FAST FACTS

TRANS RIGHTS MAP
Europe & Central Asia 2021

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Legal Gender Recognition (LGR)

- 39 of the 54 reviewed countries have legal or administrative measures in place that make legal gender recognition available to trans people (2020: 41).

- Of these 39:

  - 37 are members of the Council of Europe and 25 are EU member states. No country in Central Asia provides legal gender recognition.

  - 28 countries prescribe a mental health diagnosis (2020: 31).

  - 10 demand sterility (2020: 13).

  - 19 still require divorce (2020: 20).

  - 15 countries have LGR procedures for minors: of these, 9 countries enable minors to access legal gender recognition without any age limit; 6 countries require a minimum age.

- 8 countries base legal gender recognition procedures on self-determination of the person (2020: 6).

- 2 countries provide full and 1 provides partial legal recognition to non-binary people (2020: 1 | 1).

Asylum

- 23 of the 54 reviewed countries offer international protection on grounds of gender identity (2020: 23). Of these, only 17 EU member states provide such protection despite EU law requiring such protection across the Union.

Non-Discrimination

- 32 countries prohibit discrimination in employment on grounds of gender identity (2020: same).

- 24 countries prohibit discrimination in health on grounds of gender identity (2020: same).

- 27 of the reviewed countries protect against discrimination in education based on gender identity (2020: same).

- 28 countries protect trans people against discrimination in access to goods and services (2020: same).

- 22 countries prohibit discrimination in housing on the basis of gender identity (2020: same).

- 30 countries have an Equality Body mandate (2020: 29).

- 10 have an Equality Action Plan in place (2020: same), with 3 countries adopting new action plans and action plans in 3 countries having expired.

- 15 countries provide protection on grounds of gender expression (2020: same).

Hate speech and crime

- 20 countries have laws that prohibit hate crimes against trans people (2020: 18). Of these 12 are EU member states.

- 16 countries have laws that prohibit hate speech against trans people (2020: same).

- 7 countries have other positive measures in place that aim at combating hate speech and crime against trans people.

Family

- 4 countries recognise the gender identity of trans parents within binary options and Malta recognises non-binary parents as well (2020: same).

Health

- Malta remains the only country to have effectively depathologised trans identities.

- Malta also remains the only country to prohibit conversion therapy on grounds of gender identity.

Compliance with EU standards

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 19 of 27 EU member States protect against discrimination in employment on grounds of gender identity, with the remaining 8 violating EU law (2020: same)

- 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 (2020: same)

- Only 14 of 27 EU member States protect against discrimination in housing on the basis of gender identity.

- Only 17 of 27 EU member States provide international protection for trans refugees, with the remaining 10 violating EU law (2020: same).

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The data presented reflects the legal rights of trans people based on consultation from in-country experts as of 27 April 2021