DENMARK

ACCESS TO ADEQUATE FOOD
Some trans people, QTIBIPOCs and/or migrants continued to struggle financially. Queer and trans communities provided sporadic and informal aid.

ACCESS TO GOODS AND SERVICES
Trans people continued reporting to TransAktion having been denied access to spaces and services and threatened or assaulted.

ASYLUM
In March, ECRI expressed concern about Denmark’s planned changes in asylum and urged the government to ensure the safety of those seeking asylum on grounds of SOGIESC.

The new LGBT+ Action Plan aims to strengthen the competencies of asylum centre personnel but does not abolish detention or increase the number of asylum seekers who can be granted status.

BIAS-MOTIVATED SPEECH
The government’s proposal to lower the age limit for legal gender recognition sparked countless anti-trans statements online, in the media, and in parliament.

The anti-trans and anti-gender discourse intensified. The organisation Normstormerne was particularly targeted and threatened with funding cuts. Media and political attacks on scholars in gender, critical race, and migration studies continued.

BIAS-MOTIVATED VIOLENCE
TransAktion continued receiving reports of police attacks on BIPOC queer and trans people.

The provision in the Criminal Act on aggravating factors, amended to include gender identity, expression, and sex characteristics, entered into force on 1 January.

BODILY INTEGRITY
Non-consensual and unnecessary surgeries and treatments on intersex infants and children continued to be carried out. Statutes of limitations continued to bar intersex people from complaining about the treatment they received as children, or seeking redress.

The government reaffirmed its commitment to considering a ban on so-called ‘conversion therapies’. The 2021 survey, part of the parliament’s preparatory work, denied intersex people from participating.

EDUCATION
The city of Aarhus plans to cut funding for LGBTQ+ education in the municipality, which could jeopardise programs altogether and leave LGBTQ+ children and youth vulnerable.

EQUALITY AND NON-DISCRIMINATION
The new law extending equal treatment legislation to gender identity, expression, and sex characteristics grounds in all areas of life and sexual orientation beyond employment, entered into force on 1 January.

The government published its new LGBT+ Action Plan (2022-2025) in August. The Action Plan fails to include intersex people in its scope, which intersex activists critiqued as the parliament’s failure to see intersex people belonging to the LGBT+ umbrella. Intersex Denmark addressed the Minister of Equality on this issue but received no meaningful response. Intersex Denmark reported that the exclusion is primarily due to the continued pathologisation of intersex people and the reluctance of intersex people to come forward in a hostile environment.

In August, the National Research and Analysis Centre for Welfare (VIVE) published a comprehensive report on the living conditions among LGBT+ people, finding that LGBT+ people report lower life satisfaction, worse physical and mental health, more loneliness, and fewer relationships than others. They are also more likely to have lower education levels, earn less and experience discrimination and violence. Confirming previous study findings, trans people and bisexual women fare the worst compared to the general population. On average, trans people earn half of what cis people do. Six out of ten trans people have experienced discrimination and four out of ten have faced violence. Bisexual women reported much higher levels of psychological and sexual violence than heterosexual women. Activists reported the lack of intersectional analysis.
VIVE also published 'A qualitative study of experiences with variations in gender characteristics', finding high rates of social isolation, shame, stigmatisation and bullying against intersex people.

Copenhagen municipality shared a language guide with its employees, highlighting that they should not assume anyone’s gender or sexual orientation. The guide was ridiculed in the media and by some politicians.

Seven Nordic ministers from Denmark, Iceland, Norway, and Greenland, issued a statement of concern over anti-LGBTI discrimination and violence.

FAMILY
In February, the parliament adopted the newest amendments to family laws, which makes the provisions of the Children’s Act regarding recognition of parenthood upon medically assisted reproduction applicable also in the case of home insemination. The amendments also ensure that trans parents are recognised in their legal gender, i.e. a gestational trans man will be correctly recognised as a father, as long as he had changed his legal gender before giving birth. In August, the government announced that the law might contradict EU legislation and that implementation would be delayed.

Two legal parents will be able to share parental leave with two other social parents, in legislation to be implemented from 2024 onwards. Terminology in the law is now also gender-neutral and refers for instance to ‘person who gave birth’.

In June, the motion for a resolution of co-father recognition passed with an overwhelming majority.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT
Court cases of trans and intersex people, subjected to violence and discrimination by prison guards and other incarcerated people, are ongoing. In February, a district court ruled that a trans woman was lawfully placed in a men’s prison and could be searched by male guards, as they noting that she “should be treated as a biological male, but be referred to as a woman”. The woman’s lawyer will appeal.

FREEDOM OF ASSOCIATION
The Nordic LGBTI Fund of 2022 was granted to a coalition of QTIBIPOC-led groups working to strengthen QTIBIPOC community-building across the Nordics, including Normstormerne and LGBT Asylum in Denmark.

The Red Van, a project providing a safe space to bring clients for street-based sex workers in Copenhagen, received funding for 2023-2024.

HEALTH
The state monopoly of trans healthcare continued, split between three clinics. Trans people continue to report rigid gatekeeping, medicalisation, pathologisation, racism, binary gender regimes, anti-migrant, anti-sex worker, anti-poverty, anti-fat and ableist structures and approaches that prevent access to trans healthcare.

LGBT+ Denmark released a report about access to lower surgeries, highlighting long waiting lists, a lack of treatment protocols, and problematic attitudes from healthcare staff.

Intersex adults, who do not identify with the sex that was assigned to them at birth, continued to only be able to access hormones and surgeries if they acquired a diagnosis of being trans. This also means that their care is provided by trans healthcare teams, and not those specialised in intersex healthcare.

Due to the Satspulje state funding ending and the change in government, AIDS-Fondet lost most of its funding for checkpoints that provide free testing, particularly for LGBTIAQ+ people.

HOUSING
Projekt Udenfor published a report on LGBT+ homelessness, concluding the detrimental impact of homelessness on one’s self-image and mental health, and LGBT+ people’s obstacles in accessing support and services.

HUMAN RIGHTS DEFENDERS
The movement lost Fernanda Milan, the first trans asylum seeker to obtain refugee status in the
country, whose long-time activist work led to changes in Danish and international asylum policies.

“She truly loved the work she did, and found a deep joy in being able to connect with you all. She fought everyday to show up for our community, and was a truly dedicated activist who was passionate about creating spaces and support among, by and for the most marginalised within our trans communities. She was a proud feminist, who saw the beauty and great power in all things feminine.”

- TransAktion’s obituary

In September, most of the board and staff walked out of the trans-led, TransAktion thus suspending all activities.

LEGAL GENDER RECOGNITION

In February, the Names Act was amended to ensure that name change is also accessible on the basis of a simple self-declaration, just like legal gender recognition is, and that LGR is not necessary for a name change. Civil society continued to lobby for the abolishment of the two binary name lists and the gendered social security numbers.

The ‘X’ gender marker in passports was made available to trans, non-binary, and intersex persons, on the basis of self-determination.

The previous government’s list of intended law proposals, published in October, included abolishing the LGR age limit and removing the six-month ‘reflection period’, thereby making it easier for trans people to change their (gendered) social security number. A corresponding bill was subject to a public hearing in early summer. The incoming government’s agenda, however, as of December 31, does not explicitly mention this law reform but vows to follow up on the previous government’s action plan.

SOCIAL SECURITY AND SOCIAL PROTECTION

The first domestic violence and crisis shelter for LGBT+ people opened.

Several parties in Copenhagen municipality provided funding for an LGBT+ community centre in the capital.

- Aarhus and Odense already have one. Some activists expressed concern that the centre will be run by LGBT+ Denmark and not a coalition of groups.

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

DENMARK WEB PAGE
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