



# Denmark

## ACCESS TO ADEQUATE FOOD

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

## ACCESS TO GOODS AND SERVICES

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

## ASYLUM

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

LGBT Asylum and TransAktion continued documenting cases of trans asylum seekers without access to trans-specific healthcare, being harassed and their asylum claims rejected. They also criticised the conditions in camps, and housing placement in remote towns when granted asylum.

## BIAS-MOTIVATED SPEECH

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

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

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

## BIAS-MOTIVATED VIOLENCE

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

## BODILY INTEGRITY

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

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

## EMPLOYMENT

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

## EQUALITY AND NON-DISCRIMINATION

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

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

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

## FAMILY

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

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

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

## HEALTH

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

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

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

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

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

## HOUSING

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

## HUMAN RIGHTS DEFENDERS

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

## LEGAL GENDER RECOGNITION

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

## SEXUAL AND REPRODUCTIVE RIGHTS

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

## SOCIAL SECURITY AND SOCIAL PROTECTION

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

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

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



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