



TRANS RESPECT VERSUS TRANSPHOBIA
W O R L D W I D E

Legal and Social Mapping – Europe

- #1 Legal Gender Recognition, Anti-Discrimination, Hate Crime and Asylum Legislation
- #2 Criminalisation, Prosecution, State-Sponsored Discrimination and Hormones, Hormone Therapy and Gender Reassignment Treatment/Surgery
- #2 Community / Movement, Good Practices and Reports of Transphobic Incidents

Transrespect versus Transphobia Worldwide

Transrespect versus Transphobia Worldwide [TvT] provides an overview of the human rights situation of trans persons in different parts of the world and develops useful data and advocacy tools for international institutions, human rights organisations, the trans movement and the general public. It is a comparative, ongoing qualitative-quantitative research project conducted by TGEU's TvT team in close cooperation with 20 partner organizations and more than 50 trans activists and researchers in all six world regions.

The data collected are compiled and updated periodically and can be viewed in detail on the TvT website: www.transrespect-transphobia.org.

These TvT 'Legal and Social Mapping – Europe' tables provide information on the legal and social situation of trans people in all 49 European countries. They are part of the TvT 'Legal and Social Mapping – World', which covers 116 countries in Africa, Asia, Central and South America, Europe, and Oceania.

More information on the last page.



www.tgeu.org Transgender Europe

www.transrespect-transphobia.org

Legal and Social Mapping – Europe #1

		Legal Gender Recognition		Anti-Discrimination, Hate Crime and Asylum Legislation			
		Legal Change of Name	Legal Change of Gender	Anti-Discrimination	Hate Crime [Trans Specific]	Asylum [Trans Specific]	Inclusion in Constitution
Albania	Legal Measure	⊘	⊘	✓ ♀	✓	⊘	⊘
	Proposal / Initiative			✓ ♀	✓	⊘	
Andorra	Legal Measure	⊘	⊘	⊘	⊘	⊘	?
	Proposal / Initiative						
Armenia	Legal Measure	⊘	⊘	⊘	⊘	⊘	⊘
	Proposal / Initiative						
Austria	Legal Measure	✓ 🏠	✓ 🏠 ♂ ♀	✓ ♀	⊘	✓	⊘
	Proposal / Initiative	✓	✓ 🏠 ♂ ♀	✓ ⭐ ♀			
Azerbaijan	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀	⊘	⊘	⊘	⊘
	Proposal / Initiative						
Belarus	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ♂ ♀ ⚠	⊘	⊘	⊘	⊘
	Proposal / Initiative						
Belgium	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ 👤 👤	✓ ⭐ ♀	✓	✓	⊘
	Proposal / Initiative						
Bosnia-Herzegovnia	Legal Measure	⊘	⊘	✓	✓ ⭐	⊘	⊘
	Proposal / Initiative						
Bulgaria	Legal Measure	✓ ⚠ 🏠	✓ ⚠ 🏠 ♂ ♀ ⚠ 👤 👤	✓	⊘	⊘	⊘
	Proposal / Initiative				✓		
Croatia	Legal Measure	✓	✓ ⚠ 🏠 ♂ ♀ ⚠ 👤 👤	✓ ♀	✓	⊘	⊘
	Proposal / Initiative		✓ 🏠 ♂ ♀ 👤 👤				
Cyprus	Legal Measure	⊘ ⚠	⊘ ⚠ 🏠 ⚠ ♂ ♀	✓	⊘	⊘	⊘
	Proposal / Initiative						
Czech Republic	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀	✓	⊘	⊘	⊘
	Proposal / Initiative	?	?	?	?	?	?
Denmark	Legal Measure	✓	✓ ♂ ♀ 👤 👤	✓	⊘	⊘	⊘
	Proposal / Initiative						
Estonia	Legal Measure	✓ 🏠	✓ 🏠 ♂ ♀	✓	⊘	⊘	⊘
	Proposal / Initiative						
Finland	Legal Measure	✓	✓ 🏠 ♂ ♀ ⚠ ⚠ 👤 👤	✓	⊘	✓	⊘
	Proposal / Initiative		✓ 🏠 ♂ ♀ 👤 👤	✓ ♀			
France	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠	✓	✓	⊘	⊘
	Proposal / Initiative		✓ ♂ ♀ 👤				
Georgia	Legal Measure	✓ ⚠	⊘ ⚠ 🏠 ♂ ♀ ⚠	⊘	✓	⊘	⊘
	Proposal / Initiative			✓ ♀			
Germany	Legal Measure	✓ 🏠	✓ 🏠 ♂ ♀ 👤 👤	✓ ⚠	⊘	⊘	✓ ⭐
	Proposal / Initiative	✓	✓ ♀ ♀ 👤 👤				
Greece	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠	✓	✓	⊘	⊘
	Proposal / Initiative						
Hungary	Legal Measure	⊘ ⚠	⊘ ⚠ 🏠 ♂ ♀ ⚠ 👤	✓ ♀	✓	✓	⊘
	Proposal / Initiative		✓ 🏠 ♂ ♀ 👤 👤				
Iceland	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ♂ ♀ ⚠ 👤 👤	✓ ♀	✓	⊘	⊘
	Proposal / Initiative						✓ ♀
Ireland	Legal Measure	✓	⊘	⊘	⊘	⊘	⊘
	Proposal / Initiative		✓ ♂ ♀ 👤				
Italy	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠ 👤 👤	⊘	⊘	⊘	⊘
	Proposal / Initiative				✓		
Kosovo	Legal Measure	⊘	⊘	⊘	⊘	⊘	⊘
	Proposal / Initiative				✓		
Latvia	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠	⊘	⊘	⊘	⊘
	Proposal / Initiative	?	?	?	?	?	?

Legal and Social Mapping – Europe #1

		Legal Gender Recognition		Anti-Discrimination, Hate Crime and Asylum Legislation			
		Legal Change of Name	Legal Change of Gender	Anti-Discrimination	Hate Crime [Trans Specific]	Asylum [Trans Specific]	Inclusion in Constitution
Liechtenstein	Legal Measure	⊘	⊘	⊘	⊘	✓	⊘
	Proposal / Initiative						
Lithuania	Legal Measure	⊘	⊘	✓	⊘	⊘	⊘
	Proposal / Initiative		✓ 🏠 ⚠ ♂ ♀ ⚠ 👤				
Luxembourg	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠	✓	⊘	⊘	⊘
	Proposal / Initiative	?	?	?	?	?	?
Macedonia	Legal Measure	✓ ⚠	⊘	⊘	⊘	⊘	⊘
	Proposal / Initiative						
Malta	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠ 👤	✓	✓	⊘	✓ ♀
	Proposal / Initiative		✓ 🏠 ♂ ♀ ⚠ 👤				
Moldova	Legal Measure	✓ 🏠	✓ 🏠 ♂ ♀ ⚠	⊘	⊘	⊘	⊘
	Proposal / Initiative						
Monaco	Legal Measure	⊘	⊘	⊘	⊘	⊘	⊘
	Proposal / Initiative						
Montenegro	Legal Measure	✓	✓ 🏠 ⚠ ♂ ♀ ⚠	✓ ♀	✓	⊘	⊘
	Proposal / Initiative				✓		
Netherlands	Legal Measure	✓ ⚠	✓ 🏠 ♂ ♀ 👤 👤	✓	⊘	✓ ⚠	⊘
	Proposal / Initiative						
Norway	Legal Measure	✓	✓ 🏠 ⚠ ♂ ♀ ⚠	✓ ♀	⊘	✓ ⚠	⊘
	Proposal / Initiative				✓		✓
Poland	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ♂ ♀ ⚠	⊘ ⚠	⊘	⊘	⊘
	Proposal / Initiative	✓ 🏠	✓ 🏠 ♂ ♀ 👤	✓ ♀	✓	✓	
Portugal	Legal Measure	✓ 🏠	✓ 🏠 ♂ ♀ 👤 👤	⊘	✓	✓	⊘
	Proposal / Initiative						
Romania	Legal Measure	✓ 🏠	✓ 🏠 ⚠ ♂ ♀ ⚠	✓	⊘	⊘	⊘
	Proposal / Initiative						
Russia	Legal Measure	✓ ⚠ 🏠	✓ ⚠ 🏠 ♂ ♀ ⚠	⊘	⊘	⊘	⊘
	Proposal / Initiative						
San Marino	Legal Measure	⊘	⊘	⊘	⊘	⊘	⊘
	Proposal / Initiative						
Serbia	Legal Measure	⊘ ⚠	⊘	✓ ♀	✓	⊘	⊘
	Proposal / Initiative						
Slovakia	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠	✓	⊘	⊘	⊘
	Proposal / Initiative						
Slovenia	Legal Measure	✓	⊘	⊘	⊘	⊘	⊘
	Proposal / Initiative						
Spain	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ♂ ♀ ⚠ 👤	✓ ⭐ ♀	✓	✓ ⚠	✓
	Proposal / Initiative	✓ 🏠	✓ 🏠 ♂ ♀ 👤				
Sweden	Legal Measure	✓	✓ ♂ ♀ 👤 👤	✓ ♀	⊘	✓	⊘
	Proposal / Initiative				✓		✓
Switzerland	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠ 👤	✓	⊘	⊘ ⚠	⊘
	Proposal / Initiative				✓		
Turkey	Legal Measure	⊘ ⚠	✓ 🏠 ⚠ ♂ ♀	⊘	⊘	⊘	⊘
	Proposal / Initiative						
UK	Legal Measure	✓	✓ 🏠 ♂ ♀ 👤 👤	✓ ♀	✓ ⭐	✓	⊘
	Proposal / Initiative		✓ ⭐ 🏠 ♂ ♀ 👤 👤				
Ukraine	Legal Measure	✓ 🏠 ⚠	✓ 🏠 ⚠ ♂ ♀ ⚠	✓	⊘	⊘	⊘
	Proposal / Initiative						

✓ Existing legal measure¹

🏠 With Pathologization

🚫 Ban on Pathologization

⚠ Different in Practice²

🏠 Only after GRS / Sterilization

👤 Change of Birth Certificate

⊘ No existing legal measure

♂ Only male / female gender marker option

🛡 Privacy Protection

⚠ Different in Practice²

♂ Only after Gender Reassignment Therapy

♂ Specified as Transgender / Gender Identity

✓ Existing proposal / initiative³

👤 New marriage and keep existing marriage

♂ More than male / female gender marker options

⭐ Only in parts of the country

👤 New marriage and keep existing marriage

👤 More than male / female gender marker options

?

No appropriate data

Key [Key and Footnotes see also last page]

Legal and Social Mapping – Europe #2

	Criminalisation, Prosecution and State-Sponsored Discrimination			Hormones and Hormone Therapy			Gender Reassignment Treatment / Surgery and Body Modifications			
	Criminali-sation	Prosecution	State-Sponsored Discrimination	Medical Supervision	Without Medical Supervision	Funding	Available Forms	Requirements	Funding	'Alternatives' ¹ when no or limited GRT / GRS
Albania	0	CD			0					
Andorra										
Armenia		0			P					
Austria					I TP 0	PHS	AC BA CR H HR Ma V		PHS	
Azerbaijan					0		BA H Ma RPT			
Belarus										
Belgium					B 0	NHI PHI	AC BA BHA CR H HR L Ma Me P RPT V		NHI	
Bosnia-Herzegovnia					B P					
Bulgaria	GRS						AC BA BHA CR H HR L Ma Me P RPT V			
Croatia					B 0		BA CR HR L Ma		NHI	
Cyprus					P		BA CR H HR L Ma			
Czech Republic										
Denmark					B 0	PHS	BA BHA CR H HR L Ma Me P V		PHS	
Estonia						NHI	BHA CR H HR L Ma P RPT V			
Finland					B I	NHI PHI	AC BA BHA H HR L Ma Me P RPT V		NHI PHI PHS	
France	CD				B I	NHI PHI PHS	AC BA BHA CR H HR L Ma P V		NHI PHI	
Georgia					P		BA BHA H L Ma P			
Germany					B I TP	NHI PHI	BA CR H HR L Ma Me P V		NHI PHI	
Greece	0				B P	NHI PHS	AC BA BHA CR H HR L Ma Me P RPT V			
Hungary					B	NHI	AC BA BHA H HR L Ma P RPT V		NHI	
Iceland					B	NHI	HR L Ma Me P V		NHI	
Ireland					B I TP	PHS	BA H HR Ma P V		PHS	
Italy	CD G	CD			B P	PHS	AC BA BHA H HR Ma Me P V		PHI PHS	
Kosovo					P		AC BA BHA CR H HR L Ma P V			
Latvia										
Liechtenstein										
Lithuania					B P					
Luxembourg										

Macedonia					P					
Malta					B		AC BA H HR L Ma			
Moldova					P		BA BHA CR H HR L Ma			
Monaco										
Montenegro					B				NHI	
Netherlands					B P TP 0	NHI	AC BA BHA CR H HR Ma Me P RPT V		NHI	
Norway					B 0	PHS	BA CR H HR L Ma Me V		PHS	
Poland	G		TE		B P 0	PHS	AC BA BHA CR H HR L Ma Me P RPT V			
Portugal						PHS	AC BA BHA CR H HR L Ma Me P V		PHS	
Romania		CD			B P	PHS	BA H Ma P V		PHS	
Russia	TE 0				B P		AC BA BHA CR H HR L Ma Me P RPT V		NHI PHS	
San Marino										
Serbia					B		AC BA BHA CR H HR L Ma Me P V			
Slovakia		CD			I	NHI PHI	BA CR H HR L Ma		NHI PHS	
Slovenia					B 0	PHS	AC BA BHA CR H HR L Ma Me P V		PHS	
Spain						NHI 0	AC BA CR H HR L Ma Me P V		NHI 0	
Sweden	G	G			B I 0	PHS	AC BA CR H HR Ma Me P V		PHS	
Switzerland					B	PHI PHS	AC BA CR H HR L Ma P V		NHI PHS	
Turkey		CD 0	TO		P		AC BA BHA CR H HR L Ma Me P RPT V		NHI PHS	
UK		CD 0			B	PHS	AC BA BHA CR H HR L Ma Me P RPT V		PHS	
Ukraine					B P		BA H HR L Ma RPT V			

Key and Footnotes

Legal exclusion of non-binary identities

Existing legal measures / documented practice

Criminalisation/prosecution / discrimination under certain circumstances

No existing legal measure

No documented cases

Only in parts of the country

No appropriate data

Criminalisation, Prosecution and State-Sponsored Discrimination

CD So-Called Cross-Dressing

G GRT / GRS

E Employment

TE Trans Events

TO Trans Organisations

0 Other²

No / none

Existing practice without medical supervision

Provided under medical supervision

Only with psychiatric diagnosis

No appropriate data

Only in parts of the country

Without medical supervision

B Blackmarket

I Internet

P Pharmacies

TP Trans People

O Other

Funding

NHI National Health Insurance

PHI Private Health Insurance

PHS Public Health System

O Other

Available forms

AC Adam's Apple Contouring

BA Breast Augmentation

BHA Buttock / Hip Augmentation

CR Chest Reconstruction

HR Hair Removal

H Hysterectomy

L Liposuction

Ma Mastectomy

Me Metoidioplasty

P Phalloplasty

RPT Removal of Penis / Testicles

V Vaginoplasty

1 Include GRS done abroad or illegally, application of industrial silicone etc. 2 Legal measures used to target trans people being visible as trans people in public, e.g. anti-homosexuality bills, anti-prostitution laws

	Community / Movement								Good Practices			Reports of Transphobic Incidents ^[since 2008]				
	Existence of Visible Trans Community	Existence of own terms for Trans People	Existence of Trans Organi-sation[s]	Funding of Trans Organi-sations	Initiatives of Trans Organi-sations	Regular Publications of Trans Organi-sations	Network[s] of Trans Organi-sations	Alliances with	Govern-ment / State institu-tions	Trans Movement / Organi-sations	Allies	Murder ¹	Extreme Physical Violence [Torture, Rape ...]	Physical Assault[s]	Psycho-logical Violence	Hate Speech
Albania			NLR					LGBT								
Andorra																
Armenia			NLR													
Austria			NLR LR					LGBT								
Azerbaijan																
Belarus																
Belgium			NLR LR	S												
Bosnia-Herzegovnia																
Bulgaria								LGBT								
Croatia			LR	NGO				Fem LGBT								
Cyprus			NLR													
Czech Republic																
Denmark				P				LGBT								
Estonia			NLR					LGBT								
Finland			LR	S				HR LGBT Youth								
France			LR					HR LGBT								
Georgia								LGBT								
Germany			NLR LR	P S				LBT								
Greece			LR					HR LGBT								
Hungary			NLR LR	P				Fem LGBT SW								
Iceland			LR	P S				LGBT								
Ireland			NLR					LGBT								
Italy			LR					LGBT								
Kosovo			NLR					LGBT								
Latvia																
Liechtenstein																
Lithuania																
Luxembourg																

Macedonia								LGBT SW								
Malta								LGBT								
Moldova																
Monaco																
Montenegro				NGO				LGBT								
Netherlands				P S												
Norway								HR LGBT								
Poland			NLR					Fem LGBT								
Portugal			NLR LR					Fem LGBT								
Romania			NLR					LGBT								
Russia			NLR					LGBT								
San Marino																
Serbia			NLR	NGO				LGBT								
Slovakia			N R					Fem LGBT								
Slovenia								LGBT								
Spain			NLR LR					LGBT								
Sweden			NLR LR	NGO S				LGBT								
Switzerland			NLR	NGO S				HR LGBT PP TU								
Turkey				FS NGO P				Fem HR LGBT								
UK			NLR LR	S				Disab Fem LGBT TU ST								
Ukraine			NLR	NGO P				Anti-Dis								

Key und Footnotes

No / None

Yes

Only in parts of the country

No appropriate data

Documented cases

No documented cases

Organisations

NLR Not legally registered

LR Legally registered

Funding

C Funded by community

FS Funded by foreign states [e.g. embassies, foreign ministries, development agencies, etc.]

NGO Funded by other NGOs

P Funded by private foundations, private corporations, etc.

S Funded by state / governmental institutions

Alliances

Anti-Dis Anti-discrimination movements / Organisations

AIDS AIDS / HIV Organisations

Disab Disabled movement / Organisations

Fem Feminist / women's movement / Organisations

HR Human-rights Organisations

LB Lesbian-Bi [LB] movement / Organisations

LBT Lesbian-Bi-Trans [LBT] movement / Organisations

LGBT Lesbian-Gay-Bi-Trans [LGBT] movement / Organisations

PP Political parties

ST Student movement / Organisations

SW Sex-workers' movement / Organisations

TU Trade unions

Youth Youth movement / Organisations

¹ Due to TGEU's Trans Murder Monitoring project [TMM], in some countries documentation of transphobic murders is better than documentation of other forms of transphobic violence. In general, all forms of transphobic violence are underreported in most countries. The inclusion of TMM data may therefore lead to an 'overrepresentation' of transphobic murders in some countries.

#1 Legal Gender Recognition, Anti-Discrimination, Hate Crime and Asylum Legislation

The TvT 'Legal and Social Mapping – Europe #1 – Legal Gender Recognition, Anti-Discrimination, Hate Crime and Asylum Legislation' tables [pages 2/3] visualise trans-specific and trans-inclusive laws and how they are used

in actual practice. The tables also list law proposals and initiatives that challenge existing measures and serve to indicate existing trans activism.

Key und Footnotes [for pages 2/3]

 Existing legal measure ¹	 With Pathologization	 Ban on Pathologization
 Different in Practice ²	 Only after GRS/ Sterilization	 Change of Birth Certificate
 No existing legal measure	 Only male/female gender marker option	 Privacy Protection
 Different in Practice ²	 Only after Gender Reassignment Therapy	 Specified as Transgender/ Gender Identity
 Existing proposal/ initiative ¹	 New marriage after legal change of gender	
 Only in parts of the country	 New marriage and keep existing marriage	
 No appropriate data	 More than male/female gender marker options	

¹ Icons displayed behind the green and yellow 'check' icons specify the legal measure/proposal; in the column 'Legal change of name', these are restrictions; in the column 'Legal change of gender', these are restrictions or positive specifications.

² The Icon 'Different in practice' applies both to countries with existing legal measures, meaning a limitation [red icon], and to countries without legal measures, meaning practical possibilities without existing legislation [yellow icon].

The data for the countries Andorra, Belarus, Czech Republik, Liechtenstein, Luxembourg, Monaco and San Marino was taken from Transgender Europe's 'Trans Rights Europe Map and Index', which has been developed in cooperation with ILGA-Europe.

#2 Criminalisation, Prosecution, State-Sponsored Discrimination and Hormones, Hormone Therapy and Gender Reassignment Treatment/ Surgery [pages 4/5]

The TvT 'Legal and Social Mapping – Europe #2 – Criminalisation, Prosecution, State-Sponsored Discrimination and Hormones, Hormone Therapy and Gender Reassignment Treatment/ Surgery' tables [pages 4/5] provide information on legal measures that criminalise trans people, showing important differences between criminalisation and actual prosecution. The tables also show different forms of state-sponsored discrimination ranging from legal exclusion of non-binary identities to e.g. exclusion from certain

professions [teachers, police, military]. They also give insight into trans people's health-care situation, showing several aspects of medically supervised hormone therapy and gender reassignment treatments, including requirements like 'psychiatric diagnosis', as well as the availability of funding. They also list the existence of 'alternative practices', such as acquiring hormones on the black market or applying industrial silicone without medical supervision.

#3 Community / Movement, Good Practices and Reports of Transphobic Incidents [pages 6/7]

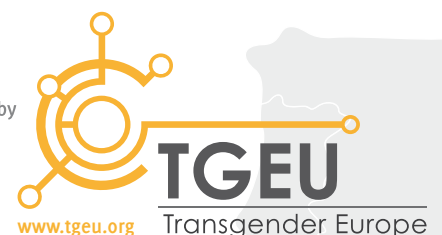
The TvT 'Legal and Social Mapping – Europe #3 – Community/Movement, Good Practices and Reports of Transphobic Incidents' tables [pages 6/7] provide important information on the structures, stages of development, and successes of trans communities and movements and their activism. This includes e.g. the availability of funding for trans organisations and alliance-building with other movements. Furthermore, the

mapping of the existence of good practices by trans organisations, trans communities and their allies, but also by governments and state institutions, provides deeper insight into the social situation of trans people. At the same time, we also map reports of transphobic incidences that illustrate how well widespread forms of transphobic attacks are reported and documented.

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A research project initiated by



The 'Legal and Social Mapping' was produced by Transgender Europe's Transrespect versus Transphobia Worldwide [TvT] project [current as of Aug. 2014]. Continuous updates and more detailed information can be found at www.transrespect-transphobia.org.

The TvT research report from 2012 discusses and contextualises these Mappings: www.transrespect-transphobia.org/uploads/downloads/Publications/TvT_research-report.pdf.

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