

National Advocacy Recommendations 2023

Albania

1. Adopting a fair, transparent legal framework for legal gender recognition, based on a process of self-determination, free from abusive requirements (such as sterilisation, GID/medical diagnosis, or surgical/medical intervention), and including access for non-binary individuals, and allowing for name change without obstacles, including no age restriction.
2. Adopting legal measures to recognise and protect same-sex couples, such as registered partnership.
3. Ensuring the full and effective implementation of the National LGBTI Action Plan (2021-2027).

Andorra

1. Depathologisation of trans identities.
2. Adopting a fair, transparent legal framework for legal gender recognition, based on a process of self-determination, free from abusive requirements (such as sterilisation, GID/medical diagnosis, or surgical/medical intervention), and including access for non-binary individuals.
3. Adopting updated equality action plans that expressly mention all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds.

Armenia

1. Adopting hate crime and speech laws that explicitly cover all bias-motivated crime and speech based on sexual orientation, gender identity, gender expression, and sex characteristics.
2. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in legislation prohibiting discrimination in employment and anti-discrimination legislation.
3. Adopting a fair, transparent legal framework for legal gender recognition, based on a process of self-determination, free from abusive requirements (such as sterilisation, GID/medical diagnosis, or surgical/medical intervention).

Austria

1. Reforming the legal framework for legal gender recognition to be based on self-determination without the requirement for a medical diagnosis.
2. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in legislation prohibiting discrimination in goods and services in all regions.
3. Implementing the prohibition of medical interventions on intersex minors when the intervention has no medical necessity and can be avoided or postponed until the person can provide informed consent.

Azerbaijan

1. Establishing an equality body with explicit mandate on SOGIESC grounds (sexual orientation, gender identity, gender expression, sex characteristics).

2. Developing equality action plans that explicitly include all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds, accompanied by specific measures of progress.
3. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in legislation prohibiting discrimination in health, employment, education, and goods and services.

Belarus

The Rainbow Map offers recommendations of advocacy actions to improve the legal and policy situation of LGBTI people in each of the European countries. In the current context of an authoritarian government, controlled media and judiciary, absence of fair elections, and an extreme clampdown on fundamental rights and freedoms, we are not putting forward such recommendations of legal and policy changes for Belarus. ILGA-Europe will continue to work for, with and on behalf of LGBTI activists and organisations in Belarus, by connecting and mobilising people, institutions and resources to strengthen and reinforce the work happening in the country.

Belgium

1. Ensuring that legal gender recognition is accessible for all without age restrictions, and includes access for non-binary individuals.
2. Prohibiting medical interventions on intersex minors when the intervention has no medical necessity and can be avoided or postponed until the person can provide informed consent and implementing the 'Resolution for recognizing the right to bodily integrity of intersex minors' from the Belgian House of Representatives.
3. Ensuring judges impose a higher sentence for all bias-motivated crimes based on sexual orientation, gender identity, gender expression, and sex characteristics as well as reforming article 150 of the Constitution to bring bias-motivated crimes before a correctional court.

BiH

1. Adopting comprehensive legal measures to recognize and protect same-sex couples, such as registered partnership.
2. Reforming the legal framework for legal gender recognition to be fair and transparent, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, or surgical/medical intervention).
3. Removing obstacles to the effective exercise of freedom of assembly and association for LGBTI organisations, and ensuring state protection and the safety of LGBTI human rights defenders.

Bulgaria

1. Adopting a fair, transparent legal framework based on administrative measures for legal gender recognition based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, or surgical/medical intervention).
2. Introducing hate crime and hate speech laws that explicitly cover all bias-motivated crimes based on sexual orientation, gender identity, gender expression, and sex characteristics.

3. Adopting registered partnership for same-sex couples and allowing for automatic co-parent recognition for all couples, so that children born to couples, regardless of the partners' sexual orientation and/or gender identity, do not face any barriers in order to be recognised legally from birth to their parents.

Croatia

1. Reforming the legal framework for legal gender recognition to be fair and transparent, based on administrative measures, based on a process of self-determination and free from abusive requirements (such as GID/medical diagnosis or compulsory divorce).
2. Depathologisation of trans identities.
3. Ensuring the implementation of Court decision so same-sex couples have access to joint adoption.

Cyprus

1. Adopting legislation to allow same-sex couples to have access to joint adoption and second parent adoption.
2. Adopting legal measures to ensure marriage equality.
3. Adopting a fair, transparent legal framework based on administrative measures for legal gender recognition based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, or surgical/medical intervention).

Northern Cyprus

1. Reforming the legal framework for legal gender recognition to be fair, transparent, based on administrative measures, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction).
2. Adopting legal measures to ensure marriage equality and registered partnership for same-sex couples.
3. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in legislation prohibiting discrimination in education.

Czechia

1. Adopting legal measures to ensure marriage equality.
2. Reforming the legal framework for legal gender recognition to be fair, transparent, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction).
3. Introducing hate crime laws and policies that explicitly cover all bias-motivated crimes based on sexual orientation, gender identity and gender expression and sex characteristics (SOGIESC).

Denmark

1. Removing the age restriction to access the existing legal gender recognition framework.

2. Recognising trans parenthood and parents' legal gender as well as more forms of rainbow families, in particular families with more parents and more kinds of parenting roles (such as legal parents with parental rights and social parents who are recognised as part of the family).
3. Ensuring equal treatment for same-sex couples in relation to family reunification.

Estonia

1. Adopting legal measures to ensure marriage equality.
2. Developing and updating equality action plans that explicitly include all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds, accompanied by specific measures of progress.
3. Reforming the legal framework for legal gender recognition to be fair, transparent, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction).

Finland

1. Adopting a National LGBTIQ+ Action Plan.
2. Prohibiting medical interventions on intersex minors when the intervention has no medical necessity and can be avoided or postponed until the person can provide informed consent.
3. Reforming the legal framework for legal gender recognition to be fair, transparent, administrative, based on a process of self-determination, free from abusive requirements including age restriction.

France

1. Prohibiting medical interventions on intersex minors when the intervention is not vital and can be avoided or postponed until the person can provide informed consent, and expressly including references to sex characteristics in anti-discrimination legislation.
2. Reforming the legal framework for legal gender recognition to be fair, transparent, administrative, based on a process of self-determination, free from abusive requirements including age restriction and inclusive of a non-binary or third gender option.
3. Allowing for automatic co-parent recognition for all couples, so that children born to couples, regardless of the partners' sexual orientation and/or gender identity, do not face any barriers in order to be recognised legally from birth to their parents.

Georgia

1. Adopting a fair, transparent legal framework for legal gender recognition based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction) and securing access to healthcare for trans people.
2. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in policies designed to tackle hate crime and hate speech and including state-funded services for LGBTI victims.
3. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in legislation prohibiting discrimination in employment and anti-discrimination legislation.

Germany

1. Reforming the legal framework for legal gender recognition to be fair, transparent, based on a process of self-determination and depathologisation of trans identities.
2. Recognising trans parenthood, recognition of parents' legal gender and alignment with available gender options.
3. Allowing for automatic co-parent recognition for all couples, so that children born to couples, regardless of the partners' sexual orientation and/or gender identity, do not face any barriers in order to be recognised legally from birth to their parents.
4. Enabling access to justice and reparations to survivors of IGM.

Greece

1. Adopting legal measures to ensure marriage equality.
2. Reforming the legal framework for legal gender recognition to be based on self-determination without the requirement for divorce and including access for non-binary individuals.
3. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in legislation and policies prohibiting discrimination in education and health.
4. Formalizing policies and/or other positive measures on asylum that contain express mention of all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds.

Hungary

1. Revoking the ban on legal gender recognition and developing a fair, transparent legal framework for legal gender recognition, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction).
2. Removing obstacles to the effective exercise of freedom of expression at national and local levels and removing legislation censoring communication about LGBTI people.
3. Adopting legislation to allow same-sex couples to have access to second parent adoption and abolishing the mandatory ministerial consent for single-parent adoptions.

Iceland

1. Including express mention to all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in policies designed to tackle hate crime.
2. Reforming the prohibition of medical interventions on intersex minors to be universal, including in cases of micropenis and hypospadias.
3. Introducing laws on asylum that contain express mention of all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds.

Ireland

1. Banning so-called "conversion practices" on the grounds of sexual orientation and gender identity.

2. Introducing hate crime and hate speech laws and policies that explicitly cover all bias-motivated crimes based on sexual orientation, gender identity and gender expression and sex characteristics (SOGIESC).
3. Implementing mandatory fully LGBT+ inclusive education curriculum in all schools regardless of 'ethos', in particular but not limited to Relationships & Sexuality Education (RSE).

Italy

1. Adopting marriage equality and allowing for automatic co-parent recognition, so that children born to couples (regardless of the partners' sexual orientation and/or gender identity) do not face any barriers in order to be recognized legally from birth to their parents.
2. Prohibiting medical interventions on intersex minors when the intervention has no medical necessity and can be avoided or postponed until the person can provide informed consent.
3. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in legislation prohibiting discrimination in health.

Kosovo

1. Adopting a fair, transparent legal framework for legal gender recognition, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction).
2. Adopting legal measures to ensure marriage equality.
3. Adopting legal measures to recognize and protect same-sex couples, such as registered partnership.

Lithuania

1. Adopting registered partnership legislation to recognise and protect same-sex couples.
2. Adopting a fair, transparent legal framework for legal gender recognition, in line with the ECtHR decision in *L. v. Lithuania (2007)*, based on a process of self-determination and free from abusive requirements (such as GID/medical diagnosis, medical intervention, compulsory divorce or age restriction).
3. Removing all obstacles limiting the freedom of expression of LGBTI people and the communication of LGBTI-related information at national and local levels.

Malta

1. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in legislation prohibiting discrimination in goods and services.
2. Establishing an equality body with explicit mandate on SOGIESC grounds (sexual orientation, gender identity, gender expression, sex characteristics).
3. Monitoring and reporting the experiences and outcomes of LGBTQI+ asylum seekers and outcomes of applications for international protection based on SOGIESC

Moldova

1. Adopting legal measures to recognise and protect same-sex couples, such as registered partnership.
2. Developing a fair, transparent legal framework for legal gender recognition based on a process of self-determination and free from abusive requirements (such as GID/medical diagnosis, compulsory divorce or age restriction) and allowing for name change without obstacles, including no age restriction.
3. Implementing fully and effectively legislation on hate crime and hate speech, and the recently adopted anti-discrimination law, which include sexual orientation and gender identity as protected grounds.

Montenegro

1. Adopting a fair, transparent legal framework based on administrative measures for legal gender recognition, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention or compulsory divorce), that includes a non-binary or third gender option.
2. Banning so-called "conversion practices" on the grounds of sexual orientation and gender identity.
3. Harmonising and adopting the remaining laws necessary for the full implementation of the registered partnership law.
4. Improving implementation of laws tackling hate crime and hate speech by improving the capacities of the prosecutorial and judicial system to adequately recognise, treat and sanction hate crime and hate speech, including effective use of aggravating grounds of sexual orientation and gender identity.

Netherlands

1. Prohibiting medical interventions on intersex minors when the intervention has no medical necessity and can be avoided or postponed until the person can provide informed consent.
2. Reforming the legal framework for legal gender recognition to be fair, transparent, based on a process of self-determination and free from abusive requirements (such as GID/medical diagnosis or age restriction).
3. Banning so-called "conversion practices" on the grounds of sexual orientation and gender identity.

North Macedonia

1. Adopting a fair, transparent legal framework for legal gender recognition, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction).
2. Adopting updated action plans that expressly mention all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds and allocating resources for its implementation as well as introducing a monitoring mechanism.
3. Introducing hate speech laws that explicitly cover all bias-motivated crimes based on sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC) and mechanisms for their effective application.

Norway

1. Banning so-called "conversion practices" on the grounds of sexual orientation and gender identity.
2. Ensuring that the legal gender recognition legal framework and procedures include a non-binary or third gender option.
3. Ensuring that trans and intersex people can access decentralised trans and intersex-specific healthcare services in all territories of the country.

Poland

1. Introducing hate speech and hate crime laws that explicitly cover all bias-motivated crimes based on SOGIESC (sexual orientation, gender identity, gender expression and sex characteristics) and implementing policies tackling hate crime that explicitly cover all bias-motivated crimes based on SOGIESC.
2. Adopting legal measures to ensure marriage equality.
3. Removing obstacles to the effective exercise of freedom of expression of LGBTI people at national and local levels.
4. Prohibiting medical interventions on intersex minors when the intervention has no medical necessity and can be avoided or postponed until the person can provide informed consent, and expressly including references to sex characteristics in anti-discrimination legislation.

Portugal

1. Banning so-called "conversion practices" on the grounds of sexual orientation and gender identity.
2. Introducing public policies and other measures on asylum that contain express mention of all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds.
3. Clarifying the legal ban on intersex genital mutilation through implementation policies that sets clear rules for informed consent and ensures the intended effect of protecting intersex people from interventions without their personal consent.
4. Adopting equality action plans that explicitly include all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds, accompanied by specific measures of progress.

Romania

1. Adopting legal measures to ensure marriage equality.
2. Developing a fair, transparent legal framework for legal gender recognition, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction), and that includes a non-binary or third gender option.
3. Introducing laws and policies tackling hate crimes and hate speech with express mention of all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds.

Russia

The Rainbow Map offers recommendations of advocacy actions to improve the legal and policy situation of LGBTI people in each of the European countries. In the current context of an authoritarian government, controlled media and judiciary, absence of fair elections, and

an extreme clampdown on fundamental rights and freedoms, we are not putting forward such recommendations of legal and policy changes for Russia. ILGA-Europe will continue to work for, with and on behalf of LGBTI activists and organisations in Russia, by connecting and mobilising people, institutions and resources to strengthen and reinforce the work happening in the country.

Serbia

1. Adopting legal measures to recognise and protect same-sex couples, such as registered partnership.
2. Introducing policies tackling hatred with express mention of SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds.
3. Reforming the legal framework for legal gender recognition to be fair and transparent, based on a process of self-determination and free from abusive requirements (such as GID/medical diagnosis, medical intervention, compulsory sterilisation or compulsory divorce).

Slovakia

1. Resist efforts to ban legal gender recognition and ensure access to trans-specific healthcare by keeping the existing guidelines in place.
2. Ensuring that registered partnership legislation to recognise and protect same-sex couples is passed and implemented effectively and that second parent adoption is available for all.
3. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in policies designed to prevent and tackle hate crime and hate speech.

Slovenia

1. Reforming the legal framework for legal gender recognition to be fair, transparent, based on a process of self-determination and free from abusive requirements (such as GID/medical diagnosis or medical intervention) and depathologisation of trans identities.
2. Adopting legislation to allow all individuals to have access to medically assisted insemination.
3. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in policies designed to tackle hate crime.

Spain

1. Specifically including all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds in policies designed to tackle hate crime and hate speech.
2. Updating the existing legal gender recognition framework so it includes a non-binary or third gender option, and ensuring that it is accessible without age restriction.
3. Introducing laws on asylum that contain express mention of all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds.

Sweden

1. Reforming the legal framework for legal gender recognition to be fair, transparent, based on a process of self-determination and free from abusive requirements (such as GID/medical diagnosis, medical intervention or age restriction).
2. Banning so-called "conversion practices" on the grounds of sexual orientation and gender identity.
3. Formalising policies and/on other positive measures on asylum that contain express mention of all SOGIESC (sexual orientation, gender identity, gender expression, sex characteristics) grounds.

Switzerland

1. Banning so-called "conversion practices" on the grounds of sexual orientation and gender identity.
2. Updating the existing legal gender recognition framework so it includes a non-binary or third gender option.
3. Prohibiting medical interventions on intersex minors when the intervention has no medical necessity and can be avoided or postponed until the person can provide informed consent, and expressly including references to sex characteristics in anti-discrimination legislation.
4. Introducing hate speech and hate crime laws that explicitly cover all bias-motivated crimes based on SOGIESC (sexual orientation, gender identity, gender expression and sex characteristics) and implementing policies tackling hate crime that explicitly cover all bias-motivated crimes based on SOGIESC.

Turkey

1. Giving LGBTI people protection under the constitution, by expressly referring to sexual orientation, gender identity, gender expression, and sex characteristics.
2. Removing obstacles to the effective exercise of freedom of assembly and association for LGBTI organisations, and ensuring state protection and the safety of LGBTI human rights defenders.
3. Introducing hate crime laws that explicitly cover all bias-motivated crimes based on sexual orientation, gender identity, gender expression and sex characteristics.

UK

1. Banning so-called "conversion practices" on the grounds of sexual orientation and gender identity.
2. Adopting a fair, transparent legal framework for legal gender recognition across the national territory, based on a process of self-determination and free from abusive requirements (such as sterilisation, GID/medical diagnosis, surgical/medical intervention, compulsory divorce or age restriction).
3. Monitoring and reporting the experiences and outcomes of LGBTQI+ asylum seekers.

Ukraine

1. Adopting legal measures to ensure registered partnerships for same-sex couples.
2. Adopting hate crime laws that explicitly cover all bias-motivated crimes based on sexual orientation, gender identity, gender expression and sex characteristics.
3. Reforming the legal framework for legal gender recognition to be fair, transparent, based on a process of self-determination and free from abusive requirements (such

as GID/medical diagnosis or medical/surgical intervention) and including depathologisation of trans identities.

4. Ensuring that the Ukrainian National Recovery Plan allows for working groups and projects addressing the needs and issues of LGBTI people in the context of war.