

Trans Rights Europe Index, May 2013



Country	Gender recognition								Asylum		Bias speech/violence			Equality and non-discrimination						Family	Country	
	Existence of procedure	Name change	Change of gender on official documents to match gender identity	Compulsory Gender Identity Disorder diagnosis/psychological opinion	Compulsory medical intervention	Compulsory surgical intervention	Compulsory sterilisation	Compulsory divorce/single status	Law	Policy/other positive measure	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)
Albania	—	—	—	—	—	—	—	—			●	●			●	●	●	●	●		●	Albania
Andorra	—	—	—	—	—	—	—	—														Andorra
Armenia	—	—	—	—	—	—	—	—														Armenia
Austria	●	●	●	●	●	●	●	●										●			●	Austria
Azerbaijan	●	●	●	●	●	●	●	●													●	Azerbaijan
Belarus	●	●	●	●	●	●	●	●													●	Belarus
Belgium	●	●	●	●	●	●	●	●	●	●			●		⓪①	⓪①	●		⓪①		●	Belgium
Bosnia and Herz.	—	●	—	—	—	—	—	—							●	●	●			●	●	Bosnia and Herz.
Bulgaria	—	—	—	—	—	—	—	—														Bulgaria
Croatia	●	—	—	●	●	●	●	●			●	●	●		●	●	●		●	●	●	Croatia
Cyprus	●	●	●	●	●	●	●	●														Cyprus
Czech Republic	●	●	●	●	●	●	●	●														Czech Republic
Denmark	●	●	●	●	●	●	●	●		●												Denmark
Estonia	●	●	●	●	●	●	●	●														Estonia
Finland	●	●	●	●	●	●	●	●														Finland
France	—	●	●	●	●	●	●	●			●	●	●		●	●	●		●		●	France
Georgia	●	●	●	●	●	●	●	●			●	●	●									Georgia
Germany	●	●	●	●	●	●	●	●					⓪②	⓪③	●	●	●	●		⓪②		Germany
Greece	●	●	●	●	●	●	●	●		●	●	●			●	●	●					Greece
Hungary	●	●	●	●	●	●	●	●			●	●			●	●	●					Hungary
Iceland	●	●	●	●	●	●	●	●	●													Iceland
Ireland	—	●	—	—	—	—	—	—										●				Ireland
Italy	●	●	●	●	●	●	●	●														Italy
Kosovo*	—	—	—	—	—	—	—	—														Kosovo*
Latvia	●	●	●	●	●	●	●	●														Latvia
Liechtenstein	—	—	—	—	—	—	—	—														Liechtenstein
Lithuania	—	—	—	—	—	—	—	—														Lithuania
Luxembourg	●	●	●	●	●	●	●	●										●				Luxembourg
FYR Macedonia	—	●	—	—	—	—	—	—														FYR 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	●	●	●	●	●	●	●	●	●		⓪④	⓪⑤	⓪⑥	●	⓪⑦	⓪⑦	⓪⑦		⓪⑧		●	Spain
Sweden	●	●	●	●	●	●	●	●						●	●	●	●			●		Sweden
Switzerland	●	●	●	●	●	●	●	●						●								Switzerland
Turkey	●	●	●	●	●	●	●	●														Turkey
Ukraine	●	●	●	●	●	●	●	●														Ukraine
UK	●	●	●	●	●	●	●	●	●		⓪⑨		⓪⑨	●	●	●	●	●	●		●	UK

Trans Rights Europe Index
 This trans specific map and index reflects the legal situation in areas of equality and non-discrimination on the grounds of gender identity and gender expression in Europe, and highlights the legal provisions in gender identity recognition. The Trans Rights Europe Map & Index provide an overall reflection of the legal situation in all European countries in a simple format. They do not attempt to reflect the complex social situations trans people might face.

Key Terms

Transgender or trans people have a gender identity which is different to the gender assigned at birth. This includes people who intend to undergo, are undergoing, or have undergone gender reassignment as well as those who prefer or choose to present themselves differently to the expectations of the gender assigned to them at birth.

Gender identity is understood to refer to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms. (Yogyakarta Principles)

Legal Gender Recognition is the official recognition of a person's gender identity including change of gender marker and name(s) in public registries and key documents. The European Court of Human Rights has repeatedly ruled on gender identity recognition and its conditions, strengthening the human rights of trans people.

Facts

Equality and Non-Discrimination
 Trans people are disproportionately affected by unemployment and suffer from negative attitudes and discrimination in shops, in public and in private. EU law protects transgender people against discrimination in the areas of Employment and Goods & Services. However, very few Member States have implemented explicit legal protection.

Protection from Violence
 There is no safe country for trans people. In the last five years 71 murders of trans people have been documented in Europe. Nearly every trans person who is visible as transgender experiences harassment, abuse and violence in public. Still, very few countries protect trans people against violence.

Legal Gender Recognition
 Only 33 countries in Europe have legal provisions to recognize a trans person's gender identity. Trans people's existence is de facto made illegal in 16 countries as they provide for no recognition. 24 countries in Europe require by law that trans people undergo sterilization before their gender identity is recognized.

Other requirements may include diagnosis of mental disorder, medical treatment and invasive surgery, assessment of time lived in new gender identity, being single or divorced.

Such requirements violate a person's dignity, physical integrity, right to form a family and to be free from degrading and inhuman treatment.

*under UNSCR 1244

- Existing legal measure
- ⓪ Regional application only
- Abusive requirement
- No existing legal measure
- EU Member State
- ① 1 of 3: Flanders
- ② 4 of 16: Action plans in Berlin, North Rhine-Westphalia, Rhineland-Palatinate, Baden-Württemberg
- ③ 4 of 16: Berlin, Thuringia, Bremen, Saarland, Brandenburg
- ④ 2 out of 17: Basque Country, Catalonia
- ⑤ 1 out of 17: Basque Country
- ⑥ 2 out of 17: Basque Country, Catalonia
- ⑦ 2 out of 17: Navarre & Basque Country
- ⑧ 1 out of 17: City of Barcelona
- ⑨ 3 out of 4: England & Wales and Scotland