

TRANS RIGHTS MAP

Europe & Central Asia 2022



The Trans Rights Map documents the legal situation of 49 countries in Europe and 5 in Central Asia. It shows country-specific requirements for legal gender recognition, as well as existing protections for trans people in asylum, hate crime/speech, non-discrimination, health, and family.

Key findings include:

Legal Gender Recognition (LGR)

- 39 of 54 countries in Europe and Central Asia have legal or administrative measures in place that make legal gender recognition available to trans people (2021: 39). No countries in Central Asia currently provide legal gender recognition.
- Of these 39:
 - 37 are members of the Council of Europe; 25 are EU Member States.
 - 28 require a mental health diagnosis (2021: 28).
 - 9 demand sterility (2021: 10).
 - 19 still require divorce (2021: 19).
 - 16 have LGR procedures for minors (2021: 15). Of these, 10 enable minors to access legal gender recognition without any age limit; 6 have a minimum age requirement (2021: 6).
- 9 countries base legal gender recognition procedures on self-determination of the person (2021: 8).
- 3 countries provide full, and 1 provides partial, legal recognition to non-binary people (2021: 2 | 1).

Non-Discrimination

- 33 of the reviewed countries prohibit discrimination of trans people in employment (2021: 32).
- 25 countries prohibit discrimination of trans people in healthcare (2021: 24).
- 28 countries protect trans people against discrimination in education (2021: 27).
- 28 countries protect trans people against discrimination in access to goods and services (2021: 28).
- 22 countries prohibit discrimination in housing on the basis of gender identity (2021: 22).
- 30 countries have an Equality Body mandate (2021: 30), with 1 country adding trans to the Equality Body mandate and 1 country removing it in practice.
- 10 countries have an Equality Action Plan in place (2021: 10), with 4 countries adopting new action plans and 3 countries allowing their action plans to expire.
- 16 countries provide nondiscrimination protection on grounds of gender expression (2021: 15).

Asylum

- 25 of the 54 reviewed countries offer international protection on grounds of gender identity (2021: 23).

Hate speech and crime

- 21 countries have laws that prohibit hate crimes against trans people (2021: 20).
- 18 countries have laws that prohibit hate speech against trans people (2021: 17).
- 6 countries have other positive measures in place that aim at combating hate speech and crimes against trans people (2021: 5).

Family

- 5 countries recognise the gender identity of trans parents within binary options (2021: 4). Malta and Iceland recognise non-binary parents as well.

Health

- Malta remains the only country to have effectively depathologised trans identities.
- France joins Malta as one of only two countries to prohibit conversion therapy on grounds of gender identity.

The data presented reflects the legal rights of trans people based on consultation from in-country experts as of 5 May 2022

EU Member States

Of the 54 countries investigated, 27 are European Union Member States. As such, they bear the obligation to protect trans people from discrimination in employment and access to goods and services, and to provide international protection to trans refugees.

- Only 20 of 27 EU Member States protect against discrimination in employment on grounds of gender identity (2021: 20), with the remaining 7 violating EU law (2021: 7).
- Only 17 of 27 EU Member States protect against discrimination in access to goods and services on grounds of gender identity, with the remaining 10 violating EU law (2021: 10).
- Only 14 of 27 EU Member States protect against discrimination in housing on the basis of gender identity (2021: 14).
- Only 18 of 27 EU Member States provide international protection for trans refugees, with the remaining 10 violating EU law (2021: 17).

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