

## Facts

### Protection from Violence

There is no safe country for trans people. Since 2008 more than 100 murders of trans people have been documented in Europe. Nearly every trans person who is visibly transgender experiences harassment, abuse, or violence. Trans people who are young, sex workers, migrants and/ or persons of colour, bear a higher risk of being assaulted. **Only 13 states prohibit transphobic violence explicitly.**

### Equality and Non-Discrimination

Trans people are disproportionately affected by unemployment and suffer from negative attitudes and discrimination in public and in private. Transgender people are protected against discrimination according to the European Court of Human Rights and EU-law. **However, only 22 states have explicit legal protections.**

### Legal Gender Recognition

Legal Gender Recognition is the official recognition of a person's gender identity including the registered gender and name(s) in public registries and key documents.

In 41 states it is possible to adapt identity documents, but only 30 states have robust legal procedures in place. Trans people's existence is *de facto* not recognised in 8 states as these states provide for no legal measures. **23 states in Europe (13 in the EU) require by law that trans people undergo sterilisation before their gender identity is recognised.**

Other requirements may include diagnosis of mental disorder (36 states), medical treatment (30) and invasive surgery (23), single civil status – forcing those who are married to divorce (22), and/ or exclude minors (34). Such requirements violate a person's privacy, dignity, physical integrity, right to found a family, and to be free from degrading and cruel treatment.

### Asylum

War, persecution, or lethal threats because of being trans may force trans people to seek asylum in Europe. European Asylum law foresees that EU member states provide for trans-specific asylum protection. Many trans asylum seekers continue to face a complex array of challenges and threats, including discrimination, prejudice, violence, difficulty in accessing humanitarian services, and barriers to articulating their needs during asylum procedures and when engaging with authorities. **Still, only 14 states (EU: 11) have explicit laws.**

### Trans Rights Index Europe

This trans specific index highlights legal provisions in gender identity recognition and reflects the legal situation in areas of equality, non-discrimination, asylum, hate crime and family law for trans people in Europe. The Trans Rights Europe Map & Index uses a simplified overview and does not attempt to reflect the complex and intersecting situations trans people face.

# TRANS RIGHTS EUROPE INDEX 2016

COUNTRY	LEGAL GENDER RECOGNITION									ASYLUM		BIAS SPEECH/ VIOLENCE			NON-DISCRIMINATION							FA-MILY	COUNTRY
	Existence of procedures	Name change	Change of gender on official documents to match gender identity	No 'Gender Identity Disorder' diagnosis/psychological opinion required	No compulsory medical intervention required	No compulsory surgical intervention required	No compulsory sterilisation required	No compulsory divorce required	No age restrictions (available for minors)	Law	Policy / other positive measures	Hate crime law	Hate speech law	Policy tackling hatred	Constitution	Employment	Goods & services	Other spheres of life	Equality body mandate	Equality action plan	Law (gender expression)	Trans people can marry a person of the other gender	
Albania												●	●			●	●	●	●			●	Albania
Andorra																●	●	●	●			●	Andorra
Armenia			●																			●	Armenia
Austria	●	●	●		●	●	●	●	●	●	●				●	●	●	●	●			●	Austria
Azerbaijan	●	●	●																			●	Azerbaijan
Belarus	●	●	●		●	●	●															●	Belarus
Belgium	●	●	●					●		●	●		●	●		●	●	●	●	●	●	●	Belgium
Bosnia and Herz.	●	●	●									①				●	●	●	●		●		Bosnia and Herz.
Bulgaria		●	●													●	●	●	●	●		●	Bulgaria
Croatia		●	●					●	●	●				●		●	●	●	●	●	●	●	Croatia
Cyprus													●			●	●	●	●			●	Cyprus
Czech Republic	●	●	●													●	●	●	●			●	Czech Republic
Denmark	●	●	●	●	●	●	●	●			●			●		●	●	●	●			●	Denmark
Estonia	●	●	●			●	●	●								●	●	●	●			●	Estonia
Finland	●	●	●			●					●		●	●		●	●	●	●		●	●	Finland
France		●	●					●				●	●	●		●	●	●	●	●		●	France
Georgia		●	●					●				●				●	●	●	●	●		●	Georgia
Germany	●	●	●		●	●	●	●	●	●	●			②	③	●	●	●	●	②		●	Germany
Greece	●	●	●							●		●	●			●	●	●	●			●	Greece
Hungary		●	●			●	●					●	●			●	●	●	●			●	Hungary
Iceland	●	●	●			●	●	●			●	●	●				●					●	Iceland
Ireland	●	●	●	●	●	●	●	●		●	●									●		●	Ireland
Italy	●	●	●			●	●			●										●		●	Italy
Kosovo*										●						●	●	●	●	●		●	Kosovo*
Latvia	●	●	●							●						●	●	●	●			●	Latvia
Liechtenstein										●												●	Liechtenstein
Lithuania		●	●																●			●	Lithuania
Luxembourg		●	●					●														●	Luxembourg
Macedonia		●																				●	Macedonia
Malta	●	●	●	●	●	●	●	●	●	●		●	●	●	●	●		●	●	●	●	●	Malta
Moldova		●	●		●	●	●		●													●	Moldova
Monaco																						●	Monaco
Montenegro	●	●	●									●	●			●	●	●	●	●	●	●	Montenegro
Netherlands	●	●	●		●	●	●	●		●	●			●		●	●	●	●	●		●	Netherlands
Norway	●	●	●	●	●	●	●	●		●	●					●	●	●	●		●	●	Norway
Poland	●	●	●			●	●	●												●		●	Poland
Portugal	●	●	●			●	●	●		●		●	●			●	●	●	●	●		●	Portugal
Romania	●	●	●																			●	Romania
Russia		●	●																			●	Russia
San Marino																						●	San Marino
Serbia			●									●				●	●	●	●	●		●	Serbia
Slovakia	●	●	●													●	●	●	●			●	Slovakia
Slovenia	●	●	●							●												●	Slovenia
Spain	●	●	●	⑧		●	●	●	⑧	●		●	●	●		④	⑤	④		⑥	⑦	●	Spain
Sweden	●	●	●			●	●	●								●	●	●	●			●	Sweden
Switzerland	●	●	●					●	●		●					●	●	●				●	Switzerland
Turkey	●	●	●																			●	Turkey
Ukraine	●	●	●																			●	Ukraine
UK	●	●	●						⑨		●	⑨	⑩	⑨	●	●	●	●	●			●	UK

\*under UNSCR 1244/99

- Existing legal measure
- EU Member State

- ① 1 of 3: Republika Srpska, Federation of BiH
- ② 10 of 16: Baden-Württemberg, Berlin, Thuringia, Bremen, Sarre Region, Mecklenburg-Vorpommern, Schleswig-Holstein, Saxonia, Northrhine-Westphalia, Lower Saxony

- ③ 5 of 16: Berlin, Thuringia, Bremen, Sarre Region, Brandenburg
- ④ 8 of 17: Extramadura, Andalusia, Canaries, Navarre, Basque Country, Galicia, Catalonia, Madrid

- ⑤ 5 of 17: Extramadura, Navarre, Basque Country, Galicia, Madrid
- ⑥ 1 of 17: Municipality of Madrid
- ⑦ 7 of 17: Andalusia, Basque Country, Navarre, Canaries, Madrid, Galicia, Catalonia

- ⑧ 2 of 17: Andalusia, Municipality of Madrid
- ⑨ 3 of 4: England, Wales, Scotland
- ⑩ 1 of 4: Scotland