe[d] that gays should be allowed to marry in church”, although she said it was for the Church to decide.
- Minister for Children and Equality Solveig Horne (Progress Party, FrP, libertarian neoliberal) opened the EuroPride festival in June. About 15 activists booed her in protest of a tweet she had sent, in which she wondered whether it was “okay that kindergartens [were] reading gay adventures to young children”. Nevertheless, LGBTI NGOs found her actions in office beyond reproach.

Foreign policy

- Ahead of the Winter Olympic Games organised by Russia in February (see **Russia**), Prime Minister Erna Solberg said she would attend the games, as she believed in maintaining a human rights dialogue with Russia. The youth wing of her party, the Young Conservatives, asked her to wear a rainbow pin; she replied that she would consult Russian activists first. She met LGBTI activists during her visit to Sochi, which displeased Russian Prime Minister Dmitry Medvedev.

- Norway continued to promote and protect the human rights of LGBTI people worldwide through consular, diplomatic, and financial support.

Freedom of expression

- In May, the national Football Association banned political protests in favour of Ukraine or LGBTI rights on the side of a friendly game with Russia. However, they allowed supporters to wear rainbow clothes and fly rainbow flags during the game.

Human rights defenders

- LGBTI web portal Gaysir.no awarded its annual community award to MP Håkon Haugli (A), delegate to the Parliamentary Assembly of the Council of Europe in 2009–2013, where he acted as standing rapporteur on LGBT rights. Mr Haugli donated his award to two LGBTI organisations: Coming Out in St Petersburg, and the Lithuanian Gay League.

Legal gender recognition

- In a June interview on television channel *NRK*, Health Minister Bent Høie pledged future reforms to allow legal gender recognition without undergoing surgery, being sterilised, or being diagnosed mentally ill. The minister was responding to the case of Jeanette Solstad Remø, who had campaigned to receive correct identification papers. In September, Ombudsman Sunniva Ørstavik ruled in Remø's case that forced sterilisation and gender reassignment surgery weren't reasonable criteria for legal gender recognition. The Directorate of Health mandated an expert group of lawyers, health workers, civil servants, and NGOs to come up with proposals for new legislation by January 2015.



Poland



The LGBTI community expressed growing frustration at the fact that no civil partnership proposal was successfully adopted in 2014. MP Robert Biedroń became the country's first openly gay mayor, and more political representatives attended the Pride march in Warsaw than ever before. However, the Catholic Church and conservative politicians led a ceaseless campaign against what they termed 'gender ideology', i.e. gender equality and LGBTI people's rights. The media relayed their arguments, which negatively affected public opinion on equality issues.

Bias-motivated speech

- After returning from the synod on family that the Vatican held in October, Polish delegate Archbishop Stanisław Gądecki welcomed the fact that the final statement omitted positive references to LGBTI individuals. Mr Gądecki congratulated himself on vehemently opposing the references during the global meeting.

Bias-motivated violence

- In January 2014, a gay student was beaten to death in Szczecin. The police and prosecutor, pressured by NGO KPH, examined a possible homophobic motive for the crime.
- LGBTI NGOs Lambda Warsaw and the Trans-Fuzja Foundation started work to open Poland's first shelter for LGBTI victims of violence or who have recently become homeless. The shelter was scheduled to open in Warsaw in February 2015.

Education

- Together with conservative politicians, the Catholic Church mounted repeated attacks against sexuality education workshops taking place in several secondary schools. In repeated and highly publicised attacks, religious leaders, professors, parents groups, politicians, and other public figures condemned 'gender ideology' throughout the year, in the form of educational workshops but also generally. Law and Justice (PiS, conservative Eurosceptic) MPs set up a parliamentary committee called 'Stop gender ideology' in January. The Polish Academy of Science condemned the classes as attempting to "unseat children from their own sex".

Equality and non-discrimination

- No action was taken in 2014 on the implementation of the National Action Plan 2013-2016 which includes a section on sexual orientation and gender identity.

Family

- Losing patience over the absence of a law on civil partnerships, several couples held their own weddings,

exchanging vows and signing legal deeds to combine one another's family name into a joint name. Often, their parents also granted rights to inheritance.

- In December 2014, a motion to add the first reading of a draft bill on civil partnerships to the parliamentary agenda was defeated in parliament. Another discussion on the issue is due to take place in May 2015.

Freedom of assembly

- The annual Equality Parade took place in Warsaw for the 14th consecutive year, with leading political figures attending. MPs from Your Movement (liberal/anti-clerical) and the Democratic Left Alliance (SLD, social-democratic) took part, including Your Movement MP Robert Biedroń. 27 foreign embassies lent their support to the march via an open letter, and although two groups of counter-protesters were on the parade's periphery, no incidents were reported.

Legal gender recognition

- The parliamentary subcommittee set out to examine a bill on legal gender recognition, which trans MP Anna Grodzka (Your Movement) had put forward in 2012. By the end of 2014, however, the subcommittee had paused its work after several of its MPs won local elections and stopped or suspended their parliamentary work as a result.
- The English language version of joint research into the legal requirements for gender recognition was published by trans rights NGO Trans-Fuzja and the Polish Society of Anti-Discrimination Law in 2014. The report covers 25 cases from 2009–2012, and results suggested that legal requirements often varied between jurisdictions, most notably with regards to the documents that must be produced (which sometimes included high school attendance certificates, declarations by employers or parents, or a skull scan). The report also emphasised that the legal fee (PLN 600, EUR 140) was often unrealistic for jobseekers, or those with lower incomes. Finally, the court records also demonstrated judicial and administrative authorities' poor knowledge of the legal and social aspects of transition.

Participation in public, cultural and political life

- With 57% of the votes against a candidate from ruling party Civic Platform (PO, centre-right), Robert Biedroń (Your Movement) was elected Poland's first openly gay mayor in December in the northern city of Słupsk (99,000 inhabitants). Biedron had also been Poland's first openly gay MP in 2011. Other openly gay candidates ran in these local elections, but none were elected.

Public opinion

- In a global survey on morality published in April by Pew Research, 22% of respondents in Poland rated homosexuality as morally acceptable, 26% as not a moral issue, and 44% as morally unacceptable.
- A survey of Catholic believers in 12 countries worldwide found that in Poland, 15% of respondents supported marriage equality (78% opposed it), and 8% thought the Church should perform marriages for same-sex couples (86% opposed it).



Portugal



Despite promises in previous years, parliamentarians abandoned plans to open second-parent adoption to same-sex couples. Left-wing parties pledged to take up family rights again in 2015. NGOs reported numerous cases of hate speech and hate violence, and started providing training to police, health, and social security professionals, as well as staff in the judiciary.

Asylum

- Two individuals who fled Russia were granted refugee status due to their fear of persecution on the basis of their sexual orientation.

Bias-motivated violence

- ILGA Portugal's Observatory on Discrimination published a report in May, covering homophobic and transphobic hate crime in 2013. The NGO recorded 258 cases of bias-motivated speech or violence, including insults and verbal abuse (123 cases), threats and psychological violence (69 cases), and extreme physical violence (37 cases). Victims only reported 4% of these incidents to the national authorities.

Employment

- In October, Members of Parliament from the Socialist Party (PS, Labour/centre-left) submitted a bill to outlaw discrimination on grounds of gender identity in employment. A vote was scheduled for January 2015.

Family

- In January, Parliament voted to submit a draft law on second-parent adoption to a national referendum. The PSD used their majority to force a referendum, despite all other parties opposing it, bar CDS – People's Party (Christian-democratic) who abstained. The referendum was then rejected by the Constitutional Court and in March, the PSD brought the bill back to the parliament's floor, where it was eventually rejected (the governing coalition PSD/CDS-PP voted against it, while all left-wing parties and 15 PSD MPs voted in favour). ILGA Portugal announced it would continue suing Portugal before the European Court of Human Rights to align adoption laws with ECHR jurisprudence.
- In September, the Left Block (BE, socialist/anti-capitalist) announced it would put forward another proposal to allow same-sex couples to adopt. After the proposal was announced for January 2015, the Green Party and the Socialist Party introduced similar proposals, the latter adding a proposal to allow medically assisted

reproduction for single women and lesbian couples. All proposals were scheduled for discussion in 2015.

Police and law enforcement

- ILGA Portugal and the Commission for Citizenship and Gender Equality started to deliver trainings on LGBTI issues for law enforcement agencies, health and social security professionals, and the judiciary. The trainings were carried out under the auspices of the *Fifth National Plan for Gender Equality, Rights and Non-Discrimination* and the *Fifth National Plan to Prevent and Combat Domestic and Gender Violence*. They were due to continue in 2015.



Romania



The LGBTI community was the target of political criticism on several occasions, including vocal attacks from a theologian-turned-politician in the run-up to the European Parliament elections. Bias-motivated speech remained common. In addition to this, a private member's bill allowing registered partnerships for same-sex couples was given minimal consideration in parliament before being rejected outright.

Bias-motivated speech

- Theologian Iulian Capsali ran as an independent candidate in the European Parliament elections in May. Mr Capsali presented himself as “the candidate of the Romanian family”, and campaigned vocally against what he called a “homosexual ideology”. He also presented himself as the candidate of Orthodox priests – despite Orthodox clergy rules forbidding political involvement – and expressed hostile views towards Greek Catholics. (In 2013, Mr Capsali had also taken part in a homophobic protest at a film screening.) He received 0.91% of the votes.
- After singer Conchita Wurst won the Eurovision Song Contest, the president of the Chamber of Deputies’ Committee on Human Rights Nicolae Păun declared it was “insulting that in a Christian Europe, sexual minorities are promoted this much. [...] I have nothing personal against gay and lesbian communities, but I think it is not right that these communities are so heavily promoted”.
- In June, the High Court of Cassation and Justice overturned a 2012 decision by the National Council for Combating Discrimination (NCCD), in which the council declared itself unable to examine homophobic harassment by police officers. The Court stated that it could review alleged discrimination, regardless of its perpetrator and without exception. (In 2011, several police officers harassed a young gay man in a station courtyard. A complaint was filed before the NCCD for failure to apply disciplinary sanctions, but the council declared it couldn’t review internal measures in the police.)
- A gay couple was insulted by two other customers while they were helping their two children change in a gym locker room. The club’s management declined to intervene, and instead established a rule for parents to help their children in the toilets instead. The couple and LGBTI NGO ACCEPT complained to the NCCD, which found that the rule was discriminatory.

Family

- An independent MP affiliated to the Green Party, Remus Cernea, put forward a private member’s bill to legalise civil unions. The law would have allowed both

same-sex and different-sex couples to enter unions, securing rights in the fields of taxation, insurance, and inheritance. Religious organisations lobbied intensively against the proposal. Senators rejected the bill (2 in favour, 105 against, 69 abstentions). When the bill was presented in front of the Chamber of Deputies’ Committee on Legal Matters, all 11 MPs present rejected the bill.

Police and law enforcement

- Examining a criminal complaint against 50 protesters who broke into the screening of an LGBTI-themed movie in 2013, the Prosecutor’s Office in the Bucharest Court of Appeal closed the criminal investigation. The prosecutor said the events weren’t criminal, but a common difference of views to be expected in the vicinity of LGBTI-themed events. The prosecutor claimed the police were correct not to intervene at the time, as no physical violence had taken place and officers “could not take sides”. In December, ACCEPT appealed the prosecutor’s decision before the Bucharest First Instance Court.



Russia



The federal ‘anti-propaganda’ law, adopted in 2013, cemented the rejection of LGBTI people into law, and strengthened opposition to them in political, cultural, religious, and educational settings. Legal hurdles multiplied and the activities of journalists, educators, artists, and activists came under increased scrutiny, frequently leading to fines. The law effectively outlawed any neutral or positive mention of same-sex relationships in the arts, media, public space, or educational resources. The space granted to civil society continued to shrink; while three successful rallies in support of LGBTI equality were reported, many more were either not authorised, or forcibly disbanded. A cultural festival in St Petersburg faced systematic closure attempts from the police. Two LGBTI NGOs chose to close down instead of registering as ‘foreign agents’, while activists continued their work. Verbal and physical violence against LGBTI people remained frequent. Virtually no mainstream political figures defended the rights of LGBTI people.

Bias-motivated speech

- In January, a renowned actor blogged in support of USSR laws criminalising sodomy, and Vsevolod Chaplin, chief spokesperson for the Russian Orthodox Church, said criminalising homosexuality “deserved discussion in society without any doubt”, suggesting a referendum. Senior MP Pavel Krasheninnikov (United Russia, Putin’s party) opposed the call, and said Russian law already provided the necessary protection from sexual violence and ‘gay propaganda’.
- Two United Russia councillors in Murmansk aired a local election campaign video featuring a demeaning cartoon of Eurovision winner Conchita Wurst holding a Pride placard under the slogan “Against loudmouths and gays”. An NGO lodged a complaint, but prosecutors said the organisation had no standing.
- Both first instance and appellate courts rejected activists’ lawsuit against MP Vitaly Milonov (United Russia; author of the St Petersburg ‘anti-propaganda’ laws), who had stormed an LGBTI festival in September 2013, shouting insults and personally threatening several activists. Mr Milonov couldn’t be tried due to his parliamentary immunity.
- In September, the Kremlin hosted an international conference ostensibly “on family”, i.e. against the rights of women and LGBTI people. Initially planned as the World Congress of Families (the name was later withdrawn to suit its American organisers), the event attracted high-level Russian politicians, Church representatives, religious and religiously-inspired conservative NGOs, and World Congress of Families representatives.
- A doctrinal dialogue between the Russian Orthodox Church and the Finnish Lutheran Church scheduled for September was cancelled over differing views on homosexuality (see **Finland**).
- In December, Kremlin-run television channel Rossiya 1 aired a ‘documentary’ which was in fact a satirical video posted online. The video showed a gay couple presenting their 11-year-old son with his bedroom, newly decorated with pornographic

materials. The ‘documentary’ took the video at face value, presenting it as “American perversity”.

Bias-motivated violence

- Three men were found guilty of murdering a gay man in the eastern peninsula of Kamchatka, stabbing and trampling him to death. All three were sentenced to between 9 and 12 ½ years in prison. In the Novgorod region, another man was found guilty of murdering a doctor who offered him sexual relations, and jailed for 9 years. It was unclear if either ruling acknowledged the homophobic nature of the murders.
- NGO Human Rights Watch interviewed 94 LGBTI individuals since the federal ‘anti-propaganda’ law was adopted in 2013. It reported that “the number of attacks on public LGBT events had risen in the past two years”, with “just about every public demonstration in favour of LGBT equality” under attack from extremists. The report also documented seven cases of “vicious smear campaigns” against LGBT people, or their supporters, working at schools, universities, or kindergartens – most of them having lost their job.
- In October, two strangers insulted and attacked a lesbian couple in St Petersburg late at night. They threatened to kill the women and recorded the events on their mobile phone. The police refused several times to record the women’s complaint. They reported the incident to the UN Special Rapporteur on violence against women.

Employment

- Several teachers and university professors were fired after their employers became aware of their LGBTI activism. In February, the Northern Federal University in Arkhangelsk found that two professors had been active in LGBTI organisations and asked them to stop: when one of them refused, he was fired. A special needs school fired a music teacher after an anonymous man reported she was a lesbian; she lodged a complaint before a St Petersburg court. Another teacher, dismissed in 2013, saw all his

appeals rejected. More cases were reported throughout the year.

Family

- In February, Prime Minister Dmitry Medvedev (United Russia) signed a decree implementing the ban on same-sex couples adopting Russian children, agreed in 2013. Under the new rules, in countries with equal marriage, Russia will prevent adoptions of Russian children by individuals, unmarried heterosexual couples, and same-sex couples.
- In August, two women married in St Petersburg. One of them, a trans woman under hormone therapy, was still legally considered a man. Registry staff protested, but handed them a marriage certificate. MP Vitaly Milonov (United Russia) said he would draft new local legislation to enforce a different-sex dress code for spouses.

Foreign policy

- The Ministry of Foreign Affairs published the fourth report on human rights in the European Union. The report criticised the EU's attempt to disseminate its "neo-liberal values as a universal lifestyle for all other members of the international community", including "a liberal attitude towards queers [sic]". Human Rights Envoy Konstantin Dolgov presented the report before the European Parliament's Committee on Human Rights in January, which granted him less speaking time than Russian human rights NGOs.
- Russia continued talks with the European Union over visa-free travel for its citizens (see **European Union**).
- President Vladimir Putin (United Russia) signed the founding treaty of the Eurasian Economic Union (EEU), in explicit opposition to the European Union. The EEU's initial Member States include Armenia, Belarus, and Kazakhstan (Kyrgyzstan was also considering EEU membership at the end of 2014.) EEU Member States must harmonise their national legislation by 2025 in several areas (notably transport, energy, and trade and this may include civil liberties in the future).

Freedom of assembly

- Three rallies successfully took place in St Petersburg. On International Women's Day in March, the police protected the demonstrations of women's rights and LGBTI activists, and arrested a dozen people armed with eggs, knives, and crowbars. On International Day Against Homophobia and Transphobia in May, around 200 people with rainbow flags and placards gathered under heavy police protection. While no attacks were reported at the rally, far right extremists threw stones at a bus bringing participants to the site. In July, 20 activists gathered at a designated free-speech zone in a central park. The police had declined to authorise the event, but a recent local law allowed protests in the designated area regardless. No attacks took place.
- All other rallies were unsuccessful: an LGBTI activist was arrested within seconds of staging a one-man protest in St Petersburg; the police arrested two women holding a rainbow flag in front of St Petersburg's city hall (and fined one of them RUB 20,000 (EUR 270); Moscow authorities banned the Pride march for the ninth consecutive year; the police disbanded an authorised Moscow rally; and local authorities in Khabarovsk failed to protect a rally in favour of LGBTI rights.
- The 2014 edition of QueerFest, an LGBTI-themed culture festival taking place every September in St Petersburg, faced unusual hurdles compared to the five previous years. Four booked venues cancelled the events within hours of their scheduled start, as owners reported they had been receiving phone calls from the police threatening them with financial audits. A fifth venue, the Institute of Regional Press, refused to back down after the police called them in an attempt to cancel the press conference *Who is Shutting Down QueerFest?* 20 Orthodox activists, who came in immediately after St Petersburg MP Vitaly Milonov shouted that the audience were "paedophiles who raped children" and left (see **Bias-motivated speech**), sprayed noxious substances on participants and St Petersburg Ombudsman staff, who filed 24 complaints to the police. Organisers also received a fake bomb alert. A festival spokesperson said there "had never been such a organised attack on our freedom of

assembly and expression”, but welcomed the festival’s success with hundreds of guests, with even more watching events online.

- After the Olympic Games in Sochi ended, LGBTI organisations organised the Open Games - a multi-sport tournament for LGBTI athletes and those supportive of human rights. Hotels and sports venues systematically cancelled advance bookings, but the 4-day event took place nonetheless.

Freedom of association

- Two LGBTI NGOs were affected by the law on ‘foreign agents’, adopted in 2013. (This label refers to any NGO that, the authorities think, is operating in the interest of foreign powers; such NGOs will be subjected to tougher financial checks and public suspicion.) In July, a St Petersburg district court ruled that LGBTI NGO Coming Out was a ‘foreign agent’, requiring them to either present themselves as such, or close down. (The same verdict was served to five other leading human rights NGOs.) Coming Out appealed the decision but closed down before the appellate decision was issued. In December, LGBTI NGO Rakurs was notified that authorities in Arkhangelsk had unilaterally placed them on the ‘foreign agents’ list. They intended to appeal, but were still placed under stricter regulations with immediate effect.

Freedom of expression

Cases linked to the ‘anti-propaganda’ law

- The editor-in-chief of *Molodoi Dalnevostochnik* was fined RUB 50,000 (EUR 650) because his newspaper carried a report on a schoolteacher who had allegedly been fired because he was gay, and its website only warned under-16s not to enter. (The law punishes the ‘propaganda of homosexuality’ to under-18s.) The editor-in-chief’s appeal was dismissed.
- Authorities sought to shut down an online support group for LGBTI teenagers, Children-404, twice. In November, telecommunications and mass media watchdog Roskomnadzor said it had received 150 complaints against the website, and asked prosecutors to

investigate any ‘gay propaganda’. The police interrupted the screening of a documentary on Children-404 in April in Moscow, demanding to see the audience’s identity cards. Once they verified that no minors were in the audience, they let the screening continue.

- Children-404 founder Elena Klimova reported that, in the Bryansk region, police had sought to punish a 9-year-old girl who had “announced her non-traditional sexual orientation” to classmates. The police later stopped their efforts, which Ms Klimova claimed was because of the negative publicity generated by the case.

- Novelist Lyudmila Ulitskaya edited a series of 15 children’s books, including *Our Family and Others*, showing same-sex relations in a positive light. Following requests from an anti-equality group, prosecutors in the Oryol region investigated them, and summoned the director of NGO Tolerance Center for donating the books to libraries. Ms Ulitskaya wrote to prosecutors saying the authors “had no intention to engage in the promotion of homosexual relations”, but opposed the homophobia recently unleashed nationwide.

- MP Vitaly Milonov (United Russia) asked the Russian Post to send back any mail featuring Finland’s new homoerotic stamps (see **Finland**), which he said were “elements of homosexual propaganda”.

- After singer Conchita Wurst won the Eurovision Song Contest in May, Mr Milonov wrote to the committee in charge of Russia’s participation in the contest, asking them to withdraw from future editions because the show was “obvious propaganda for homosexuality and moral decay”.

Criticism of the ‘anti-propaganda’ law

- In observations it adopted in February, the United Nations Committee on the Rights of the Child condemned the ‘anti-propaganda’ law. Acknowledging that the law aimed to protect minors, the committee added that “vague” definitions could lead to the stigmatisation, discrimination, persecution, or abuse of innocent individuals.

- International criticism of the federal ‘anti-propaganda’ law crystallised around the Sochi Winter Olympic Games in February. Ahead of the event, 27 Nobel laureates wrote an open letter to Vladimir Putin condemning the law. UN

Secretary-General Ban Ki Moon told the International Olympic Committee that “hatred of any kind must have no place in the 21st century”, adding that leaders “must oppose the arrest, imprisonment and discriminatory restrictions [LGBTI people] face”. The United States showed their objection to the law by sending two openly lesbian athletes in its official delegation, and no senior figure.

- President Vladimir Putin sought to reassure the international community that the Olympic Games would be held “in full compliance with the Olympic charter, without any discrimination on any basis”. Interviewed by the BBC, Mr Putin said: “I myself know some people who are gay. [...] I’m not prejudiced in any way.” But Mr Putin also told the press that “homosexuals should leave children in peace” while in Sochi. Prime Minister Dmitry Medvedev (United Russia) told CNN that homophobia and harsh laws against LGBTI people were only “an invented problem” from abroad. He issued an amnesty for some political dissenters (including punk band Pussy Riot), and temporarily eased restrictions on protests. Numerous arrests took place nevertheless, including a man who unfurled a rainbow flag at the Olympic torch relay in his city, and four LGBTI activists who unfurled a banner stating “Discrimination is incompatible with the Olympic Movement. Principle 6. Olympic Charter” in St Petersburg.
- Although the International Olympic Committee abstained from commenting on the law during the games, in December it voted unanimously to add sexual orientation to the list of grounds explicitly protected from discrimination in its charter.

Constitutional Court

- In a September ruling, the Constitutional Court confirmed the federal ‘anti-propaganda’ law was constitutional. However, the court also underlined that public actions couldn’t be considered ‘propaganda’. The court explained that the law was “not intended to ban homosexuality as such, and [could] not be viewed as allowing to curb the rights of citizens based on their sexual orientation. [The law] also [does] not imply a ban on any information concerning unorthodox sexual relations”, judges insisted.

Attempt to change the law

- In January, MPs from United Russia, the Liberal Democratic Party and the Communist Party suggested amending the Code of Administrative Offences to remove references to “non-traditional sexual orientations”, and outlaw any discussion of sexuality with minors. The amendment was rejected.

Territorial expansion

- The federal ‘anti-propaganda’ law started applying in the Ukrainian region of Crimea after Russia annexed it in March (see **Ukraine**).

Legal gender recognition

- A trans man exhausted all legal avenues in Novosibirsk, as courts refused to issue him with new identity documents. Despite presenting medical certificates, his request was rejected because he hadn’t undergone gender reassignment surgery. Without referencing any law, the courts insisted that the surgery was compulsory. He lodged a complaint before the European Court of Human Rights.

Participation in public, cultural and political life

- During the opening press conference of the Open Games in Moscow (see **Freedom of assembly**), a spokesperson for Yabloko (Russian United Democratic Party, social liberal), a small party with no MPs, expressed support for the human rights of LGBTI people.

Police and law enforcement

- Two severe 2013 attacks remained unsolved. In June 2013, four LGBTI activists were assaulted at the St Petersburg Pride rally; in November 2014, the Dzerzhinsky District Court pointed to the absence of any follow-up by the police. In November 2013, two LGBTI activists were harmed (one of them was shot in the eye, and partially lost his sight) in an attack on their office; the police suspended the criminal investigation in March 2014, and ignored any bias motive.

Public opinion

- The state-funded Public Opinion Research Centre, VTsIOM, polled 1,600 people in 42 regions on their attitude towards LGBTI people. 80% of respondents found same-sex relationships unacceptable, while 3% considered them normal.
- In a global survey on morality published in April by Pew Research, 72% of respondents in Russia rated homosexuality as morally unacceptable, 9% as acceptable, and 9% as not a moral issue.



San Marino



A honorary diplomat posted in the United Kingdom sought to have his marriage with his male partner recognised under Sammarinese law.

Family

- After equal marriage became law in England and Wales in March (see **United Kingdom**), San Marino Honorary Consul to Wales Federico Podeschi married his partner. He then petitioned the Grand and General Council (unicameral parliament) to see his marriage recognised under Sammarinese law. There was no response by the end of 2014.



Serbia



A Pride march took place in Belgrade four years after the last one was held, passing off relatively peacefully. Activists welcomed the police's constructive approach, and several politicians and personalities, including ministers, joined the march. Research by NGOs also showed that six political parties and movements adopted a positive approach towards LGBTI issues. Overall, bias-motivated speech remained unpunished, but bias-motivated violence appeared to be condemned more often than previously. The government and NGOs continued working towards an update of the law on legal gender recognition.

Bias-motivated speech

- An anonymous caller rang the NGO Gay Straight Alliance's telephone helpline, insulting the listener and shouting "you should all be killed". Protector of Citizens/Ombudsman Saša Janković met Gay Straight Alliance activists to express his support. He stated that "Serbia is a country of all its citizens, and they are all equal. [...] There is no justification for threats of violence". He added that "state bodies must use severe sanctions", but the perpetrator wasn't found.
- After singer Conchita Wurst won the Eurovision Song Contest in May, the head of the Orthodox Church Patriarch Irinej declared that the severe regional floods, which killed 50 people, were "divine punishment for [homosexuals'] vices".

Bias-motivated violence

- One man violently attacked a German activist attending an LGBTI rights conference in central Belgrade. The man received life-threatening head injuries, requiring surgery and intensive care. The attack appears to have been motivated by xenophobia rather than homophobia. Health Minister Zlatibor Lončar visited him in hospital, and Interior Minister Nebojša Stefanović stated: "We will not allow this kind of thing to remain unpunished." The German Human Rights Commissioner, Christoph Strässer, discussed the attack and the upcoming Pride march with Prime Minister Aleksandar Vučić, who reassured him that "Serbia will do everything to ensure the respect of human rights". Following the attack, a protest march took place under police protection. Three suspects were arrested. The victim slowly recovered.

Enlargement

- Serbia formally applied to join the European Union in 2009, and negotiations started in January this year. In its annual report on progress towards EU accession, the European Commission welcomed the almost incident-free Pride march as "a substantial step", and hailed "the government's good preparatory work". However, it added that "more visible political commitment to promoting a culture of respect" towards the LGBTI community was

lacking, as was "awareness and protection" for their rights. The appointment of a Ministry of Interior liaison officer for LGBTI issues was a step in the right direction, contributing to a successful Pride event.

Equality and non-discrimination

- In October, the government adopted a national action plan to implement the *National Strategy for Prevention and Protection from Discrimination*. The action plan will run from 2014 to 2018 and progress on the National Strategy will be monitored by a provisional working body set up by the government. The anti-discrimination strategy focuses on wide variety of areas, including: education and training, employment, family, healthcare, social welfare and housing.

Freedom of assembly

- A Pride march took place in Belgrade for the first time in four years. (In 2010, severe material damage and injuries, including to the police, were reported and the government had banned the event due to serious security concerns in 2011, 2012, and 2013.) In May, leaders of the Dveri and SNP Nasif far-right groups urged the Prime Minister to ban the march again. Speaking on behalf of the Serbian Orthodox Church, Patriarch Irinej made severely negative comments about the event, claimed it was "violently imposed by a gay lobby", and likened homosexuality to incest and paedophilia. Organisers commented that cooperation with the police and the Ministry of Interior throughout the year was excellent. Unlike previous years, the march wasn't banned at the last minute, but took place with only minor incidents occurring far from the procession. The police reported that 50 individuals were brought in for questioning before and during the event. Up to 1,500 marchers walked, protected by several thousand police officers. The event was attended by Deputy Prime Minister Kori Udovički; Minister of Culture Ivan Tasovac; the minister without portfolio in charge of EU integration, Jadranka Joksimović; Commissioner for Protection of Equality Nevena Petrušić; chief EU negotiator Tanja Mišćević; Liberal Democratic Party (LDP) leader Čedomir Jovanović; Belgrade Mayor

Siniša Mali, as well as the head of the EU Delegation to Serbia, the United States ambassador, a green German Member of the European Parliament, and other political and public figures. EU Commissioner for Enlargement Štefan Füle welcomed the event as “a milestone in the modern history of democratic Serbia”.

“We have not done this due to the EU, or because we respect the gay population more than the Church, but because of our Constitution, laws and respect for human rights, despite the fact that this might not have been easy, nor in accordance with our personal beliefs.”

Prime Minister Aleksandar Vučić, 28 September

Human rights defenders

- Celebrations for International Day Against Homophobia and Transphobia were cancelled in May, as severe floods affected the country only days earlier. LGBTI activists said they would volunteer at shelters and other flood-related initiatives instead.

- A jury composed of LGBTI activists, journalists, and policy-makers bestowed their annual Rainbow Award on Tanja Mišćević, who leads Serbia’s negotiating team for the country’s EU accession. The award recognised Ms Mišćević’s efforts to ensure LGBTI people’s human rights are respected across all areas of government.

Legal gender recognition

- In May, the Ombudsman hosted a meeting on the experience of trans individuals when interacting with the law and government officials. The meeting involved the Commissioner for the Protection of Equality, government agencies including the Office for Human and Minority Rights and the National Council for Education, several ministries including for education, the interior, science, labour, and health, as well as the Expert Commission on Medical Treatment of Transgender Disorders. They discussed a model law on gender identity drafted by NGO Gayten-LGBT. Several recommendations were put forward, including removing the need for sterilisation and improving anti-discrimination protection for students and employees in educational settings.

- The *National Strategy for Prevention and Protection from Discrimination* adopted in October (see **Equality and non-discrimination**) recommended updating legal and administrative procedures for gender recognition.

Participation in public, cultural and political life

- Ahead of parliamentary elections in March, the Gay Straight Alliance surveyed political parties’ approach to LGBTI issues. Their research found that several parties had “a positive attitude towards the LGBT population,” and “offer[ed] solutions for improving the status of LGBT people in Serbia”: the Democratic Party (DS, social-democratic), the Social Democratic Party (SDS, social-democratic), the Liberal Democratic Party (LDP), and the Socialist Party of Serbia (SPS). The Serbian Progressive Party (SNS, pro-European centre-right) and the ‘It’s been enough’ movement were noted for their more moderate but nonetheless positive attitude. Activists noted the United Regions of Serbia (URS, pro-European liberal conservative) had failed to speak out convincingly on LGBTI issues during the campaign.

Police and law enforcement

- Following the adoption of the *National Strategy for Prevention and Protection from Discrimination* (see **Equality and non-discrimination**), LGBTI NGO Labris began training Ministry of Interior staff on homophobic and transphobic hate crime issues.



Slovakia



In a controversial move, the ruling social-democratic party gave into pressure from the Christian-democratic opposition to ban equal marriage in the Constitution. The drive to restrict LGBTI people's rights didn't stop there, as religiously-inspired anti-equality groups called for an anti-equality referendum on family and education planned in early 2015. The government appeared to back down almost systematically when faced with conservative public opinion in the areas of education and family legislation.

Bias-motivated speech

- In parallel with the debate on marriage equality (see **Family**), LGBTI activists reported a sharp increase in bias-motivated speech across the public sphere. Anti-equality groups such as the Alliance for the Family (AZR) used extremely negative language throughout their campaigning, both in print and online, for instance likening LGBTI people and their rights to a “culture of death”. The Catholic Church lent its full support to these groups. At several masses, priests invited believers to pray to change the Constitution, encouraged them to vote in favour of the constitutional ban, and explained how to vote in the referendum (see **Family**).

Education

- Anti-equality groups sought to organise a national referendum to make it more difficult to teach sexual education in schools, along with other proposals (see **Family**).
- In July, news agency *SITA* reported that Minister of Education Peter Pellegrini (Direction - Social Democracy, Smer-SD) withdrew 12,000 primary school textbooks, because they contained an exercise for diversity education which invited children to imagine what their lives would be like when lived in the opposite gender. The story was publicised on religious news portal *LifeNews*. The textbooks were recalled and reprinted without the exercise.

Equality and non-discrimination

- In March, the Episcopal Conference of Slovakia convened ‘The Catholic Church and Human Rights’, an international meeting where Catholic leaders criticised marriage equality and gender equality policies. The meeting took place amid the national debate on amending the Constitution (see **Family**).
- Following three years’ work, the government finalised its *National Human Rights Strategy*. The policy attracted strong public criticism, mostly directed at the chapter concerning LGBTI people’s human rights. The government’s Council on Human Rights, National

Minorities and Gender Equality endorsed the draft, which was due for governmental approval in early 2015.

Family

- The opposition party Christian Democratic Movement (KDH) repeatedly asked for a constitutional amendment stating that marriage is the union of a man and a woman only. (Slovak family law already defined marriage in this way.) Ahead of the presidential election which he would contend in March, Prime Minister Robert Fico (Direction–Social Democracy, Smer-SD) announced his party would support the proposal in exchange for KDH’s support for controversial judiciary reform. Mr Fico justified this by stating that the marriage amendment “wo[uldn’t] bring about any drastic changes, it only seals in the Constitution what is already defined by law”. Human rights organisations disagreed, arguing the change would leave numerous families (e.g. unmarried parents, or single parents) without legal protection. Both the Ministry of Labour’s Gender Equality Committee and the government’s Human Rights Council debated the proposal; the committee didn’t support it. The parliament was due to debate both constitutional amendments (marriage ban and judiciary reform) in June, but Smer-SD and KDH unilaterally decided to present the reform package in May, virtually at the last minute, leaving almost no time for debate. Transparency watchdog Fair Play Alliance criticised the move, and numerous NGOs and journalists underlined the two amendments, that now had to be voted on together as a package, had nothing in common. A street protest took place on 28 May, a day before the parliamentary debate. On 4 June, 102 MPs voted in favour of the package (all Smer-SD and KDH MPs; 2 MPs from the Slovak Democratic and Christian Union, SDKÚ-DS, Christian-democratic; 4 MPs from the Ordinary People and Independent Personalities, OĽaNO, conservative; and 1 independent MP), 18 against (mostly Most-Híd, centrist, and SaS, liberal), and 3 abstained. SaS MPs said they would have supported the judiciary reform, but opposed the marriage ban. The Constitution was changed with effect from 1 September.

- Between March and August, anti-choice and religiously-inspired organisations aligned under the Alliance for Family umbrella and collected 400,000 signatures requesting a national referendum on family and education. The four suggested questions asked voters if they agreed (1) “that no cohabitation of persons other than a bond between one man and one woman can be called marriage”; (2) “that same-sex couples or groups shouldn’t be allowed to adopt children and subsequently raise them”; (3) that no-one in a union outside of a marriage may receive “acknowledgment, registration, recording as a life community in front of a public authority, or the possibility to adopt a child by the spouse of a parent”; and (4) “that schools cannot require children to participate in education pertaining to sexual behaviour or euthanasia”. President Andrej Kiska asked the Constitutional Court to validate the questions. The court ruled question 3 unconstitutional. The President said children shouldn’t be able to opt out of sexual education (despite classes hardly taking place), but said he would proceed to put questions 1, 2 and 4 to a referendum. LGBTI NGOs noted that question 1 was redundant after the constitutional amendment passed in June. The referendum was scheduled for early 2015.

- On 18 December, the Ministry of Justice published a proposal for governmental approval, seeking to amend family legislation to specify that “society recognises that a stable family environment, consisting of a father and a mother, is most suitable for a child’s comprehensive and harmonious development”. An internal working group (comprising, among other participants, Alliance for Family spokesman, Anton Chromík,) drafted the proposal. The working group did not include any LGBTI representatives.



Slovenia



While openness towards LGBTI people prevailed, no decisive legal or policy developments were noted. Local, national and European elections took place, with openly gay and lesbian candidates running for the first time. Following similar attempts in recent years, the latest efforts to update the law on registered partnerships hadn't borne fruit by the end of the year. Positively, the Ljubljana Municipality started awarding certificates to LGBTI-friendly administrations and businesses. Finally, authorities granted asylum for the first time to a gay man who fled persecution.

Asylum

- In February, the Ministry of Interior approved a request for asylum due to fear of persecution on the basis of an individual's sexual orientation for the first time. The asylum seeker was a Zimbabwean man and there were no difficulties reported with the examination of his case.

Bias-motivated violence

- The Supreme Court annulled convictions for individuals found guilty of attacking the Open Café, an LGBTI venue, and assaulting an LGBTI activist in 2009. The court ruled a procedural mistake by investigators rendered the earlier ruling invalid. The prosecution declined to press charges again.
- In June, an individual was attacked during a Pride festival in the northern city of Maribor. The police was still investigating the case by the end of the year.

Employment

- The Ljubljana Municipality awarded "LGBT Friendly" certificates for the first time to the city's own administration, and the Ljubljana Health Centre. The certificate is linked to diversity training, and recognises inclusive environments for LGBT employees; the prevention of homophobic and transphobic harassment at the workplace; and the provision of LGBT-friendly products and services. The municipality started granting the award in partnership with LGBTI NGOs.

Family

- In April, the Ministry of Labour, Family, Social Affairs and Equal Opportunities submitted a draft law on registered partnership for public consultation. It was withdrawn in the run-up to the July national election, and republished in October. The bill laid down rights equal to marriage, with the exception of joint adoption and access to medically assisted procreation for lesbian couples. The bill remained open for public comments by the end of the year.
- In December, the United Left (left-wing, anti-capitalist) submitted a bill to amend the *Marriage and Family Relations Act* and expand the definition of marriage

to all couples, regardless of their gender. The proposal had yet to be debated by the end of the year.

Human rights defenders

- LGBTI NGOs Information Centre Legebitra, TransAkcija, and the Slovenian Sexology Society organised a national meeting on trans issues in November, focusing on gender recognition laws and policies. The event was attended by human rights activists; Ministry of Labour, Family, Social Affairs and Equal Opportunities representatives; and a representative from the national board of medical experts for gender reassignment. This event served as a starting point for a debate around this topic, with further inter-ministerial meetings on the subject planned for 2015.

Participation in public, cultural and political life

- Ahead of the national election in July, the group "Elections 2014 – LGBT" invited political parties to pledge they would respect the human rights of LGBTI people. Eight parties signed: the Civic List (centre-right), the Pirate Party of Slovenia, Positive Slovenia (centre-left), the Social Democrats, Solidarnost/Solidarity – for just society, Verjamem (centre-left), the Alliance of Alenka Bratušek (liberal), and the United Left. The Party of Miro Cerar (SMC, liberal) declined to sign, and eight other parties either declined or failed to respond. SMC underlined that they respected human rights, but didn't want to be "politically bound to respect the human rights of only certain groups". They told activists they would "do everything in [their] power to implement the rule of law" and protect everyone's rights equally.
- The local, national and European elections which took place this year all featured openly gay and lesbian candidates for the first time. In local elections, LGBTI and women's rights activist Nataša Sukič led the United Left list and ran for Ljubljana Mayor. She was elected as a councillor. In the national election, The Alliance of Alenka Bratušek featured an openly gay man, who narrowly missed out on election. Two European lists featured an openly gay or lesbian candidate (outgoing MEP Jelko

Kacin's list 'Concretely', liberal; and the Civic List), none of whom gathered enough votes.

Sexual and reproductive rights

- In December, 61 MPs from a variety of parties (Social Democrats, Party of Miro Cerar (SMC), Democratic Party of Pensioners of Slovenia, United Left, Alliance of Alenka Bratušek) filed a request before the Constitutional Court to assess the constitutionality of the *Treatment of Infertility and Bio-medically Assisted Fertilisation Procedures Act*. The act outlaws medically assisted procreation for single women, and MPs queried its compatibility with constitutional articles on equality before the law, personal dignity, and free choice in child-bearing.



Spain



The region of Andalusia became the second European jurisdiction (together with Denmark) to allow trans individuals to have their correct gender established without medical or judicial authorisation. The police appeared to monitor and respond to bias-motivated crimes efficiently, and for the first time the Ministry of Interior reported publicly on hate crime statistics. A survey showed, that despite a few homophobic remarks from isolated politicians and clerics, acceptance of LGBTI people remained among the highest in Europe.

Asylum

- In September 2014, the parliament's Committee on Foreign Affairs unanimously urged the government to grant asylum to LGBTI people fleeing their country for fear of persecution. The debate in the committee was initiated by members of the Socialist Worker's Party and the Union, Progress and Democracy party (UPyD). The Socialist group stressed that despite the fact the Spanish asylum law expressly includes sexual orientation and gender identity as qualification criteria, this was not applied in asylum cases. LGBTI NGOs claimed that none of the over 300 such asylum cases were approved since Spain's asylum law was last updated in 2009.

Bias-motivated speech

- Newly-appointed cardinal Fernando Sebastián Aguilar declared in January that "homosexuality [was] a defective manner of expressing sexuality", comparing it to his own high blood pressure – "a defect [...] to correct". LGBTI NGO Colegas sued the cardinal for inciting discrimination, hate or violence against a group based on its sexual orientation. A prosecutor in Málaga opened a preliminary enquiry, but dismissed the case in April, concluding that the goal of disseminating hate speech was not proved. Also in January, ultra-conservative priest Jesús Calvo caused public outrage in a television interview by thanking "divine providence" after Pedro Zerolo, an openly gay councillor in Madrid, announced he had cancer.
- Spain's largest retail group El Corte Inglés and Casa Del Libro bookshops started selling three controversial books titled *I want to stop being gay*, *How to prevent homosexuality*, and *Gender confusion in childhood*. (Their author Joseph Nicolosi founded the National Association for Research and Therapy of Homosexuality, a US homophobic group.) The books caused outrage, and LGBTI NGOs complained to the Ministry of Health, Social Services and Equality that they promoted homophobia.
- In August, Popular Party (PP, right-wing) Senator, Luz Elena Sanín, complained that Spain's high national debt was caused by "subsidies for NGOs and homosexuals" under the 2004–2011 socialist government.

Bias-motivated violence

- The office of the LGBT Madrid Collective (COGAM) was broken into during Pride festivities, and fundraised cash was

stolen. COGAM couldn't affirm whether the burglary was motivated by homophobia.

- A mid-year police report found that LGBT individuals had been the largest victim group for of bias-motivated crimes. 235 incidents reported in the first half of the year were linked to victims' sexual orientation or gender identity (43% of the total). Disability and ethnicity were each linked to 26% of the total attacks reported.
- In October, regional lawmakers in Catalonia adopted a law which punishes homophobic and transphobic hate crimes with fines up to EUR 14,000. The law also places the burden of proof on the presumed attacker. The overall aims of the Catalan legislation are to remove negative stereotypes and encourage full LGBTI participation in all areas of social life. Left-wing lawmakers supported the change, while PP and Convergence and Union (CiU, Catalan nationalists) parliamentarians opposed the increased sanctions.
- In December, ten individuals wearing neo-Nazi outfits assaulted a young gay couple on a public square in Madrid.

Diversity

- In April, the country's first LGBT-friendly rugby club, the Madrid Titans, was launched.

Education

- On May 17, International Day Against Homophobia and Transphobia, LGBTI NGOs made a complaint to the Office of the Ombudsman. The NGOs said that educational institutions had failed to react to high numbers of homophobic and transphobic bullying incidents.

Employment

- A Lanzarote public school dismissed a religion teacher after he wrote a letter to national newspaper *El País*, explaining that he had come out to the bishop of the Canary Islands after getting married to a man in 2012. The bishop informed the Canary Islands government that the teacher was no longer fit for the post, and he was dismissed. (The Church nominates and mandates religion teachers to work in schools.)

Family

- In February, the High Court declined to recognise two men as the legal parents of a baby legally born to them via surrogacy in the United States. Other such cases were also rejected. However, after the European Court of Human Rights ruled against France in a similar case in June (see **France**), the government reviewed guidance and allowed the recognition of parenthood in such cases, including retroactively.
- In March, the Supreme Court acknowledged the maternity rights and responsibilities of an unmarried non-expectant mother. The case involved an unmarried lesbian couple who had a child, conceived by anonymous sperm donor. Following the breakdown of their relationship, the child's biological mother had denied her former partner access to their child. The court interpreted Article 131 of the Spanish Civil Code, and held that the non-biological mother was considered family and could exercise her rights as a parent.
- In July, the Spanish government committed to amending civil registration law to allow the registration of surrogate children born to Spanish citizens abroad. NGO FELGTB had argued that requiring lesbian couples to be married before the child can be registered in Spain is discriminatory as heterosexual couples do not need to meet this requirement.
- In September, the parliament ratified a new bilateral agreement with Russia, honouring the Russian government's wish that Russian orphans never be placed with single and same-sex parents (see **Russia**).

"Gay marriage is a Spanish brand"

Jose Luis Rodriguez Zapatero, Prime Minister of Spain at FELGTB awards ceremony, 24 April

Health

- In July, the Ministry of Health, Social Services and Equality announced it would stop reimbursing Reandron, a hormonal treatment essential to trans men undergoing a gender transition. LGBTI NGOs complained that neither they nor health professionals had been consulted.
- In December, insurance group Concentra and the National LGBT Federation (FELGTB) jointly launched a health and life insurance service for HIV-positive people, regardless of their sexual orientation. Other insurers made obtaining adequate coverage difficult.

Legal gender recognition

- In July, the region of Andalusia adopted a comprehensive law on legal gender recognition, allowing trans individuals to establish their correct gender without medical diagnosis or legal supervision. The Socialist Workers' Party (PSOE, social-democratic) and United Left (IU, communist) drafted the bill. The law stops considering trans individuals mentally ill; guarantees new identification documents will be issued rapidly; ensures adequate medical services will be available throughout the region; and applies also to minors with parental consent.

Participation in public, cultural and political life

- Newly-crowned King Felipe VI hosted a dialogue with LGBTI organisations. NGOs welcomed the meeting, regretting that Deputy Prime Minister Soraya Sáenz de Santamaría (PP) hadn't responded to any of their requests since coming to power in 2011.

Police and law enforcement

- In December, Secretary of State for Security Francisco Martínez introduced a new hate crime protocol. Drafted in partnership with NGOs, the compulsory protocol seeks to guarantee an overview of hate crimes nationwide, and provide victims adequate support.

Public opinion

- In a global survey on morality published in April by Pew Research, 55% of respondents in Spain rated homosexuality as morally acceptable, 38% as not a moral issue, and 6% as morally unacceptable. Spain continued to rank as the most accepting country worldwide.
- A survey of Catholic believers in 12 countries worldwide found that in Spain, 64% of respondents supported marriage equality (27% opposed it), and 43% thought the Church should perform marriages for same-sex couples (48% opposed it).

Sexual and reproductive rights

- Following a 2013 decision by the central government to limit fertility treatment reimbursements to women with medical justifications (i.e. neither single nor lesbian women), the regional governments in Andalusia, Asturias, the Basque Country, the Canaries, Catalonia, and Extremadura decided to reimburse single and lesbian women out of their own health budgets.



Sweden



Sweden continued to deal with sexual orientation and gender identity issues positively in its law and policies. More trans people made their voices heard in media and cultural contexts, and several consultations sought to extend rights for trans people, or make legal gender recognition more accessible. The Sweden Democrats, a political party known for its racist, transphobic and homophobic views, received increased attention in the national and European elections. Positively, Sweden continued promoting and protecting LGBTI people's human rights worldwide.

Access to goods and services

- The Västra Götaland region reached a settlement with a trans person after a psychiatrist based at a regional clinic refused to use the gender-neutral pronoun ‘hen’. Gothenburg’s independent Anti-Discrimination Bureau helped reach the settlement, which included training on LGBTI issues for staff.

Asylum

- The Swedish Federation for Lesbian, Gay, Bisexual, Transgender and Queer Rights (RFSL) provided assistance to around 150 LGBTI asylum-seekers in 2014. The NGO reported applicants were frequently denied fair trials, and faced increased homophobia and transphobia in detention facilities.
- In November, the European Court of Human Rights agreed to examine the case *M.E. v Sweden* (application no. 71398/12) in its Grand Chamber. The case concerns a Libyan man seeking asylum due to his fear of persecution on the basis of his sexual orientation, among other reasons. In 2012, Swedish migration authorities had found his claim lacked credibility. The man was granted leave to stay, and his case had yet to be examined by the end of the year.

Bias-motivated speech

- A television reporter posed as a gay man, and secretly filmed discussions with conservative priests. One of them, Peter Artman (affiliated to a conservative group within the Church of Sweden), told him that if he wanted “some kind of correction” for his “lust”, he could “pray for that”. After the show aired, the Church of Sweden suspended Mr Artman. The Christian Democrats (KD), to which he belongs, considered revoking his responsibilities, but didn’t.
- After The Sweden Democrats (SD, far right) won third place in the September general election, party secretary Björn Söder became Second Vice-speaker in the parliament. In an interview for newspaper *Aftonbladet* following his appointment, Mr Söder repeated views he had previously aired, affirming among other things that the LGBTI movement “sexualis[ed] children”.

- During Stockholm Pride, the government released a new investigation, that considered including gender identity as a protected ground under hate speech legislation. An enquiry was on-going by the end of the year.

Data collection

- In August, RFSL presented a study (previously carried out in 2006 and 1998) comparing the situation and experiences of LGBTI people nationwide. Comparing all 290 counties, the research looked into anti-discrimination guidelines; prevalence of hate crime; and trainings provided to county staff, decision makers and educators, among other aspects. Gothenburg county was ranked the most advanced with a score of 4,13 (out of 5). Lowest ranked were Åsele and Bjurholm counties, in the northern part of Sweden, with a score of 1,65. Stockholm was sixth in the rankings, falling a number of places because of the large number of reported hate crimes.

Diversity

- In December, a conference took place in Stockholm on the situation of LGBTI people with a non-Swedish background, including newly-arrived or undocumented migrants and asylum-seekers. The event was organised by RFSL, Homan (an NGO gathering mostly Muslim LGBTI people), and Rainbowtastic (an NGO working with LGBTI people of African origin). The government, which stepped down in September, had lent its support.

Education

- A photographer in charge of a class photo shoot in a Helsingborg school called a student “fag number one”. He apologised, but was fired the same day.

Employment

- A psychiatrist refused to grant a trans woman access to police training, arguing trans people “changed their minds” often and “might commit suicide”. The state Ombudsman didn’t examine her case, and the independent Uppsala Anti-Discrimination Bureau

expressed regret that it lacked the resources to examine the case.

- In April, a court awarded a woman SEK 60,000 (EUR 6,400) after she was discriminated against by clothing brand Champion. In the course of recruitment, Champion said they wouldn't employ her as she lived with a woman. In a similar case, a man was awarded SEK 20,000 (EUR 2,100) after his employer, department store Rusta, handed him a female uniform, adding it "didn't matter" because he "was bent the other way". The company apologised.

Equality and non-discrimination

- In January, the government published a national LGBT strategy, *A strategy for equal rights and opportunities regardless of sexual orientation, gender identity or gender expression (En strategi för lika rättigheter och möjligheter oavsett sexuell läggning, könsidentitet eller könsuttryck)*, featuring policy proposals, and handing a number of LGBT-related mandates and responsibilities to governmental agencies. The strategy covered multiple issues including improving work on hate crimes, improving LGBTI competence in schools and increasing the knowledge about LGBTI people's experiences within the social service sector.
- Several media outlets remarked that the national Ombudsman hadn't taken up any case of discrimination based on gender identity since the 2009 law came into force.

Foreign policy

- In March, the government responded to the adoption of the *Anti-Homosexuality Act* in Uganda by cancelling SEK 6.5m of aid (EUR 701,000) out of a yearly total of SEK 250m due for payment. The government consulted LGBTI NGOs in Sweden and Uganda. The ministry later announced a new aid plan of SEK 1.35bn over five years, to be distributed to civil society organisations, the private sector, and international projects instead of the government. The aid will go towards health (including sexual and reproductive rights), sustainable growth, employment, and human rights, including the rights of LGBTI people. (Denmark, Germany, Norway, and the World

Bank also reduced their aid to Uganda following the new law.)

- The Swedish embassy in Cyprus supported the national Pride event by flying a rainbow flag on the day (see **Cyprus**).

Health

- Two government-initiated investigations into access to health care for trans people in Sweden were on-going in 2014, in consultation with the trans community. In May, the results of an investigation into adult gender reassignment treatment options was presented, and received a mostly positive response. In December, results from an investigation of treatments available for children and teenagers was published. Both investigations suggest a number of improvements that could make the process quicker, more accessible and more consistent all over Sweden.
- Upon entering office in September, the new government stated that the health of LGBTI young people would be a priority.

Human rights defenders

- When organising two trainings for LGBTI activists together with Swedish and US development agencies, RFSL complained that some international participants were denied visas to attend the events in Sweden.

Legal gender recognition

- 160 trans individuals sued the state in 2013 for forcing them to be sterilised before recognising their gender. The attorney general rejected their claim and government was due to decide on its response to the complaint. The Green Party (MP) and the Left Party (V) supported state compensation.
- In April, the Stockholm Administrative Court ruled in favour of a man who gave birth to a child *after* he changed his legal gender from female to male, and wished to be cited as his child's father. In November, the Gothenburg Administrative Court ruled in favour of another man who gave birth to a child as a woman, before he changed his legal gender from female to male. The man wished to

retroactively change his registration, and be recognised as his child's father. The Tax Agency (responsible for the population register) appealed both rulings.

- In May, the Stockholm Administrative Court ruled against the National Board of Health and Welfare, whose Legal Advisory Council had refused a woman's application for legal gender recognition. The council had said the woman hadn't followed the 'usual' medical procedure. The court ordered the council to re-examine her case, focusing strictly on the legal requirements.

Participation in public, cultural and political life

- Stockholm Pride organisers announced any representative from far-right party Swedish Democrats (SD) would be banned from attending Pride events. Several SD politicians protested, although leader Jimmie Åkesson had earlier said he wasn't interested. SD was also excluded from the festival's party leaders debate, which all other mainstream parties joined.
- Trans individuals featured visibly in media and culture, including a trans-themed theatre play by, and starring, actress Aleksa Lundberg; the movie *Something Must Break* with trans woman Saga Becker in the lead role; and the latter's nomination for best female lead at the Guldbaggen awards.



Switzerland



Various law- and policy-making bodies debated issues linked to sexual orientation and gender identity in 2014. The federal government continued working to amend the Civil Code to allow registered partners to adopt children, a discussion which continued into 2015. Some cantons (regions) moved forward on hate crimes and anti-discrimination legislation, and courts considered how to transcribe the birth certificate of a child born abroad to two fathers.

Asylum

- A man who fled Nigeria fearing persecution because he was gay applied for refugee status. His case was turned down; he was arrested and imprisoned for three months for staying in Switzerland illegally. This sparked a solidarity campaign, as well as media interest. He was freed in June. By the end of the year, no decision regarding his asylum status had been made.

Bias-motivated speech

- In the debate on amending the Civil Code to allow registered partners to adopt (see **Family**), federal MP Toni Bortoluzzi (Swiss People's Party, SVP/UDC, nationalist/populist) asserted that gay people behaved unnaturally, and had "a brain lobe working the wrong way". His remark was widely condemned.

Bias-motivated violence

- In November, 22 MPs from several groups in the cantonal parliament of Berne requested that the police start recording crimes with homophobic motives. The cantonal government hadn't responded by the end of the year.

Data collection

- In September, the Parliament of the City of Zurich supported a proposal to include "relevant" questions on sexual orientation and gender identity in anonymous public surveys. The executive has 24 months to respond to the proposal.

Education

- The Federal Technical University (ETH Zurich) became the second university (after the University of Lucerne) to adopt internal guidelines to allow trans individuals to change their name and gender marker, regardless of legal gender recognition.

Employment

- The Federal Office for Gender Equality (FOGE) granted funding for a project led by the NGO Transgender Network Switzerland (TGNS) to study the situation of trans

people in the field of employment. Preliminary work has begun and the second stage of the project will continue in 2015. This is the first time that a project affecting trans people has been funded by the FOGE.

Equality and non-discrimination

- In January, the federal parliament started examining identical proposal from the green group, the green liberal group, the civic democratic group (Bürgerlich Demokratischen) and the socialist group, which sought to put registered partners on a par with married couples in the context of naturalisation requests. Decision whether this initiative will be brought forward was still open at the end of the year.

- A trans woman appealed the army's decision to classify her as unfit for military service, and was eventually accepted in the army.

- In July, the Council of States (the federal parliament's upper chamber) rejected a 2013 proposal by the canton of Geneva which sought to add sexual orientation as a protected ground in the Constitution and the Criminal Code. However, the preparatory committee of the National Council (the federal parliament's lower chamber) supported the proposal, as well as a similar private member's initiative.

Family

- In November, the Federal Department of Justice and Police published a summary of the public consultation on a draft law on adoption, launched in 2013. In its conclusions, the department suggested amending the Civil Code to allow individual adoption, as well as second-parent adoption for registered partners. The proposal will go to the federal parliament in 2015.

- In July, the St Gallen Administrative Court recognised the birth certificate of a boy born to two fathers via surrogacy in the United States. Although the certificate mentioned the two men as fathers, Swiss law usually considers the surrogate mother the parent. Supported by their local registry office, the two men petitioned the national registry office to see their case recognised. The Federal Office of Justice (FOJ) opposed

the request, and transmitted the case to the St Gallen Administrative Court. Judges ruled that, in the best interest of the child, the two men should be legally considered his parents. The court added that the Swiss birth certificate should nevertheless mention the biological parents. The FOJ appealed the ruling before the Federal Court. The Zug Administrative Court started examining a similar case, but chose to wait for the final outcome in the St Gallen case.

- The City of Zurich launched a campaign to recruit foster parents, targeting same-sex couples as potential foster families.
- In 2014, the National Council started discussions of amendments to tax legislation, including proposals which would change the definition of marriage to a union between a man and a woman. The attempt to get rid of the narrowing of the definition of marriage via an alternative amendment focusing solely on the changes regarding taxation failed. A referendum will most likely take place in 2015.

Health

- A group of experts published a set of recommendations for transition-related care for trans individuals. The recommendations were published in the academic journal *Swiss Medical Forum*.

Human rights defenders

- The free legal advice service run by Transgender Network Switzerland received the award for equality from Zurich City Council. This was the first time this award was given to an LGBTI organisation.

Participation in public, cultural and political life

- An acclaimed movie, *Der Kreis* ('The Circle'), came out in October retracing the early days of Switzerland's so-named first LGBT organisation, in the 1950s.
- The International Short Film Festival, based in Switzerland, excluded Egyptian journalist Mona Iraqi from its board in December. Ms Iraqi had orchestrated the filming, and later the television broadcasting, of police

arresting 26 men in a sauna in Cairo, who later stood trial for their presumed homosexuality.



Turkey



Violence continued to affect LGBTI people's lives - in particular, trans women were harassed by the police, attacked with impunity by citizens, committed suicide, or were murdered. The government's Democracy Reform Package failed to tackle homophobic or transphobic crime and further restricted freedom of assembly. Freedom of expression, access to employment, and access to goods and services remained under strain, while both the law and national authorities ignored sexual orientation and gender identity. Accessing justice is still not easy for LGBTI individuals but for the first time a court acknowledged hate speech based on sexual orientation, and the murderers of a gay man were given life sentences. A few municipalities started LGBTI-friendly work, most notably in the field of health.

Access to goods and services

- A gynaecologist at the Reşat Berger Hospital in Istanbul denied prescribing medicines after a patient's gender reassignment surgery, telling her that she "didn't condone" the treatment. Following the encounter, the gynaecologist lodged a complaint against the patient, claiming she had insulted her. The patient filed her own complaint against the doctor.

Bias-motivated speech

- The Constitutional Court acknowledged for the first time that referring to LGBTI people as "perverts" constituted hate speech. The court was examining a case against website Habervaktim.com, which had referred to Sinem Hun as a lawyer of "the association of the perverts called Kaos GL". However, the court didn't rule against the website. Ms Hun appealed before the European Court of Human Rights.

- In March, the Bakırköy Second Court of First Instance acquitted conservative newspaper *Yeni Akit* for calling LGBTI NGO Kaos GL "deviants" and "perverts" in a 2012 article. In 2013, the Istanbul Criminal Court told the lower court the case had to go ahead, because "a group with different sexual orientation [was] clearly humiliated and insulted" by the article in question. Yet the local court ruled that *Yeni Akit* had exercised its right to freedom of expression. Kaos GL indicated they would appeal the decision.

Bias-motivated violence

- Trans women continued to be subjected to vicious attacks. Three trans women were killed (Sevda, by her partner in Gaziantep; Çingene Gül, by an unidentified murderer in Istanbul; and Çağla Joker, by two young clients she had met for sex work in Istanbul). Two others were stabbed and/or shot while meeting clients for sex work; one of them was denied legal aid by the Corum Bar Association, who claimed they "do not assign lawyers to transvestites". At least five other trans women were shot, stabbed, or beaten. The murderer of B. Ü., a trans woman beaten to death in 2013, saw his prison sentence

reduced from life to 18 years for 'unjust provocation', because his victim was trans.

- The Diyarbakir Third Criminal Court gave its judgment in the landmark case of a gay man murdered by his father and two uncles in 2012. The court found that Roşin Çiçek had indeed been killed because of his sexual orientation, and that his murderers' wish to save family honour was no justification. They were given life sentences (without reduced sentencing due to unjust provocation), which is a rare occurrence. In Kocaeli, a man stabbed his friend 28 times because the latter had suggested they have sex. The police arrested the man, who admitted his crime.

- Two men received death threats from their own family members, were evicted from their flat, and fired from their jobs after holding a symbolic wedding in Istanbul in September, a move they had hoped would help improve public opinion.

- Community website LGBTI News Turkey collected information on 47 homophobic and transphobic murders which took place in 2010–2014, but estimated the overall total for this period to be significantly higher due to under-reporting.

- The parliament adopted the Democracy Reform Package in March, including the *Hate Crimes Bill*, which failed to extend protection against hate crimes to the grounds of sexual orientation and gender identity. The package further limited the right to strike, to boycott, or to demonstrate. By the end of the year, the government was still discussing the *Anti-Discrimination and Equality Board Bill*. Sexual orientation and gender identity were deleted from earlier drafts.

Employment

- In July, the Council of State ruled that the firing of a gay teacher was against the law, stating that consensual homosexual relations in private life were not a disciplinary matter. The decision struck down the administrative court's previous judgment in the case.

- In a letter to judges, the Interior Ministry defended its previous decision to sack a police officer due to his homosexuality. The policeman's house was raided in 2009, when 'evidence' of his homosexuality led to an internal

investigation, and his eventual dismissal. The man sued the ministry before the 8th Administrative Court and the Council of State, which ruled that the dismissal had been unjustified, but refused to cancel it. In a letter to the Council of State, the ministry described the policeman's actions as "disgraceful and shameful", and argued hiring him again would erode public trust in the force.

Enlargement

- Turkey formally applied to join the European Union in 1987, and negotiations have been on-going since 2005. In its annual report on progress towards EU accession, the European Commission regretted a negative social climate against LGBTI people, and the continued absence of "protective legislation regarding discrimination on the basis of sexual orientation [...] and gender identity". The Commission added that although Pride events took place unhindered in major cities, authorities had abusively used concepts of 'general morality', 'Turkish family structure', or 'public order' to limit freedom of association. It also considered the situation for trans women and sex workers alarming.

Equality and non-discrimination

- A judge in the Aydın 3rd Penal Court of First Instance filed a complaint to the Constitutional Court, asking it to modify article 226 of the Penal Code. The judge requested that "unnatural acts" be removed from the list of pornographic materials which, together with materials featuring rape, paedophilia, zoophilia, or necrophilia, may be punished by up to four years in prison. "Unnatural acts" is commonly understood to include acts between persons of the same sex. The Constitutional Court agreed to open the case.
- The chairman of the Turkish Red Crescent explained they didn't accept blood donations from homosexuals, explaining that "the AIDS virus is commonly found among homosexuals".

Freedom of assembly

- The 5th annual Trans Pride march took place on June 22 without incident, opening the Pride Week festival in

Istanbul. The entire week remained incident-free, and culminated in a march of several thousand on a central avenue, in June. Marchers were barred from ending the demonstration at the central Taksim square. The consulate of the United Kingdom supported the event by flying a rainbow flag on the day.

Freedom of expression

- Turkey's Telecommunications Authority (TİB) blocked dating website gay.com in October, making it inaccessible nationwide.

Health

- The mayor of the Istanbul Şişli district announced his municipality would provide free healthcare services to LGBTI individuals, residents or not, including free and anonymous testing for sexually transmitted diseases.

Legal gender recognition

- In November, MP Mahmut Tanal from the Republican People's Party (CHP, social-democratic) submitted a bill to amend legal gender recognition requirements by removing the obligation to be single and sterilised. The bill hadn't been debated by the end of the year.

Participation in public, cultural and political life

- Local elections in March saw four LGBTI-friendly candidates become district mayors. Three candidates from CHP were elected in Istanbul districts, and a candidate from the Peace and Democracy Party (BDP, Kurdish minority/centre-left, now called People's Democratic Party, HDP) was elected in the Akdeniz district of Mersin. They were among 40 candidates who signed the LGBTI-Friendly Municipality Protocol, which advocated against discrimination on grounds of sexual orientation or gender identity, and for partnering with LGBTI NGOs. Two LGBTI activists were also hired as mayoral advisers in the Beşiktaş and Şişli districts in Istanbul; the Beşiktaş municipality pledged to train its staff on LGBTI issues.

- Two candidates in the August presidential election made remarks on sexual orientation and gender identity. Ekmeleddin İhsanoğlu (independent) said homophobia “[was]n’t a universal issue”, and that one had to respect “society’s sensitivities”. Selahattin Demirtaş (HDP) condemned current levels of discrimination and violence, and called for “sexual freedom in society”.
- LGBTI activists also met CHP leader Kemal Kılıçdaroğlu to discuss sexual orientation and gender identity in politics.

Police and law enforcement

- After a 2013 enquiry revealed that at least 79 LGBT prison inmates were held in *de facto* solitary confinement nationwide, Justice Minister Bekir Bozdağ proposed building a new prison for LGBT inmates only. A CHP Member of Parliament, Veli Ağbaba, warned that inmates must remain free to choose whether to declare their sexual orientation.
- LGBTI NGOs reported several cases of police mistreating trans women. This included a trans sex worker receiving two fines for ‘causing disturbance’ after local residents complained of her presence in the street (two courts annulled the fines); police officers providing insincere assistance to trans women who had just been shot; and police officers tear-gassing and arresting trans women for ‘disturbing the peace’.

Public opinion

- In a global survey on morality published in April by Pew Research, only 4% of respondents in Turkey rated homosexuality as morally acceptable, 12% as not a moral issue, and 78% as morally unacceptable, the highest of all European countries surveyed.



Ukraine



The 2013–2014 crisis led to increased geopolitical tensions and a year of civil unrest, as Ukraine was torn between pro-European and pro-Russian forces. Both sides of the conflict targeted LGBTI people; although, ironically, the unrest led to fewer legislative and policy attempts to restrict LGBTI rights. In order to make way for an association agreement amid the conflict, the European Union softened its earlier demands that homophobic discrimination be outlawed in employment, accepting longer-term commitments in this area. Under new Russian influence, the so-called Luhansk and Donetsk People's Republics and the Republic of Crimea further restricted LGBTI people's rights. The party that won the October elections made positive commitments against discrimination, including new employment legislation.

Bias-motivated speech

- Ahead of the (ultimately cancelled) Pride march, (see **Freedom of assembly**), Kyiv councillor Ihor Mosiichuk asked the Mayor to ban the event, arguing that “homosexuality and other perversions contradict faith in God, public morality, and the traditional bases of Ukrainian society”.
- In September, Chairman of the Council of Ministers of the Republic of Crimea (under Russian occupation) Sergei Aksyonov stated that “[LGBTI people] have no chance” in the peninsula. He warned that if LGBTI people displayed themselves in public, the local police would “explain to them what kind of sexual orientation they should stick to”.
- In a December statement, the Right Sector (a paramilitary organisation and political party forming the conflict’s pro-Ukrainian side) said it opposed “perverted ideas about human sexuality”, “other sexual deviations”, and the “destruction of traditional morality [...] on the family”, pledging it would use its resources to this end. (Also see **Bias-motivated violence**)

Bias-motivated violence

- Gay-friendly venues were the targets of several attacks. In June, a group of individuals with machine guns beat up and robbed patrons of the Vavilon gay club in Donetsk. In July, a group of unidentified hooligans attacked the Pomada gay club in Kyiv. In October, two individuals set fire to Kyiv’s Zhovten cinema while an LGBTI-themed movie was playing. No one was hurt, but the historic venue was permanently damaged. Two days later, a dozen men in military clothing tried to stop another LGBTI movie screening in a private venue, shouting abuse. In November, twenty masked young people, armed with baseball bats, brass knuckles, and knives, attempted to enter Domino, the gay club in Odesa; they left after struggling with bouncers for an hour (the police didn’t intervene, despite the club’s close proximity to a station).
- NGO Human Rights Watch reported that trans people routinely were victims of violence at checkpoints set up during the civil unrest, when their appearance was found not to match the gender on their identity documents.

- In May, the United Nations’ Human Rights Monitoring Mission in Ukraine (HRMMU) reported that both sides in the conflict viewed LGBTI people negatively, citing “credible reports of ongoing [...] hate speech, harassment and hate-motivated violent attacks against LGBT persons, including organised attacks [...] and limited investigations into such attacks [...] or remedy for victims”.
- In June, LGBTI NGO Insight opened a shelter for LGBT people fleeing zones of conflict in Eastern Ukraine and Crimea. It started providing accommodation, food, psychological help, and legal support to six LGBTI individuals.

Employment

- In March, the government withdrew *Bill No. 2342 to Prevent and Counteract Discrimination in Ukraine*, which would have outlawed discrimination based on sexual orientation in employment. In previous years, the European Union had insisted Ukraine adopt such a law as part of visa negotiations. However, the political crisis in 2013–2014 led the European Commission to soften its position, and allowed the Ukrainian government to sign the EU-Ukraine Association Agreement without any new legislation – although a spokesman for the EU delegation to Ukraine initially denied the change. Instead, the government introduced *Bill No. 4581 to Prevent and Counteract Discrimination in Ukraine*, shifting the burden of proof to perpetrators of discrimination, and reinforcing the role of the Ombudsman. The association agreement also foresaw binding measures to be adopted within four years, and in December the Ministry of Social Policy published a draft Labour Code which outlawed discrimination on the basis of sexual orientation. The draft code was due to be discussed in 2015.

Equality and non-discrimination

- Following Petro Poroshenko’s election as president, his party sent a letter to the National LGBT Portal of Ukraine, a community website, stating that they considered it “the duty of the state to implement the principle of equality between citizens, regardless of their sexual orientation or other characteristics”. Head of the

Secretariat Maksym Savrasov added that Petro Poroshenko's Bloc, the presidential party, stood "for the guarantees of safety for LGBT [people], and the implementation of criminal prosecution for any kind of discrimination, [including] discrimination based on sexual orientation". Activists welcomed the promise, but were sceptical such reform would receive parliamentary support.

"It is the duty of the state to implement the principle of equality between citizens, regardless of their sexual orientation or other characteristics."

Letter from Poroshenko's Bloc (the presidential party)

Freedom of assembly

- In April, authorities in Crimea's largest city, Sevastopol, banned a Pride event a week before it was planned to take place, citing Russia's federal 'anti-propaganda' law. The same month, St Petersburg MP Vitaly Milonov (United Russia, Putin's party) visited Crimea, pledging he would help its authorities 'get rid' of "evil" venues such as LGBTI-friendly bars.
- The Kyiv Pride event scheduled for July was cancelled after the police declared themselves unable to protect marchers from far-right groups who threatened to attack participants. The rest of the Pride Festival took place without incident.

Freedom of expression

- In April, parliamentarians withdrew *Bill No. 1155 on the prohibition of propaganda of homosexual relations aimed at children*, an 'anti-propaganda' bill similar to those passed in Russia in 2013. Another similar proposal, *Bill No. 0945 on amendments to legislative acts concerning the protection of children's right to a safe information space*, was also withdrawn following the parliamentary elections in October.

Participation in public, cultural and political life

- Numerous LGBTI NGOs and activists initially took part in the Euromaidan protests in January and February (continuing from 2013), joining forces with the

pro-European side of the conflict. They withheld explicit LGBTI-specific demands, focusing instead on national unity and human rights in general. To discredit pro-Europeans, the pro-Russian side argued they had 'sided with' LGBTI people. Far right groups among pro-Russians also tried staging fake LGBTI demonstrations amid the unrest, going so far as offering money to members of the public to stage a fake Pride event to discredit pro-Europeans.

- During the presidential election in May, Amnesty International and Ukrainian human rights NGOs analysed candidates' manifestos, noting that Petro Poroshenko (independent) was the only candidate to call for anti-discrimination legislation in all areas of life, including in relation to sexual orientation and gender identity. Mr Poroshenko won the election. (Also see **Equality and non-discrimination**)



United Kingdom



Marriage equality became effective in England, Wales, and Scotland. Northern Ireland remained the only part of the UK yet to introduce marriage equality. New government education policies were put in place. Regrettably, LGBTI people continued to experience hate crime, below-average access to public services (including healthcare) and suffered from government cuts to public services and civil society more than the general public. Activists also made progress towards greater equality in the territories of Guernsey, Jersey, and Gibraltar.

Access to goods and services

- Donna Edmunds (UKIP, UK Independence Party, nationalist populist), councillor in Lewes and European Parliament election candidate, said that business owners should be able to refuse customers based on their religious beliefs, sexual orientation, or any other characteristics. She “expressed regrets” under pressure from her party, and UKIP said it didn’t endorse her views.
- NGO Stonewall undertook joint research with a funeral company, surveying 522 LGB people about access to funeral care and later-life planning. They found that 24% of respondents expected to face barriers when planning a funeral.
- Buying or accessing goods or services occasionally proved difficult. A bakery in Northern Ireland turned down a customer’s request to bake a cake featuring a slogan in favour of equal marriage, citing the owner’s religious beliefs. The Equality Commission for Northern Ireland offered a settlement but the bakery opted to go to court. A London bus driver told a gay couple they were “disgusting”, forcing them to get off. The company disciplined the driver. A Stonewall Scotland survey also found that 16% of respondents experienced poor treatment in the previous three years when accessing a public service in health and social care, housing, policing, education or community support.
- Following a bakery’s refusal of sale (see above), DUP (Democratic Unionist Party, right-wing nationalist) Member of the Northern Ireland Assembly Paul Given introduced a *Freedom of Conscience Bill* to allow business owners to deny access to goods, services and facilities on grounds of customers’ sexual orientation. LGBTI NGOs objected strongly. A public consultation on the proposal remained open at the end of the year.

Asylum

- The Home Office ordered a review of interviews in cases linked to asylum-seekers’ sexual orientation, which found that “over a tenth of interviews did contain questions of an unsatisfactory nature”. The Home Office accepted most of the review’s recommendations.

- Asylum authorities sent individuals back to countries hostile to LGBTI people in several cases, including a lesbian woman from Uganda, and a bisexual man from Jamaica.

Bias-motivated speech

- Several UKIP councillors, Northern Irish Assembly Members, and Members of the European Parliament made biased remarks related to homosexuality. Councillor David Silvester was suspended, but others remained in their post.
- The Home Office denied a visa to Ugandan singer Bobi Wine due to some of his songs calling for gay men to be burned, leading to the cancellation of two shows.

Bias-motivated violence

- The (London) Mayor’s Office for Policing and Crime issued a report in December, which showed crimes motivated by the victim’s ethnicity, religion or sexual orientation had all risen. Homophobic hate crimes went up by 22% since 2013, with over 100 offences recorded every month.
- In Scotland, crimes motivated by homophobia rose to 890 in 2013–2014, compared to 729 in 2012–2013. Crimes motivated by transphobia also rose from 14 to 25 over the same period.

Diversity

- In January, LGBTI rights group Youth Chances published research into the life experience of 6,514 young LGBTQ people in England. Trans young people reported the lowest overall life satisfaction (only 38% said their life was “close to their ideal”), followed by LGBQ young people (47%). (51% among heterosexual non-trans respondents.)

Education

- Several governmental initiatives sought to address homophobia and transphobia in schools: in England and Wales, the Crown Prosecution Service launched a lesson plan and a DVD for teachers to tackle homophobic and transphobic bullying; and Secretary of State for Education

Nicky Morgan announced a GBP 2m (EUR 2.6m) package to fund innovative not-for-profit campaigns against LGBT-phobic bullying in schools. In Scotland, the government issued new guidance on sex education to reflect the introduction of same-sex marriage.

- In May, Archbishop of Canterbury Justin Welby sent guidance to all Church of England schools, calling on educators not to “turn a convenient blind eye” to homophobic bullying, and reminding them of the “terrible impact” it has on children.
- In July, Stonewall released a survey of 1,832 teachers and school staff nationwide. It found that 86% of secondary school teachers had witnessed homophobic bullying, but fewer than 17% were trained to tackle it.

Employment

- In February, the Employment Appeal Tribunal overturned a 2013 decision in the case *Walker v Innospec*, ruling instead that private pension schemes weren't obliged to pay the same benefits to survivors from same-sex couples as to those from different-sex couples. The government published a report on this discrimination in June, but didn't commit to ending it.
- In April, Anglican hospital chaplain Jeremy Pemberton married his long-term partner. In June, the acting bishop of Southwell and Nottingham revoked Mr Pemberton's chaplain licence, and Mr Pemberton said he would take the Church to an employment tribunal. In July, Lord Norman Fowler (Conservative) raised the case in the House of Lords, asking that the government “help reconcile the difficulties” between the Church and their LGB employees.
- In May, the Church of Scotland General Assembly approved by 369 votes to 189 a proposal allowing people who are in (sexually active) same-sex civil partnerships to be trained and appointed as ministers. The proposal remained under discussion at the end of the year.
- An appeal court ruled that a trans woman couldn't retroactively benefit from the female age of pension (60, while 65 for men), because a legal gender recognition certificate cannot be issued to a married person who does not want to annul their marriage.

Equality and non-discrimination

- In October, Secretary of State for Justice Chris Grayling (Conservative) said that if his party won the 2015 general election, it would seek to withdraw from the European Court of Human Rights, and instead introduce a Bill of Rights outside of the Council of Europe's oversight. Numerous human rights NGOs, as well as the Labour and Liberal Democrat parties, criticised the suggestion.
- In a July cabinet reshuffle, Nicky Morgan (Conservative) was granted responsibility for equality issues. Several journalists and equality NGOs questioned this choice; she has since spoken at several LGBT events, announcing she has changed her mind and now supports same-sex marriage.
- MP Michael Fabricant (Conservative) said the government must review its current discriminatory policy on blood donation. The policy states that gay and bisexual men must have been celibate for 12 months before donating blood. Mr Fabricant highlighted that “promiscuous” heterosexual men were under no such restriction.

Family

- Equal marriage legislation came into force in England and Wales (March) and Scotland (December, after the Scottish Parliament adopted the reform in February with an overwhelming majority). Marriages contracted abroad became fully recognised, and couples will be able to convert existing civil partnerships into marriages. (Partnerships will remain available, but to same-sex couples only.) In Northern Ireland, the Executive maintained its opposition to equal marriage for the region, and in April the Northern Ireland Assembly rejected a motion by Sinn Féin (Republican, left-wing) to introduce equal marriage with 43 votes in favour and 51 against. (This was the third such motion in 18 months.)
- Rights groups in the Channel Islands increased their work. In May, LGBTI group Liberate met Guernsey Chief Minister Jonathan Le Tocq, who committed to proposing a law on civil unions, allowing any couple to enter a state-sanctioned union, and have it celebrated religiously in agreement with faith leaders. In Jersey, local Home

Affairs Minister Ian Le Marquand called for a review into the impact of same-sex marriage, seeking to delay parliamentary discussions. The island's first Pride march was organised in response, which the press said "hundreds" attended. Jersey's Assistant Chief Minister Philip Ozouf, the island's only openly gay politician, supported demands for equal marriage but explained the issue was "not simple", due to religious opposition. In November, the Chief Minister committed to allowing same-sex marriage in Jersey by the end of 2017.

- The Parliament in Gibraltar adopted a local *Civil Partnership Act*, allowing both same-sex and different-sex couples to enter a union with the same rights as marriage, including adoption.
- In July, the United Reformed Church's General Assembly failed to agree on whether to allow same-sex couples to wed religiously under their auspices. The General Secretary reported that "a clear majority" was in favour, but the Church required full consensus.

Foreign policy

- Ahead of taking part in the official delegation to the Winter Olympic Games in February (see **Russia**), Culture Secretary and Equalities Minister Maria Miller announced the government would increase its support for LGBTI organisations in Russia.
- The British consulate in Istanbul supported the local Pride event by flying a rainbow flag on the day (see **Turkey**).
- The 20th Commonwealth Games took place in Scotland in July. The Scottish Government publicly highlighted that same-sex relationships were still criminalised in 42 out of 53 Commonwealth countries. The government funded an LGBTI Pride House for visitors and the local community during the Games, and flew the rainbow flag on government buildings to highlight their support for equality.

Health

- Academic research published in the *Journal of General Internal Medicine* studied responses from over 27,000 LGB people to the 2010 English General Practice Patient

Survey. It found that LGB individuals were up to 50% more likely to report negative experiences in healthcare, including discrimination.

- Professional bodies including the UK Council for Psychotherapy, the British Psychoanalytic Council and the Royal College of Psychiatrists unanimously condemned 'conversation therapies' to 'change' a patient's sexual orientation.

Human rights defenders

- The Queen's New Year Honours list decorated four LGBTI activists for their work, including Nigel Warner, ILGA-Europe's Council of Europe adviser.
- London Metropolitan University published new research in September, which showed that "LGBT voluntary and community sector organisations had taken a real and significant hit" since 2010, with a consistent income fall of 9%, public funding having decreased 34%, and some organisations having experienced an income fall by as much as 50%.

Legal gender recognition

- Since equal marriage came into force (see **Family**), trans individuals married in England, Wales, or Scotland are no longer required to end their marriage before their gender can be legally recognised. (However, trans persons married in England and Wales must still obtain written consent from their spouse before their gender can be legally recognised. In April, trans organisations published a manifesto asking an end to the spousal veto.)

Public opinion

- In a global survey on morality published in April by Pew Research, 36% of respondents in the United Kingdom rated homosexuality as morally acceptable, 43% as not a moral issue, and 17% as morally unacceptable.
- The Scottish Social Attitudes Survey published in December suggested that 68% of Scots supported same-sex marriage, while 17% opposed it.

Glossary

Our glossary will help you work your way through the Annual Review with greater ease. This list of commonly used phrases and acronyms is designed to make our institutional and country chapters as easy to follow as possible. If you need further information, a longer glossary is available on the ILGA-Europe website: www.ilga-europe.org

Bisexual: when a person is emotionally and/or sexually attracted to persons of more than one gender.

Civil union: see **Registered partnership**

Cohabitation rights: two persons living together at the same physical address can, in some European countries (and regions), make a legal agreement on some practical matters (which vary from country to country). The rights emanating out of cohabitation are limited.

Coming-out: the process of revealing the identification of a lesbian, gay, bisexual, trans or intersex person.

Council of Europe (abbr. CoE): The Council of Europe is Europe's oldest political organisation, founded in 1949. It groups together 47 countries. Its headquarters are in Strasbourg, France.

Important institutions, bodies and charters:

Committee of Ministers (abbr. CoM): the CoE's decision-making body; composed of the 47 foreign ministers or their Strasbourg-based deputies (ambassadors/permanent representatives).

European Convention on Human Rights (abbr. ECHR): is an international treaty to protect human rights and fundamental freedoms in Europe.

European Court of Human Rights (abbr. ECtHR): composed of one judge from each of the 47 member states. It makes judgments in respect of possible violations of the European Convention on Human Rights. Where the Court finds that a particular member state has violated the Convention, the government is obliged to take corrective action.

Parliamentary Assembly (abbr. PACE): the Parliamentary Assembly has 636 members (318 representatives and 318 substitutes) from the 47 national parliaments of the member states. The Parliamentary Assembly is a deliberate body and holds four week-long plenary sessions a year.

Different-sex relationship: different-sex relationship is a relationship containing people of two different sexes. This term is preferred instead of opposite-sex, as 'opposite' is based on the wrong assumption that there are only two possible sexes and that they are immutable.

Discrimination: unequal or unfair treatment which can be based on a range of grounds, such as age, ethnic background, disability, sexual orientation or gender identity.

European Union (abbr. EU): The European Union is an economic and political union of 28 current Member States in Europe.

Important institutions, bodies and charters:

Charter of Fundamental Rights of the European Union:

The European Union Charter of Fundamental Rights sets out in a single text the range of civil, cultural, political, economic and social rights of all persons resident in the EU. The Lisbon Treaty, which came into force in 2009, made the Charter legally binding.

Council of the European Union: The Council is, together with the European Parliament, one of the legislative institutions of the EU. Each EU country in turn presides over the Council for a six-month period. One minister from each of the member states attends every Council meeting. Formerly known as the 'Council of Ministers', it is often only referred to as 'the Council'.

Court of Justice of the European Union (abbr. CJEU): The CJEU is the judiciary of the EU. It reviews the legality of the acts of the institutions of the EU; ensures that Member States comply with obligations under the Treaties; and interprets EU law at the request of the national courts and tribunals. The Court is composed of one judge from each EU country, assisted by eight advocates-general. The Court of Justice of the European Union is located in Luxembourg.

European Commission (EC): The European Commission is the executive body of the European Union responsible for proposing legislation, implementing decisions, upholding the EU treaties and managing the day-to-day business of the

EU. The EC is appointed for a five year period by agreement between the EU countries, subject to approval by European Parliament. The Commission acts with complete political independence. It is assisted by a civil service made up of 36 "Directorates-General" (DGs) and services, based mainly in Brussels and Luxembourg.

European Council: The European Council consists of the Heads of State or Government of the EU countries, together with its President and the President of the Commission. It defines the overall general political direction and priorities of the European Union.

European External Action Service (abbr. EEAS): Abroad, the EU is represented by a network of 136 EU Delegations, which have a similar function to those of an embassy. This is being coordinated by the European External Action Service which serves as a foreign ministry and diplomatic corps for the EU under the authority of the High Representative for Foreign Affairs and Security Policy (HR), a post created by the Treaty of Lisbon.

European Parliament: The European Parliament is the elected body that represents the EU's citizens, and currently seats 751 national representatives. They are elected every five years. As an equal partner with the Council of Ministers, the European Parliament passes the majority of EU laws.

European Union legislation: EU law is an independent legal system which takes precedence over national legislation.

Primary legislation: Primary legislation includes the Treaties of the European Union and other agreements having similar status. Primary legislation is agreed by direct negotiation between EU countries' governments and defines the role and responsibilities of the EU institutions.

Secondary legislation: Secondary legislation is based on the Treaties and may take the following forms:

- Regulations which are directly applicable and binding in all EU countries without the need for any national implementing legislation.
- Directives which bind the EU countries as to the objectives to be achieved within a certain time-limit while leaving the national authorities the choice of form and means to be used.
- Decisions which are binding in all their aspects for those to whom they are addressed, they do not require national implementing legislation. A decision may be addressed to any or all EU countries, to enterprises or to individuals.
- Recommendations and opinions which are not binding.

Fundamental Rights Agency (abbr. FRA): The FRA is an EU body tasked with collecting and analysing data on fundamental rights with reference to, in principle, all rights listed in the Charter. The FRA's primary methods of operation are surveys, reports, provision of expert assistance to EU bodies, member states, and EU candidate countries and potential candidate countries, and raising awareness about fundamental rights. The Fundamental Rights Agency (FRA) is based in Vienna, Austria, and was formed in 2007.

Fertility treatment: assisted insemination at a fertility clinic or hospital for women (single, or in different-sex/ same-sex couples) in order to get pregnant either with a known donor or an unknown donor of sperm.

Freedom of assembly: the right to come together publicly and collectively express, promote, pursue and defend common interests.

Freedom of association: the right to form groups, to organise and to assemble together with the aim of addressing issues of common concern.

Freedom of expression: the right of all to express their views and opinions freely without any form of censorship.

Gay: a man who is sexually and/or emotionally attracted to men. The term is however sometimes also used to cover lesbians as well as gays (and sometimes even bisexuals). This has been disputed by a large part of the community and gay is therefore only used here when referring to men who are emotionally and/or sexually attracted to men.

Gender: refers to people's internal perception and experience of maleness and femaleness, and the social construction that allocates certain behaviours into male and female roles.

Gender expression: refers to people's manifestation of their gender identity. Typically, people seek to make their gender expression or presentation match their gender identity/identities, irrespective of the sex that they were assigned at birth.

Gender identity: refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth.

Gender reassignment: refers to the process through which people re-define the gender in which they live in order to better express their gender identity. This process may, but does not have to, involve medical assistance including hormone therapies and surgical procedures that trans people undergo to align their body with their gender.

Gender Reassignment Surgery (abbr. GRS): Medical term for what trans people often call gender-confirmation surgery: surgery to bring the primary and secondary sex characteristics of a trans person's body into alignment with his or her internal self-perception.

Gender Recognition: A process whereby a trans person's preferred gender is recognised in law, or the achievement of the process.

Hate crime: offences that are motivated by hate or by bias against a particular group of people. This could be based, inter alia, on gender, gender identity, sexual orientation, ethnicity, religion, age or disability. Also called bias crime.

Hate speech: refers to public expressions which spread, incite, promote or justify hatred, discrimination or hostility towards minorities.

Homophobia: the fear, unreasonable anger, intolerance or/and hatred toward homosexuality.

Homosexual: People are classified as homosexual on the basis of their gender and the gender of their sexual partner(s). When the partner's gender is the same as the individual's, then the person is categorised as homosexual. It is recommended to use the terms lesbian and gay men instead of homosexual people. The terms lesbian and gay are being considered neutral and positive, and the focus is on the identity instead of being sexualised. Lastly, the term homosexual has, for many, a historical connotation of pathology.

Intersex: a term that relates to a range of physical traits or variations that lie between stereotypical ideals of male and female. Intersex people are born with physical, hormonal or genetic features that are neither wholly female nor wholly male; or a combination of female and male; or neither female nor male. Many forms of intersex exist; it is a spectrum or umbrella term, rather than a single category.

Joint adoption: where a same-sex couple is allowed to apply for adoption of a child.

Lesbian: a woman who is sexually and/or emotionally attracted to women.

LGBTI: Acronym for lesbian, gay, bisexual, trans and intersex people.

Marriage equality: where national marriage legislation also includes same-sex couples – e.g. gender neutral reference to the spouses.

OSCE: The Organization for Security and Co-operation in Europe (OSCE) is the largest regional security organisation in the world with 56 participating States from Europe, Central Asia and North America.

Pride events: Pride events and marches are annual demonstrations against homophobia/transphobia and for LGBTI rights that take place around the world.

Queer: has become an academic term that is inclusive of people who are not heterosexual - includes lesbians, gay men, bisexuals and trans. Queer theory is challenging heteronormative social norms concerning gender and sexuality, and claims that gender roles are social constructions. Traditionally the term "queer" was an abusive term and therefore for some still has negative connotations. Many LGBTI persons however have "reclaimed" the term as a symbol of pride.

Rainbow Flag: A symbol celebrating the uniqueness and diversity within the LGBTI community. The flag has six stripes, each a different colour, ranging from purple to red.

Registered partnership: a legal recognition of relationships; not always with the same rights and/or benefits as marriage - synonymous with a civil union or civil partnership.

Same-sex relationships or couples: covers relationships or couples consisting of two people of the same sex.

Same-sex marriage: the term same-sex marriage does not exist in reality. There is no country which has a specific marriage law solely for same-sex couples. The right term is marriage equality, as the aim is to open marriage laws to same-sex couples to give them the same rights as different-sex couples.

Second-parent adoption: where a same-sex partner is allowed to adopt their partner's biological child(ren).

Sex: refers to biological makeup such as primary and secondary sexual characteristics, genes, and hormones. The legal sex is usually assigned at birth and has traditionally been understood as consisting of two mutually exclusive groups, namely men and women. However, "[t]he Court of Justice has held that the scope of the principle of equal treatment for men and women cannot be confined to the prohibition of discrimination based on the fact that a person is of one or other sex. In view of its purpose and the nature of the rights which it seeks to safeguard, it also applies to discrimination arising from the gender reassignment of a person." In addition to the above, the legal definition of sex should also include intersex people.

Sexual orientation: refers to each person's capacity for profound affection, emotional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.

Successive adoption: where a same-sex partner is allowed to adopt their partner's adopted child.

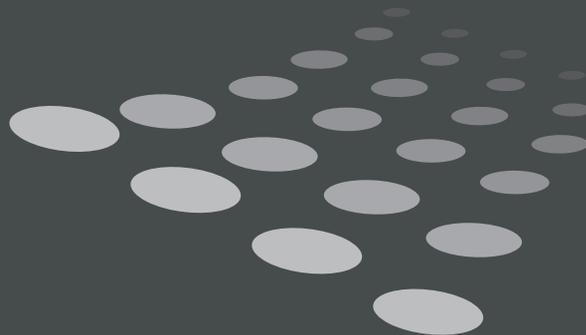
Surrogacy: an arrangement in which a woman carries and delivers a child for another couple or for another person.

Transsexual: refers to people who identify entirely with the gender role opposite to the sex assigned to at birth and seeks to live permanently in the preferred gender role. This often goes along with strong rejection of their physical primary and secondary sex characteristics and wish to align their body with their preferred gender. Transsexual people might intend to undergo, are undergoing or have undergone gender reassignment treatment (which may or may not involve hormone therapy or surgery).

Trans Person/People/Man/Woman: is an inclusive umbrella term referring to those people whose gender identity and/or a gender expression differs from the sex they were assigned at birth. It includes, but is not limited to: men and women with transsexual pasts, and people who identify as transsexual, transgender, transvestite/cross-dressing, androgyne, polygender, genderqueer, agender, gender variant or with any other gender identity and/or expression which is not standard male or female and express their gender through their choice of clothes, presentation or body modifications, including undergoing multiple surgical procedures.

Transphobia: refers to negative cultural and personal beliefs, opinions, attitudes and behaviours based on prejudice, disgust, fear and/or hatred of trans people or against variations of gender identity and gender expression.

Index



A

Access to goods and services

Denmark 64; Iceland 88; Ireland 90; Lithuania 103; Montenegro 119; Sweden 155; Turkey 162; United Kingdom 169

Asylum

European Union 25; Estonia 67; Hungary 85; Ireland 90; Moldova 115; Montenegro 119; The Netherlands 122; Norway 125; Portugal 131; Slovenia 149; Spain 152; Sweden 155; Switzerland 159; United Kingdom 169

B

Bias-motivated speech

Council of Europe 22; Organization for Security and Cooperation in Europe 29; Albania 32; Armenia 37; Belarus 44; Belgium 47; Bosnia and Herzegovina 50; Bulgaria 53; Cyprus 59; Denmark 64; Estonia 67; Finland 69; France 72; Georgia 76; Greece 82; Hungary 85; Iceland 88; Italy 93; Kosovo 97; Latvia 100; Lithuania 103; FYR Macedonia 109; Moldova 115; Montenegro 119; Norway 125; Poland 128; Romania 133; Russia 135; Serbia 143; Slovakia 146; Spain 152; Sweden 155; Switzerland 159; Turkey 162; Ukraine 166; United Kingdom 169

Bias-motivated violence

United Nations 19; Council of Europe 22; European Union 25; Organization for Security and Cooperation in Europe 29; Albania 32; Armenia 37; Austria 40; Azerbaijan 42; Belarus 44; Belgium 47; Bosnia and Herzegovina 50; Croatia 56; Denmark 64; France 72; Georgia 76; Germany 79; Greece 82; Hungary 85; Iceland 88; Ireland 90; Italy 93; Kosovo 97; Lithuania 103; FYR Macedonia 109; Malta 112; Moldova 115; Montenegro 119; The Netherlands 122; Norway 125; Poland 128; Portugal 131; Russia 135; Serbia 143; Slovenia 149; Spain 152; Switzerland 159; Turkey 162; Ukraine 166; United Kingdom 169

Bodily integrity

Germany 79; Malta 112

D

Data collection

European Union 25; Sweden 156; Switzerland 159

Diversity

France 72; Germany 79; Spain 152; Sweden 155; United Kingdom 169

E

Education

European Union 25; Albania 32; Bosnia and Herzegovina 50; Croatia 56; France 72; Germany 79; Hungary 85; Italy 93; Lithuania 103; FYR Macedonia 109; Malta 112; Montenegro 119; The Netherlands 122; Poland 128; Slovakia 146; Spain 152; Sweden 155; Switzerland 159; United Kingdom 169

Employment

European Union 25; Belgium 47; Croatia 56; Cyprus 59; Estonia 67; Germany 79; Ireland 90; Italy 93; Malta 112; Montenegro 119; The Netherlands 122; Portugal 131; Russia 135; Slovenia 149; Spain 152; Sweden 155; Switzerland 159; Turkey 162; Ukraine 166; United Kingdom 170

Enlargement

European Union 25; Albania 32; Bosnia and Herzegovina 50; Kosovo 97; FYR Macedonia 109; Montenegro 119; Serbia 143; Turkey 163

Equality and non-discrimination

United Nations 19; Council of Europe 22; European Union 25; Albania 32; Armenia 37; Austria 40; Belgium 47;

Bosnia and Herzegovina 50; Bulgaria 53; Cyprus 59; Denmark 64; Estonia 67; Finland 69; France 72; Georgia 76; Germany 79; Iceland 88; Italy 93; Kosovo 97; Lithuania 103; Malta 112; Moldova 115; The Netherlands 122; Norway 125; Poland 128; Serbia 143; Slovakia 146; Sweden 156; Switzerland 159; Turkey 163; Ukraine 166; United Kingdom 170

F

Family

United Nations 20; Albania 33; Andorra 35; Austria 40; Belgium 47; Bosnia and Herzegovina 50; Croatia 56; Cyprus 59; Czech Republic 62; Denmark 64; Estonia 67; Finland 69; France 73; Georgia 77; Germany 79; Greece 82; Ireland 90; Italy 94; Kosovo 97; Latvia 100; Lithuania 103; Luxembourg 107; FYR Macedonia 109; Malta 112; The Netherlands 122; Poland 128; Portugal 131; Romania 133; Russia 136; San Marino 141; Slovakia 146; Slovenia 149; Spain 153; Switzerland 159; United Kingdom 170

Foreign policy

European Union 26; Armenia 37; Belarus 44; Belgium 48; Denmark 64; Estonia 67; Georgia 77; Germany 80; Iceland 88; Italy 94; Latvia 100; Lithuania 104; The Netherlands 122; Norway 125; Russia 136; Sweden 156; United Kingdom 171

Freedom from torture and cruel, inhuman or degrading treatment

Armenia 37; Moldova 115

Freedom of assembly

Council of Europe 22; Albania 33; Azerbaijan 42; Belarus 44; Bosnia and Herzegovina 50; Bulgaria 53; Croatia 56; Cyprus 59; Georgia 77; Greece 82; Hungary 85; Kosovo 97; Lithuania 104; FYR Macedonia 110; Moldova 116; Montenegro 120; Poland 128; Russia 136; Serbia 143; Turkey 163; Ukraine 167

Freedom of association

Belarus 44; Bosnia and Herzegovina 51; Bulgaria 53; Hungary 86; Russia 137

Freedom of expression

Council of Europe 23; Armenia 38; Belarus 45; Bulgaria 53; Cyprus 60; France 73; Ireland 91; Italy 94; Latvia 100; Lithuania 104; Norway 126; Russia 137; Turkey 163; Ukraine 167

H

Health

European Union 27; Denmark 65; Hungary 86; The Netherlands 123; Spain 153; Sweden 156; Switzerland 160; Turkey 163; United Kingdom 171

Human rights defenders

Armenia 38; Azerbaijan 42; Belarus 45; Cyprus 60; Germany 80; Iceland 88; Italy 94; Kosovo 97; Montenegro 120; Norway 126; Serbia 144; Slovenia 149; Sweden 156; Switzerland 160; United Kingdom 171

I

Intersex

Council of Europe 23

L

Legal gender recognition

Council of Europe 23; Albania 33; Belgium 48; Bulgaria 54; Croatia 57; Cyprus 60; Denmark 65; Finland 69; France 73; Georgia 77; Greece 83; Ireland 91; Italy 94; Lithuania 104; Luxembourg 107; Malta 112; Moldova 116; Montenegro 120; The Netherlands 123; Norway 126; Poland 128; Russia 138; Serbia 144; Spain 153; Sweden 156; Turkey 163; United Kingdom 171

P

Participation in public, cultural and political life

European Union 27; Austria 40; Belgium 48; Denmark 65; Finland 70; Germany 80; Greece 83; Hungary 86; Ireland 91; Italy 94; Latvia 100; Lithuania 105; Luxembourg 107; Malta 113; Moldova 116; Poland 129; Serbia 144; Slovenia 149; Spain 153; Sweden 157; Switzerland 160; Turkey 163; Ukraine 167

Police and law enforcement

Armenia 38; Bosnia and Herzegovina 51; Greece 83; Hungary 86; Ireland 91; Kosovo 97; FYR Macedonia 110; Moldova 116; Montenegro 120; The Netherlands 123; Portugal 131; Romania 133; Russia 138; Serbia 144; Spain 153; Turkey 164

Public opinion

Armenia 38; Czech Republic 62; Denmark 65; Estonia 67; Finland 70; France 73; Germany 80; Greece 83; Ireland 91; Italy 95; Lithuania 105; Malta 113; Moldova 116; The Netherlands 123; Poland 129; Russia 138; Spain 153; Turkey 164
United Kingdom 173

R

Respect for private and family life

Belarus 45

S

Sexual and reproductive rights

Slovenia 150; Spain 153

Social security and social protection

Czech Republic 62

