

LGBTQI INCLUSIVE EDUCATION REPORT 2022





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Government of
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ABOUT IGLYO

IGLYO – The International Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI) Youth and Student Organisation is the largest LGBTQI youth and student network in the world, counting over 100 Member Organisations in more than 40 countries across the Council of Europe Region.

IGLYO's mission is to strengthen the rights of LGBTQI youth, fight for equality and inclusion, and empower our youth voices. We strive to represent the diverse rights and intersectional needs of LGBTQI youth within national and European policy and legal mechanisms. We build the capacity and skills of our members to meet the needs of diverse LGBTQI youth and, in turn, raise our voice to increase the visibility of our movements. To this end our mission objectives are: Rights and Empowerment for LGBTQI youth.

Our activities promote our mission objectives of rights and empowerment. We produce evidence-based analytical research and advocacy messages, facilitate the active meaningful participation of LGBTQI youth, and develop and disseminate compelling communications to reach the LGBTQI youth constituency, especially those who face higher rates of violence and discrimination, and relevant key policy and legislative decision makers. We run large training, peer learning, and organisational development programmes for LGBTQI youth and our member organisations. We also work on making IGLYO an effective, empowering, functioning and well-informed organisation and network of members and supporters.

IGLYO aibsl is registered as a non-governmental organisation in Belgium (No d'entreprise: 808808665).

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www.education-index.org

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FOREWORD

LGBTQI people transcend nationality, religion, race and class. Many young people in our community are having vastly different experiences from their peers, but one near-universal experience for LGBTQI young people is school. School is a vital place for learning, development, friends, romance, and self-discovery.

While the vast majority of young people attend schools, for LGBTQI young people, this can be a place of dread; a place where they are bullied, attacked, disrespected, and unaffirmed. Having surveyed over 17,000 young people across Europe, our research shows that 1 in 2 LGBTQ young people have experienced bullying in school at least once based on their sexual orientation, gender identity, gender expression or variations of sex characteristics.

When schools are unsafe environments for LGBTQI young people, they are effectively being denied their right to an education, health, well-being and physical integrity.

IGLYO's first Education Report was published in 2018. At that time, we reported some positive interventions, and it seemed the rights of LGBTQI young were slowly but surely being recognised. In the past four years, however, there has been a lack of progress, and tremendous steps backwards in some European countries.

While we see some positives in the report, we are also seeing a worrying trend of legislation against Inclusive Education, which effectively puts a gag order on supportive teachers and threatens academic freedom. In concrete, this new Edition of the Report indicates an almost complete standstill across the Council of Europe Region since 2018: Only 6 Member States provide most of the recommended measures, whereas 10 have failed to implement any as of yet. In addition, 6 countries have implemented anti-propaganda laws that make it impossible for learners to receive LGBTQI inclusive content in schools.

We urge everyone who reads this to consider the generation of LGBTQI young people who will carry the trauma of their school days into their adulthood. While there has been many victories for the LGBTQI community in the past 10 years, many of those pertain only to adults, yet the backlash against the community is aimed squarely at youth.

With this document, we call on governments to take stock of the current situation in their national context (as presented by civil society organisations), and design and implement legislation, policies and practices that protect young LGBTQI learners in schools.

We mustn't leave young people behind.

Bella FitzPatrick

IGLYO's Executive Director

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IGLYO Member Organisations and Country Leads

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United Kingdom: LGBT Youth Scotland

ACRONYMS

ECRI	European Commission against Racism and Intolerance
FRA	European Union Agency for Fundamental Rights
GIGE	Gender identity and gender expression
ILGA	International Lesbian, Gay, Bisexual, Trans and Intersex Association
ILGA-Europe	European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association
LGBTQI	Lesbian, gay, bisexual, trans, queer and intersex
LGR	Legal gender recognition
OBESSU	Organising Bureau of European School Student Unions
OII Europe	Organisation Intersex International Europe
SC	Variations in sex characteristics
SO	Sexual orientation
SOGIGESC	Sexual orientation, gender identity and expression and variations in sex characteristics
SRE	Sex and relationship education
TGEU	Transgender Europe
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organisation

SUMMARY

Background

Everyone has the fundamental right to education, health and well-being. All forms of discrimination or violence in schools are an obstacle to these fundamental rights. In particular, school bullying based on actual or perceived SOGIGESC is one of the most widespread problems taking place inside educational institutions.

The latest report from UNESCO on this topic suggests that LGBTQI children and youth are significantly more likely to experience school violence than learners who identify or are perceived to be heterosexual and gender conforming. Likewise, the results of the 2019 FRA LGBTI Survey II showed that LGBTQI learners (and especially trans and intersex people) were discriminated against in education or felt unsafe at school.

The Research

Against this backdrop, IGLYO started working on the LGBTQI Inclusive Education Project in 2016 with the aim of providing information about the concrete measures that all Council of Europe Member States, as well as Belarus and Kosovo, have taken to ensure inclusive education and to tackle discrimination on grounds of actual or perceived sexual orientation, gender identity and expression, and variations in sex characteristics (SOGIGESC).

On this basis, IGLYO first developed a list of ten comparable indicators to assess the extent to which governments had implemented measures to ensure education is truly inclusive of all LGBTQI learners and created a questionnaire based on them. Civil society organisations and education experts (henceforth *country leads*) were then asked to answer the survey and provide evidence to ensure the accuracy of their responses.

With this information provided, an initial **First Edition** of the report was published in 2018. During 2020 and 2021, IGLYO continued its work benchmarking legal and policy standards on LGBTQI inclusive education by reviewing and updating the LGBTQI Inclusive Education Index and Report. Working with local organisations and educational experts in the 47 Council of Europe countries, as well as Belarus and Kosovo, and with pro-bono lawyers, IGLYO produced this Second Edition of the LGBTQI Inclusive Education Index and Report (2022).

Our LGBTQI Inclusive Education Index and Report have already been used and referenced by institutions, governments and organisations working on the topic of inclusive education, both internationally and locally. We hope this Second Edition will help IGLYO hold governments accountable for their developments in this field and, hence, ensure their commitment to protecting the fundamental right to quality education.

The Report

The LGBTQI Inclusive Education Report is an in-depth account of the current situation on LGBTQI inclusive education in 49 European countries. The report is organised in two different chapters: 'LGBTQI Inclusive Education Research' and 'Country Files'. The first chapter examines several aspects of this project: Section 1 (*Introduction*) briefly defines the problem, followed by a general overview of the global commitments made by Council of Europe Member States (as well as Kosovo and Belarus). Section 2 (*Methodology*) defines the methodology and section 3 (*Indicators*) gives an extended definition of each of the indicators used in this research, followed by an explanation of the scores that were used to create the index. Finally, section 4 (*General overview*) describes the main trends in Member States, focusing on the information obtained for each of the indicators. The second chapter contains the country files of the 47 council of Europe countries, together with Belarus and Kosovo.

SUMMARY

This report is intended to be a resource for governments and civil society organisations to evaluate the current levels of inclusion within their own country, learn from good practice examples, and foster international commitment as well as cooperation.

The Index

The LGBTQI Inclusive Education Index is a table of countries and education indicators designed to easily illustrate the extent to which each Member State has developed LGBTQI inclusive education laws, policies and practices. It also provides a general overview of overarching trends across Europe and helps governments, as well as civil society organisations, identifying areas for improvement which require greater attention. One of the most important elements of the Index is that the information is segregated by sexual orientation, gender identity and gender expression, and variations in sex characteristics, to ensure that the experiences of all learners within the LGBTQI spectrum are included.

The Website

Starting with this second edition, the Report and Index will be updated every year. However, all this information is systematically collected and documented on the LGBTQI Inclusive Education website (www.education-index.org). Data on the website will be updated on a more regular basis to reflect any major developments within each Member State. IGLYO invites governments and civil society organisations to send any additional information to education@iglyo.com.

Main Findings

A comprehensive school approach has been proven to be the most effective to prevent and address bias-motivated bullying on grounds of actual or perceived SOGIESC. The list of ten comparable indicators used in this research was, therefore, created based on the different elements of this approach. Below, the ten indicators are outlined, followed by their degree of implementation in Member States.

Some governments have already taken significant steps to ensure education is inclusive of all learners. In particular, 32 countries have implemented anti-discrimination laws or action plans. Other practices, however, still remain challenging in most countries. Overall, the main areas for improvement are compulsory education curricula, mandatory teacher training and data collection on bullying and harassment on grounds of actual or perceived sexual orientation, gender identity and expression or variation in sex characteristics.

Finally, there are only six countries (Luxembourg, Malta, Netherlands, Norway, Portugal and Sweden) that provide most of these measures across Europe as of yet. Some regions in Spain have also developed inclusive laws and policies in most areas, but they have not been enacted nationally. By contrast, ten countries have failed to implement almost any measure at the time of writing this report (Armenia, Azerbaijan, Belarus, Latvia, Monaco, Poland, Russia, San Marino, Turkey and Ukraine).

Anti-discrimination legislation applicable to education

A legal framework is necessary to ensure effective enjoyment of the right of education. All states should guarantee the right to education to all by explicitly tackling discrimination on the grounds of SOGIESC.

Civil society organisations report that 32 countries have developed anti-discrimination laws that are applicable to education and protect at least one of these grounds. However, 6 countries have anti-propaganda laws that make it impossible for students to learn LGBTQI inclusive content in schools.

SUMMARY

Policies and action plans

National or regional policies to promote a safe and inclusive environment for all learners are crucial for outlining the necessary processes and actions that schools should follow to tackle bias-motivated bullying and violence on SOGIGESC grounds and to provide teachers as well as other school staff with the framework to prevent and address discrimination in a confident and supportive way. **Civil society organisations report that 19 Member States have developed national or regional action plans to prevent and address discrimination in at least one of these grounds.**

Inclusive national curricula

General invisibility and lack of positive representations of LGBTQI people in schools have negative consequences for all students. The affirming inclusion of LGBTQI identities and realities across curricula and learning materials ensures that teachers have sufficient opportunities to discuss diversity. Ensuring that curricula and learning materials convey positive messages and avoid negative representations or stereotypes of LGBTQI people in specific subjects is also necessary. **While there is evidence in 27 Member States of voluntary or arbitrary inclusion of LGBTQI issues, inclusive curricula have only been embedded throughout the full curriculum or been made compulsory for all students in 12 Member States.**

Mandatory teacher training on LGBTQI awareness

Teachers play a vital role in creating a safe atmosphere for all students, regardless of their sexual orientation, gender identity and expression, or variations in sex characteristics. Many teachers, however, still report that they lack the confidence and knowledge to discuss LGBTQI issues or support learners who are LGBTQI. A national or regional training programme for teachers and other school staff on LGBTQI awareness and inclusion is essential to translate policies into reality. **Although civil society organisations report that more than 24 countries have provided some training, only 2 Member States have introduced mandatory teacher training.**

Gender recognition

In order to meet the needs of trans, non-binary, gender variant, and intersex students, all learners should have the right to have their own name and gender marker recognised. That decision should be supported by the whole school with all documents and certificates using the chosen name and gender and the learner being able to use the gendered spaces of their choice. **Self-determined legal gender recognition for LGBTQI young people under 16 has only been reported in 4 Member States.**

National or regional data collection on bullying and harassment

Monitoring the nature, prevalence and impact of violence at school is necessary to plan effective interventions to tackle bias-motivated bullying on SOGIGESC grounds. Anti-LGBTQI bullying must be recorded as such to build up an accurate record of the issue within each school individually and the education sector in general. **Although several countries have evidence of data collection, civil society organisations report that only 4 Member States are either systematically collecting data directly through governments, a funded institution, or NGOs that received government funding to work on inclusive education.**

SUMMARY

Support systems for young people

Teachers and school staff are responsible for the health and well-being of all learners. At times, LGBTQI students may require additional support and guidance, so school staff should be trained and equipped to deal with any requests. Links to relevant LGBTQI youth services and groups should also be established for signposting and referrals. Furthermore, specific support for everyone affected by anti-LGBTQI violence should be provided. **Civil society organisations report that 12 Member States provide services or have funded projects that provide support.**

Information and guidelines

Learners should have access to information and guidance regarding sexual orientation, gender identity and expression, and variations in sex characteristics. Information should be provided in different formats, and posters and leaflets should be on display in both public and more private areas of the school, with relevant websites accessible from all school computers. This is also helpful for creating an environment that encourages greater understanding and respect from all learners. **Civil society organisations report that 16 Member States directly provide guidance or fund projects that offer such information.**

School environment and inclusion

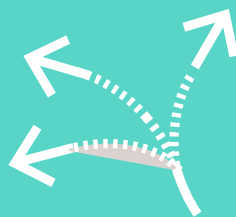
A safe and supportive school environment is vital for the development as well as the physical and mental well-being of LGBTQI youth. This indicator draws attention to heavily hostile environments where LGBTQI students have been excluded from extracurricular activities based on their actual or perceived SOGIESC, or where the establishment of LGBTQI student groups has been prohibited. It should be noted that not all countries have a culture of extracurricular activities and school clubs. **Civil society organisations report that 5 Member States prohibit extracurricular activities that address LGBTQI issues, while only 12 provide comprehensive resources to implement those activities.**

International commitment

Anti-LGBTQI violence and bullying remains a global issue and requires attention beyond local and national levels if it is to be eradicated. International commitment to the issue from Member States shows political leadership to other countries and highlights the importance of cooperation. **Membership of the European Governmental LGBTI Focal Points Network (36 Council of Europe Member States as well as Kosovo) and the signing of the UNESCO *Call for Action by Ministers on Inclusive and Equitable Education for All Learners in an environment free from discrimination and violence* (signed by 29 Council of Europe Member States), both highlight such commitment on LGBTQI inclusive education.**

CHAPTER 1

LGBTQI INCLUSIVE EDUCATION REPORT



INTRODUCTION

Everyone has the fundamental right to education, health and well-being, and all forms of discrimination or violence in schools are an obstacle to these fundamental rights. In particular, school bullying based on actual or perceived SOGIGESC is one of the most widespread problems taking place inside educational institutions.

LGBTQI children and youth are often at risk of experiencing bullying and harassment in schools. The **latest report from UNESCO** on this topic suggests that LGBTQI children and youth are significantly more likely to experience school violence than learners who identify or are perceived to be heterosexual and gender conforming. Likewise, the results of the latest **2019 FRA LGBTI Survey II** showed that LGBTQI learners (and in particular trans and intersex youth) were often discriminated against or felt unsafe in education.

Anti-discrimination legislation inclusive of SOGIGESC, as well as specific national policies and action plans, are important safeguards for LGBTQI learners. However, this legal fundament has to be complemented with robust measures that improve the learning experience of LGBTQI youth. These measures should not only protect from violence and harassment but contribute to an inclusive environment that allows LGBTQI students to feel safe and to fully unfold their true potential.

Indeed, violence and harassment are not the only burdens that LGBTQI learners bear in their access to education. Whilst many Council of Europe Member States have made some progress on inclusive education, the majority of school curricula still do not represent SOGIGESC in a positive manner. On the contrary, negative representations and stereotypes of LGBTQI people remain common and can spread misinformation which incites hate against LGBTQI communities across Europe. Despite some indication that European citizens **increasingly support** curricula discussing SOGIGESC, only 12 countries in this report ensure that their national curricula convey positive representations of LGBTQI people. Data from the **2019 FRA LGBTI Survey II** confirms this observation by finding that only 13% of respondents of school-age were always receiving positive information about LGBTQI identities, while 47% did not receive any information at all.

Data-collection on the experience of LGBTQI learners is crucial. In particular, national data on bias-motivated bullying on SOGIGESC grounds helps civil society to back up their demands for more robust anti-bullying structures and raise governments' awareness. Unfortunately, many governments do not collect such data segregated by SOGIGESC.

An overarching problem across the majority of the 49 countries in this report is that **teachers and school staff in Europe** lack access to adequate training on LGBTQI issues. This failure translates to the inability to prevent and address bias-motivated violence and bullying on SOGIGESC grounds. Additionally, a lack of training also precludes teachers from addressing LGBTQI-related questions in their classes in a meaningful and inclusive way.

Insufficient teacher training further impacts the level of support that school staff can provide to LGBTQI learners. While in school, according to FRA data, only a third of LGBTQI young people aged 18 to 24 have **received systematic support** or protection from their teachers. Low levels of support constitute a barrier to creating an inclusive learning environment for all.

Trans and non-binary youth are particularly vulnerable to discrimination in education and beyond. Indeed, many trans and non-binary people become conscious of their gender identity **at an early age**.

CHAPTER 1

INTRODUCTION

However, the latest **2019 FRA LGBTI Survey II** found that a majority of respondents did not come out until their early 20s. Trans and non-binary learners are often forced to hide or disguise their gender identity in school due to a fear of bullying by peers and/or school staff. GIGE issues in educational settings continue to be neglected across Council of Europe Member States.

Studies **indicate** that the well-being of trans children whose identities are affirmed and supported reached the same level than that of their cis peers. On the contrary, trans youth that are barred from transitioning face alarmingly high rates of anxiety and depression. Yet, we observe that European countries still lack effective policies to protect trans and non-binary learners, as legal gender recognition (LGR) on the basis of self-determination remains inaccessible for most. Therefore, in the absence of quick, transparent, as well as accessible LGR procedures for trans and non-binary minors, schools need to step in and ensure that their gender identities and names are respected. If schools are unable to create non-gendered spaces, trans and non-binary learners should be able to access gendered facilities that match their gender identity.

Fostering safe and inclusive school environments for LGBTQI learners directly protects their well-being and access to their fundamental right to education, which is today enshrined in international and regional human rights instruments. Its first codification can be found in the non-binding **Universal Declaration of Human Rights** and the right has since been included in the **Convention against Discrimination on Education**, the **International Covenant on Economic, Social and Cultural Rights** and the **Convention on the Rights of the Child**, among other binding international agreements. At the regional level, the **European Convention on Human Rights** includes a right to education which has been the basis of several recommendations by the Council of Europe.

At the international and European level, two initiatives are of particular importance and show the commitment of governments to inclusive education. Firstly, in the 2016 **Call for Action by Ministers: Inclusive and equitable Education for All learners in an environment free from discrimination and violence**, a number of governments reaffirm their attachment to the 2030 Agenda for Sustainable Development and pledge to work towards developing and implementing comprehensive responses to ensure inclusive education for all learners. Secondly, at the regional level, the **European Governmental LGBTI Focal Points Network** (EFPN) is an intergovernmental working group by the Council of Europe which is dedicated to the advancement of the human rights of LGBTQI persons in its Member States.

On the basis of all these observations, IGLYO developed the analytical framework of the **2018 report on LGBTQI Inclusive Education**. The framework relies on indicators that go beyond legislation to comprehensively capture the overall experiences of LGBTQI learners in 47 Council of Europe Member States, as well as Belarus and Kosovo. These indicators look at anti-discrimination legislation applicable to education, policies and action plans, inclusive school curricula, mandatory teacher training, legal gender recognition, data collection on anti-LGBTQI bullying, support systems for LGBTQI learners, information and guidelines, the overall school environment, and international commitments in the area of SOGIGESC and education.

Four years down the road of our first edition, the need for inclusive education remains a crucial step towards achieving greater equality. In order for education to be truly inclusive, it should enable every student to unfold their true potential and to learn in a safe environment. Therefore, it is essential that educational systems are not only aware of the risks of discrimination, exclusion and violence which LGBTQI students face, but also build robust protective structures to ensure everybody's right to education.



CHAPTER 1

INTRODUCTION

Aim of this report

In 2016, IGLYO started working on the LGBTQI Inclusive Education Project with the aim of providing information about concrete measures in all 47 Council of Europe Members States, as well as Belarus and Kosovo, that ensure inclusive education and tackle discrimination on grounds of actual or perceived SOGIESC. This research has been carried out by IGLYO in partnership with civil society organisations and education experts. The First Edition of the report, published in 2018, has served as a resource for governments to evaluate the current levels of inclusion within their own country, learn from good practice examples, and encourage international commitment. Additionally, it has been a useful advocacy resource for national civil society organisations that are active in the field of LGBTQI inclusive education.

The Second Edition of the LGBTQI Inclusive Education Report is a review and an update of the findings of the First Edition. It presents an in-depth account of the current situation on LGBTQI inclusive education in each country and has been organised in two chapters. The first chapter describes the most relevant aspects of the research (background, overall goal, methodology and main findings), while the second chapter includes the country files containing country-specific information regarding the local state of inclusive education.

METHODOLOGY

Following the international standards of implementing a comprehensive education approach to prevent and address SOGIGESC-based bullying, this report provides information on 10 indicators that provide input on the areas developed within this framework.

The indicators entail the implementation of (1, 2) anti-discrimination legislation and inclusive national policies or action plans, (3, 8) inclusive curricula, guidelines and other sources of information, (4) mandatory training for teachers, (7, 9) support for students, and supportive school environments, as well as (6) data collection on the experiences of LGBTQI learners. We also deemed it necessary to include (5) the recognition of learners' gender identities, in particular legal gender recognition, and (10) the extent to which Council of Europe Member States have shown international commitment to creating safe, supportive and inclusive education systems.

Building on the experience with the first edition of the Index and Report, IGLYO refined the questionnaire and then asked for the contributions of member organisations, other relevant civil society organisations and educational experts from the Council of Europe Member States, as well as Belarus and Kosovo.

IGLYO received completed questionnaires from all countries, except Liechtenstein, Monaco and San Marino. In some cases, member organisations or local educational experts did not have the capacity to do this research. In those cases, information was provided by lawyers and desk research. On the basis of the collected data, two different resources have been created. Firstly, a narrative report, with the most relevant information, has been produced for each country (the LGBTQI Inclusive Education Report). Secondly, IGLYO has developed a map and table to easily highlight and compare the situation in each country, based on the ten indicators (the LGBTQI Inclusive Education Index).

This project is primarily aimed at governments (education ministries, policy-makers and other governmental staff working in the field of inclusive education), to provide an overview of the situation in each country according to civil society. For that reason, this research relies on qualitative information. IGLYO has worked closely with its member organisations and partners to gather data on legislation, policies and practices at a national level. When needed, desk research was also carried out to verify the accuracy of the information or to supplement the data provided. Final results have also been reviewed and verified by other partners and pro-bono lawyers.

CHAPTER 1

INDICATORS

For the **First Edition** of this report in 2018, IGLYO had worked with an international group of experts who developed the indicators based on previous research. Protective legislation has been found insufficient on its own to allow LGBTQI learners to realise their full potential. Further measures, such as affirming and inclusive curricula, knowledgeable education staff, access to specific information as well as support systems, all within the framework of a positive school environment, are crucial for LGBTQI students. If governments truly strive to provide equal opportunities to their youth, schools need to be safe, inclusive and supportive for all young people.

Although most indicators have not changed from the first edition of this report, we made a few adjustments to incorporate the feedback IGLYO received from the initial report. Firstly, we have adapted the scoring of specific indicators to better catch particularly difficult environments with a high degree of discrimination. Given the current backlash against LGBTQI youth rights in several Council of Europe Member States, we thought it was important to highlight these climates in the scoring and narrative reports. Secondly, the indicator 'Partnerships between governments and NGOs' has been removed as the chapter on 'Policies and action plans' already highlights whether financial resources have been allocated for the implementation of these action plans. School support systems also capture instances where civil society organisations receive funding to provide those resources. Finally, we have introduced a new indicator ('School environment and inclusion') to draw particular attention to heavily hostile environments that exclude LGBTQI students from extracurricular activities.

Anti-discrimination law applicable to education

Education should be safe and accessible for all learners. A strong legal anti-discrimination framework is therefore necessary to ensure effective enjoyment of the right to education. All states should guarantee the enjoyment of this right to everybody by explicitly tackling discrimination on the grounds of sexual orientation (SO), gender identity and gender expression (GIGE) or variations in sex characteristics (SC) within educational settings. So-called 'anti-propaganda laws', which ban the display of SOGIGESC issues in education and beyond, are particularly detrimental to inclusive education and are therefore differently weighted than the absence of protective measures.

Anti-discrimination law	
Anti-propaganda laws	-5/10
No evidence of applicable anti-discrimination legislation	0/10
One protected characteristic	5/10
Two protected characteristics	7,5/10
Three protected characteristics	10/10

Policies and action plans

National or regional policies to promote a safe and inclusive environment for all learners are crucial for outlining the necessary processes and actions that schools should follow to tackle bias-motivated discrimination based on actual or perceived SOGIGESC and provide teachers and other school staff with the framework to prevent and address discrimination with confidence and support.

Policies and action plans	
No anti-bullying policy or national action plan	0/10
Anti-bullying policy or action plan with one protected characteristic	5/10
Anti-bullying policy or action plan with two protected characteristics	7,5/10
Anti-bullying policy or action plan with three protected characteristics	10/10

INDICATORS



Inclusive national curricula

General invisibility and lack of positive representations of LGBTQI people in schools have negative consequences for all students. The affirming inclusion of LGBTQI identities and realities across curricula and learning materials guarantees that teachers have many opportunities to discuss diversity. Ensuring that curricula and learning materials convey positive messages and avoid negative representations or stereotypes about LGBTQI people in specific subjects is also necessary. While there is evidence in some countries of voluntary or elective lessons on LGBTQI issues, IGLYO believes that such topics should be embedded throughout the full curriculum or, at least, be mandatory for all students. As a result, countries have been scored only on compulsory curricula.

Inclusive education curricula	
No evidence of compulsory national curricula inclusive of LGBTQI people	0/10
The compulsory national curricula includes representation of one protected characteristic	5/10
The compulsory national curricula includes representation of two protected characteristics	7,5/10
The compulsory national curricula includes representation of three protected characteristics	10/10



Mandatory teacher training

Teachers play a vital role in creating a safe atmosphere for all students, regardless of their sexual orientation, gender identity and gender expression or variations in sex characteristics. Many teachers, however, still report that they lack the confidence and knowledge to discuss LGBTQI issues or support learners who are LGBTQI. A compulsory national or regional training programme for teachers and other school staff on LGBTQI awareness and inclusion is essential to translate policies into reality. As with curricula, this report documents any available data on LGBTQI awareness training for teachers in any form, but scoring is based on mandatory training only.

Teacher training	
No mention of SOGIGESC in the compulsory teacher training program	0/10
Mention of one protected characteristic	5/10
Mention of two protected characteristics	7,5/10
Mention of three protected characteristics	10/10

CHAPTER 1

INDICATORS

Legal gender recognition

In order to meet the needs of trans, non-binary, gender variant and intersex students, all learners should have the right to have their own name and gender recognised. That decision should be supported by the whole school with all documents and certificates using the correct name and gender. Furthermore, where non-gendered spaces are unavailable, all students need to be able to use the gendered spaces of their choice.

Having no means of legal gender recognition (LGR) denies trans, non-binary, gender variant and intersex of their right to be recognised in their identity and therefore results in a negative score for the country. LGR which is based on legal, medical or psychological approval is harmful and therefore results in no points. Legal gender recognition with self-determination has been scored in this indicator. However only countries that also open self-determination for minors can achieve the maximum score.

Legal gender recognition	
No gender recognition provisions	-5/10
There are laws and provisions, but with legal/medical/psychological approval	0/10
There are laws for self-determination, but only for those over 16 years of age	7,5/10
There are laws on gender self-determination, including those under 16 years of age.	10/10

National or regional data collection on bullying and harassment

Monitoring the nature, prevalence and impact of violence at school is necessary to plan effective interventions to tackle bullying. Bullying based on students' (perceived or actual) SOGIESC must be recorded as such to build up an accurate record of the issue. Within the narrative report, any evidence of data collection was included, regardless of who collected it or if it was collected locally, regionally or nationally. To score on the Index, however, there needed to be evidence of the data being gathered directly by governments, a funded institution, or civil society organisation that received government funding to work on inclusive education.

Data collection	
There is no evidence of national or regional bullying and harassment being collected or SO, GIGE and SC are not specifically mentioned	0/10
National or regional bullying and harassment is collected and segregated for one protected characteristic	5/10
National or regional bullying and harassment is collected and segregated for two protected characteristics	7,5/10
National or regional bullying and harassment is collected and segregated for three protected characteristics	10/10

CHAPTER 1

INDICATORS

Support systems for young people

Teachers and school staff are responsible for the health and well-being of all learners. At times, LGBTQI students may require additional support and guidance, so school staff should be trained and ready to deal with any requests. Links to relevant LGBTQI youth services and groups should also be established for signposting and referrals. Furthermore, specific support for everyone affected by bias-motivated violence should be provided. The report details all available information on support systems in each country. For the Index, countries were scored based on if the government provides support services for learners directly or funds civil society organisations who provide such services.

Support system	
There is no evidence of support systems specifically designed	0/10
Direct or indirect support systems are provided by schools or local authorities, but the providers are not trained in LGBTQI-related issues	0/10
Direct or indirect support systems are provided by schools or local authorities for one protected category	5/10
Direct or indirect support systems are provided by schools or local authorities for two protected categories	7.5/10
Direct or indirect support systems are provided by schools or local authorities for three protected categories	10/10

Information and guidelines

Learners should have access to information and guidance regarding sexual orientation, gender identity, gender expression, and variations in sex characteristics. Information should be provided in different formats, and posters and leaflets should be on display in both public and more private areas of the school, with relevant websites accessible from all school computers. This is also helpful for creating an environment that encourages greater understanding and respect from all learners. The report details all available data on information and guidelines for learners in each country. For the Index, countries were scored if the government provides guidance directly or funds civil society organisations who provide such information. To recognise harmful policies which prohibit the presence of informative material on SOGIGESC, the Second Edition of the Inclusive Education Index scores countries that have such policies in place negatively.

Inclusion guidelines	
Policies prohibiting the presence of LGBTQI-related information are in place	-5/10
Schools are not required to adopt inclusive education guidelines	0/10
Guidelines for LGBTQI inclusion adopted by schools mentioning one protected characteristic	5/10
Guidelines for LGBTQI inclusion adopted by schools mentioning two protected characteristics	7.5/10
Guidelines for LGBTQI inclusion adopted by schools mentioning three protected characteristics	10/10

CHAPTER 1

INDICATORS



School environment and inclusion

A safe and supportive school environment is vital for the development as well as the physical and mental well-being of LGBTQI youth. This indicator draws attention to heavily hostile environments where LGBTQI students have been excluded from extracurricular activities based on their actual or perceived SOGIGESC, or where the establishment of LGBTQI student groups has been prohibited. It should be noted that not all countries have a culture of extracurricular activities and school clubs.

School environment and inclusion	
Prohibited extracurricular activities or hostile environment	-5/10
No extracurricular activities	0/10
Extracurricular activities in relation to one protected category	5/10
Extracurricular activities in relation to two protected categories	7,5/10
Extracurricular activities in relation to three protected categories	10/10



International commitments

Bias-motivated bullying based on actual or perceived SOGIGESC remains a global issue and requires attention beyond local and national levels if it is to be eradicated. International commitment to the issue from States shows political leadership to other countries and highlights the importance of cooperation. Membership of the European Governmental LGBTI Focal Points Network (EFPN) and the signing of the UNESCO Call for Action by Ministers on Inclusive and Equitable Education for All learners in an environment free from discrimination and violence both highlight such commitment to LGBTQI inclusive education.

International commitment	
Neither Membership in the EFPN nor ratification of the UNESCO Call for Action	0/10
Member of the EFPN or ratification of the UNESCO Call for Action	5/10
Member of the EFPN and ratification of the UNESCO Call for Action	10/10

CHAPTER 1

GENERAL OVERVIEW

Although the aim of this report is not to provide comparable data between countries, general trends have been identified. In this section, we will summarise some research findings to describe the extent to which governments have implemented comprehensive inclusive measures within their educational systems.

General trends

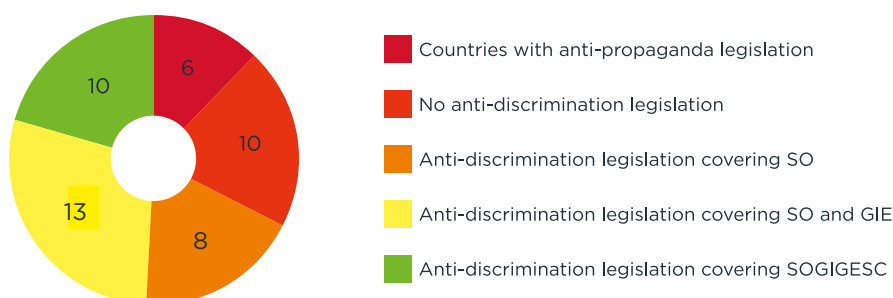
Some governments have already taken significant steps to ensure that education is inclusive of all learners. In particular, 67% of Member States have implemented anti-discrimination laws or policies and action plans. Other practices, however, still remain challenging in most countries. Overall, the main areas for improvement are: compulsory education curricula, mandatory teacher training and data collection about bullying and harassment on grounds of actual or perceived SOGIGESC. Likewise, legal gender recognition based on self-determination is only available in 4 countries for learners under 16.

As shown in this report, there has been no progress in the overall picture since 2018. Out of the 49 countries reviewed, there are only four (Malta, Netherlands, Norway and Sweden) that provide most of these measures across Europe as of today. Some regions in Spain have also developed inclusive laws and policies, but they have are lacking on the national level. **By contrast, six countries have failed to implement any measure at the time of writing this report** (Armenia, North Macedonia, Monaco, San Marino, Turkey and Ukraine) and **six have implemented legislation that actively infringes the right to education of LGBTQI learners** (Azerbaijan, Belarus, Hungary, Latvia, Poland and Russia).

Anti-discrimination law applicable to education

At the time of drafting this report, 32 Council of Europe Member States, as well as Kosovo, have anti-discrimination laws in place that specifically set out SOGIGESC as protected grounds: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Iceland, Ireland, Kosovo, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, North Macedonia, Norway, Portugal, Romania, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden and the United Kingdom. Out of these countries, 26% protect only one ground, 42% sexual orientation and gender identity and expression, and 32% include also variations in sex characteristics in their anti-discrimination laws.

Countries with anti-discrimination legislation applicable to education



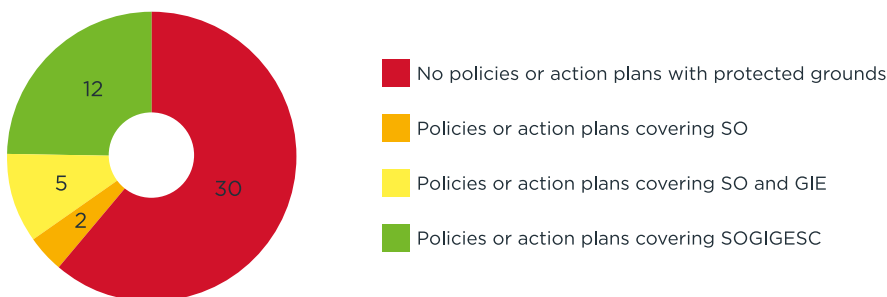
CHAPTER 1

GENERAL OVERVIEW

Policies and action plans

Only 19 Council of Europe Member States have implemented concrete policies or action plans to make schools safe, inclusive and supportive of LGBTQI learners: Albania, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Ireland, Kosovo, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, Norway, Portugal, Spain, and United Kingdom. Out of these countries, 10,5% refer only to sexual orientation, 26% to sexual orientation and gender identity and expression, and 63% refer to variations in sex characteristics as well.

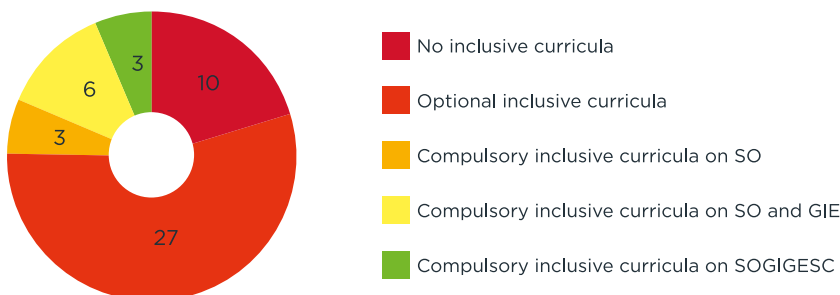
Countries with national policies and action plans covering education measures for LGBTQI learners



Inclusive National Curricula

Although 27 Member States have developed voluntary or arbitrary inclusion of LGBTQI issues, they have only been embedded throughout the full curriculum or, at least, been compulsory for all students, in 12 Member States: Belgium, Croatia, Denmark, Finland, Iceland, Luxembourg, Malta, Netherlands, Norway, Portugal, Sweden, and United Kingdom. Out of these countries, only 25% are inclusive of sexual orientation, 50% have developed inclusive curricula for sexual orientation and gender identity as well as gender expression, and only 25% have also included positive inclusive materials on variations in sex characteristics.

Countries with inclusive national curricula



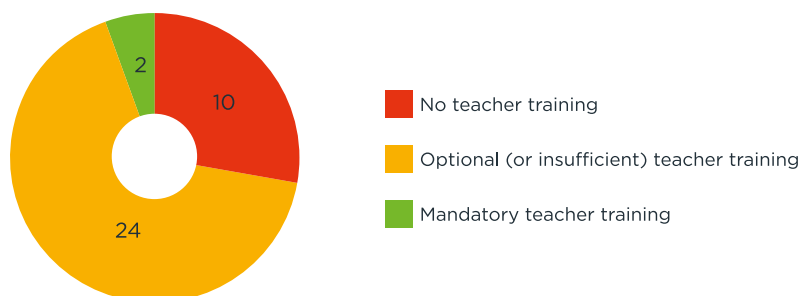
CHAPTER 1

GENERAL OVERVIEW

Teacher training on LGBTQI awareness

Civil society organisations report that teacher training on LGBTQI awareness is only present in half of the Council of Europe Member States (24 have provided some training). However, only 2 Member States have introduced mandatory teacher training (Norway and Sweden). Malta has also introduced mandatory pre-service teacher training, but this has not been extended to teachers who are currently practicing.

Countries with teacher training



Legal gender recognition

Legal gender recognition for minors based on self-determination has only been recognised in 4 Member states (Iceland, Luxembourg, Malta, and Norway). Belgium, Denmark, Ireland, Portugal, and Switzerland have implemented procedures based on self-determination for minors over 16. The rest of the countries have still not adopted laws based on self-determination.

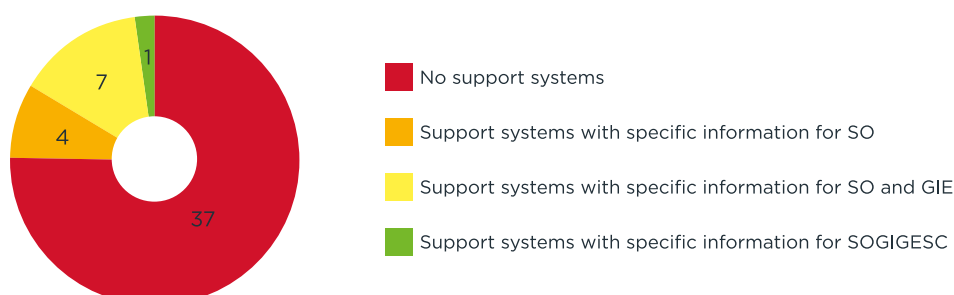
Data collection on bullying and harassment

Although data collection is essential to develop specific programmes and design interventions that take the specificities of each country into account, only 4 Council of Europe Member States provide data on bullying and harassment in schools segregated on the grounds of discrimination at the time of drafting this report: Finland, France, Netherlands and Sweden.

Support systems for young people

Civil society organisations report that 12 Member States provide support or have funded projects that provide support: Belgium, Czech Republic, Denmark, France, Germany, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, and Sweden. Out of these services, 33% are addressed to LGBTQI students, but 58% are exclusively addressed to LGBT learners and in one country (8%) support systems are not inclusive of trans youth.

Countries with support systems for LGBTQI youth



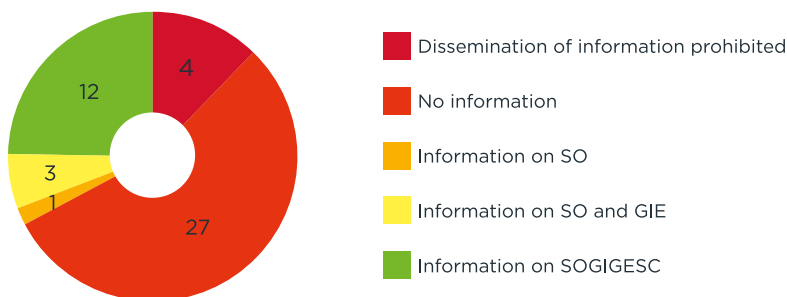
CHAPTER 1

GENERAL OVERVIEW

Information and guidelines

Civil society organisations report that 16 Member States directly provide guidance or fund projects that offer such information: Austria, Belgium, Czech Republic, Denmark, Finland, France, Iceland, Ireland, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden, and United Kingdom. In 4 countries, providing information on SOGIGESC is prohibited: Azerbaijan, Belarus, Latvia and Russia.

Countries with information and guidelines



School environment and inclusion

Civil society organisations report that 5 Member States de facto prohibit extracurricular activities that address LGBTQI issues or create a particularly hostile environment for LGBTQI learners: Azerbaijan, Hungary, Poland, Russia, and Turkey. By contrast, only 12 provide comprehensive resources to implement those activities: Austria, Belgium, Bosnia and Herzegovina, Denmark, France, Iceland, Luxembourg, Malta, Netherlands, Norway, Portugal, and Sweden.

International commitment

Only 23 Council of Europe Member states have signed the Call for Action by Ministers to ensure Inclusive and Equitable Education for All Learners in an environment free from discrimination and violence, and are also members of the European Governmental LGBTI Focal Points Network. Specifically, 29 Council of Europe Member States have signed the Call for Action and 37 countries are members of the European Governmental LGBTI Focal Points Network. Finally, two countries have made specific international commitments but have not implemented any further measures to ensure inclusive education for LGBTQI learners.

CHAPTER 2

COUNTRY FILES





Anti-discrimination Legislation

The **Law on pre-university education** (2012, art. 5) grants the right to education to all, without discrimination on grounds of sexual orientation, but does not refer to gender identity, gender expression, or sex characteristics. The **Law on the rights and protection of the child** (2017) recognises school bullying as an issue and calls for prevention and reporting.

Discrimination on grounds of SOGI is also prohibited by the **Law on protection from discrimination** (2010), which was **amended** in 2020 to also include sex characteristics and HIV status as protected grounds. This Law prohibits discrimination on grounds of SOGIGESC in the treatment of students including their admission, evaluation, application of disciplinary measures, or expulsion.¹ In addition, this Law established the State's positive obligation to tackle discrimination in education and to foster inclusion in curricula. It also **established** the Commissioner for the Protection from Discrimination (CPD) with responsibility for ensuring effective protection from discrimination and any conduct that incites discrimination.² The CPD vowed to address anti-LGBT hate speech.

Policies and action plans

The initial National Action Plan on LGBTI People (2016-2020) (the 2016 National Action Plan) which was implemented in 2016 was a positive step. The 2016 National Action Plan was aimed at raising awareness about LGBTQI issues and at improving access to education for LGBTQI people. Nonetheless, its implementation has been seriously flawed. In 2018, LGBTQI organisations, public institutions, and the Ministry of Health and Social Protection **found** that violence in schools remained a serious issue and public attitudes towards LGBTQI people were largely negative. In 2020, ECRI also **noted** that much of the 2016 National Action Plan remained to be implemented and needed to be properly funded and, in the education context, greater focus should be placed on specific anti-bullying measures.

The government has now introduced a new National Action Plan on LGBTI People (2021 -2027) (the 2021 National Action Plan). Similar to the 2016 National Action Plan, the 2021 National Action Plan is also focused on reducing inequality and discrimination in education. An additional goal of the 2021 National Action Plan is to tackle hate speech and hate crimes against LGBTI people.

Education curricula

The 2016 National Action Plan called for inclusive curricula, but lacked specific indicators or steps. Albania continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

¹ Article 17(1) (c), Law on Protection From Discrimination

² Article 21, Law on Protection From Discrimination



Mandatory teacher training

Despite the 2016 National Action Plan calling for SOGIGESC issues to be part of the compulsory teacher training curriculum, this remains to be implemented. As part of Albania's anti-bullying programme (see above), 210 teachers from 21 schools were trained to tackle bullying and foster inclusion between 2016-2019. However, the curriculum lacked specific references to anti-LGBTQI bullying.

All LGBTQI organizations in Albania run awareness raising programs in schools. As part of the **National Strategy for Gender Equality** (2016-2020), the Ministry of Education, the Municipality of Tirana and local NGO Aleanca LGBT, launched a series of awareness raising workshops in public schools in March 2018. The program **received** significant backlash by politicians, media, and on social media. Despite requests by civil society, the Prime Minister, the Ombudsman and the CPD all failed to condemn hate speech by these actors. Ultimately, the program was suspended.

Legal gender recognition

There are no legal gender recognition procedures in place in **Albania** and no information is available about policies or practices allowing students to use their correct name and gender in schools. In 2018, PINK Embassy Albania presented a draft LGR law but, to date, no law has been adopted on legal gender recognition.

Data collection

Data on LGBTQI students' experiences is only collected by civil society organisations (see under *School environment*). The Ministry of Education collects data on cases of violence and bullying in schools, but the data is not disaggregated on the basis of SOGIGESC.

Support systems

Students who experience discrimination or violence can report cases to the CPD. Children and youth can also reach out to **ALO 116**, a national helpline which also supports LGBTQI people. Free Legal Aid for LGBTQI children and youth is provided by **CRCA/ECPAT Albania**. The hotline ISIGURT.AL supports victims of online hate speech or sexual assault. Barnahus Albania provides support to children and young people who are victim of sexual harassment and abuse.

Information and guidelines

The state provides no relevant guidelines for LGBTQI learners, but civil society does. For instance, PINK Embassy has resources for young people on coming out, on trans issues, and also to support parents.



School environment and inclusion

School bullying remains common in Albania, as highlighted by ECRI with concern.

In 2018, PINK Embassy published 'Teachers' perceptions and attitudes towards LGBTI persons in public high schools in Albania' and highlighted alarming findings about school environments. Two-thirds of teachers responded that they did not address anti-LGBT bullying that they witnessed in their classrooms. Furthermore, over two-thirds stated they would not support LGBTQI students and almost 10% said they would not even want them in their class.

In 2019, a high school student in the town of Vlora suffered repeated attacks from peers after coming out, including being kicked and strangled. The school failed to protect the student who ended up dropping out.

In 2020, local NGO Streha's survey found that 72% of its respondents experienced school bullying due to being LGBTQI.



International commitments

Albania has ratified all nine UN human rights treaties, including the ICESCR and the CRC, which enshrine the right to education. Albania has also signed the 2016 UNESCO Call for Action, and is a member of the European Governmental LGBTI Focal Points Network (as of April 2022).



Best practices

ALO 116 is a national helpline for children and young people in general, which has supported LGBTQI youth since 2009.



ANDORRA

Anti-discrimination Legislation

The **Andorran Constitution** (1993) establishes the right to education for all (art. 20) and to be free from discrimination (art. 6). The Constitution does not explicitly list SOGIGESC as protected grounds, but includes a general clause that persons shall not be discriminated against on the basis 'any other personal or social condition'.

A number of other laws focus specifically on education, but do not specifically mention SOGIGESC issues or LGBTQI students. These are: the **Law on qualified education** (1993), the **Law on the Regulation of the General Educational System** (1994), and the **Secondary Education Management Act** (2007).

In 2018, the government presented its **White Paper on Equality**, outlining the necessary steps to ensure equality and non-discrimination. Since then, the parliament adopted the **Law on Equal Treatment and Non-Discrimination** (2019), which includes LGBTQI people as a protected group (art. 2). It also amended the **Law on the rights of children and adolescents** (2019), which includes SOGIGE as protected grounds (art.12), and establishes that children have the right to and must be respected in their gender identity.

In 2020, the Equality Observatory, Andorra's anti-discrimination body, was **set up**. One of its commissions is mandated to work on LGBTQI issues.

Policies and action plans

Andorra's **Anti-bullying Action Plan** (2016) does not include SOGIGESC as protected grounds. The Action Plan was planned to be reviewed in 2018, but the process has been stalled so far. The National Plan for Childhood and Adolescence is yet to be adopted, but it is unclear whether it will reflect civil society recommendations and cover SOGIGESC grounds.

Education curricula

SOGIGESC issues are not explicitly included in general curricula, sex and relationship classes, or human rights education.

Mandatory teacher training

Mandatory teacher training does not include LGBTQI-specific content.

The Ministry of Education has **organised** anti-bullying workshops for students, but it is unknown whether these have covered SOGIGESC issues. In 2020, the Catalan Association of Parents with Trans* Children, Chrysallis, **held** a training for staff in a kindergarten which had been requested by parents of a trans child. The NGO DiversAnd has also held various meetings with teachers on SOGIGESC issues and delivered training for teachers in primary and secondary schools, as well as for aspiring teachers at the University of Andorra. Three further training events are planned for the 2021/2022 school year.



ANDORRA



Legal gender recognition

There are no legal gender recognition (LGR) procedures in place in **Andorra** and no information is available about policies or practices allowing students to use their correct name and gender in schools.



Data collection

The state collects data on bullying and harassment, but the data is not disaggregated by SOGIGESC.



Support systems

There are no known direct or indirect support systems in place to support victims of anti-LGBTQI bullying in school. Victims can report incidents or attacks to the Equality Observatory or the NGO DiversAnd.



Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.



International Commitments

Andorra is a States Party to **six** of the nine core UN human rights treaties³, but has regrettably failed to ratify the ICESCR, which enshrines the right to education. It has, however, ratified the CRC. Andorra is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the 2016 UNESCO **Call for Action**.

³ Other than ICESCR, Andorra has not ratified the CMW and the CED. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



ARMENIA

Anti-discrimination Legislation

There have been no legislative changes in Armenia since [2018](#) that relate to education and SOGIGESC issues.

The Armenian [Constitution](#) (1995, amended in 2015) prohibits discrimination, but does not explicitly mention SOGIGESC grounds. [ECRI](#) (2019) and [States](#) in Armenia's third UPR review (2020) made several recommendations to the government to ensure that discrimination against LGBTQI people is prohibited and violence criminalised. Regrettably, the recent review of the Criminal Code (2019-2020) has not resulted in the explicit inclusion of SOGIGESC grounds with regard to discrimination or violence.

There have been several [attempts](#) by conservative political forces to criminalise the so-called 'propaganda of non-traditional sexual relations', but each initiative has so far failed.

Policies and action plans

There are no national policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion.

Education curricula

SOGIGESC issues are not part of curricula. On the contrary, the current curricula [reinforce](#) gender stereotypes and patriarchal power structures. In higher education, same-sex relations are taught to be a 'perversion'. Several students reported to NGOs that their thesis proposals were rejected if they were related to SOGIGESC issues.

Armenia continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

Legal gender recognition

There are no legal gender recognition (LGR) procedures in place in [Armenia](#). A number of trans people have been able to change their names, but there is no law in place to guarantee consistent practice.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.



ARMENIA



Data collection

The government does not collect data on anti-LGBTQI bullying, but the Ombudsperson has, in some instances, reported on SOGIGESC issues. Civil society, including [Pink Armenia](#) and [RightSide NGO](#), gather data on discrimination and violence.



Support systems

Neither the government or schools provide targeted support for LGBTQI learners or their families.



Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.



School environment and inclusion

Discrimination and violence against LGBTQI people remains common in Armenia. NGOs, such as Pink Armenia and RightSide have documented numerous cases over the past years and helped victims with legal support. Regrettably, the police and judiciary are rarely supportive of victims in seeking justice. The COVID-19 pandemic has also made life more difficult for LGBTQI people and in particular trans people, exposing them to increased risk of marginalisation, discrimination, and violence.

A number of young people and students have also been targeted by discrimination and hate crimes. In 2019, a 15 year-old boy was attacked because he was perceived to be gay. His parents **dropped** criminal charges, in fear of further bullying against their son. In 2020, a lesbian student was **expelled** from the military university. The director of the school reasoned that it was because of her sexual orientation.



International commitments

Armenia is a State Party to **eight** of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrines the right to education. Armenia is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has not signed the 2016 UNESCO **Call for Action**.



Anti-discrimination Legislation

In Austria, anti-discrimination protections are put in place on the regional level. All nine Austrian federal provinces (Vienna, Burgenland, Styria, Carinthia, Salzburg, Tyrol, Vorarlberg, Upper Austria and Lower Austria) offer comprehensive protection from discrimination in the field of education on the ground of sexual orientation. However, only Vienna provides protection on the ground of gender identity as well.

One federal document in this area is the Fundamental Decree on Sexual Pedagogy (2015), issued by the then Federal Ministry of Education and Women's Affairs. The decree sets out that schools should contribute to enabling children and adolescents to develop their own values, without having to be afraid of being discriminated against on grounds of who they are. SOGIGESC grounds are however not explicitly mentioned - there is only one reference to 'sexist, homophobic, and transphobic' statements that should not be allowed in school. The Decree also does not take into account those outside the gender binary.

Policies and action plans

There are no national policies or action plans to specifically tackle anti-LGBTQI bullying or promote LGBTQI inclusion. The 2008 national anti-bullying strategy, Weisse Feder does not mention SOGIGESC grounds.

Education curricula

SOGIGESC issues are not part of the national civic education curricula. As ECRI reported (2020), schools can decide how they design their curriculum and to what extent they include LGBTQI issues.

Sex education is mandatory, but there are no minimum hours specified and schools have discretion on its content. LGBTQI issues are not addressed in a systematic way. In 2019, UN CEDAW recommended that Austria's sex education curriculum should include LBT women's issues.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness and schools have to invite external trainers on a voluntary basis.

The Viennese Anti-discrimination Unit for LGBTIQ Issues (WASit), established in 1998, continues to hold trainings in schools. The intersex organisation VIMÖ, in collaboration with PIÖ (Intersex Platform Austria), holds training events on sex characteristics and gender identity in schools, universities, and for teachers. A number of other programs are run across the country, including Schule der Vielfalt by Hosi Salzburg. Queerconnexion holds school workshops for students from 10 to 18 years in Vienna.



Legal gender recognition

Legal gender recognition procedures are in place, and minors can change their name and gender marker without age restriction. LGR however is not available on the basis of self-determination and requires a psychiatric evaluation. Additionally, a new, gender-specific first name may only be adopted following LGR.

The 2018 Constitutional Court judgment called for ID documents with gender markers that reflect an individual's own self-determined gender identity. Intersex persons can apply for alternative gender markers or to have no gender marker on their documents. However, these alternative gender markers ('inter', 'divers', 'open', or no entry) are only available to intersex people with a medical diagnosis and even to them only with significant barriers (an attestation certificate from a panel of doctors).

The country has no national or regional policies allowing students to use their preferred name in schools and universities before LGR.

Data collection

The government does not collect data on bullying on the basis of actual or perceived SOGIGESC. However, in 2021, the Ministry of Interior started recording data on hate crimes.

The nine education inspectorates in each federal state can collect specific information within their region, but there is no national regulation about how they disaggregate it.

Support systems

Local authorities and schools provide direct support and relief services for victims of bullying, but these services do not receive mandatory training on SOGIGESC issues.

In 2020, the city of Vienna **announced** it would soon establish a center for LGBTQI youth, responding to a local study showing alarming rates of suicidal thoughts and attempts in the community.

Information and guidelines

Schools generally provide information regarding LGBTQI communities through leaflets and posters in their premises. School employees are allowed to independently provide information regarding LGBTQI issues.

NGOs have published a number of toolkits, lesson plans, and other resources (see under *Teacher training*).



School environment and inclusion

Several LGBTQI organisations offer workshops on LGBTQI issues and/or comprehensive sex and relationship education to school and youth centers.



International commitments

Austria has ratified **eight** of the nine core UN human rights treaties⁴, including the ICESCR and the CRC, which enshrine the right to education. Austria is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the **2016 UNESCO Call for Action**. During its third UPR review, Austria **received** 11 recommendations on LGBTQI issues, including to strengthen anti-discrimination safeguards and ban surgeries performed on intersex children.

4 Austria has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



AZERBAIJAN

Anti-discrimination Legislation

The **Constitution** (1995) provides for equality before the law, but does not mention SOGIGESC as protected grounds. Neither do any other pieces of legislation.

On the contrary, the law on **Protection of children from information harmful to their health and development** deems any information that counters the notion of 'traditional family' harmful. The law, which was adopted in 2018 and entered into force in early 2020, can be interpreted as banning the dissemination of information on LGBTQI rights. In practice, teachers and staff are not allowed to share information about SOGIGESC issues in school.

Policies and action plans

In 2019, the Ministry of Education **adopted** an action plan to tackle bullying, and launched the #Speak-toMe campaign to draw attention to the issue. No concrete measures have followed since. Neither the action plan or the campaign mention SOGIGESC grounds specifically.

Education curricula

SOGIGESC issues are not part of national curricula.

Azerbaijan continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness and there are no workshops or lessons available for teachers either.

Legal gender recognition

There are no legal gender recognition (LGR) procedures in place in **Azerbaijan**.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.

Data collection

The government does not collect data on anti-LGBTQI bullying. However, local civil society organisations **report** that LGBTQI students are constant targets of bullying and harassment by peers and staff.



AZERBAIJAN

Support systems

The government does not provide support systems for LGBTQI learners or their families.

Some schools provide direct support to students struggling, including through counseling or guidance. However, school counselors are not trained on SOGIGESC issues.

The anti-bullying action plan (2019, see under *Policies and action plans*) envisions support services for victims. That being said, LGBTQI learners are not mentioned in it and the state has not taken practical measures to implement it.

LGBTQI civil society organisations have been unable to formally register and provide regular support to LGBTQI young people. In fact, groups have been denied registration on several occasions.

Information and guidelines

Information about SOGIGESC issues has been increasingly available to young people online, but none of this information is provided or enabled by the state. Quite the opposite, the 2018 law (see under *Anti-discrimination Legislation*) makes it impossible for teachers or staff to openly share information about SOGIGESC issues in school.

Local human rights initiatives have been working on creating new content and also translating existing resources.

School environment and inclusion

The 2018 law (see under *Anti-discrimination Legislation*) makes it impossible for any student clubs to operate if they cover LGBTQI issues.

The climate has remained hostile towards LGBTQI people.

International commitments

Azerbaijan has ratified eight of the nine core UN human rights treaties⁵, including the ICESCR and the CRC, which enshrine the right to education. Azerbaijan is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has not signed the 2016 UNESCO Call for Action.

⁵ Azerbaijan has only signed the CED. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



BELARUS

Anti-discrimination Legislation

There have been no legislative changes since **2018** that relate to education and SOGIGESC issues. Belarus continues to have no anti-discrimination laws that mention SOGIGESC.

Law No. 362-Z on the Protection of Children from Information Harmful to their Health and Development (2017) prohibits the dissemination of information that 'discredits the institution of family and marriage' and has been used against LGBTQI people. In 2020, ultra conservative forces continued to **lobby** for an explicit ban on 'LGBT propaganda' for **minors**, but so far unsuccessfully. The Belarusian Youth Council **condemned** these efforts.

Policies and action plans

There are no national policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion.

Education curricula

SOGIGESC issues are not part of general curricula. On the contrary, Law No. 362-Z (see above) *de facto* prohibits the discussion of SOGIGESC topics in schools.

Belarus continues to have no mandatory sex education that is inclusive of SOGIGESC. In 2020, reports have **suggested** that the Ministry of Health would raise the age of consent for same-sex relations from 16 to 18. There is no human rights curriculum in place.

Mandatory teacher training

There is no mandatory teacher training on LGBTQI awareness.

Legal gender recognition

Legal gender recognition and name change procedures exist, but are conditional upon a range of abusive requirements. These **include** sterilisation, surgery, and other medical interventions. The Ministry of Health regulation N.163/2010 on 'gender change and correction' sets out that trans people must apply to a commission for the 'medical, psychological, and social rehabilitations of persons with gender identity disorder' under the Ministry of Health. LGR is not available to minors and only offers binary options.

Data collection

The government does not collect data on LGBTQI students' experiences.



BELARUS

Support systems

The government or schools do not provide direct support to LGBTQI learners.

Belarusian NGOs provide support services for LGBTQI communities, both online and in person. Make-Out publishes information on various aspects of being LGBTQI; Vstrecha offers information and psychological support. Through counseling, peer groups, and training, the Community Center supports LGBTQI youth, their families, and also psychologists in their work.

Information and guidelines

No relevant guidelines are in place for teachers, staff, or LGBTQI learners and their parents. On the contrary, Law No. 362-Z (see above) *de facto* prohibits the discussion of SOGIESC topics in schools.

School environment and inclusion

Since 2018, the political climate has remained hostile towards LGBTQI people, with political leaders and media spreading anti-LGBTQI hate speech with impunity. In 2019 for instance, a Ministry of Interior official equated same-sex relations with pedophilia. In the same year, ultra conservative groups held events in schools, encouraging teachers and students to tackle 'LGBT propaganda' and the spread of 'gender ideology'.

LGBTQI activists have stood strong and fierce in the generally hostile climate, but many have been harassed and persecuted by the authorities.

In 2020 and 2021, the government orchestrated violent crackdowns on pro-democracy protesters. Many LGBTQI activists participated and spoke out against the regime, demanding freedom for their communities. Thousands of protesters were unlawfully arrested, beaten, tortured, and many disappeared. LGBTQI activists have also faced arrest, violence, and sexual abuse.

International commitments

Belarus is a States Party to seven of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrines the right to education. Belarus is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has not signed the 2016 UNESCO Call for Action.



BELGIUM

Anti-discrimination Legislation

At the federal level, Belgian anti-discrimination legislation consists of two acts. Firstly, the **Act Prohibiting certain forms of discrimination** (2007) which prohibits discrimination on grounds of sexual orientation. Secondly, the **Gender Equality Federal Act** (2007, Art. 4), which **protects** in particular against discrimination based on a gender identity and gender expression since 2014 as well as sex characteristics **since 2020**. The act states that discrimination based on gender identity or expression is equated with discrimination based on sex.

The competences in the area of education are transferred to the communities. All three communities (**French, Flemish and German**) have adopted their own decrees against discrimination applicable to educational settings. All of them mention specifically discrimination on grounds of sexual orientation since 2008 and include gender identity and gender expression since 2013, as well as sex characteristics since 2020.

Policies and action plans

There are no federal policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion.

The third **interfederal action plan against homophobic and transphobic violence** (2013) had been in place from 2018 to 2019 and comprised several measures to tackle violence addressed to LGBT people. There have been delays regarding a new action plan at the level of the federal government.

In Flanders, there is a **horizontal policy plan** 2020-2024 which aims to increase the well-being of LGBTQI youth in the areas the communities have competences, including education. The French-speaking Community allows parents of students in secondary school to enroll their child with non-binary gender markers.

Education curricula

Within the Flemish education system, SOGIGESC issues are discussed in all grades of secondary schools through cross-curricular objectives and development goals.

The French Community has an interdepartmental decree to mainstream education for relational, emotional and sexual life (**EVRAS**) in schools and the document refers to LGBTQI diversity. However, civil society organisations report that the effectiveness of this protocol is very difficult to evaluate.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness in either of the communities.

However, civil society organisation Çavaria **has** a special training program (**KliQ**) for teacher training degrees within the Flemish Community. The organisation gives around 60 guest lectures a year, having increased the number significantly in recent years. The organisation also has a website with educational material and guidelines on how to **react** to LGBTQI bullying as well as other background information.



Legal gender recognition

Belgian's **gender recognition legislation** (2017) is based on self-determination. However, the law does not extend to minors under 16 who only have the possibility to change their first name according to their gender identity from age 12 with assistance from their parents or a legal guardian.

On 19 June 2019, the Belgian Constitutional Court **decided** that non-binary and genderfluid persons were discriminated against by the current legislation. Both the principle of irreversibility of LGR (it is only possible to change gender marker once using the current law) and the absence of non-binary gender markers were found unconstitutional. The federal parliament still needs to comply with the judgment and to adopt an appropriate legal framework, which might include a third gender option.

There is no information regarding national policies allowing students to use their preferred name and gender in schools before having obtained legal gender recognition. However, as referred to above, at the community level and from September 2021, in the French-speaking Community, parents can now enroll their children in secondary school with a non-binary ('neutral') gender marker.

Data collection

Data on LGBTQI students' experiences is only collected by civil society organisations.

Support systems

Each community in the country has its **own indirect support systems**. In Flanders, for five years, Çavaria has provided specially developed trainings for **Student Guidance Center** (CLB) workers on how to help transgender and gender non-conforming children and students.

Information and guidelines

Schools generally provide information on community events and youth clubs through posters and leaflets. Schools tend to provide information regarding the LGBTQI community through leaflets and posters.

Schools are not required to adopt comprehensive inclusion and anti-bullying policies and action plans. However, some schools adopt such plans on a voluntary basis.

School environment and inclusion

Youth groups are allowed to meet in school venues throughout the country, and LGBTQI student groups are often found in Flemish community schools. Civil society organisations routinely collaborate with schools and universities to provide LGBTQI-specific training and advice.

International commitments

Belgium has ratified **eight** of the nine core UN human rights treaties⁶, including the ICESCR and the CRC, which enshrine the right to education. Belgium is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**.

6 Belgium has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



BOSNIA AND HERZEGOVINA

Anti-discrimination Legislation

There have been no significant legislative changes in Bosnia and Herzegovina since 2018 that relate to education and SOGIGESC issues.

The Law on Prohibition of Discrimination (2009, amended in 2016) of Bosnia and Herzegovina prohibits discrimination in all aspects of public life, including education, employment, healthcare and provision of services (Article 2). The prohibition includes, among others, discrimination on the grounds of sexual orientation, gender identity, and sex characteristics. The law, therefore, offers protection for LGBTQI learners.

Article 12 of the Law on Gender Equality in Bosnia and Herzegovina (adopted in 2003) also prohibits discrimination based on gender and sexual orientation.

Likewise, in 2016, amendments to the Criminal Code were approved by the Federation of B&H (published in the Official Gazette on 15 June, 2016) which establishes hate crime provisions regarding sexual orientation and gender identity (similar legislation already existed in the Republika Srpska and the Brcko District).

Policies and action plans

In September 2018, the Ministry of Human Rights and Refugees of BiH prepared a draft 'Action Plan for Equality of LGBTI People in BiH (2018-2020)'. The action plan was initially welcomed by the Government of the Federation of BiH, one of the two entities constituting Bosnia and Herzegovina. However, in order for the plan to be adopted at the federal level, all entities, including the Republika Srpska, would have to agree.

On 8 November 2019, the UN Committee on the Elimination of Discrimination against Women recommended that Bosnia & Herzegovina takes action to respect the human rights of LBT women and ensure that national action plans on gender equality address stigma and discrimination against them in all spheres of life. At the end of the same year, a preparatory meeting was held to develop an LGBTQI Action Plan. This unofficial working group was supported by the Joint Project 'Promotion of Diversity and Equality in Bosnia and Herzegovina' of the Council of Europe (CoE) and the European Union (EU). The unofficial nature of the working group was caused by the fact that once again not all governmental entities agreed to its creation. Civil society was involved in the discussion, however an action plan has not been enacted due to these political struggles between governmental entities.

The same applies to the national Action Plan for improving the state of Human Rights and fundamental freedoms of LGBTI persons in Bosnia and Herzegovina for the period 2021-2023, which aimed to strengthen the protection of LGBTQI rights in Bosnia and Herzegovina in line with ECRI recommendations. At the time of drafting, the action plan was not yet adopted.



BOSNIA AND HERZEGOVINA



Education curricula

SOGIGESC issues are not part of mandatory national curricula.

Bosnia and Herzegovina continues to have no mandatory sex education curricula.

Human rights education is implemented through the subject Democracy and Human Rights. However, civil society reports that it may not be provided nationwide in all administrative entities. Furthermore, the subject does not include the discussion of discrimination on the basis of SOGIGESC or the inclusion of LGBTQI rights.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.



Legal gender recognition

There is a procedure for legal gender recognition in Bosnia and Herzegovina, but it remains abusive and heavily medicalised. However, changing name is possible without any gender reassignment procedures and names do not have to match one's gender marker.

There are no national or regional policies or guidelines allowing students to use their preferred name in schools and/or universities before they legally change their name and gender marker.



Data collection

The government does not collect data on anti-LGBTQI bullying.

Civil society organisations Sarajevo Open Center, Kwart and Tuzla Open Center collect data on anti-LGBTIQ bullying including hate crime and speech.

The Ministry for Human Rights and Refugees at the federal level is by law obliged to collect data on anti-LGBTIQI bullying. However, civil society organisations report that they do not fulfil this duty.



Support systems

Neither the government nor schools provide targeted support for LGBTQI learners or their families.

Civil society organisations provide support to the LGBTQI community with limited backing and resources from the government.



BOSNIA AND HERZEGOVINA



Information and guidelines

There is no specific information or guidelines for LGBTQI learners or teachers on how to address bullying and harassment against LGBTQI students.

Schools generally provide information within their premises through leaflets and posters concerning services for the community. Civil society however reports that LGBTQI information is not allowed to be present and visible within school premises.

Individual schools and local administrations are required to have protocols of measures and actions in case of bullying in schools. Bullying on the basis of SOGIESC however **is not** explicitly mentioned.



School environment and inclusion

Civil society organisations report that although they are not explicitly banned, they are not aware of any example of LGBTQI groups within educational premises.

Within the past four years there has been a public discussion about and opposition against the inclusion of LGBTQI issues in the school curriculum.



International commitments

Bosnia and Herzegovina has ratified **all** of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrine the right to education. Bosnia and Herzegovina is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the **2016 UNESCO Call for Action**.



Best practices

The Law on Peaceful Assembly of the Brcko District (BiH) has been harmonised with International standards.

In the Federation of BiH some Cantonal Governments started the process of harmonising their laws on freedom of assembly with international standards.

The second Pride March, which happened on 14 August 2021, was financially supported by the Government of the Canton of Sarajevo.



BULGARIA

Anti-discrimination Legislation

No legislative changes took place in Bulgaria since **2018** that relate to education and SOGIGESC issues.

The **Anti-Discrimination Act** (2009) prohibits any direct or indirect discrimination on the grounds of sexual orientation, but not on grounds of GIGESC.

Policies and action plans

In 2019, the Ministry of Education and the Ministry of Labour and Social Policy presented the draft National Children's Strategy 2019-2030, which was prepared with the involvement of civil society. The negative response of anti-rights groups sparked a heated public debate and the Prime Minister eventually **withdrew** the draft. To date the strategy remains suspended and it is unclear whether the ministries will prepare a new version.

The **Unified Mechanism for Counteraction against Bullying at School** (2012) obliges every school to adopt specific measures aimed to tackle bullying at school, but does not include any content on SOGIGESC issues and LGBTQI learners.

In 2021, four schools in Bulgaria received training by the Bilitis Foundation to improve their anti-bullying policies, based on its '**Guidelines for Schools**', developed within the EU-funded CHOICE project. The training helps schools to become sensitive to identity-based bullying and make them safer for LGBTQI learners and students from other minorities.

Education curricula

The national curriculum does not include references to SOGIGESC issues. In 2018, hundreds of teachers **volunteered** to eliminate references to 'gender' from the curriculum. In the same year, a university in Burgas cancelled a course that focused on gender.

Bulgaria continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness, and school staff have no specific in-service courses or workshops.



BULGARIA

Legal gender recognition

There are no legal gender recognition (LGR) procedures in place in **Bulgaria** and no information is available about policies or practices allowing trans students to use their correct name and gender in schools.

In 2021, the Bulgarian Supreme Court of Cassation has **rendered** a binding interpretative decision on the definition of the concept of 'sex' and the latter can only be seen in the context of a biological binary. The Court further held that there is no obligation by the state to recognize 'self-determination' by trans and non-binary people 'that is different from the biological sex'.

Data collection

Data on LGBTQI students' experiences is only collected by civil society organisations. See under *School environment*.

In 2019, the Ministry of Education harshly **criticised** the SELFIE school survey launched by the European Commission for featuring gender options beyond 'male' and 'female' that students could choose from.

Support systems

Neither the government nor schools provide direct support to LGBTQI learners through school psychologists or counselors.

In 2020, Bilitis launched the **Live Without Bullying** platform to provide psychosocial support to LGBTQI young people and their families, and also to teachers. The platform provided online counseling to over 150 victims of bullying in its first 12 months of operating.

Information and guidelines

Bilitis published and distributed its '**Guidelines for Schools**' and a '**Capacity Building Framework**', which both aim to make schools safer for LGBTQI learners.



School environment and inclusion

The political climate has become increasingly hostile towards LGBTQI people since 2018. In June 2018, the Constitutional Court **ruled** that the Istanbul Convention was based on 'gender ideology' and therefore incompatible with the Constitution. Despite repeated calls by the Council of Europe and the **European Parliament** to ratify the treaty, political leaders have repeatedly **vowed** not to. The anti-gender discourse has **become** ever stronger and is commonly used by political leaders. Hate crimes **continue** to be common and are in some cases committed against young people.

In 2020, local NGOs Bilitis and Single Step published the survey '**Attitudes towards LGBTI students in Bulgarian high schools**', finding that a staggering 71% of LGBTQI student respondents had been verbally harassed, 34% physically harassed, and 19% physically assaulted. More than half of the respondents heard anti-LGBTQI remarks from teachers.

There is no information available about LGBTQI-specific extracurricular activities taking place in schools.



International commitments

Bulgaria is a States Party to **seven** of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrine the right to education. Bulgaria is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the 2016 UNESCO **Call for Action**.



Best practices

The **Live Without Bullying** platform and online app provides a platform for LGBTQI young people to get support and online counseling if they are victims of bullying.

Four schools in Bulgaria received training by the Bilitis Foundation to improve their anti-bullying policies. These trainings are based on the foundation's '**Guidelines for Schools**' which has been developed within the **CHOICE** project.



CROATIA

Anti-discrimination Legislation

There have been no significant legislative changes in Croatia since 2018 that relate to education and SOGIGESC issues.

The Anti-Discrimination Act (2008) promotes equality and provides protection against discrimination on grounds of sexual orientation and gender identity. It covers education and develops special legal actions for protection against discrimination with a central body, the Ombudsman's Office, to tackle it.

Policies and action plans

Croatia has passed a Protocol on the procedure in case of abuse and neglect of child (2014) which provides that the treatment of children, as well as the exercise of their rights, shall be ensured without discrimination on grounds of sexual orientation, gender identity, or any other status.

In February 2020, the Government of Croatia adopted an Action Plan for Violence Prevention in Schools 2020-2024. The action plan is geared towards changing the perception of schools as key protective environments, especially regarding the prevention of bias-motivated violence amongst youth based on sexual orientation as well as gender identity.

Education curricula

The National Curriculum Framework establishes that sexual orientation and gender identity should be discussed as part of secondary education.

The country has a national education curriculum, however, it does not include a compulsory sex and relationship subject. Nevertheless, some elements of reproductive health are included in the cross-curricular 'Health' topic. Sexuality as a topic is hence only approached through a medical lense and is partially outsourced to religious education classes where sexual orientation, gender identity and expression, as well as sex characteristics, are likely to be portrayed in a negative manner.

The country has a compulsory citizenship education which includes a human rights component. This component has the potential to address SOGIGESC issues. However, the cross-subject nature of this education makes its implementation dependent on the effective coordination between teachers. According to civil society organisations this coordination is often lacking.

In some regions of Croatia, civil society organisations together with schools organize extracurricular classes that partially cover the topic of sexuality. However, such courses are not mandatory and are not considered an integral part of the curriculum.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

Nevertheless, the Action Plan for Violence Prevention in Schools 2020-2024 highlights the necessity to conduct teacher education programs on the topic of bias-motivated violence based SOGIGE and offer preventive programs in schools in relation to the latter.



Legal gender recognition

Legal gender recognition procedures are **in place**, but **not on the basis of self-determination**. Persons seeking to get their gender legally recognised need the opinions of appointed psychologists, psychiatrists, endocrinologists, and social workers. In the case of a minor, the opinion of a paediatrician is also required.

Since 2019, the Legal Gender Recognition process has been made more difficult through the **establishment of a committee** tasked with providing a psychiatric opinion sent to the National Health Council which has the authority to give the final opinion. Civil society organisations report that the COVID-19 crisis has further increased difficulties in getting one's gender legally recognised due to lengthy waiting times for the opinions of the appointed 'experts'.

In 2018, the Minister of Education established guidelines which requires educational institutions to re-issue certificates and diplomas after students change their name or legal gender.

Currently there are no national or regional guidelines allowing students to use their preferred names in schools or universities before obtaining LGR.



Data collection

The government does not provide data on anti-LGBTQI bullying. There is, however, some research conducted by civil society organisations:



Support systems

The government provides no specific support systems for LGBTQI learners or their families.

However, civil society provides counseling and support for young LGBTQI people.

Schools provide direct support and relief services for victims of bullying. The service providers are usually psychologists and pedagogues specifically trained in general violence prevention in schools, including bullying. However, they often lack knowledge regarding prevention of bullying based on SOGIGESC, as well as general information regarding the LGBTQI community.

There is no evidence of support systems for LGBTQI students provided by local authorities or school districts.



CROATIA



Information and guidelines

There are no policies prohibiting the distribution of LGBTQI-specific information in schools.

There is no evidence of schools being required to implement guidelines for the inclusion of LGBTQI students or comprehensive anti-bullying policies.



School environment and inclusion

There are no policies prohibiting LGBTQI+ youth and student clubs from meeting on school grounds.

There have not been public discussions in either mainstream media or institutions, regarding the inclusion or exclusion of LGBTQI issues in schools. Civil society organisations provide support to LGBTQI youth with limited institutional support.



International commitments

Croatia has ratified eight of the nine core UN human rights treaties⁷, including the ICESCR and the CRC, which enshrine the right to education. Croatia is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the 2016 UNESCO Call for Action.

In 2018, Croatia ratified the Istanbul Convention. However, following right wing protests, the government adopted an interpretative declaration stating that the convention would not change the constitutional definition of marriage or oblige Croatia to 'introduce gender ideology'.

⁷ Croatia has only signed the CED. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



Anti-discrimination Legislation

There have been no legislative changes in Cyprus since 2018 that relate to education and SOGIGESC issues.

There continues to be no anti-discrimination law applicable to education that would protect against discrimination on grounds of SOGIGESC.

However, Article 28 of the Constitution of Cyprus (1960, amended in 2013) contains a general anti-discrimination provision. Sexual orientation and gender identity are not explicitly covered by the Constitution, although they could be deemed as included in the term 'any other ground whatsoever' of Article 28. However, it should be noted that SOGIGESC have never been considered by the Cypriot courts in the context of Article 28 of the Constitution. Legally speaking, however, Article 28 could be used for sexual orientation discrimination, and, by extension, for gender identity.

Policies and action plans

In 2016, the Ministry of Education and Culture of Cyprus published a Code of Conduct against Racism and Guide for Managing and Recording Racist Incidents, which is addressed to school authorities, teachers, pupils and their families. The Code notes that zero tolerance should be shown regarding incidents of racism or any form of discrimination due to nationality, appearance, community, gender, sexual orientation, gender identity or disability.

In addition, the National Strategy for the Prevention and Management of Violence in Schools (2018-2022) has continued to be in force. The National Strategy has inter alia introduced legal and administrative measures to prevent and manage violence in schools, to ensure better access to rehabilitation and support services to promote the respect of diversity, equality and non-discrimination.

Education curricula

SOGIGESC issues are not part of curricula. On the contrary, some school books include anti-LGBTQI content, as noted by the Ombudsperson in 2020.

Sex education does not include information on SOGIGESC issues. Only 'home economics' has included these topics to some extent, but teacher training on how to address them is not mandatory.

SOGIGESC issues are not discussed in civic education curricula either.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness for all teachers. Nonetheless, the Ministry of Education published the Teachers' Guide to Responding to Homophobia and Transphobia in 2019.

Between 2017-2019, around 250 teachers received training to address anti-LGBT bullying. The program was run by the state as part of an EU project. Home economics as well as biology teachers were also trained on sexual and reproductive health and rights.

NGOs, such as Accept Cyprus, also hold workshops for teachers.



Legal gender recognition

Currently, Cyprus has administrative procedures for legal gender recognition in place, but no law. LGR is not available to minors. The 2018 guidelines by the Ministry of Interior set out that LGR should be provided on the basis of self-determination, but implementation is flawed. No information is available about policies or practices allowing trans students to use their correct name and gender in schools.

However, a draft bill is under discussion, which is foreseen to be formally introduced to the Parliament by May 2022. The draft bill would allow an individual to access legal gender recognition on the basis of self-determination, without medical intervention or evaluation. Furthermore, the draft bill also provides minors with the right to gender recognition, although the possibility of an age limit remains under discussion. Furthermore, according to the draft bill, in the case of a minor, requires a decision of the Family Court upon a request submitted by the parents or guardians of the minor.



Data collection

The state collects data on violence in school, but does not disaggregate that data on the basis of SOGIESC. The Observatory on Violence in School, in charge of data collection, also promotes cooperation with teachers, NGOs, and other stakeholders.

In 2018, Accept Cyprus launched a website where anti-LGBT assaults can be reported.



Support systems

School psychologists do not receive mandatory training on how to support LGBTQI students or tackle anti-LGBTQI bullying.

Civil society organizations provide support to LGBTQI youth, but do not receive public funding for the provision of these services.



CYPRUS



Information and guidelines

It is uncommon for LGBTQI-related information to be present on school grounds, and civil society organisations report that a special permission would be required.

The Ministry of Education's 2019 Teachers' Guide to Responding to Homophobia and Transphobia provides guidelines for teachers on how to address bullying and create an inclusive school environment.



School environment and inclusion

Anti-LGBTQI hate speech is commonly used by religious leaders in Cyprus, and enjoys impunity. Discrimination against LGBTQ people is widespread and hate crimes, including against young people, also remains common.

There is no information about LGBTQI-themed extracurricular activities in schools, and although there is no prohibition for LGBTQI organisations and youth clubs in primary and secondary schools, there are no such examples in Cyprus.



International commitments

Cyprus has ratified seven of the nine core UN human rights treaties⁸, including the ICESCR and the CRC, which enshrine the right to education. Cyprus is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**. As part of its third UPR review, Cyprus received and accepted seven recommendations on SOGIESC issues, to protect LGBTQI people from discrimination and violence, and adopt an action plan and a law on LGR.

⁸ Cyprus has only signed the CED and has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



CZECH REPUBLIC



Anti-discrimination Legislation

There have been no legislative changes in the Czech Republic since **2018** that relate to education and SOGIGESC issues.

The **Education Act** (2004) contains general anti-discrimination provisions, which stipulate the principle of fair and equal access to education for every citizen in the Czech Republic. Even though SOGIGESC grounds are not specifically mentioned in the Education Act, they may fall within the discrimination for 'any other status of the citizen'. The **Anti-Discrimination Act** (2008) prohibits discrimination, including in education, on the grounds of sexual orientation and 'gender'. However, GIGESC grounds are not specifically mentioned.



Policies and action plans

The 2016 updated and comprehensive **Guidelines on the Prevention of Bullying** by the Ministry of Education cover sexual orientation, as a ground of bullying. GIGESC grounds are not mentioned. The Guidelines, which are not legally binding, establish that preventing and addressing bullying is the responsibility of teachers and school management. In case the school fails to do this, a complaint can be filed with the **School Inspection Authority**. The Guidelines also set out measures that schools can take to hold responsible those that bully others.

Specific guidelines are also **provided** by the Ministry of Education on cyberbullying and including bullying motivated by a person's actual or perceived sexual orientation. However, there are no specific guidelines related to bullying on the grounds of GIGESC.

The Commissioner for Human Rights of the former government of the Czech Republic has prepared Czechia's first **LGBTI+ Strategy** for a period of five years (2021 – 2026). The strategy is in line with ECRI's 2020 **recommendations** to Czechia. In December 2021, the Czech Committee on Sexual Minorities has recommended the current government of the Czech Republic to enact this strategy. However, as of the date of this report, this has not happened yet.



Education curricula

SOGIGESC issues are not part of the national curriculum for primary schools. In secondary schools, schools can create their own education plans and the inclusion of SOGIGESC topics is not mandatory. National curricula are in the process of being revised.

Czech Republic continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC. Very limited mentions to SOGI are included in subjects on 'people and the world' and 'arts and culture'. Some NGOs provide **workshops and seminars** as part of civic education classes.



CZECH REPUBLIC



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness. The National Education Institute provides a one-day training for future teachers on anti-LGBTQI discrimination, bullying and violence. This training session is not mandatory.



Legal gender recognition

Legal gender recognition is set out by law, but is not based on self-determination and requires a surgical intervention. The government has postponed an LGR law reform for years, while also promising to abolish the sterilisation requirement. On 31 March 2022, the Czech Constitutional Court has published its decision dated 9 November 2021, under which a surgical intervention remains a necessary condition for LGR.

LGR is not available for those under 18, but minors can have their name changed upon a psychiatric evaluation.

Civil society organisations report that trans people have had difficulties having their certificates and diplomas changed following a name change.



Data collection

The government does not collect data on anti-LGBTQI bullying. The Guidelines on the Prevention of Bullying (see above) encourage schools to collect data on bullying, but this is not mandatory. For years NGOs have unsuccessfully called for data collection on discrimination against LGBTQI youth in schools.



Support systems

The 2016 Guidelines (see above) foresee that it is the responsibility of teachers and schools to prevent and address bullying, and provide support to victims. They also envision that schools should cooperate with counseling services, NGOs, and other key stakeholders, and actively seek their support in bullying cases.

Schools have teachers or school psychologists in charge of supporting bullying victims and working with bullies or classes to handle bullying situations. Although not specifically trained on SOGIESC issues, most are aware of anti-LGBTQI bullying.

Several NGOs also provide LGBTQI-specific support services. Prague Pride runs a peer-to-peer counseling service ('S barvou ven') for LGBTQI youth, which has supported many people during the COVID-19 pandemic. LGBTQI youth can also reach out to the national Helpline, whose counselors are trained on LGBTQI issues.



CZECH REPUBLIC



Information and guidelines

The 2016 **Guidelines on the Prevention of Bullying** are meant to support schools in handling bullying, including on grounds of sexual orientation.

It is not common in Czech schools that posters or leaflets are displayed but, in theory, LGBTQI-themed information could be shared in schools.



School environment and inclusion

Hate speech and hate crimes remain common in the Czech Republic, by religious and political leaders alike. The **anti-gender rhetoric** has also gained more ground over the past years, resulting in anti-trans public speech and harassment of LGBTQI activists and organisations. Civil society **worries** that the Czech Republic could follow Hungary's or Poland's anti-LGBTQI path.

A 2019 **Ombudsperson report** found that LGBTQI people experienced high levels of discrimination in the country, most widespread in education and employment. The Ombudsperson recommended that the Czech Republic introduces anti-discrimination legislation that covers education and SOGI grounds. Trans people were almost three times as likely to experience discrimination, as found in a **research report by** NGO Trans*parent from the same year.

In recent years the country has seen growing **resistance** against the inclusion of LGBTQI issues in school curricula, but mainstream media has not focused on this extensively. For instance, a primary school faced serious **backlash** after inviting a sexologist to speak about trans issues. A parent submitted a complaint to the School Inspection Authority which, despite the recommendations of several other sexologists, found the claim to be valid.

Student clubs can operate on school premises, but are not common. LGBTQI groups are allowed to meet at school.



International commitments

Czech Republic has ratified **eight** of the nine core UN human rights treaties⁹, including the ICESCR and the CRC, which enshrine the right to education. Czech Republic is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**.

9 Czech Republic has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



Anti-discrimination Legislation

The **Act on Prohibition of unequal treatment in the Labour Market** (1996) provides protection explicitly on grounds of sexual orientation in employment matters. In December 2021, the Danish Parliament **adopted** a government bill to extend anti-discrimination protections. In particular, the bill extends the list of grounds for claims for breach of rights that can be filed with the Board of Equal Treatment, to SOGIGESC grounds in all areas of life beyond employment, thus including education. The amendments entered into force on 1 January 2022.

Policies and action plans

The 2016 **Action Plan for Preventing and tackling bullying in schools** mentions heightened exposure of LGBTQI students to bullying and recommends a stronger focus on 'sexuality and gender, body, and sexual health' in secondary education as a means of preventing and fighting digital bullying. Schools must all have an anti-bullying strategy in place and can be reported to the Center for Educational Environment, specifically the Center's National Complaints Board Against Bullying, if they do not comply. If the complaint is successful, the school receives an order to rectify the situation within a specified timeframe. The Center may request the Minister of Education to withhold or eliminate public funds altogether for self-sustaining educational institutions that do not comply with an issued order. The right of appeal was limited until 31 July 2022. However, an extension of the deadline or even permanent establishment of the National Complaints Board Against Bullying is currently under discussion.

Denmark had an **LGBTI Action Plan** in place for the period of 2018-2021, with a thematic chapter on combating prejudice among young people and promoting openness in education. The city of Copenhagen also has an **LGBTI policy** in place, for the period of 2019-2023. The policy includes specific measures on bullying.

Education curricula

Denmark's education laws focus on learning goals and objectives. Hence, schools and teachers can make their own decisions over the exact curriculum. The extent to which SOGIGESC topics are covered is often up to the individual school or teacher.

In 2018, the Ministry of Children and Education commissioned LGBT+ Denmark to develop **LGBTQI inclusive teaching materials** aimed at pupils 12-16 years old.

A 2019 survey **showed** that by the time of 7th grade, only 33% of the students had learned about different forms of sexuality. The **'Health and sex education and family knowledge'** curriculum was introduced in 2020 and is mandatory in primary and secondary schools. Civil society criticised it for not including a set number of minimum hours, or an obligation to cover GIGESC issues. In 2021, the government allocated 15 million Danish Crowns to strengthen the quality of sex education in primary schools.

Denmark has human rights/civic education curricula in place, but they do not include the discussion of LGBTQI rights.



Mandatory teacher training

There is no national curriculum for teacher training – it is up to each school to design their teacher training curriculum. Health issues, sexuality, family education, gender roles, may be covered as part of training.

In 2019, the Ministry for Gender Equality commissioned LGBTQ+ Denmark to develop course materials that qualify teachers and pedagogues to better conduct LGBTQI inclusive teaching.



Legal gender recognition

Legal gender recognition is **available** on the basis of self-determination. In 2020, the government **announced** a number of legislative initiatives to strengthen the rights and opportunities for LGBTQI people in Denmark. With respect to legal gender recognition, the initiative proposes to abolish the mandatory 6-month reflection period (waiting time) after initial application as well as the current minimum age requirement of 18. However, those under 15 shall still need parental consent. Non-binary gender markers will be available to trans and intersex people, but only in passports. The government has yet to table these initiatives as formal legislative proposals. A statement by the Minister of Employment in 2021 indicated that a formal legislative proposal will be presented in 2023.

There are no national or regional guidelines allowing students to use their preferred name in schools and/or universities. Foreningen for Støtte til Transkønnede Børn, an association supporting trans children and youth, has **raised** that trans young people are unable to access certain services, such as borrowing books from the library, because of the mismatch between their gender identity and their identification papers.



Data collection

National data on the well-being of students is regularly **collected** by the government, but is not disaggregated on the basis of SOGIGESC. A feasibility study was carried out on how the well-being of LGBTQI students in primary and secondary education could be measured, but no follow-up has taken place since.



Support systems

The state provides funding to NGOs who counsel young LGBTQI people or work on anti-bullying strategies. Schools provide support services on the ground, but not specifically for LGBTQI students.



Information and guidelines

The LGBTI Action Plan cites that almost two-thirds of LGBT people in Denmark have experienced negative comments or behaviour towards them and almost two-thirds hid their SOGI status.

Action plans, guidelines, and tools are available on the national anti-bullying website.

In 2020, the Ministry published guidance materials to inspire teachers to include LGBTQI specific topics in their practice in primary school, high school, and vocational schools. The list of materials will continue to be updated.

Schools can share information on posters and leaflets, but LGBTQI-specific materials are not very common. LGBTQI youth groups tend to be informal and meet outside schools and universities.



School environment and inclusion

Students and youth organisations or clubs, including LGBTQI ones, are allowed to be formed and meet within school premises.

Over the past years there has been a positive discussion regarding the inclusion of LGBTQI issues in school curricula. Trans youth however have been at the centre of public debate on legal gender recognition and access to trans healthcare, facing serious backlash and hostility. In 2020, young trans people were denied a series of gender affirming healthcare services, in violation of national guidelines. Since the onset of the COVID-19 pandemic, LGBTQI youth have faced increasing housing insecurity and homelessness.



International commitments

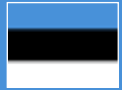
Denmark has ratified seven of the nine core UN human rights treaties¹⁰, including the ICESCR and the CRC, which enshrine the right to education. Denmark is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the 2016 UNESCO Call for Action. Denmark received four SOGIGESC recommendations during its third UPR cycle, and recommendations on inclusive education as well.



Best practices

The Ministry of Children and Education regularly commissions NGOs or self-publishes inclusive education materials, such as class materials, videos, posters, information for teachers on SOGIGESC issues, and guidance on how to make curricula more inclusive. Examples can be found here and here.

¹⁰ Denmark has only signed the CED and has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



Anti-discrimination Legislation

There have been no legislative changes in Estonia since **2018** that relate to education and SOGIGESC issues.

Estonia's Chancellor of Justice gave an authoritative opinion in 2011, claiming that the open list of grounds of discrimination in Article 12 of the **Estonian Constitution** (1992) includes sexual orientation.

The **Equal Treatment Act** (2009) prohibits discrimination on the basis of sexual orientation in vocational guidance, vocational training, advanced vocational training and retraining, but not in elementary, secondary or upper secondary schools. The **Gender Equality Act** (2004) has a wide scope of application, including the field of education, and has been interpreted as covering discrimination on the ground of gender identity.

Policies and action plans

There are currently no national policies or action plans to directly tackle anti-LGBTQI bullying or promote LGBTQI inclusion.

Education curricula

The national curriculum does not include references to SOGIGESC issues.

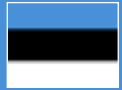
The **Decree on National Curriculum** (2011) enlists the values of the curriculum, including tolerance, gender equality, cultural diversity etc. and it emphasises the need to learn to accept differences and respect diversity in society. However, the decree does not specifically mention LGBTQI rights nor contains content on SOGIGESC issues. The national curriculum focuses on skills and values that students should learn in school. Schools individually draft their own, more detailed, curricula.

The country's national curricula includes a **'Sex and Relationship' education subject**. The subject is present in both the basic (7-16 years of age) and upper secondary (16-19 years of age) schools. Whilst it refers to sexual orientation in a positive manner, it does not mention gender identity, gender expression or sex characteristics.

The country has **civic education** as part of its curriculum. However, the subject does not include the discussion of discriminations based on SOGIGESC. **'Family education'** teaches upper secondary learners the diversity of family and other cohabitation forms.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness. Universities may decide freely what teacher training curricula contain. Whilst some universities offer or even have mandatory courses, others don't have any such classes on offer.



Legal gender recognition

Legal gender recognition procedures are **in place**, however, not on the basis of self-determination but rather on an abusive medical diagnosis. The **General Requirements on Medical Procedures for the Change of Gender Act** (1999) gives authority to a medical expert committee which decides on the possibility of legal gender recognition. The **Estonian Names Act** (2005) attaches the right to name change to legal gender recognition.

There have been no legislative changes in Estonia since **2018** that relate to legal gender recognition.

There are no national or regional guidelines allowing students to use their preferred name in school and/or universities before they legally change their name and gender marker.

Data collection

The government collects general data on bullying and harassment without segregating data on the grounds of discrimination.

At the end of 2019 the civil society organisation Estonian LGBT Association published the **summary results** of a survey conducted among LGBT students in elementary, secondary, and vocational schools, focusing on safety in education.

Support systems

The government provides no specific support systems for LGBTQI learners or their families.

Support for victims of school bullying is offered by trained school staff. However, the training does not include a section on LGBTQI-specific issues. There are no separate LGBTQI-specific support services at school or local level.

Information and guidelines

LGBTQI information is allowed to be present and publicly visible within school venues, and school employees are allowed to provide information regarding the LGBTQI community to students. However, urban as well as rural schools tend to not provide information through leaflets and posters on school premises.

Individual schools are not required to have inclusive anti-bullying policies and action plans. There is currently no requirement for schools to adopt guidelines for the inclusion of LGBTQI learners.



School environment and inclusion

Extracurricular activities are present in Estonian schools, and although LGBTQI organisations and youth clubs are allowed to be formed on school premises, they are not common in either urban or rural contexts.

In the past years there hasn't been a public debate regarding the inclusion or exclusion of LGBTQI issues in the national school curriculum.



International commitments

Estonia has ratified **seven** of the nine core UN human rights treaties¹¹, including the ICESCR and the CRC, which enshrine the right to education. Estonia is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**.

¹¹ Estonia has not ratified the CED and the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



Anti-discrimination Legislation

There have been no significant legislative changes in Finland since **2018** that relate to education and SOGIGESC issues.

Finland has a **Non-Discrimination Act** (2014), which aims to promote equality and prevent discrimination by authorities, education providers and employers. The act includes the prohibition of discrimination based on sexual orientation. The **Gender Equality Act** (2014) also applies to educational settings and prohibits discrimination based on a number of different grounds, including gender identity, gender expression and sex characteristics. In the Gender Equality Act (2014) provisions that apply to gender identity and gender expression also apply mutatis mutandis to sex characteristics.

Policies and action plans

Since 2018, the Ministry of Justice has implemented the 2017-2018 **Rainbow Rights Promoting LG-BTI Equality in Europe**. The project focused on mainstreaming equality and non-discrimination on grounds of SOGIGESC in Finnish municipalities. It further raised awareness on LGBTQI issues at the local and transnational level, and pursued cross-border cooperation on LGBTQI policy.

In 2019, the Institute for Health and Welfare published the findings of the **national school survey**, and found that LGBTQI children and youth experience significantly higher rates of bullying, sexual violence and psychological as well as physical violence than their peers. The results informed the **Action Plan for the Prevention of Violence against Children 2020-2025** which includes a specific chapter and action points to address violence against children and youth based on their actual or perceived SOGIGESC.

The University of Turku has developed a research-based anti-bullying program named **KiVa** which has been implemented in more than 1,000 schools, but does not specifically address SOGIGESC bias-motivated bullying.

Education curricula

The national basic education core curriculum states that basic education should increase knowledge and understanding of the diversity of gender and aims at creating an environment that allows challenging of gender stereotypes. One of the goals of the core curriculum of upper secondary education is to increase the knowledge and understanding of diverse sexual orientations.

The country has a national curriculum that includes sex and relationship education in psychology, biology and secular ethics classes, but not as a specific subject. Furthermore, there is no specific mention of sexual orientation, gender identity, gender expression, or sex characteristics.

Finland's education system has no specific human rights subject. Nevertheless, according to the national curriculum, human rights are one of the core values in education and should be integrated into the overall teaching. However, this human rights curriculum does not explicitly address SOGIGESC and the rights of LGBTQI people.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness. Universities are independent and decide on the topics that will be taught to aspiring teachers. However, teacher training courses on human rights education and LGBTQI topics are **organised** by SETA, a national civil society organisation focusing on LGBTQI rights.



Legal gender recognition

Legal gender recognition procedures are **in place**, but not on the basis of self-determination. The law contains abusive medical requirements and continues to **compel** trans people to undergo surgical sterilisation or provide proof of their inability to reproduce. Currently a reform of the law is **being discussed**, but civil society organisations have raised concerns about delays as well as the content of the new law. Discussed changes **include** the abolition of the sterilisation requirement and the separation of the medical process and changing one's gender marker. This procedure would be possible from the age of 18, but not for minors.

Social security numbers remain gendered and the issue is subject to a separate reform process. At the moment there are several proposals for the final model and the timetable for the reform remains only an estimate.

According to the 'New Name Law' which **entered into force in 2019**, people can change their name through an administrative procedure. The name can now be male, female, neutral, or a combination of the above. The law does not require prior legal gender recognition and young people **can** access the procedure from the age of 15 with parental or guardian's consent.

There are currently no guidelines allowing students to use their name and gender marker without obtaining legal gender recognition.



Data collection

The **School Health Promotion** (SHP) study monitors the well-being, health, and school work of Finnish children and adolescents. The aim of the SHP study is to strengthen the planning and evaluation of health promotion activities at school, municipal and national levels. For the academic year 2017, the SHP study included a question about sexual orientation and gender identity. However the question concerning gender identity was poorly formulated so the data collected did not give comparative data regarding gender minorities. In the 2019 study the wording was improved and data for both sexual orientation and gender identity were collected.



Support systems

There are several support systems for LGBTQI learners offered by civil society organisations. Seta's Gender Diversity & Intersex Centre of Expertise offers support to young people regarding gender identity and expression and variations in sex characteristics but not sexual orientation. The Centre has limited resources and is not able to meet the demand. Seta and Sinuiksi are both state funded but they are not general support systems that are available for all.

Schools are responsible for student support and although the services are well in place and accessible, the responsible professionals are not always trained on SOGIGESC issues and how to work with sexual and gender minorities in a sensitive manner. Civil society reports that this often results in lacking expertise in matters concerning discrimination and equality.

Seta has local member organisations, some of which get state or local authority funding and are able to provide support services. However, this coverage is incomplete.



Information and guidelines

SETA provides, supported by the government, information for young LGBTQI people through equality resources, training courses and other cooperations.

Seta offers a wide range of information (for example guides and videos for schools and teachers) to different societal actors. There has been a rise in the number of LGBTQI organisations in Finland over the past years and this has increased the variety of information. More and more national and local authorities are including and producing more SOGIGESC specific research and guidelines.

Providing information is not prohibited but there have been instances where LGBTQI specific material has been taken out of reach.

In theory, schools are required to adopt guidelines concerning the inclusion of LGBTQI learners, but this obligation has not been fully implemented in all instances.



School environment and inclusion

There are Student Councils in schools but no separate thematic student clubs. In Finland there is no culture of extracurricular activities.



International commitments

Finland has ratified **seven** of the nine core UN human rights treaties¹², including the ICESCR and the CRC, which enshrines the right to education. Finland is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**.

¹² Finland has only signed the CED and has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



FRANCE

Anti-discrimination Legislation

There have been no legislative changes in France since 2018 that relate to education and SOGIGESC issues.

The Anti-discrimination law (2008) prohibits discrimination on grounds of sexual orientation and gender identity, including in education. The Law on sexual harassment (2012) modified art. 225.1 of the Penal Code, adding 'sexual orientation', and 'gender identity' as grounds when it comes to the prohibition of discrimination.

In 2022, France voted a new law banning and criminalizing so-called 'conversion therapies' aimed at modifying the sexual orientation or gender identity of a person.

Policies and action plans

In 2020, the Ministry of Equality published the National Action Plan for LGBT+ equality and against hate and discrimination (2020-2023), with a standalone chapter on inclusive education. This chapter calls for awareness raising among students, teacher training, inclusion of LGBTQI students, prevention and protection of anti-LGBT bullying and harassment, access for support associations to schools, adjusting of school forms, guidelines to welcome trans students. Civil society expressed concerns about the budget, scope, deliverables, and the monitoring of the Action Plan in general.

Education curricula

The national curricula do not contain specific content on LGBTQI rights issues.

France continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

Mandatory teacher training

There is no mandatory teacher training on LGBTQI awareness.

In 2018, the Ministry of Education introduced a measure calling for a focal point in each school, who is tasked with creating a culture of gender equality, albeit in a binary framework, by way of preventive and proactive measures. It is up to the respective focal point to what extent they cover LGBTQI issues as part of their mandate. In each regional education authority, one or two gender equality officers are appointed by the chief education officer. Some NGOs, including Contact, MAG Jeunes LGBT, SOS Homophobie and Le Refuge, now have accreditation to provide training for teachers or those working as a focal point.



Legal gender recognition

Legal gender recognition procedures are in place, but involve a court proceeding. The process is not based on self-determination and the person who wants to change their gender marker has to demonstrate that the gender on their personal records does not correspond to that of their social life. Therefore, although LGR is not conditional upon abusive requirements on paper, practice is inconsistent.

LGR is available to those over 18 as well as, in theory, to 'emancipated minors', but there are no documented cases of minors having successfully changed their gender marker. Name change is possible without age limitation and is consistent in practice. It does however need the consent of the minor's parents or legal guardians.

In 2019, the Ministry of Education published a **guide for teachers** in middle school and high school, establishing that refusing to use a trans person's chosen name and/or pronouns amounts to discrimination based on GIGE. It does however also set out that a trans minor's chosen name must be agreed upon by the parents. In the case of **higher education**, more than a dozen universities already applied this practice at the time. In 2018 for instance, students successfully lobbied the University of Caen to do so.

The 2020 **National Action Plan** includes this practice in its list of measures, alongside an official guide for the inclusion of trans students which was published in September 2021.

Data collection

The Ministry of Education collects data on the school environment. It collects input from students and staff on the school climate, the students' experiences, and instances of violence as well as bullying. Regarding the latter, anti-LGB insults were first covered by the survey in the 2017/2018 school year. Insults based on GIGESC have not been covered.

Specific data collection on the experiences of LGBTQI learners is mostly done by civil society with state support. Local NGO SOS Homophobie publishes annual reports on school bullying; see under *School environment*.

Support systems

Direct support services are provided in some individual schools, but their quality, level of expertise, and young people's awareness and access to them vary greatly.

With regard to helplines, there are several that LGBTQI learners can turn to. They can for instance get support via the **Youth Health** or the No to Harassment helplines, both established by the Ministry of Education. The latter also provides information to teachers and parents on how to prevent and tackle harassment. Support services are available by phone, email, and live chat, for victims and witnesses of anti-LGBTQI harassment or violence, including both students and staff. NGO SOS Homophobie also runs a helpline (via phone and online) and local trans organisation Espace Santé Trans provides mental health counseling.



Information and guidelines

In 2019, the Ministry of Education launched a **national campaign** to respond to alarming rates of anti-LGBTQI bullying (see under *School environment*). The campaign supports middle schools and high schools with information guides and materials for LGBT visibility. It further provides shared resources on how schools can tackle bullying, and support services that LGBT learners can access.



School environment and inclusion

Between 2015-2019, SOS Homophobie **documented** a stark increase in the number of anti-LGBTQI hate crimes, including in schools. Although there was a decrease in 2020, the organisation **warned** that this is probably due to the pandemic — resulting in the closure or suspension of support services that allow for documentation and the increased difficulty for victims to report cases. The latest report (2021) specifically **highlighted** the alarming impact that the COVID-19 pandemic has had on LGBTQI young people as many had to stay in unsafe home environments. In 2020, two trans young people committed suicide, in Montpellier and Lille, following bias-motivated bullying in university and high school.



International commitments

France has ratified **eight** of the nine core UN human rights treaties, including the ICESCR, which enshrines the right to education. France is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the 2016 UNESCO **Call for Action**. France received six recommendations on SOGIGESC issues in its 3rd Universal Periodic Review (2018), many of which **called** on the state to better address discrimination, including against intersex people, and to facilitate legal gender recognition.



Best practices

Local NGO SOS Homophobie's page for LGBTQI young people, **C'est Comme Ça**, provides useful resources and tips for LGBTQI youth and guidance for allies.

Local youth organisation **Mag Jeunes LGBT** also provides similar resources, and hands-on support for schools if they are dealing with anti-LGBTI attitudes.

The Ministry for Education's **'All Equal, All Allies' campaign** (2019) against anti-LGBT bullying provides information, resources, guides, and other materials for LGBT learners and schools.

OnSexPrime is a website for young people about sexuality, gender and sexual orientation, produced by Santé Publique France, a public institution under the supervision of the Ministry of Health.



Anti-discrimination Legislation

There have been no legislative changes in Georgia since **2018** that relate to education and SOGIGESC issues.

The **Law on the elimination of all forms of discrimination** (2014) prohibits discrimination, including in education, and covers the grounds of SOGIGE, but sex characteristics are not included. The **Law on General Education** (2005) and the **Law on Higher Education** (2004) also prohibit discrimination, but do not mention SOGIGESC grounds.

The 2019 country report of the UN Independent Expert on SOGI **highlighted** with concern that anti-discrimination protections are not effectively implemented.

Policies and action plans

There are no national policies or action plans to tackle anti-LGBTQI bullying or promote inclusion. The Code of Ethics for Educators obliges teachers to protect the students' health and personal safety.

Education curricula

SOGIGESC issues are not part of curricula and when included, they are commonly discussed in a negative way. In 2020 for instance, the Public Defender **called on** the Tbilisi State Medical University to remove textbooks that include negative and stigmatising references to LGBTQI people. The University complied. In the same year, Tbilisi State University also **introduced** classes on queer theory.

Georgia continues to have no mandatory sex education, civic education, or human rights curricula that are inclusive of SOGIGESC. The Public Defender's 2019 report on sexual and reproductive health and rights **noted** this gap with concern.

Discussion over the inclusion of SOGIGESC topics in the curriculum has increased over the past few years, with far-right groups being hostile and spreading hate speech.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness. NGOs provide some training. For instance, in 2020, the NGO Georgian Democracy Initiative **sensitised** 100 public schools teachers on LGBTQI issues.



Legal gender recognition

There are no clear legal gender recognition procedures in place in Georgia, which has been criticised by the Public Defender, the UN Independent Expert on SOGI, and NGOs. Name change is possible, but not for minors.

The UN Independent Expert underlined the fact that the existing requirements for LGR (including gender affirming surgery) do not correspond with Human Rights standards and represent degrading and discriminative treatment.

The European Court of Human Rights is currently handling a case on whether the refusal by the Government of Georgia to grant legal gender recognition to two trans applicants amounted to a violation of either Article 3 (Prohibition of torture) and/or Article 8 (Right to respect for private and family life) of the European Convention on Human Rights.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.

Data collection

The government does not collect data on anti-LGBTQI bullying, but the Public Defender has an obligation to report on discrimination cases annually. Civil society, including the Women's Initiatives Supporting Groups (WISG), gathers data on discrimination and violence.

In 2018, the NGO Equality Movement wanted to prepare a study on teachers' attitudes towards LGBT people, but schools as well as the Ministry of Education denied their requests.

Support systems

Schools provide direct support systems through trained providers. Although they are trained on 'equality' issues, NGOs are concerned that they are not specifically trained on SOGIGESC.

Local authorities do not provide indirect support systems.

Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.

Some schools may provide information regarding community and youth activities, but practice varies. Leaflets and posters providing LGBTQI information are not allowed to be present on school premises.



School environment and inclusion

Discrimination and violence against LGBTQI people remains common in Georgia, and religious and political leaders enjoy impunity when resorting to hate-speech. In 2018, a survey by the NGO WISG **found** that 16% of LGBT respondents had experienced discrimination in school, most often by other students. Discrimination was often due to the person's gender expression when it did not conform to societal norms.

Extracurricular activities are not present in Georgian schools. LGBTQI youth organisations are not allowed to meet on school premises.



International commitments

Georgia has ratified **seven** of the nine core UN human rights treaties¹³, including the ICESCR and the CRC, which enshrine the right to education. Georgia is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) but has not signed the **2016 UNESCO Call for Action**. Georgia **received** 19 recommendations on SOGIESC issues in its third UPR cycle in 2021, among others to tackle violence and discrimination against LGBTQI people.

¹³ Georgia has not ratified the CED and the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



GERMANY

Anti-discrimination Legislation

Germany is a federal state and education falls within the jurisdiction of its 16 states ('Länder'). There is therefore no federal ministry in charge of education - instead, each of the 16 states have their own.

At the federal level, the **Basic Law** (1949), Germany's federal constitution, sets out equality before the law as a fundamental right. However, it does not name SOGIGESC grounds and only explicitly prohibits discrimination on grounds of 'sex' (which according to the Federal Constitutional Court includes GIGESC). The **General Act on Equal Treatment** (2006), governing employment and access to goods and services, including private education, prohibits discrimination on grounds of 'sexual orientation' and considers trans and intersex people to be covered under 'sex'. The Act is not applicable to public education.

The **Social Code, Book VIII - Child and Youth Services** (2021, para. 9) governing children and youth welfare obliges the state to take into account the situation of "girls, boys, transgender, nonbinary and intersex young persons" and underlines self-determination and participation of young persons. The public education institutions covered by this law code are schools (para. 13a) and early childhood education institutions such as day-care centers (paras. 22-26). NGOs and civil society highlight the importance of the introduction of the terms "transgender", "intersex" and "non-binary" as new juridical terms in German law code for trans, intersex and non-binary youth.

Mandated by the the General Act on Equal Treatment, the Federal Anti-Discrimination Agency (2007) carries out a number of tasks in order to prevent discrimination (on grounds included in the Act), such as submitting reports to the parliament, providing counseling to victims, designing practical measures for prevention, and others. The new hate crime law, **adopted** in 2020, fails to include anti-LGBTQI crimes.

At the state level, **six of the 16 constitutions** prohibit discrimination on grounds of 'sexual identity' (five) or 'sexual orientation' (one). Additionally, each state has its **legislation** in place when it comes to education. These vary in their scope. Seven states explicitly mention 'sex', 'sexual identity' or 'gender identity' in their respective school law (Berlin, Brandenburg, Bremen, Rhineland-Palatinate, Saxony, Saxony-Anhalt and Thuringia).

Policies and action plans

At the federal level, there is no nationwide action plan in place, despite repeated civil society demands over the past years. Yet, the federal government committed in its coalition agreement, which was presented on 24 November 2021, to set up a nationwide action plan 'for acceptance and protection of sexual and gender diversity'. The federal government also appointed a federal representative on queer issues on 5 January 2022.

The federal programme '**Live Democracy**' (2015) and its measures aim at combating prejudice, discrimination, and violence based on gender, sexual orientation, and gender identity. The programme supports projects with a focus on LGBTQI people. As of 2021, nine such projects are receiving funding, including **Bundesverband Queere Bildung** (Federal Association for LGBTIQ Education), whose members provide training in schools across the whole country.

On the level of the states, 15 out of the 16 federal states have **adopted** their own action plan or anti-bullying strategy. These vary in their scope, the measures included, and the funding allocated. The State of Berlin has **put in place** the first action plan in Germany in 2009 which has a focus on the education sector and allocates it most targeted funding. In 2019, Berlin was also the first state to put in place a competence centre in charge of LGBTQI education (*Fachstelle Queere Bildung*) and appointed **QUEER-FORMAT** to lead this work.



Education curricula

School curricula fall under the mandate of federal states. Some states have made SOGIGESC topic **mandatory** in their education plans, from which curricula are derived. Some States, such as Northrhine-Westphalia, refer to sexual identity or sexual orientation in their state guidelines for sex education.

There are a number of **education materials** available, provided by civil society.

Human rights education materials have few LGBTQI-specific modules.



Mandatory teacher training

There is no mandatory teacher training in place on LGBTQI awareness. Some states have organised training on the topic, in cooperation with civil society. **QUEERFORMAT**, commissioned by the State of Berlin, holds regular training sessions and has reached thousands of teachers since 2010 while **Teach out** is commissioned to train Berlin teachers in their mandatory traineeship. In Brandenburg, for instance, Bildung unterm Regenbogen (*Eng: Training under the Rainbow*) offers training. North Rhine-Westphalia organises regular teacher training in cooperation with the NGO network **Schule der Vielfalt**.

NGOs have made **hundreds of resources** available on sexual and gender diversity for teachers and staff.



Legal gender recognition

The current legal gender recognition regulations require a psychiatric diagnosis (two expert opinions) and involve a court procedure. A reform of the outdated, seriously flawed, and partly unconstitutional **Transgender Act** (TSG), governing LGR, has been subject to political and legal debate for **decades**. Civil society has, without success, been **calling** for a self-determination model. Non-binary gender markers are available to intersex people and to trans people if they have undergone the respective process as set out in the TSG. LGR and name change are available to minors without age limitation, but not on the basis of self-determination. The federal government committed in its coalition agreement of 24 November 2021 to replace the TSG with a new federal act on self-determination, including an administrative procedure for LGR and an enhanced prohibition of disclosure.

There are no state policies in place regulating the recognition of the name or gender identity of trans students, and practices may vary. A 2013 legal **opinion paper**, which argues that using the correct name of trans students on school records prior to LGR is *not* falsification of documents, has been broadly used by NGOs in their advocacy work. NGOs Trans Kinder Netz, SCHLAU NRW, and others, including Germany's Federal Anti-Discrimination Agency (FADA), use the paper as reference in their education materials for schools and legal assessment.

In 2020, the Federal Conference of Gender Equality Officers in Higher Education (BuKoF) issued **guidelines** for universities on how to respect gender diversity, including in terms of recognising students' names and gender identity, adjusting online databases, putting in place gender-neutral bathrooms, and others. The guidelines list good practices across German universities. The **updated guidelines** from January 2022 added three new modules building on the initial recommendations.



GERMANY



Data collection

The federal government **collects** data on hate crime, and the individual states must record incidents of discrimination.

Civil society has also gathered data; see for instance the annual **Maneo report** in Berlin or LSVD's **compilation**.



Support systems

FADA provides a nationwide support service for those who experienced discrimination. It can also support victims in finding a local counseling service.

Support services are also provided on state and local levels. When discrimination or other hostile incidents happen in school however, there is no independent complaint mechanisms that students can use.

In Berlin, all schools need to report bullying to the local school authority. Schools also have to appoint someone to support LGBTQI learners and assist teachers on SOGIGESC issues. NGOs, such as LGBTQI youth organisation Jugendnetzwerk **Lambda** Berlin-Brandenburg, **Schwulenberatung** (Queer Leben), and **Trans-Kinder-Netz** all offer counseling for LGBTQI youth and learners for free. In Brandenburg, NGOs also offer anonymous and free **counseling** for LGBTQI learners, parents and teachers who experienced **discrimination**.

Some schools provide direct support to victims of bullying, but practice is not consistent across the country.



Information and guidelines

Civil society has produced a number of information materials on SOGIGESC issues for teachers, or for LGBTQI learners, often with state support. For instance, QUEERFORMAT has made available materials for **early childhood educators**, **schools**, and the **youth welfare** sector.

The federal government's **Rainbow Website** (*Regenbogen Portal*) also offers information for teachers. FADA has published **resources** on anti-discrimination for teachers in early childhood education, schools, and universities, including on SOGIGESC issues. In 2019, the federal agency also published guidelines for **Recognising and tackling discrimination in school**. However, the resource does not include a lot of information about anti-LGBTQI discrimination.



School environment and inclusion

The government is generally supportive and civil society organisations have continued to receive substantial funding to provide support to LGBTQI youth. Nonetheless, hate crimes against LGBTQI people are a **serious** issue.

Conversion therapy performed on LGBTQ minors was **banned** in 2020, but only as long as they are 'harmful' for the child's well-being. This exception clause was harshly **criticised** by civil society, as well as the fact that young people over 18 are not protected.



International commitments

Germany has ratified **eight** of the nine core UN human rights treaties¹⁴, including the ICESCR and the CRC, which enshrines the right to education. Germany is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the 2016 UNESCO **Call for Action**. Germany received six **recommendations** on SOGIGESC issues in its 3rd Universal Periodic Review (2018), which called on the state to better address discrimination and facilitate legal gender recognition for non-binary trans or intersex people.



Best practices

Bundesverband Queere Bildung (Federal Association for LGBTQI Education (QB)) is the federal association of clubs, projects, and initiatives that offer educational, awareness-raising, and anti-discrimination work on the topic of sexual and gender diversity. The association currently has 48 formal members and connects and works with 70+ initiatives across Germany. QB's mission statement and binding **quality standards** for anti-discrimination work were jointly formulated by its members. These include the importance of all trainers being part of the LGBTQI community, the provision of counseling and support resources for participants, processes of preparation and evaluation, and others. QB is currently developing a national training of trainers curriculum and a national trainer pool. QB also has an adult education task force and provides teacher training.

Implementing the top-down approach of the Berlin action plan, **QUEERFORMAT** has trained various stakeholders since 2010. These include school teachers and social workers. Importantly, the parliament requested that state youth welfare staff (Kinder- und Jugendhilfe (KJH)) are also trained. The legally based KJH system provides organized support for children and youth. This innovative system includes a great number and wide range of pedagogical professionals who work in youth social work, school social work, socio-educational support, housing, foster care, assisted living, and early childhood education.

Commissioned by the Senate, QUEERFORMAT published the first **resource** in German on sexual and gender diversity (2018), targeted at professionals in early childhood education. Despite criticism by right-wing populists, the guidelines were welcomed by professionals in Germany and beyond.

The Berlin State Office for Equal Treatment and against Discrimination (Anti-discrimination Agency) provides annual funding to micro-projects that increase the visibility of LGBTQI history. Most recently, the non-profit association behind QUEERFORMAT produced a **podcast** on 'LGBTQI Education through the Ages' highlighting four decades of its educational work in Berlin between 1980 and 2020.

The Berlin Senate Department for Education commissions NGOs to organize the annual **Queer History Month** addressing LGBTQI topics in schools and youth facilities.

In 2020, the Federal Conference of Gender Equality Officers in Higher Education (BuKoF) issued **guidelines** for universities on how to respect gender diversity, including in terms of recognising students' names and gender identity, adjusting online databases, putting in place gender-neutral bathrooms, and others. The guidelines list good practices across German universities.

¹⁴ Germany has not ratified the CMW https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



Anti-discrimination Legislation

There have been no legislative changes in Greece since **2018** that relate to education and SOGIGESC issues.

Anti-discrimination legislation **does not extend** to the area of education, only employment (SOGIGESC) and access to goods and services (SOGI).

Policies and action plans

On 17 March 2021, the Greek government formed a commission to prepare a '**National Strategy for Equality of LGBTQI+ people**' (2021-2023), including MPs, academics, and civil society representatives. On 29 June 2021, the commission published the strategy which includes a chapter on addressing exclusion from education. The commission expressly identified a number of issues hindering the access of LGBTQI people to education and recommended several measures including inclusive curricula, strong support systems, and specific guidelines for LGBTQI learners and teachers. However, there has not been any significant progress in implementing these recommendations in the context of education.

Previous efforts to tackle bullying, including training, awareness raising, and prevention, were not inclusive of SOGIGESC grounds. IGLYO reported in 2018 that the government planned for a permanent anti-bullying structure, but this has not been established to date. Civil society has no information on whether this will ever happen.

A 2021 **ministerial decision** sets out that starting in the 2021/2022 academic year, all primary and secondary schools will have to adopt a policy to prevent violence and bullying in school. The decision does not mention any specific protected grounds.

Education curricula

The national curriculum does not include references to SOGIGESC issues. It is up to the willingness of each school to remedy this. Some have included LGBTQI topics in their classes, but others have only made **hostile** references. In 2020, local NGO Colour Youth published the results of GLSEN's **School Climate Survey**, which found that 65% of LGBTQ students had not heard anything positive about LGBTQ people in class, and 54% heard negative things. 60% shared that none of their school books contained information about LGBTQ people.

In 2020, the Ministry of Education **cancelled** the thematic week on 'Gender, bodies, and sexual orientation', following the suggestion of the Institute of Educational Policy, but failed to provide justification. Civil society reports that the thematic weeks, run since 2017, may be replaced by a series of 'Skills Laboratories'. One of these 'Skills Laboratories' titled 'Live better' shall include sex education as a topic, but it is one of the many that schools may or may not choose to host.

Greece continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness. Some universities, for instance the University of Athens, have **provided** some thematic elective courses. Local NGOs, such as Colour Youth, have held sessions as part of those courses.

NGOs also organise seminars and other activities to raise awareness. As part of the **FAROS** project for instance, NGOs have increased the capacity of those working in the public sector, including in education.



Legal gender recognition

Legal gender recognition procedures are **in place**, but not on the basis of self-determination. No psychiatric diagnosis and medical interventions are required (2017), but the process **involves** a court procedure. Divorce is effectively also mandatory.

LGR is only available to minors over 15, but with the consent of their parents or legal guardians. Those between 15-17 also need the approval of an interdisciplinary committee, which includes psychiatrists and a psychologist. The procedure through which a person can apply to have their request examined by this committee is not clear and there are no known cases of trans youth that have accessed LGR, making it almost impossible in practice for those under 17 to change their legal documents.

The law states that a person's gender identity is an element of their personality and that each person has a right to the respect of their personality. However, there are no policies or consistent practices in place allowing trans students to use their correct name and gender in schools. Civil society is aware of one school, where *some* teachers use a trans student's chosen name.



Data collection

Data on LGBTQI students' experiences is only collected by civil society organisations. See under *School environment*.



Support systems

Schools do not provide direct support to LGBTQI learners through school psychologists or counselors.

There has been some progress regarding training available to mental health professionals. In particular, in 2020, the University of the Aegean **launched** a course on LGBTI Affirmative Counseling and Gestalt therapy in 2020. In 2019, the organisation Orlando LGBT+ launched an annual **course** for mental health professionals on LGBTQI identities. Elective courses focusing on LGBTQI issues are now available at the department of **Psychology** at the Panteion University and **Social work** at the University of West Attica.

KMOP, a human rights NGO operates an **online platform** that offers support to victims of bullying. Colour Youth has run an online course on anti-LGBTQI bullying for the volunteers working on the platform.

In early 2020, **11528**, which was the only helpline providing mental health support specifically for LGBTQI people, their parents and educators, was shut down due to a lack of funding. The helpline also made interventions and held workshops in schools.



Information and guidelines

In late 2020, LGBTQI organisation Rainbow school, in collaboration with other Greek LGBTQI organisations, published **guidelines** on LGBTQI issues for school teachers.

As part of the **CHOICE** project, NGOs have made available information and guidelines for teachers and awareness raising materials for parents and students. The guidelines will be used in a pilot project in selected schools in the 2021/2022 academic year.



School environment and inclusion

Hate speech by **political figures** and also by **religious** leaders remains common. Hate crimes also commonly **target** LGBTQI people and the response of the police or courts is often inadequate. Particularly during the COVID-19 pandemic, LGBTQI and specifically trans people faced harassment both in unsafe homes and by **police**.

In 2020, anti-LGBTQI pamphlets were **distributed** in the Holargos high school in Athens, which stated that being 'homosexual' was hateful and that LGBTQI people were 'murderers'.

The **School Climate Survey** findings (2020) showed that one-in-three LGBTQ students had been verbally harassed in school, one-in-seven physically harassed or assaulted, and one-in-three sexually harassed (see more under *Education curricula*).

In 2018, a 14-year-old **committed** suicide after being targeted by bullying because of their gender expression.

There is no information available about LGBTQI-specific extracurricular activities taking place in schools.



International commitments

Greece is a State Party to **eight** of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrines the right to education. Greece is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the 2016 UNESCO **Call for Action**.



Best practices

In late 2020, LGBTQI organisation Rainbow school published **guidelines** on LGBTQI issues for school teachers, in collaboration with other Greek LGBTQI organisations.



HUNGARY

Anti-discrimination Legislation

The Hungarian government has **cracked down** on LGBTQI people and their organisations in a number of hostile moves over the past few years, many of which impact the education sector.

With the passing of the **Act LXXIX of 2021** on 'tougher action against paedophile offenders and amending certain laws to protect children', referred to as 'propaganda law', Hungary **banned** the 'promotion' of 'homosexuality' or 'gender reassignment' in schools, in advertising, and in media. Content on SOGIGESC issues must not be broadcast on TV or radio before 10pm. Govt. Decree 210/2009. (IX. 29.) as amended by Govt. Decree 473/2021. (VIII. 6.) bans the sale of products with LGBTQI content within 200 meters of schools. The law has been condemned by the **European Parliament**, the Council of Europe, and UN bodies. Schools, companies, and NGOs have also firmly **stood** against the law. A referendum on parts of the law, held on April 3, 2022, had aimed at further increasing discrimination as well as stigmatisation of LGBTQI persons in Hungary. The referendum, however, failed to reach the necessary threshold of 50% of registered voters casting a valid vote and its results were thus considered invalid. LGBTQI and human rights NGOs had prior called for citizens to give invalid answers.

In late 2020, the parliament voted to **abolish** the Equal Treatment Authority, one of Hungary's two equality bodies. The ETA had worked on discrimination cases against LGBTQI people for years, including on **education topics**. The tasks of the Authority have been taken over by the Commissioner for Fundamental Rights who has been very inactive on LGBTQI rights.

In 2017, the parliament amended the **Law on higher education**, practically expelling the Budapest-based Central European University (CEU) from the country. In 2020, the European Court of Justice **found** the amendment to run contrary to EU law, but CEU had **moved** to Austria by then.

The **Act on Equal Treatment and The Promotion of Equal Opportunities** (2003) prohibits discrimination, including in education, and also on the grounds of sexual orientation and gender identity. Sex characteristics are not specifically mentioned, but could be covered by the open ended list.

Policies and action plans

There are no national policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion.



HUNGARY



Education curricula

Prior to 2021, SOGIGESC issues were rarely part of school textbooks in Hungary.

The 2021 amendments to the law against pedophilia banned the 'promotion' of content related to LG-BTQI issues to those under 18, i.e. in schools, this includes sensitisation workshops run by LGBTQI NGOs which have not undergone prior authorisation by public authorities. In late 2020, the parliament amend-ed Hungary's Constitution ('Fundamental Law') to say that a child's right to identify according to their 'birth sex' must be protected and that children have the right to be educated according to 'Christian values'.

Despite all these measures, societal acceptance of LGBTQI people has never been higher. A 2021 representative survey found that the majority of Hungarians do not want the government to interfere with sex education and would appreciate if young people were taught about sexual and gender minorities.

Following the backlash against 'Fairyland is for Everyone' (see under *School environment*), a number of municipalities banned 'LGBTQI propaganda' and the book itself, in kindergartens and all educational facilities.

In 2018, the government also abolished gender studies programs at university level.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.



Legal gender recognition

In 2020, the government abolished legal gender recognition. Since then, a number of courts have annulled individual LGR decisions, which denied trans people the right to have their gender marker changed, but the decisions are not yet implemented. The Constitutional Court has declared the law to be unconstitutional, and civil society has organised visibility campaigns.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.



Data collection

The government does not collect data on anti-LGBTQI bullying, only civil society does.



Support systems

Neither the government nor schools provide targeted support for LGBTQI learners or their families.

Civil society provides counseling and helplines for LGBTQI people.



Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.

Civil society has made a wide range of information available to LGBTQI youth and teachers. These include a booklet on supporting gender diverse children, a guide for teachers on working with same-sex parents and their children, resources for mental health professionals, and targeted publications as Hatter's and Labrisz for teachers on addressing SOGIESC issues in school.

Before the propaganda law, sensitisation workshops were also regularly held by NGOs.



School environment and inclusion

(see also under *Legislation*) Discrimination and violence against LGBTQI people remains common in Hungary and the hostile political rhetoric against LGBTQI people and the so called 'gender ideology' has rapidly escalated over the past few years. Hate speech by politicians is rampant.

Civil society organisations, particularly those receiving foreign funding, are stigmatised, ostracised, and harassed.

LGBTQI youth are common targets of harassment and bullying.

A fairy tale collection called 'Fairylend is for Everyone', published by Labrisz Lesbian Association in 2020 suffered focused political attacks in 2020-2021. The book retells traditional fairy tales with diverse characters from various social minorities, including LGBTQI people, and helps children aged 6-12, parents and teachers to approach 'sensitive' or 'taboo' social issues. Attacks include hostile political communication about LGBTQI people and legislation restricting access to the book.

The school program 'Getting to Know LGBT People' run by Labrisz Lesbian Association and Szimpozium Association has also been targeted by legislation prohibiting such school programs from visiting schools. As a result, the program has not received invitations from state schools since the 2021 Autumn semester.

Nonetheless, civil society remains strong and is increasingly united against the backlash, running successful campaigns and programs.



International commitments

Hungary has ratified seven of the nine core UN human rights treaties¹⁵, including the ICESCR and the CRC, which enshrine the right to education. Hungary is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has not signed the 2016 UNESCO Call for Action.

¹⁵ Hungary has not ratified the CED and the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



Anti-discrimination Legislation

The **Iceland Compulsory School Act** (2008) sets out that discrimination on various grounds must be prevented in education, including sexual orientation. The law does not mention GIGESC grounds.

The **Law on Equal gender rights** was adopted in late 2020, moving away from a binary model of gender. The change is important and in compliance with the 2019 Gender Autonomy Act, which introduced the non-binary gender marker 'X' (see under *Legal gender recognition*).

In its 2020 **conclusions report** on Iceland, ECRI noted that there is no comprehensive anti-discrimination law in Iceland that covers SOGIGESC grounds and recommended that the state remedies this.

Policies and action plans

A number of regulations set out that each individual school is obliged to prevent bullying and create a safe and positive school environment in **compulsory education** (2011) and in upper secondary education (2016). Schools have independence in how they do this in practice. Some have robust policies in place and others do not have any. There is no holistic national anti-bullying action plan in place.

Education curricula

The national curriculum is quite general, but it does cover equality and as part of that, sexual orientation. Gender identity, gender expression and sex characteristics are not included.

There are no sex education materials available nationally that would include SOGIGESC issues.

Human rights education does not have LGBTQI-specific modules.

Mandatory teacher training

There is no mandatory teacher training in place on LGBTQI awareness. Some universities provide elective courses on the topic and NGOs also provide training, but these are limited in their hours. On 4 May 2021, NGO Samtökin '78 and the University of Iceland signed an agreement, which sets out that everyone participating in teacher training will be trained on SOGIGESC issues.

Samtökin '78 has formed new agreements with the municipalities of Grindavík (2020) and Snæfellsbær (2021) regarding educational workshops for grades 3, 6 and 9, all staff of kindergartens and elementary schools, and staff and management of youth centers. Reykjavík and Hafnarfjörður entered these agreements in 2005 and 2015.



Legal gender recognition

In 2019, the Icelandic parliament **adopted** the Gender Autonomy Act, which introduced legal gender recognition on the basis of self-determination and made available the gender marker option 'X' beyond 'male' and 'female'. Since January 2021, non-binary people have been able to access the gender marker 'X' option.

In late 2020, the parliament also **approved** the reduction of the age limit for LGR, based on self-determination, from 18 to 15. Minors under 15 will need parental consent and if such parental consent is absent, then they will be supported by an expert committee in their decision-making.

The new LGR law have been welcomed by many, but also criticised for **failing** to automatically ban all non-consensual medical interventions against intersex minors. In late 2020, a standalone law was passed to protect intersex children, **setting out** that non-consensual and medically unnecessary surgeries against minors will have to be unanimously approved by a **multidisciplinary committee** of medical experts and confirmed by a ministerial committee of a child psychologist, a pediatrician, and a human rights expert. The law however **did not ban** all interventions, such as hypospadias and micropenis.

There are no national guidelines on how schools can support trans youth, but some schools have been **proactive** in removing gendered spaces or rules about gendered uniforms.

Data collection

The state does not collect data on anti-LGBTQI bullying. Civil society has gathered data (see under *School environment*).

Support systems

In 2014, the government put in place an advisory body to assist schools in bullying cases in compulsory education. The body does not have a specific mandate on anti-LGBTQI bullying.

There is no information on direct support that individual schools provide.

Samtökin '78 operates a youth center, which is visited by roughly 100 LGBTQI young people each week. There are two groups in place for trans youth.

Information and guidelines

In lack of national action plans, guidelines or information materials, schools can decide how they foster an inclusive environment. Civil society has produced a number of information materials for LGBTQI learners, with government support.



School environment and inclusion

The government is generally supportive and civil society organisations have continued to receive substantial funding to provide support to LGBTQI youth.

In 2020, Samtökin '78 **released** the results of its school well-being survey (2016-2017), finding that a third of LGBT students felt unsafe because of their sexual orientation or gender identity, and a third had been targeted by verbal harassment.

Since the onset of the COVID-19 pandemic in 2020, there has been a 40% **increase** in young LGBTQ people reaching out for mental health support at Samtökin '78.

Young trans people had a particularly difficult time at the beginning of 2020, when Landspítali hospital announced the **closure** of its so-called 'trans team'. The 'trans team' had provided mental health counseling and access to hormone blockers and gender affirming care to young trans people. Parents and **civil society** protested the decision, which was made due to budget cuts. Parents shared that their trans children have already had to deal with depression and other mental health issues due to barred access to hormone blockers. In the end, due to pressure, the team will resume its work soon and a new team leader was hired as staff.



International commitments

Iceland has ratified **seven** of the nine core UN human rights treaties, including the ICESCR, which enshrines the right to education. Iceland is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the 2016 UNESCO **Call for Action**.



Best practices

Samtökin '78 Youth Center has been run by the organisation and the city of Reykjavík since 2014. The work is supported by many volunteers, who have managed to create a safe, caring, and welcoming space for LGBTQI youth. The center provides individual counseling and support groups.



Anti-discrimination Legislation

There have been no legislative changes in Ireland since **2018** that relate to education and SOGIGESC issues.

The **Equal Status Acts** (2000-2015) prohibit discrimination and harassment on the grounds of sexual orientation. The Acts also cover 'gender', which has been interpreted in case law as covering 'gender identity'. GESC grounds are not covered. The **Education Act** (1998) and the **Education (Welfare) Act** (2000) state that schools must promote inclusion and equality by outlining a number of duties and responsibilities. The **Irish Human Rights and Equality Commission Act** (2000) imposes the duty to proactively prevent discrimination and promote equality on all public bodies, including schools, universities and training facilities.



Policies and action plans

The **Action Plan on Bullying** (2013) covers all education facilities for students under 18 and includes measures to address bullying on grounds of sexual orientation and gender identity. It calls on schools to (1) develop anti-bullying policies, (2) have preventive measures in place, and (3) create a safe and inclusive school environment.

The **National Youth Strategy** (2018) identifies LGBTQI young people as a vulnerable group in the context of bullying and calls for inclusive schools. Among the recommended measures are gender-neutral uniforms, gender-neutral toilets, and inclusive policies for trans and non-binary learners (e.g., the use of correct pronouns).

Ireland's **LGBTI+ National Youth Strategy** (2018-2020), the **first of its kind** in the world and welcomed by **ECRI**, called for three goals: Firstly, create a safe, supportive and inclusive environment for LGBTQI young people; secondly develop the research and data environment to better understand the lives of LGBTQI young people; and lastly, improve the physical, mental and sexual health of LGBTQI young people. Although this was welcomed by ECRI, ECRI also noted that despite this achieved progress, some issues still give rise to concern.



Education curricula

SOGIGESC issues are not part of the national curriculum.

The national curriculum on sex and relationship education does not include SOGIGESC issues. A national review consultation in 2019 **concluded** that this education needs to be more inclusive of SOGIGESC issues and be based on young people's needs.

For now, young people can access information outside school. In 2020 for instance, Cork's Sexual Health Centre **opened** Ireland's first community sexual health hub to support young people's access to information and services.

The country has a human rights/civic education in place, but it does not include the discussion of SOGIGESC issues.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness, but university departments of education and individual instructors may choose to include this content in their modules.

NGOs in Ireland provide teacher training on an ad-hoc invite basis. ShoutOut provides training for teachers, other school staff, and parents and guardians, and runs workshops on LGBTQI inclusion for learners to around 9000 students per academic year.

The NGO BeLong To also provides a teacher training programme that includes information about how teachers can make referrals to BeLong To's National Network of LGBTQI youth services. BeLong To has also started to receive invitations to provide training to professional educational services such as the professional development service for teachers in the national education's psychological service, and the education welfare service. This not only provides skills, knowledge and confidence-building, but also expands the number of educational professionals who know that learners can be referred to BeLong To's youth services.



Legal gender recognition

Legal gender recognition is set out in **law** and is based on self-determination for those over 18. For those between 16-18 LGR is accessible with an application made on behalf of the minor (with certification by two medical practitioners) and at the consideration of the Minister. Civil society is concerned that those between 16-18 must have acquired parental consent and medical certificates. In 2019, the government **announced** that anyone over 16 will be able to access LGR on the basis of self-determination and with third party mediation in case of lacking parental consent. Young people under 16 cannot access LGR.

There is no national policy allowing students to use their preferred name in schools prior to legal gender recognition.



Data collection

The government does not collect data on anti-LGBTQI bullying, but schools need to report cases and the LGBTI+ National Youth Strategy committed to remedy the data gap. Civil society collects data about LGBTQI young people's experiences in school, as well as their well-being and other key topics (see under *School environment*).



Support systems

Each school has a pastoral care team, that includes teachers or guidance counselors. The level of training is not consistent throughout the country, and there is no compulsory training in LGBTQI awareness. BeLong To trains both counselors and teachers throughout the country, in LGBTQI-awareness within the context of bullying prevention.



Civil society organisations provide support to LGBTQI youth as well as relief and support services for victims of bullying. BeLong To has a national network of LGBTQI youth services throughout the country. LGBT Ireland's helpline is also available to young people. In 2020, 18 school's joined BeLong To's Safe & Supportive Schools Project to create a safe and inclusive environment for LGBTQI students.



Information and guidelines

LGBTQI-related information is allowed to be present in school venues.

Schools must proactively raise awareness on LGBTQI issues to combat bullying and discrimination. Many participate in **awareness raising events**. Belong To provides materials for schools, both primary and secondary, such as **leaflets, lesson plans, and toolkits**.

There are almost 50 **LGBTQI youth groups** across the country.



School environment and inclusion

In 2021, BeLong To's national study **found** a severe deterioration of LGBTQI young people's mental health since the onset of the COVID-19 pandemic, as 97% reported struggling with anxiety, stress, or depression, and more than half reported suicidal ideation.

In 2020, the trans organisation TENI's **study** on the school experiences of trans youth found that trans and gender diverse young people routinely feel mistreated, bullied, excluded, judged, and disrespected in school. The 2019 School Climate Survey **found** that 73% of LGBTQI youth felt unsafe in school. Overall, bullying, discrimination, and violence remain common.

Extracurricular activities take place in school venues in Ireland. There is no law prohibiting LGBTQI youth clubs from meeting in school venues, which are present in a non-uniform way in schools throughout the country.

There has been no public or institutional discussion regarding the exclusion or inclusion of LGBTQI-specific material from the curricula.

Civil society organisations providing support services to LGBTQI youth receive public funding and regularly collaborate with schools to prevent and address bullying.



International commitments

Ireland has ratified **eight** of the nine core UN human rights treaties¹⁶, including the ICESCR and the CRC, which enshrine the right to education. Ireland is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the **2016 UNESCO Call for Action**.

¹⁶ Ireland has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



Anti-discrimination Legislation

There have been no legislative changes in Italy since **2018** that relate to education and SOGIGESC issues and there continues to be no law that would prohibit discrimination in education on SOGIGESC grounds.

The **Education Law** (2015) calls for the prevention of discrimination, but does not mention SOGIGESC. The **Law for the protection of minors and prevention and control of the phenomenon of cyberbullying** (2017) does not mention SOGIGESC either. Some regions have **local laws** in place against bias-motivated discrimination on the basis of SOGIGE. For instance, the Campania Region approved the Regional Law 37/2020, establishing rules against violence and discrimination determined by sexual orientation or gender identity. Moreover, the Emilia-Romagna Region adopted the Regional Law 15/2019 against discrimination and violence determined by sexual orientation or gender identity, and the Umbria Region approved the Regional Law 3/2017 against discrimination and violence determined by sexual orientation and gender identity.

There is no evidence of laws and policies prohibiting the discussion of LGBTQI issues in schools.

Policies and action plans

The importance of supporting students in the development of their identity is set out in a number of documents (**2012, 2018**), but without specific reference to SOGIGESC. A **2015 Education Protocol** states that schools should not promote specific 'ideologies'. The 2017 national **guidelines** on gender equality and prevention of gender-based violence, call for an affirmative approach to sexual orientation in school, but are not binding.

Italy had a National LGBT Strategy in place for 2013-2015. Italy has repeatedly been urged to renew the Strategy since 2015, including by **ECRI** and as part of the **UPR**. In 2019, ECRI highlighted with concern that the Strategy was dropped by the government and the elements on inclusive education were not implemented. Based on public declarations made by the Ministry of Equal Opportunities, the Italian Government would launch in 2022 a new National LGBT Strategy that follows the outline of the European Commission's '**LGBTIQ Equality Strategy 2020-2025**' adopted in November 2020, indicating measures to fight against discrimination based on sexual orientation or gender identity.

Education curricula

SOGIGESC issues are not part of national curricula and the extent to which they are discussed depends on individual schools and teachers.

Italy continues to have no mandatory sex and relationship education in place. Some schools cover SRE, often in collaboration with civil society.

Civic education is included in the national curriculum for primary and secondary schools, but does not cover SOGIGESC issues.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

Legal gender recognition

Legal gender recognition is **set out by law** and is available to minors, but the process is not based on self-determination. Trans organisations have been **calling for** a law based on self-determination.

There are no national or regional policies allowing students to use their name and gender in education prior to LGR, but a number of universities have **procedures in place**. In recent years, some secondary schools have also begun to introduce similar procedures; see for instance in **Roma**, **Latina**, **Pisa**, **Venice** or **Florence**.

Data collection

The Ministry of Education has oversight over reports of discrimination in schools, but they do not work on anti-LGBTQI cases specifically. Civil society, including Arcigay, gathers data on discrimination and violence. In 2018, the Umbria Regional Education Authority **blocked** a school survey on bias-motivated bullying, because it **included** questions on the respondents' sexual, political, and religious identities. The survey was amended and was carried out later in 2019.

Support systems

Schools provide direct support and relief services through in-house psychologists or social service workers. The training they receive is not uniform, and they are only seldomly trained on LGBTQI issues.

Civil society organisations provide indirect support services and training to the service providers or external support services. Whether they receive funding from the authorities, is highly dependent on each region.

Information and guidelines

There are no national guidelines on the provision of information on school grounds.

There is no evidence of national or regional policies prohibiting LGBTQI-related leaflets and posters on school premises. However, it depends on each individual school's willingness to share information on SOGIGESC issues. Some schools cooperate with civil society - for instance by taking part in Arcigay's anti-bullying **workshops**. Other tools, such as the 2021 **'Rainbow School'** ('Una Scuola Arcobaleno') on how to combat anti-LGBTQI bullying, can also be helpful for schools.

Schools should have an anti-bullying policy and action plan in place, but they are not obliged to include anti-LGBTQI bullying in these.



School environment and inclusion

Hate speech and hate crimes remain common and are on the rise in Italy. Hate speech is often pronounced by religious and political leaders alike. In some instances, young people were physically harmed by their families. In 2018, a social media post of a gay man who suffered years of bullying in school went viral and sparked public discussion.

The anti-gender rhetoric has gained more ground over the past years, resulting in anti-LGBTQI public speech.

There is no evidence of national or regional policies prohibiting LGBTQI organisations from meeting on school premises. Whether student clubs and organisations can actually meet on school premises depends on each individual school's willingness.

There has been increasing public discussion regarding the inclusion and exclusion of LGBTQI issues in the school curriculum. Some have taken on a hateful note, but have not reached the institutional level.



International commitments

Italy has ratified eight of the nine core UN human rights treaties¹⁷, including the ICESCR and the CRC, which enshrine the right to education. Italy is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the 2016 UNESCO Call for Action. During its third UPR cycle, Italy received 17 recommendations on SOGIGESC issues, mostly on combating discrimination.



Best practices

Although there are no national or regional policies in place on how students can use their name and gender in education prior to LGR, a number of universities and also secondary schools have introduced procedures; see for instance in Roma, Latina, Pisa, Venice or Florence.

¹⁷ Italy has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



Anti-discrimination Legislation

Article 24 of the Constitution of Kosovo (2008) explicitly prohibits discrimination on the basis of sexual orientation.

The Law on the protection from discrimination (2015) covers education and explicitly mentions sexual orientation and gender identity as protected grounds. Since 2019, anti-LGBT hate speech and hate crimes are also prohibited.

There is no evidence of laws and policies prohibiting the inclusion of LGBTQI issues as part of the curriculum or the discussion of such issues by teachers and other school employees.

Policies and action plans

Kosovo has a National LGBTI Action Plan (2019-2022) in place, but implementation is very much lacking.

Education curricula

SOGIESC issues are not part of curricula. On the contrary, when LGBTQI rights issues are mentioned, they are discussed in a hostile context.

Kosovo continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIESC.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness. Civil society organisations, such as the Center for Equality and Liberty provide regular workshops to schools.

Legal gender recognition

There are no legal gender recognition (LGR) procedures in place in Kosovo. A number of trans people have been able to have their legal gender changed through court cases, but there is no law in place to guarantee consistent practice. In 2019, a Court in Kosovo, for the first time, allowed LGR without requiring evidence for surgical intervention or any other medical treatment.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.



Data collection

The government does not collect data on anti-LGBTQI bullying, but the Ombudsperson has in some instances reported on SOGIGESC issues. Civil society gathers data on discrimination and violence.



Support systems

Neither the government nor schools provide targeted support for LGBTQI learners or their families.

Civil society organisations provide support to LGBTQI youth with limited state support.



Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.

There is no information about the specific availability of information on LGBTQI issues in schools, but there is no evidence of laws and policies prohibiting the presence of such information in school grounds.



School environment and inclusion

There is no information regarding the provision of extracurricular activities by primary and secondary schools. There is no evidence of laws and policies prohibiting LGBTQI youth clubs from meeting in school premises.

Discrimination against LGBTQI people remains common in Kosovo. Hate speech is often carried out with impunity, including by political leaders.



International commitments

Kosovo is not a State Party to any of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrine the right to education. Kosovo is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the 2016 UNESCO Call for Action.



LATVIA



Anti-discrimination Legislation

There have been no legislative changes in Latvia since **2018** that relate to education and SOGIGESC issues.

There are no laws in place that would protect LGBTQI learners from discrimination.

On the contrary, an educational law dating from 2015 requires '**moral education**' in schools in line with the values of the **Latvian Constitution** (2014), including with respect to marriage which is being defined as being exclusively between a man and a woman.

Guidelines regarding the implementation of the 2015 education law prohibit sharing materials which feature 'propaganda of degrading or immoral activities', and thus effectively prohibit the discussion of LGBTQI issues in schools.



Policies and action plans

There are no national policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion.



Education curricula

The national curriculum does not include references to SOGIGESC issues.

The compulsory curriculum does not include a sex and relationship subject.

The compulsory curriculum does not include human rights or civic education curricula.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.



Legal gender recognition

Legal gender recognition procedures **are in place**, but not on the basis of self-determination. There is substantial legal uncertainty surrounding the law and in practice the law requires abusive medical interventions.

There are no guidelines allowing students to use their name and gender marker before obtaining legal gender recognition.



Data collection

The government does not collect data on anti-LGBTQI bullying unless the particular incident has been flagged as a 'hate crime'. However, civil society reports that cases are rarely prosecuted on the basis of 'hate crime' legislation as it requires a higher standard of proof.



Support systems

Schools do not provide direct support to LGBTQI learners through school psychologists or counselors.

Civil society reports that although there is no uniform practice, schools attempt to provide direct support and relief services for victims of bullying. However, not all schools have trained psychologists or social workers and training on LGBTQI topics is done on a voluntary basis.

Furthermore, there are no support services specifically for LGBTQI people at school or local level. Two schools in the capital have formed a Gender and Sexuality Alliance and provide some form of peer support.

There are no indirect support systems.



Information and guidelines

With some rare exceptions, schools tend to not provide information about local communities and social activities or campaigns within their premises through leaflets and posters.

Since the Latvian parliament approved the amendment to the education law requiring 'moral education' in schools and prohibiting sharing material which feature 'propaganda of degrading or immoral activities' it is very unlikely that schools would distribute any material about LGBTQI topics, especially in rural areas.

Schools are not required to have comprehensive inclusion and anti-bullying policies and action plans.



School environment and inclusion

Student and youth clubs are allowed to meet on school grounds. In theory there is no ban on LGBTQI youth clubs. In practice, it is highly unlikely at primary school level, and only two highschools in the country have formed LGBTQI groups.

In the past years there has been a public opposition to the inclusion of LGBTQI issues in the school curriculum. The debate has taken place mainly in mainstream media following the 2015 education law amendment. They have not taken place at an institutional level.

The Eurobarometer 2019 survey has found that even though acceptance of LGBTQI people in Latvia has slightly increased, the country continued to lag far behind the EU average.



International commitments

Latvia has ratified **seven** of the nine core UN human rights treaties¹⁸, including the ICESCR and the CRC, which enshrine the right to education. Latvia is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the **2016 UNESCO Call for Action**.

¹⁸ Latvia has not ratified the CED and the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



LIECHTENSTEIN



Anti-discrimination Legislation

There have been no legislative changes in Liechtenstein since **2018** that relate to education and SOGIGESC issues.

Liechtenstein **still** has no anti-discrimination legislation **in place** that would cover education and SOGIGESC issues. The Penal Code prohibits hate speech and discriminatory actions, such as refusing to provide services, only on the ground of sexual orientation and not on GIGESC grounds (2016, Section 283, para. 1). As part of its third Universal Periodic Review, Liechtenstein received **recommendations** in 2018 to remedy the legal gap.



Policies and action plans

There are no national policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion.

In 2020, local NGOs had their first coordination meeting focusing on LGBTQI youth issues. The meeting brought together local LGBTQI organisation FLAY alongside other NGOs, youth workers, school social workers, and other key experts. The coalition **decided** on its priorities, including advocacy work to urge the government to collect data on the situation of LGBTQI young people, raise awareness, and make the national curriculum more inclusive.



Education curricula

The national curriculum does not include references to SOGIGESC issues. It does **include** sex education, but it is up to the discretion of each individual school and teacher whether and how they cover SOGIGESC issues.

The Institute for Sexual Questions and HIV Prevention, a special government service, **offers** workshops, courses and personal advice to learners, as well as information and advice to their parents, especially in connection with questions or matters regarding sexual orientation.

Liechtenstein continues to have no mandatory human rights curricula that are inclusive of SOGIGESC.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.



LIECHTENSTEIN



Legal gender recognition

There is an administrative procedure **in place** that allows legal gender recognition, but not on the basis of self-determination. In 2020, the Ministry of Society **stated** in an LGR case that the applicant does not need to have undergone hormone replacement therapy. However, the procedure is not set out in law, so LGR practice can be inconsistent. LGR is not available to minors and does not offer non-binary options.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.



Data collection

There is no data collection conducted by the state on LGBTQI students' experiences. The civil society coalition on LGBTQI youth issues marked this as a key priority they want the state to focus on.



Support systems

There are no mandatory support systems in place in schools. However, every school is supported by school social workers, who have been active in tackling anti-LGBTQI bullying and also in counseling LGBTQI learners. Some also attended the coordination meeting on LGBTQI youth issues (see above).

The Institute for Sexual Questions and HIV Prevention, a special government service, **can support** students in and schools in situations of bias-motivated bullying based on SOGIE.



Information and guidelines

No relevant guidelines are in place for teachers, staff, LGBTQI learners and their parents.



School environment and inclusion

Attitudes over the past years have improved towards LGBTQI people, as **noted** by ECRI in 2018.

There is no information available about LGBTQI-specific extracurricular activities taking place in schools.



International commitments

Liechtenstein is a State Party to **six** of the nine core UN human rights treaties¹⁹, including the ICESCR, which enshrines the right to education. Liechtenstein is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the 2016 UNESCO **Call for Action**.

¹⁹ Liechtenstein has not ratified the CMW and has only signed the CED and the CRPD. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



LITHUANIA



Anti-discrimination Legislation

There have been no legislative changes in Lithuania since **2018** that relate to education and SOGIGESC issues.

The **Law on Education** (2016) calls for measures to address cyberbullying, including on the basis of sexual orientation. Cases can be reported **online**.

The **Law on Equal Opportunities** (2013) prohibits discrimination and harassment on the basis of sexual orientation, but **does not cover** GIGESC grounds.

The **Law on Protection of Minors Against the Detrimental Effect of Public Information** (2002) prohibits the dissemination of any materials that incite bullying or humiliation on grounds of sexual orientation. That being said, the law also bans the dissemination of information that counters 'family values', which has led to a perpetuation of prejudice and negative attitudes towards LGBQ people. In practice, it has deterred teachers from addressing LGBTQI issues in school settings.



Policies and action plans

The **Health and Sexuality Education, and Preparation for Family Life Programme** (2016) prohibits discrimination on grounds of the sexual orientation and the gender identity of students, their parents or foster parents. It does not outline specific steps to tackle discrimination or to make schools more inclusive.

Civil society organisations report that schools are required to have anti-bullying policies, but are not required to include LGBTQI-specific information.



Education curricula

There are no national human rights or civic education curricula. The national curriculum includes sex and relationship education, but is not LGBTQI-inclusive.



Mandatory teacher training

There is no mandatory teacher training on LGBTQI awareness. On the contrary, teacher training materials include harmful content, such as describing 'homosexuality' as 'mentally unhealthy behavior'. In 2018, a group of NGOs **called on** the Ministry of Science and Education to remove such materials. No developments have taken place since.



Legal gender recognition

There is no legal gender recognition law in place in **Lithuania**. LGR is accessible through the court system. In the past years, several trans people have been able to change their legal gender without fulfilling surgery or sterilisation requirements.

LGR is not available to minors and no information is available about policies or practices allowing trans students to use their correct name and gender in schools.



LITHUANIA



Data collection

The government does not collect data on the situation of LGBTQI students in schools. Data is only collected by NGOs.



Support systems

Neither the government or schools provide targeted support for LGBTQI learners or their families. In September 2020, the national LGBT NGO LGL launched an online support platform for young LGBTQI people who are victims of bullying, and also parents and teachers. The Youth Line is available for young people in general.



Information and guidelines

LGL's 2015 publication Homophobic Bullying in Lithuanian Schools provides recommendations to teachers and other professionals working with young people on how to combat bullying and violence in schools.



School environment and inclusion

Discrimination and violence against LGBTQI people remains common in Lithuania. NGOs, such as LGL have documented numerous cases over the past years and helped victims with legal support. Due to the Law on Protection of Minors (see under *Anti-discrimination Legislation*), LGBT-related content on TV or printed media is often censored.

In 2020, LGL highlighted the negative impact of the COVID-19 pandemic on LGBTQI youth, who feel even more isolated and alone than before. In 2021, LGL also spoke out about the situation of trans youth in the country, who find little support and are unable to access trans-specific healthcare services.



International commitments

Lithuania has ratified eight of the nine core UN human rights treaties²⁰, including the ICESCR and the CRC, which enshrine the right to education. Lithuania is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the 2016 UNESCO Call for Action.



Best practices

The national LGBT NGO LGL's online platform provides emotional support for young LGBT people who are victims of bullying, and also parents and teachers.

²⁰ Lithuania has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



LUXEMBOURG

Anti-discrimination Legislation

There have been no legislative changes in Luxembourg since 2018 that relate to education and SOGIGESC issues.

The Equal Treatment Act (2008) grants access to education regardless of sexual orientation and gender identity.

The Law of 29 August, 2017, concerning secondary education, proposes disciplinary measures in case of anti-LGBTQI bullying or harassment.

There is no evidence of laws and policies prohibiting the discussion of LGBTQI issues as part of the curriculum or by teachers.

Policies and action plans

The first National Action Plan for the Promotion of the Rights of LGBTI Persons was published in July 2018. Ten ministries were involved in the creation of the plan which was drafted in collaboration with several human rights organisations. The first chapter of the Plan focuses on education that is inclusive of learners regardless of their actual or perceived SOGIGESC. The goals of the action plan ought to be implemented within 5 years from the launch.

Education curricula

The country has a national education curriculum that includes sex and relationship education. The program includes a positive discussion and representation of sexual orientation and gender identity. Sex and relationship education is given each school year to students of all ages.

The sex and relationship education manual for primary schools includes the explanation that some children are born with varieties of sex characteristics, as well as same sex relationships as a topic and gender neutral visual representation of children.

Throughout secondary school, students will experience a general sex and relationship education each year on a different level. Specific 'Social studies' sections in high school and vocational education to become an educator include more specific SOGIGE-related curricula in terms of sexuality and sexual orientation, social inclusion and equality principles, diversity and gender education.

The national curriculum includes a human rights education component. Civil society reports that the human rights module includes at least one section discussing LGBTQI topics, but is not part of the core component of the curriculum.



LUXEMBOURG



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

However, local civil society organisations together with the Institut de Formation de l'Education Nationale (IFEN), offer optional training to teachers and socio-educational staff regarding SOGIGESC issues. In 2019/2020 IFEN provided several trainings on LGBTQI issues, including a full week of intersex-related workshops. To encourage participation, SOGIGESC topics have been made a priority of mandatory annual in-service training.



Legal gender recognition

In June 2018, the parliament approved a law amending the existing Civil Code, which replaces the judicial procedure with an administrative process. Under the new law, anyone wanting to change their name or gender marker in civil documents will no longer have to present any evidence of medical, hormonal or surgical treatments, or a psychiatric diagnosis. Under certain conditions, minors, stateless persons, refugees, citizens of Luxembourg living abroad, and citizens of other countries living in Luxembourg for more than one year may also make use of this administrative process. However, the law includes no option for non-binary gender markers.

Although there are no national guidelines allowing students to use their preferred name and gender marker in schools and/or universities, according to the National Action Plan, the Ministry of Education is currently working on guidelines for transgender students.



Data collection

The government does not collect data on LGBTQI students' experiences.

However, the government participates in the monitoring of ECRI.



Support systems

The government provides both direct and indirect support systems for LGBTQI youth. It has made agreements and collaborates with civil society organizations to provide the necessary specific support.

Schools provide direct support and relief services with trained providers. The providers are sometimes trained specifically on LGBTQI issues.

The Ministry of Family Affairs offers specialised support to the LGBTQ community and anyone interested in SOGI-related topics through the contracted and government-funded counseling service, CIGALE.



LUXEMBOURG



Information and guidelines

Schools are required to have guidelines concerning the inclusion of LGBTQI learners since the activation of the National Action Plan of 2018.

Bullying is a concept defined by law and anti-bullying legislation is, amongst others, applied in education (see under *Anti-discrimination legislation*).

Supported by governmental funding, the local civil society organisation ECPAT has developed guidelines, including specific procedures to be followed by professionals working directly with children and young people. One of the areas within these guidelines is bias-motivated violence based on SOGIESC. Since 2018, an interdisciplinary group of official representatives and professionals working on affective, sexual and relational education (including CIGALE and other services of the Red-Cross, the Planning Familial, the CESAS etc. but also e.g. representatives of the Family, Education and Health ministries) has been working on a general overhaul and updating of the **national guide for sex and emotional health of youngsters**.

Schools currently provide information within their premises regarding SOGIESC issues and LGBTQI information is allowed within the school premises.



School environment

Student and youth organisations as well as clubs are present in schools at the primary and secondary level, and LGBTQI organisations are allowed to meet.

There has been no discussion in mainstream media or institutional settings regarding the exclusion or inclusion of LGBTQI+ topics from the curriculum.



International commitments

Luxembourg has ratified **seven** of the nine core UN human rights treaties²¹, including the ICESCR and the CRC, which enshrine the right to education. Luxembourg is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**.

With the Law of 20 July 2018 ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence (i.e. the Istanbul Convention), the Penal Code has been adjusted and the explicit term of *Gender Identity* was added to the grounds of discrimination.

²¹ Luxembourg has only signed the CED and has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



Anti-discrimination Legislation

There have been no legislative changes in Malta since **2018** that relate to education and SOGIGESC issues.

Malta's **Constitution** (1964) prohibits discrimination on grounds of SOGI.

The **Gender Identity, Gender Expression and Sex Characteristics Act** (2015) prohibits discrimination on SOGIGESC grounds. The **Equality between Men and Women Act** (2003, amended in 2015) also does, and bans discrimination in the provision of support to students, in the curriculum, and textbooks.

Malta's Equality Act has been **pending** in parliament.

Policies and action plans

Malta has a number of relevant policies and action plans in place, including the 2014 **Addressing Bullying Behaviour in Schools**, the 2015 **Trans, Gender Variant and Intersex Students in Schools Policy**, the 2019 **National Inclusive Education Framework**, and the 2019 **Policy on Inclusive Education in Schools**. The second **LGBTQI Equality Strategy and Action Plan** (2018-2022) was launched in 2018. The government mandated SOGIGESC Unit is tasked with the implementation of the Action Plan.

Education curricula

Malta's national curricula are inclusive of SOGIGESC issues, but implementation is often up to the respective school. Covering SOGIGESC issues is viewed as primarily the responsibility of Personal, Social and Career Education (PSCD), religion teachers and student support service professionals, such as guidance teachers and counselors. The SOGIGESC Unit has provided training to PSCD staff and PSCD Teacher Trainees. Since 2019, it has been working with the Directorates of Education to mainstream SOGIGESC issues throughout a range of thematic curricula.

Civil society reports that references to LGBTQI issues as part of religious education can be hostile.

Malta has mandatory sex education **guidelines** in place that are inclusive of SOGIGESC issues and available from the age of seven. During its third UPR review, Malta was **recommended** to introduce comprehensive sex education programs.

Over the past 3 years the National Literacy Agency has distributed a number of books dealing with diversity and LGBTIQ issues to primary school classroom libraries in both the English and Maltese languages.



Mandatory teacher training

Teacher training on SOGIGESC issues is limited and sporadic. In the past years, the SOGIGESC Unit has been working to remedy this and started providing training to PSCD trainees as of 2018 and to secondary school teachers in 2020. A number of other teachers from both primary and secondary schools are trained through sessions organised by the Institute for Education.



Legal gender recognition

Malta provides legal gender recognition, set out in law, on the basis of self-determination and without age restrictions. The **Trans, Gender Variant and Intersex Students in Schools Policy** sets out that schools must support young people in expressing their gender in school or in transitioning.



Data collection

There is no state level data collection on LGBTQI students' experiences in school, but civil society collects data (see under *School environment*).



Support systems

The National Student Support Services also includes an anti-bullying unit.

Schools provide direct support for victims of bullying through counselors, social workers, and other support staff. The support service providers are trained, but do not receive specific training regarding LGBTQI issues.

LGBTQI organisations receive national funding to also provide support services at local level, as part of the **Rainbow Support Services** initiative. The funding was renewed for a further three-year period in 2020.



Information and guidelines

In 2020, the national NGO MGRM published the **Safe and Seen Education Toolkit**, consisting of presentations, a board game, videos, and leaflets for youth and parents. The toolkit is aimed to support teachers, youth workers, and youth organisations.

Individual schools may also publish informational posters and leaflets.



School environment and inclusion

Student and youth clubs are not common in Malta, but some schools have diversity groups in place.

The ongoing national debate on the new Equality Act has stirred some hostility on LGBTQI issues. Some have raised concerns about SOGIGESC issues and mandatory sex education in the curriculum, wanting to exempt their children from participating. The Ministry of Education has defended Malta's inclusive curricula. A court case against the Ministry for Education on the right of parents to withdraw their children from sexuality and relationships education classes is currently ongoing.

In 2019, MGRM published its 2017 School Climate Survey results, finding that despite legal protections and inclusive policies in place, many LGBTQI students feel unsafe in school, and more efforts are needed to address harassment and discrimination. Nonetheless, the EU FRA LGBTI Survey II, which also included those between the ages of 15 and 17, found that compared to the EU-28 average, LGBTQI students in Malta were less likely to hide their identities in schools, and more likely to get support from peers and teachers or report that their curriculum addressed LGBTQI issues positively or in a balanced way.



International commitments

Malta has ratified eight of the nine core UN human rights treaties²², including the ICESCR and the CRC, which enshrine the right to education. Malta is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the 2016 UNESCO Call for Action. During its third UPR review, Malta received two recommendations on SOGIGESC issues.



Best practices

Malta's Trans, Gender Variant and Intersex Students in Schools Policy highlights main areas where trans, gender variant and intersex students may face challenges and makes concrete suggestions for schools on how to support their students.

Malta's LGBTQI Equality Strategy and Action Plan (2018-2022) includes the right to education as a key priority area, with measurable steps to make schools and school curricula more inclusive.

MGRM's Safe and Seen Education Toolkit consists of presentations, a board game, videos, and leaflets for youth and parents. The toolkit is aimed to support teachers, youth workers, and youth organisations in working with LGBTQI youth.

²² Malta has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



MOLDOVA

Anti-discrimination Legislation

There have been no legislative changes in Moldova since **2018** that relate to education and SOGIESC issues.

The **Education Code of Moldova** (1995, amended in 2014) does not mention SOGIESC.

Policies and action plans

There are no policies or action plans in place currently in Moldova with respect to SOGIESC issues. The **Human Rights Action Plan for 2018-2022** mentions LGBT people in its discussion of non-discrimination and equality, but does not include specific measures on inclusive education and SOGIESC issues.

Education curricula

The **Education Code of Moldova** mentions diversity, but not SOGIESC.

There is no mandatory sex education in place. Sex and relationship education that is carried out does not mention SOGIESC issues.

The compulsory curriculum includes a human rights curricula which does not include discussion of discrimination on the basis of SOGIESC.

Mandatory teacher training

There is no mandatory teacher training on LGBTQI awareness in Moldova.

The NGO GENDERDOC-M carries out occasional trainings on SOGIE issues for school and university teachers, as well as occasional trainings for school students on bias-motivated bullying.

Legal gender recognition

There is no legal gender recognition law in place in **Moldova**, but LGR is possible through an administrative procedure. The process is not reliable, not based on self-determination, requires a medical certificate, and is inaccessible to minors.

There are no policies or guidelines allowing students to use their preferred name in schools and/or universities before they legally change their name and gender marker.

Data collection

The government does not provide data on bullying and SOGIESC. **GENDERDOC-M**'s annual report covers discrimination cases in education.



Support systems

The government provides no specific support system for LGBTQI learners and their families.

There are no uniform direct support and relief services in schools. However, some schools employ social workers and psychologists. Civil society organisations are not aware of cases where LGBTQI students have reported their cases to them. GENDERDOC-M Information Centre trains psychologists and social workers on SOGIGESC topics and occasionally those who work in the school system. GENDERDOC-M also provides information to victims of bullying.

Local authorities and school districts do not provide support and relief services for bullying by funding civil society organisations.

Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.

Schools do not promote information on SOGIGESC issues and are not required to have anti-bullying guidelines in place. GENDERDOC-M provides information on SOGIGESC issues generally, and has published a toolkit for teachers, but without any state funding.

School environment and inclusion

Students and youth organisations are present in primary and secondary schools, but no LGBTQI groups exist. ECRI's 2018 report on Moldova concluded that societal stigma and prejudice against LGBTQI people is widespread and hate speech is alarmingly common, including by political leaders. Local NGOs have worked on inclusive education topics, despite the hostile political climate.

International commitments

Moldova has ratified seven of the nine core UN human rights treaties²³, including the ICESCR and the CRC, which enshrine the right to education. Moldova is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the 2016 UNESCO Call for Action.

Best practices

In 2021, Moldova's National Human Rights Institution, the Equality Council, heard the case of a trans student who was repeatedly misgendered by a teacher. As a result of the hearing, the teacher apologised and requested informational materials about SOGI.

²³ Moldova has only signed the CED and has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



Anti-discrimination Legislation

There have been no legislative changes in Monaco since 2018 that relate to education and SOGIGESC issues.

There are no laws in place that would protect LGBTQI learners from discrimination.

Policies and action plans

There are no national policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion.

Between 2015 and 2019, the government hosted the 'No to Bullying' day annually across schools, but the event did not explicitly include SOGIGESC grounds or the needs of LGBTQI learners.

Education curricula

SOGIGESC issues are not part of the mandatory curricula.

Monaco continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

Legal gender recognition

There are no legal gender recognition procedures in place in Monaco.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.

Data collection

The government does not collect data on anti-LGBTQI bullying.



Support systems

Neither the government or schools provide targeted support for LGBTQI learners or their families.



Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.



School environment and inclusion

There is no specific information available about the school environment in Monaco.



International commitments

Monaco is a State Party to **seven** of the nine core UN human rights treaties²⁴, including the ICESCR and the CRC, which enshrine the right to education. Monaco is not a member of the European Governmental LGBTI Focal Points Network (as of A 2022) and has not signed the 2016 UNESCO **Call for Action**. During its third UPR review in 2018, Monaco received three **recommendations** to tackle discrimination and violence on the basis of SOGI.

²⁴ Monaco has only signed the CED and has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



MONTENEGRO

Anti-discrimination Legislation

There have been no legislative changes in Montenegro since **2018** that relate to education and SOGIGESC issues.

Montenegro's Law on prohibition of discrimination (2014, amended in 2017) includes a prohibition of discrimination on the grounds of SOGIGESC that extends to the educational sector. The Law on general education relies on this law and thus prohibits discrimination within the education system indirectly.

There is no evidence of policies prohibiting the discussion of LGBTQI issues in schools and educational institutions.

Policies and action plans

The National LGBT strategy expired in December 2018, with a significant portion of the planned activities uncompleted. In April 2019, a new **LGBTI Strategy 2019-2023** was adopted, which, compared to its predecessor, includes more concrete measures, a defined budget and clear indicators.

However, civil society reports that the level of implementation of the LGBTI Strategy is unsatisfactory. The ministries and other bodies delegated to implement the segments of the Strategy have, with rare exceptions, failed to effectively meet their commitments. In particular, the government heavily relies on NGO cooperation and when activities are organised without civil society, they often lack effectiveness and creativity.

The annual action plan for 2020 has not been implemented due to COVID-19 restrictions, pushing most of the activities to 2021 and beyond.

Education curricula

The mandatory national curriculum neither includes references to SOGIGESC issues nor has sex and relationship education. However, the elective subject 'Healthy lifestyles' involves the discussion of sexual orientations as well as gender identities in a sensitive manner. However, civil society reports that teachers with biases against LGBTQI students often skip the discussion of SOGIGESC issues without suffering repercussions.

Montenegro has a human rights curriculum called 'Civic Education' but there is no consistent inclusion of LGBTQI issues in the curriculum and their inclusion usually relies on the openness of particular teachers.

In March 2020, national civil society organisation Spektra signed a first agreement with a high school in the capital Podgorica regarding the planning of educational workshops on SOGIGESC related issues. In 2021, four memoranda of cooperation have been signed with four more schools (one in the capital Podgorica, and three in local municipalities of Mojkovac, Kolašin and Kotor).



MONTENEGRO



Mandatory teacher training

There is currently no evidence of mandatory teacher training on LGBTQI issues. The education for teachers on LGBTQI issues had been accredited by the Bureau of Education in 2018 and 2019, offering benefits for teachers who attend non-formal education on this particular topic (NGO Juventas accredited the program during these two years).

Since then, there have been no accredited training programs and therefore no incentives for teachers to educate themselves on SOGIGESC issues are lacking. Civil society reports that the official call for accreditation is not sufficiently promoted.



Legal gender recognition

Legal gender recognition procedures **have existed** since 2014, but the procedure is not based on self-determination and remains heavily medicalised, involving psychological counseling, hormonal therapy, surgery and sterilisation. The procedure is vague as the **Law on civic registers** does not clearly define its requirements and thus leaves it to the Ministry of Internal Affairs to interpret this legal uncertainty. Name change, however, **is not** conditional upon the change of one's gender marker. Minors can access name change procedures but only upon the request of their legal representative.

The National LGBTI Strategy sets out that Montenegro needs a legal gender recognition reform which respects international standards by the end of 2023. However, the reform process is **currently stalled**.

There is no evidence of policies allowing students to use their preferred name before legal gender recognition.



Data collection

Data on LGBTQI students' experiences is only collected by civil society organisations. The first research among students was done in May 2013 by NGO Juventas. Spektra conducted the first survey on 'Discrimination against transgender and gender diverse students in high schools' in 2019. The results of the survey show widespread prejudice and uncovered a substantial lack of knowledge, but also found students that would support trans peers.



Support systems

Schools do not provide direct or indirect support to LGBTQI learners through school psychologists or counselors. Whilst psychological counseling has been made available in schools, the counselors are not systematically trained on LGBTQI issues. Research done by NGO Juventas in 2017 revealed that there was no possibility for psychologists and pedagogical staff to educate themselves on said issues until civil society organisation Juventas organised a training.

Montenegro's anti-bullying network, operating primarily in the format of a phone line, has been established for primary schools, but there are still no sufficiently trained professionals or peer counselors capable of providing LGBTQI-specific assistance. However, in 2018 and 2019, the NGO Parents organised SOGIGESC specific training for counselors operating their SOS phone line.



MONTENEGRO



Information and guidelines

There is no evidence regarding the availability of LGBTQI-specific information within schools. While no law or policy prohibits such materials, in practice they are not present in schools due to them being perceived as 'too controversial' and that minors should not be exposed to them.

Schools do not have the requirement to adopt anti-bullying guidelines specifically tackling bullying based on SOGIGESC. However, there are general guidelines for psychological and pedagogical staff by the Ministry of Education that have enjoyed widespread use.



School environment and inclusion

There is no evidence of policies banning LGBTQI youth clubs from meeting within school grounds. However, despite the absence of formal restrictions on such clubs and organisations, there is, in practice, not a single one in Montenegro on any level.



International commitments

Montenegro has ratified **eight** of the nine core UN human rights treaties²⁵, including the ICESCR and the CRC, which enshrine the right to education. Montenegro is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**.



Best practices

The creation of licenced LGBTQI related training programs for workers in education (PP services, teachers) is an activity which has proven to be a good motivation for educational workers to gain knowledge of SOGIGESC issues whilst receiving some tangible benefit.

The creation of LGBTQI related materials for education professionals meant that civil society organisations had the possibility to create these materials in cooperation with the Ministry of Education which gave them additional weight.

²⁵ Montenegro has only signed the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



NETHERLANDS

Anti-discrimination Legislation

The **Constitution** (1814, amended in 2008) includes a general prohibition of discrimination, including on the ground of 'gender'. In 2020, the Second Chamber of Parliament **adopted** an amendment that would extend the prohibition to the ground of sexual orientation, which the First Chamber, also called the Senate, **approved** in 2021. The government clarified that GIGESC grounds are considered to be already covered under 'gender'. Due to it being a constitutional change, the amendment must still be approved in second reading by a two-third majority of both houses before it becomes law.

The **Equal Treatment Act** (1994) prohibits discrimination in education. Until 2019, only sexual orientation was mentioned as a protected ground. In July 2019, the law was **amended** to also include GIGESC grounds.

The **Security at Schools Act** (2015) anti-bullying law mandates schools to tackle bullying by coming up with their own action plans, having a reporting system in place, monitoring students' well-being, and tracking interventions.

A new **education law** was adopted by the **Second Chamber** of Parliament in November 2020 and the **Senate** in June 2021, making it mandatory for primary and secondary schools to provide students and teachers with a safe and accepting environment regardless of their sexual orientation, gender, or other grounds.

Policies and action plans

There is a national action plan to promote LGBTI inclusion in schools as part of the **LGBTI Action Plan** of the national government. In the government's 2020 annual letter to parliament on its approach to discrimination, various focus areas were outlined, including a variety of measures to combat discrimination in education (especially in primary and secondary education), for example; the distribution of learning materials about themes such as diversity, stereotypes and discrimination, and the participation of schools in 'Gender & Sexuality Alliances' (in cooperation with LGBTQI associations).

The government has made significant steps to implement its commitments under the **Rainbow Ballot Agreement** - a list of necessary measures that political parties and LGBTQI civil society agreed on in 2017. A new **Rainbow Ballot Agreement**, including a paragraph on education, was signed by ten political parties in March 2021.

In 2019, a draft **action plan** was presented by the government to counter anti-LGBTQI hate crimes, but it **lacked** specific measures and only listed what had been achieved so far. In 2020, local civil society organisations Transgender Network Netherlands (TNN) and COC **presented** a draft to the government and another draft was tabled by opposition parties. No significant follow-up has taken place since.

In 2020, the Dutch Minister for Education, Culture and Science presented a **National action plan for greater diversity and inclusion in higher education and research**. The term 'diversity' is interpreted broadly to refer to a range of characteristics, including sexual orientation and gender.



NETHERLANDS



Education curricula

Education on respect for sexual diversity has been a mandatory part of the curriculum for primary and secondary schools since **2012**, and for vocational schools since 2019. That being said, it is up to each individual school how they implement this in practice and therefore the quality of lessons greatly **vary**, with some schools entirely omitting them. Some sanctions are in place, but not always enforced. Trans and intersex issues are not explicitly covered in the guidelines for primary and secondary schools - only for vocational schools. Therefore, their inclusion is up to the discretion of each school. In the 2021 **Rainbow Ballot Agreement**, ten political parties promised to make the curriculum more inclusive.

In 2020, several orthodox schools were **found** to use anti-LGBTQI content in their curriculum and ask parents and students to sign anti-LGBTQI declarations before accepting children into their schools. The parliament's response was firm - it **demand**ed that the school governance abolishes these declarations. Yet, as of June 2021, some schools were still using them.



Mandatory teacher training

Since 2018, sexual and gender diversity has been **part** of the national 'knowledge base', which the majority of teacher training programs need to be based on - but not all. Intersex issues are not explicitly mentioned.



Legal gender recognition

Legal gender recognition procedures are **in place**, but require an expert opinion from a psychiatrist or other doctor. LGR or name change are not available to anyone under 16. The outcome of the LGR reform process has been criticised by various interest groups within civil society and parents of transgender children, for failing trans youth. The **latest proposed amendment** (2021) **sets out** that minors under 16 would have to go through a court procedure, but without requiring 'expert options'.

Non-binary gender markers have only been available through the courts and only a handful of trans and intersex people have taken this route. However, the government **announced** in 2020 that the national ID card will **no longer** register a person's gender marker from 2024. In the new 2021 **Rainbow Ballot Agreement**, ten parties promise to make a non-binary gender marker available in official documents to anyone, without having to go to court.

In 2020, the Institute for Human Rights **ruled** in the case of a trans student that trans people cannot be discriminated in their access to bathrooms.



Data collection

Commissioned by the state, the Institute for Social Research (SCP) regularly collects and analyses data on the situation of LGBTQ people, but does not include intersex people. The monitor for 2020 has been postponed and the SCP monitor may be discontinued. In 2016 the Education Inspectorate has also conducted research on LGBTQ issues, including inclusion in curricula, but their research is not systemic and regular. Schools must gather social safety data, but are not obliged to include LGBTQI perspectives. Most schools are part of the government platform '**Windows on education**', which facilitates social safety school **surveys**.

Civil society also gathers data, including on school bullying, see under *School environment*.



NETHERLANDS

Support systems

The Safety at Schools law (see under *Anti-discrimination Legislation*) sets out that schools need to provide support to students who have experienced bullying. There has been no research available on the extent and quality of such support.

With the help of state support, some NGOs (COC Netherlands, Movisie, TNN) provide counseling, helplines, peer support, and information to LGBTQI learners. For instance, COC **launched** an app in 2020, where young LGBTQI people can safely meet online. COC also supports a **Gender & Sexuality Alliance Network (GSA)**, active in about 80 percent of Dutch high schools. Other NGOs, such as trans organisation TNN provide **information** to trans people on their platforms: LGBTI+ Support launched a counseling **hot-line** in 2020, at the height of the COVID-19 pandemic, which later merged into **Switchboard**. In February 2021, TNN and Transvisie launched a helpline for trans and gender diverse youth, called **Genderpraatjes**.

Information and guidelines

The School & Safety Foundation, the Ministry of Education, and the education councils of primary, secondary, and vocational education, jointly developed **an online knowledge hub** to support students and teachers in regard to 'sexual and gender diversity'. The website offers information, lesson plans, and helpful tips, and includes most NGO materials too.

In 2020, COC launched the **GSA Onderwijsstandaard** (GSA Standard for Education), an interactive online checklist with which schools can monitor and evaluate their performance on LGBTQI education, support, and policy. Both teachers and students can fill out the survey. The Standard is a concrete translation of the requirements laid out in legislation and national regulations.

School environment and inclusion

The state is generally supportive of LGBTQI youth issues and makes available targeted funding for a range of NGOs. COC supports a Gender & Sexuality Alliances Network (GSA) in about 80 percent of Dutch high schools with government and private funding.

Yet, LGBTQI people fall victim to hate crimes almost on a **weekly basis**. ECRI's 2019 country report **highlighted** this alarming trend. Local trans organisation TNN found in 2020 that anti-trans discrimination cases continued to rise for the third year in a row. Intersex people continue to be **medicalised** and non-consensual surgeries have still not been banned.

Young LGBTQI people also commonly face discrimination and violence. A 2020 report **found** that young LGB people face twice as much online bullying as their heterosexual peers. They also **experience** high rates of mental health problems. Another report (2020) by NGO Movisie **found** that the number of LGBTQI homeless young people is estimated to be between 900 - 2,000. Civil society warned about the lack of safe shelters.

In 2018, COC's high school survey **found** that three out of four LGBTQ students hear hateful remarks or feel excluded by other students. LGBTQ students were five times more likely to experience loneliness than their peers. Almost half have also been verbally harassed. The SCP's LGBT Monitor (2018) **found** that trans youth experienced more abuse and neglect at home than cisgender peers, and were twice as likely to be bullied in school. TNN **found** similar results in 2018.



NETHERLANDS



International commitments

The Netherlands has ratified **eight** of the nine core UN human rights treaties²⁶, including the ICESCR and the CRC, which enshrine the right to education. The Netherlands is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the 2016 UNESCO **Call for Action**. In 2020, the Netherlands **reaffirmed** its support for LGBTQI rights globally, naming LGBTQI human rights as one of its seven priorities in the provision of international development aid.



Best practices

In **2017** and **2021**, civil society formed the Rainbow Ballot Agreements with political parties, setting out clear and measurable commitments for LGBTQI emancipation and equal rights for the next four years.

In 2021, trans organisations TNN and Transvisie launched the **Genderpraatjes** helpline specifically for trans and gender diverse youth.

COC's Jong & Out app provides a safe space for LGBTQI+ young people under 19 to meet up and talk online. COC also hosts Jong & Out meetings throughout the country, facilitated by (adult) volunteers, where young people can participate in fun activities in a safe space.

In 2020, COC launched the **GSA Onderwijsstandaard** (GSA Standard for Education), an interactive on-line checklist helping schools monitor and evaluate their performance on LGBTQI education, support, and policy. The survey is based on Dutch laws and regulations and can be filled out by both teachers and students.

Gender & Sexuality Alliances (GSA's) operate in about 80% of Dutch high schools and have played an important role in creating safer school environments for LGBTQ learners. Among other things, the GSA website includes a list of actions that students and teachers can take, resources for LGBTQ learners, and also lesson plans for teachers.

²⁶ The Netherlands has not ratified the CMW https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



NORTH MACEDONIA

Anti-discrimination Legislation

There have been important legislative changes in North Macedonia since **2018**. In October 2020, the parliament adopted the Law on Prevention of and Protection against Discrimination (LPPD), which includes the grounds of SOGI. The law was previously adopted in 2019, but had been repealed by the Constitutional Court in May 2020 on procedural grounds. The LPPD does not cover GESC grounds.

The **Law on Primary Education** (2019) also prohibits discrimination on SOGI grounds and makes it mandatory for schools to report anti-LGBT incidents. The prohibition on discrimination on SOGI grounds is broad and applies to students, their parents, staff and the curricula. The Law provides for a procedure for prevention and protection against violence that needs to be regulated with a by-law (guidelines). The failure of the school to abide by the provisions could result with an administrative fine for the school and the principal or director.

The **Law on Secondary Education** is currently being revised (as of June 2021). The law prohibits discrimination, but has to date not included SOGIGESC grounds.

Policies and action plans

In 2020, the Ministry of Education and Science adopted **Guidelines for preventing and combating violence in primary schools**, which refers to Article 5 of the Law on Primary Education (see under *Anti-discrimination Legislation*), which prohibits discrimination on SOGI grounds. The guidelines itself, however, do not explicitly mention SOGI grounds. The guidelines were developed jointly with civil society.

Education curricula

SOGIGESC issues are not part of curricula. On the contrary, the current curricula **reinforce** anti-LGBTQI sentiments, as established by the Commission for prevention of discrimination of North Macedonia. In 2019, North Macedonia **accepted** recommendations as part of its third Universal Periodic Review, to remove school textbooks that speak **negatively** of LGBTQI people. At the end of 2021, the Commission for prevention of discrimination of North Macedonia has also ordered the Ministry of Education to review certain textbooks because of its anti-LGBTQI content.

North Macedonia continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

As of September 2021, the Health Education and Research Association (HERA), a member of the International Planned Parenthood Federation (IPPF), conducts comprehensive sexuality education (CSE) as an elective subject in the 9th grade in four primary schools as a pilot program **approved** by the Ministry of Education. HERA has also launched the first-ever CSE website in the country.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

The civil society organisation Subversive Front, in partnership with the Ministry of Labour and Social Policy, holds training events for civil servants in education, healthcare, law enforcement, etc. on how to tackle discrimination and hate speech, including against LGBTQI people.



NORTH MACEDONIA

Legal gender recognition

As of April 2022, there are still **no consistent legal gender recognition (LGR) procedures** in place in **North Macedonia**. A number of trans people have pending LGR cases at national courts. In 2019, the European Court of Human Rights ruled in **X. v. FYR Macedonia** that member states of the Council of Europe must put in place an LGR procedure. The government of North Macedonia prepared a **draft bill** in 2021 that proposed a process for a legal change of gender identity through a simplified notary procedure. However, the government decided to **abruptly withdraw** the bill in March 2022 without an official explanation.

Name change is **possible**, including for minors. Minors however need the consent of their parents or legal guardians.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools. In two known instances however, trans people who had changed their name, were able to receive a corrected high school diploma and certificates.

Data collection

The government does not collect data on anti-LGBTQI bullying.

Civil society gathers data on discrimination, violence, and hate speech. In 2019 for instance, Coalition Margins published a **report** about the health status of LGBT students aged 13-15 and called for effective protections against discrimination in school.

Support systems

Neither the government or schools provide targeted and consistent support for LGBTQI learners or their families.

During the COVID-19 pandemic, the demand for mental health support among LGBTQI people doubled. Subversive Front **launched** a national LGBTQI helpline in response, which supports LGBTQI people, their families, and also those who work with them, including in education. The helpline received government support.

Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.



NORTH MACEDONIA



School environment and inclusion

Discrimination and violence against LGBTQI people remains common in North Macedonia, which is **re-reported** to be one of the least accepting countries for LGBTQI people compared to other Balkan states. A number of young people and students have been targeted by **bullying** and **harassment** in the past years. Thanks to new anti-discrimination measures in place (see under *Anti-discrimination Legislation*), schools now must tackle bullying and report cases. That being said, textbooks with anti-LGBTQI content continue to be in place and support systems for LGBTQI learners are severely lacking. On a positive note, LGBTQI communities are growing and **expanding** beyond the capital. In 2020, a number of social media **pages** were set up specifically for LGBTQI youth.

In 2021, HERA published a **report and policy brief** on LGBTQI students' experiences in school and the role of non-teaching staff, such as school counselors, in supporting them. In 2019, Coalition Margins released a **study** on the health and rights disparities of LGBTQI young people between 13 - 15. In 2016, Subversive Front published the report **Discrimination, violence, and bullying based on sexual orientation and gender identity**, based on a survey conducted with young people in Skopje. The report found that LGBTQI young people face abuse on a daily basis, which has a detrimental impact on their mental health and overall well-being.

Discrimination and hate crimes against LGBTQI people in general remain common, as documented by NGOs. Regrettably, the police and judiciary are rarely supportive of victims in seeking justice. Hate speech remains **common** and is often **perpetrated** by political leaders. The COVID-19 pandemic has also made life more difficult for LGBTQI people and in particular trans people, exposing them to increased risk of marginalisation, **housing insecurity**, discrimination, and violence.



International commitments

North Macedonia is a States Party to **eight** of the nine core UN human rights treaties²⁷, including the ICE-SCR and the CRC, which enshrine the right to education. North Macedonia is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the 2016 UNESCO **Call for Action**. North Macedonia received 14 UPR **recommendations** on SOGIGESC issues and accepted all of them.

²⁷ North Macedonia has not ratified the CMW and has only signed the CED. https://tbinternet.ohchr.org/_layouts/15/Treaty-BodyExternal/Treaty.aspx?CountryID=2&Lang=EN



Anti-discrimination Legislation

There have been no legislative changes in Norway since 2018 that relate to education and SOGIGESC issues.

The comprehensive Equality and Anti-Discrimination Act (2018) is applicable within educational settings and prohibits discrimination based on sexual orientation, gender identity and gender expression. The act also promotes equality irrespective of these grounds and applies if a person is discriminated against on the basis of their connection with another person.

There is no evidence of laws and policies prohibiting the inclusion of LGBTQI issues in schools or their discussion in front of minors.

Policies and action plans

The Action Plan for Improving the Quality of Life among LGBT persons (2009-2012) established School, Education and Health as focus areas. The LGBT Knowledge Centre was set up in 2011 with the aim to inform civil servants in regional and local authorities in order for them to have a better understanding about the challenges LGBTQI individuals may face in everyday life.

The Government's action plan against discrimination based on sexual orientation, gender identity and gender expression (2017-2020), has been replaced in 2021 by the new Action plan: safety, diversity, and openness (2021-2024). This cross-ministerial action plan focuses on improving the data quality of SOGIGESC issues at a national level and includes further efforts to secure equal access to public services and improve the quality of life among vulnerable groups. The educational sector is within the scope of the action plan and its measures.

Furthermore, in 2018 the government published a guide for police to address bias-motivated crimes on the grounds of sexual orientation, as part of the implementation of the action plan.

Education curricula

Issues relating to SOGI and the history of LGBT communities are present throughout the curriculum, notably in the Norwegian and English curricula. However, civil society reports that in 2020 a new curriculum (LK20) somewhat reduced this visibility.

The country does not have a compulsory sex and relationship education, however civil society reports that issues related to sex and relationship education are included in a cross-curricular manner.

There is no compulsory civic education or human rights education curricula.



Mandatory teacher training

Civil society reports that the teacher training curricula include modules on equal opportunities, sexual orientation and gender identity. Furthermore, national guidelines for teacher education stress the importance of norm critical perspectives.



Legal gender recognition

There have been no legislative changes in Norway since **2018**. The **Legal Gender Amendment Act** (2016) allows legal gender recognition on the basis of self-determination. There is no set limit on the number of times one can change legal gender. Neither is there a proposed requirement of a latency period before one can change one's gender again.

The procedure is also open to minors over the age of 16. However, children aged 6 to 16 require the permission of both parents. If both parents have the custody of the child and one of them does not consent, the legal gender may still be changed if this is in the best interest of the child, which is assessed by the County Governor. The County Governor will in such cases assess what is in the best interest of the child, according to factors such as their age, maturity and gender expression.

Criticism from civil society and **researchers** has raised that the Legal Gender Amendment Act could further be improved upon by expanding the choice of gender beyond the male/female binary, and introducing measures to improve access to trans-specific healthcare.

There are no regional or national policies allowing students to use their preferred name before having obtained a legal gender recognition.



Data collection

The **National Student Survey** ('Elevundersøkelsen') as well as the municipal **Ungdata-survey** monitor bullying and violence in education. However they do not systematically segregate data on the basis of SOGIGESC.



Support systems

All students have access to a school nurse, however their level of knowledge on LGBTQI youth issues might vary from school to school.

National helplines and chat services are available to students. The Department of Children, Youth and Family Affairs offers online support for young people through a **website**. Skeiv Ungdom, funded by the government, offers the helpline **Ungdomstelefonen** to answer questions about SOGIGE issues (by phone, chat or message). The latter is led by young adults who have had similar experiences.



Information and guidelines

The Directorate for Children, Youth and Family Affairs offers a website with specific information for LGBTQI youth. Civil society organisations, funded by the government, (i.e the 'School Project Restart') provide information for students and guidance for the educational staff on how to address bullying and harassment. The 'School Project Restart' is an initiative where members of Skeiv Ungdom meet students and talk about sexual orientation, gender identity and gender expression. Through a mix of lectures, discussions and exercises the organisation explores and challenge norms and expectations from students

Schools provide information regarding community services, youth clubs and social activities. LGBTQI information is allowed to be present and visible in school venues and is indeed often present, both in rural and urban contexts.

The new action plan suggests that schools are required to adopt guidelines for the prevention of bullying on the basis of SOGIGESC and create a school-specific action plan.



School environment and inclusion

Youth clubs and organisations are not commonly present in Norwegian schools.

In the past years there have been no public debates and discussions regarding the inclusion or exclusion of LGBTQI-related topics from the curricula.

Civil society organisations receive funding with the aim of providing services for LGBTQI youth and learners



International commitments

Norway has ratified eight of the nine core UN human rights treaties²⁸, including the ICESCR and the CRC, which enshrine the right to education. Norway is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the 2016 UNESCO Call for Action.



Best practices

The project Rosa Kompetense offers competence-raising seminars for school staff, and Skeiv Ungdom offers seminars for students.

28 Norway has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



Anti-discrimination Legislation

No legislative changes have taken place in Poland since 2018 that relate to education and SOGIGESC issues.

The Constitution (1997, amended in 2009) contains a general non-discrimination provision without listing any specific protected grounds. The Act on Equality (2010) only prohibits discrimination on the grounds of sexual orientation in the area of employment and vocational training. There are no other anti-discrimination laws in place that cover education and/or include all SOGIGESC grounds.

Policies and action plans

The Commissioner for Human Rights does not have an explicit mandate to work on SOGIGESC issues but, in practice, its office regularly reports on them.

In 2019, the mayor of Warsaw signed the LGBT+ declaration, which (inter alia) envisions schools to be inclusive and safe spaces for LGBTQI youth.

Education curricula

The national curriculum does not include references to SOGIGESC issues. It does however include more general clauses such as the role of schools to 'raise children in the spirit of acceptance and respect for other human beings'. Civil society has used these to support schools in covering SOGIGESC-related content.

Poland continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness and school staff have no specific in-service lessons or workshops.

Anti-discrimination programs took place in 2020 in some school districts in Warsaw, but their scope was covering discrimination in general, without implementing the Warsaw LGBT+ declaration (see *Policies and action plans*). Similar trainings took place in Poznań and Krakow, the latter being expanded to include more schools in the future.



Legal gender recognition

Poland has legal gender recognition procedures in place, but they are conditional upon abusive requirements which violate regional and international human rights standards. These include mandatory psychiatric diagnosis, medical examinations, divorce, and others. LGR is only possible through a court procedure whereby a trans person must sue their own parents stating that they wrongfully indicated their gender at birth. In 2015, ECRI harshly criticised the process and called on Poland again in 2018 to abolish such requirements.

Minors are not allowed to apply for legal gender recognition in theory, but in his recent report, the Polish Commissioner for Human Rights stated there had been at least one successful case. The application for LGR was filed on the minor's behalf by a court appointed guardian. The Commissioner recommended that this should be standard practice and affirmed that he saw no legal barrier to ensure that minors have access to LGR.

There is no age restriction for an individual to change their name, which can be done by a minor through an administrative procedure conducted by and with the consent of the minor's legal guardian(s).

No information is available about policies or practices allowing students to use their correct name and gender in schools. However, there is no prohibition on allowing students to use their correct names and gender at school, although this will depend on the school.

Data collection

Data on LGBTQI students' experiences is only collected by civil society organisations.

Support systems

Schools do not provide direct support to LGBTQI learners through school psychologists or counselors.

Information and guidelines

No relevant guidelines are in place for LGBTQI learners.



School environment and inclusion

Poland has grown increasingly hostile towards LGBTQI people since 2018. Starting from 2018, Polish towns began declaring themselves 'LGBT-free zones' or adopting 'Family Charter' resolutions - the latter also being an implicit attack against LGBTQI people and organisations. In 2021, seven municipalities withdrew these declarations. That being said, as of June 2021, **92** towns still have one or both declarations in place - that is a third of Poland. The campaign was condemned by regional and international actors. In 2021, the European Parliament adopted a resolution declaring the European Union as an '**LGBTIQ Freedom Zone**'.

Countless anti-LGBTQI rallies have taken place since 2018, featuring hateful slogans, signs, and chants. These events were not condemned by the authorities. On the contrary, several LGBTI activists were arrested and detained in 2020, in what **amounted** to degrading and inhumane treatment by the state. Others were **taken** to court for 'insulting religious feelings'. Anti-gender and anti-LGBTQI rhetoric have been commonly used by religious and political leaders, including President Duda, who was re-elected in 2020.

Hostilities have been ever present in the area of education as well. In 2018, local LGBTQI organisation KPH's annual school campaign '**Rainbow Friday**' received serious backlash and had to be called off. The campaign aimed to ensure the safety and well-being of LGBTI students, but was attacked by political and religious figures. The education superintendent in Małopolska Voivodeship, Barbara Nowak, **ordered** school inspections, and teachers reported being threatened if they welcomed LGBTQI-related content in their classes. Civil society organisations petitioned for the removal of Nowak from the superintendent position, but were unsuccessful. The Minister of Education also condemned KPH's campaign and called it a violation of Polish law.

In 2021, Poland started the process of appointing a new Commissioner for Human Rights. The European Network of Equality Bodies (Equinet) and other regional and international bodies have **expressed** concern about the potential outcomes.



International commitments

Poland is a State Party to **seven** of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrines the right to education. Poland is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has not signed the 2016 UNESCO **Call for Action**.



Best practices

In 2021, the European Parliament adopted a resolution declaring the European Union as an '**LGBTIQ Freedom Zone**' in response to the growing hostility towards LGBTQI people in Poland and municipalities declaring themselves to be 'LGBT-free zones'.

Amidst the hostile environment that LGBTQI people face in the country, the Commissioner for Human Rights has repeatedly stood up for LGBTQI rights, including in a 2020 report calling for access to LGR for minors.

In 2019, the mayor of Warsaw signed the **LGBT+ declaration**, which (inter alia) envisions schools to be inclusive and safe spaces for LGBT+ youth.

Anti-discrimination programs took place in 2020 in some school districts in Warsaw, **Pozna** and **Krakow**, the latter being expanded to include more schools in the future.



PORTUGAL



Anti-discrimination Legislation

The **Constitution** (1976, amended in 2005) prohibits discrimination, including on the ground of sexual orientation. GIGESC grounds are not mentioned. In 2018, ECRI published a report **recommending** the introduction of SOGIGESC grounds in all laws and policies on equality and non-discrimination.

The **Law on the status of the student and school ethics** (2012) prohibits discrimination on SOGI grounds. The **Law on sex education** (2009) lists the elimination of discrimination based on sex or sexual orientation as one of its purposes. GIGESC grounds are not mentioned.

Since the 2018 legal reform that introduced legal gender recognition on the basis of self-determination, a governmental order **obliges** educational facilities to promote the exercise of the right to self-determination of gender identity and take measures to prevent and combat discrimination based on SOGIGESC.

There are no laws and policies prohibiting the discussion of LGBTQI related content in educational contexts.



Policies and action plans

Portugal has a **National Strategy on Equality and Non-discrimination** (2018-2030) which comprises a **National Action Plan on SOGIGESC** (2022-2025) including specific measures on education.

The **National Strategy for Strategy for Children's Rights** for the period 2021-2024 was approved in 2020 and it mentions the need to guarantee the well-being and equal opportunities for vulnerable children and youth, including on grounds of sexual orientation, gender identity, gender expression and sex characteristics.

Following the 2018 LGR law reform (see under *Legal gender recognition* and *Legal gender recognition*), a number of policies were put in place to specifically support trans and intersex students. For instance, measures **envisioned** include more awareness raising on GIGESC issues in education and supporting gender diverse students in their gender expression.



Education curricula

The country has a national education curriculum in place, including sex and relationship education. The SRE curriculum includes positive representations of different sexual orientations, but lacks representation and discussion of gender identity, gender expression and sex characteristics. For grades 1-6, at least 6 hours of SRE are mandatory per year. For grades 7 and up; at least 12 hours.

The national curriculum has a human rights education component that explicitly deals with discrimination based on sexual orientation, gender identity, gender expression and sex characteristics.

NGO rede ex aequo's 2020 study **found** that 86% of students thought that schools should better address LGBTQI topics.



PORTUGAL



Mandatory teacher training

There is currently no mandatory and comprehensive teacher training on LGBTQI awareness. Teacher training for civic education classes includes content on non-discrimination and SOGIGESC issues.

Civil society organizations ILGA Portugal and Rede Ex Aequo have produced and disseminated resources on LGBTQI issues for teachers.



Legal gender recognition

Portugal has legal gender recognition procedures in place and since a 2018 **legal reform**, LGR is accessible on the basis of self-determination for those 16 and older. The 2018 law also established that trans students have the right to use their chosen name in school.



Data collection

The government does not collect data on anti-LGBTQI bullying, but civil society gathers data on discrimination and violence. In particular, ILGA Portugal has been collecting data on SOGI-based discrimination through an online LGBTQI observatory since 2013. The LGBTI youth NGO rede ex aequo and Plano i also collect data.



Support systems

Since 2016, a permanent annual grant has been in place to fund support services for LGBT people who are victims of discrimination or violence. These services are provided by ILGA Portugal, Casa Qui, and Plano i.

In 2019, a shelter for young LGBTQI people who were rejected by their families opened in Lisbon.

Portuguese schools provide direct support to victims of bullying through trained service providers. The Ministry of Education provides specialised counselors to support students, but these do not receive training on SOGIGESC issues, and are few in number.



Information and guidelines

Schools provide information regarding community events and youth clubs.

NGOs regularly publish resources, guides, and reports. For instance, It Gets Better Portugal released a new resource for teachers in 2020 called '**Come to the Rainbow School: Guidance for Inclusive Teachers**', focusing on SRE. NGO rede ex aequo has a **new guide for trans youth**, focusing on resources and procedures. The Center for Social Studies from Coimbra University released a **handbook on how to tackle gender based violence against LGBTQI and gender diverse children and youth**.



PORTUGAL

School environment and inclusion

Discrimination against LGBTQI people remains common in Portugal. NGO rede ex aequo's 2020 study **found** that 79% of young people had witnessed incidents of anti-LGBTQI bullying in school. ILGA Portugal's 2019 **School Climate Survey** found that discrimination and violence continues to take place against LGBTQI students, and that supportive school staff makes a difference in terms of safety and inclusion. In 2022 a new study, part of the international research **FREE Project - Fostering the Right to Education in Europe**, highlighted the negative consequences of bias-motivated bullying based on sexual orientation or gender identity in the wellbeing and mental health of LGBTQ students in Portuguese schools.

Student clubs are present in Portuguese schools and LGBTQI groups are allowed to operate on school grounds, but there is scarce evidence of their number. ILGA Portugal ran a **project** to promote the idea of gender and sexuality alliance (GSA) clubs, but it ended in 2019. LGBTQI student groups have been more visible in some universities.

Over the past few years, there has been public debate regarding the inclusion of LGBTQI issues in the curriculum. The debate has also taken place in mainstream media, with speech that was at times hateful.

International commitments

Portugal has ratified **eight** of the nine core UN human rights treaties²⁹, including the ICESCR and the CRC, which enshrine the right to education. Portugal is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**. During its third UPR review in 2019, Portugal received and accepted two **recommendations** to combat discrimination and exclusion on the basis of sexual orientation.

Best practices

NGO Casa Qui publishes guidelines and good practice resources for teachers, specifically on SRE.

NGO It Gets Better Portugal released a new resource for teachers in October 2020 called '**Come to the Rainbow School: Guidance for Inclusive Teachers**', focusing on SRE.

NGO rede ex aequo released a **new guide for trans youth**, focusing on resources and procedures.

As a result of the international project 'Diversity and Childhood', the Center for Social Studies from Coimbra University released a **handbook on how to tackle gender based violence against LGBTQI and gender diverse children and youth**.

²⁹ Portugal has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



Anti-discrimination Legislation

The **Ordinance on preventing and combating discrimination** (2000) covers education. The **Law on National Education** (2011) prohibits bullying and discrimination. Both laws include sexual orientation as a protected ground in their non-exhaustive list, but not GIGESC specifically.

In 2020, the Romanian Senate **approved** a bill that would have banned the discussion of 'gender theory' and its 'promotion' in schools and universities. The bill was heavily criticised by **civil society**, educational facilities, **trans young people**, the European Commission and UN mandates. In late 2020, the Constitutional Court **ruled** that the bill was unconstitutional.

(see also under *Education curricula*).

Policies and action plans

There are no national policies or action plans to tackle anti-LGBTI bullying or promote LGBTQI inclusion. ECRI's 2019 **report** called on Romania to put in place an LGBTI Action Plan. A March 2022 ECRI **follow-up** report noted that there has been limited progress so far.

Education curricula

SOGIGESC issues are not part of national curricula.

The **Law for child protection and promoting children's rights** (2004) calls for mandatory sex education, at least once per semester. Nonetheless, there was no sex and relationship education curriculum put in place that would systemically address SOGIGESC issues. In 2020, the parliament **put forward** an amendment to the 2004 law, practically abolishing mandatory sex education and making it conditional upon written parental consent. Six UN Special Procedures **criticised** the move. Regrettably, the Constitutional Court found the bill constitutional.

Some public schools have human rights education classes, but civil society reports that teachers often skip SOGIGESC issues in fear of negative reactions from parents or the school.

There have been attempts to entirely ban the discussion of SOGIGESC issues in school, including in 2020 (see under *Anti-discrimination Legislation*) and in **2019**.



ROMANIA

Mandatory teacher training

The **Law on National Education** (2011) sets out that teachers should be educated on bullying so that they can identify and address cases. Nonetheless, there is currently no mandatory teacher training on LGBTQI awareness.

Some universities sporadically cover SOGIGESC issues, but teacher training is mostly carried out by LGBTQI organisations. For instance, Casa Qui runs **workshops** for schools on SOGIGESC issues and also specifically on bias-motivated bullying.

Legal gender recognition

Legal gender recognition (LGR) is in place in **Romania**, but the procedure is unclear and abusive. In 2021, the European Court of Human Rights found in the cases of **X and Y v. Romania** that a mandatory surgery requirement is a violation of the right to private and family life. The Court held there was a lack of a quick, transparent and accessible LGR procedure.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.

Data collection

The government does not collect data on anti-LGBTQI bullying, only civil society does.

Support systems

Each school has a trained psychologist acting as counselor, but these counselors do not receive training on SOGIGESC issues, apart from sporadic workshops.

Local authorities and school districts provide support for victims of bullying, but not for LGBTQI young people in any targeted way.

The civil society organization ACCEPT provides support services for LGBTQI people and their families, such as **counseling** and support groups. ACCEPT does not receive state funding to carry out this work.

Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.

In 2018, Romania received a **UPR recommendation** to raise awareness of SOGIGESC issues in schools.



School environment and inclusion

Students and youth clubs are present in public schools, but very few have LGBTQI groups in place.

Discrimination and violence against LGBTQI people remains common in Romania, as affirmed by ECRI's 2019 **report**. The hostile **political** rhetoric **against LGBTQI people** and the so-called 'gender ideology' has rapidly escalated over the past few years. There have been attempts to shut down any discussion on SOGIGESC issues in schools. Bullying and discrimination remain a matter of **concern** across the country, as also noted by ECRI.



International commitments

Romania has ratified **seven** of the nine core UN human rights treaties³⁰, including the ICESCR and the CRC, which enshrine the right to education. Romania is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has signed the **2016 UNESCO Call for Action**. In its third UPR cycle in 2018, Romania **received** 13 recommendations on SOGIGESC issues, including one on raising awareness in schools.



Best practices

A (bilingual) public school offers a gender studies module, which has been very popular with the students.

Students in some schools have been able to proactively raise awareness on SOGIGESC issues in their communities.

³⁰ Romania has only signed the CED and hasn't ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



RUSSIAN FEDERATION

Anti-discrimination Legislation

There have been no legislative changes in Russia since **2018** that relate to education and SOGIGESC issues.

The **Constitution** (1993) sets out the right to education.

Russia's infamous '**propaganda law**' (2013) prohibits the spreading of information about 'non-traditional sexual relations' which the law deems 'harmful for children'. The law has been used to **persecute** LGBTQI people and activists and has been widely condemned, including by the Council of Europe, the European Parliament, and UN mandates.

Policies and action plans

The propaganda law (2013) bans the discussion of SOGIGESC topics and all themes connected to sexuality in schools. Accordingly, no policies or action plans are in place to protect LGBTQI learners.

Education curricula

The propaganda law (2013) bans the discussion of sexuality and SOGIGESC topics in schools. As a result, teenagers have access to very little information about reproductive health/healthcare options.

Mandatory teacher training

The propaganda law (2013) bans the discussion of SOGIGESC topics in schools.

Legal gender recognition

There are legal gender recognition (LGR) procedures **in place**, but they require mandatory medical interventions, a psychiatric diagnosis, and divorce. Neither LGR or name change are available to minors. In 2020, the government **attempted** to ban LGR altogether, but **stepped back** following widespread criticism domestically and internationally.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.

Data collection

The government does not collect data on anti-LGBTQI bullying. In 2020, the Russian LGBT Network's school bullying survey was **blocked** by the Public Prosecutor on the basis of the propaganda law and the decision was upheld by the courts.



RUSSIAN FEDERATION

Support systems

Neither the government or schools provide targeted support for LGBTQI learners or their families.

NGOs and initiative groups, such as Coming Out, the Russian LGBT Network, and Revers provide support group meetings and counseling to LGBT people in general. Due to the propaganda law, direct work with minors is not possible. Coming Out works with families of LGBT children, and rainbow families.

The only support community for LGBTQI minors in Russia is Children 404, whose work is routinely interrupted by police.

Information and guidelines

The propaganda law (2013) bans the discussion of SOGIGESC topics in schools and therefore no relevant guidelines are in place for teachers or LGBTQI learners. Civil society has made informational materials available, including on coming out, rainbow families and other issues.

School environment and inclusion

The propaganda law (2013) bans the discussion of SOGIGESC topics in schools.

The general climate towards LGBTQI people has continued to be difficult. Although a 2020 poll suggests that an increasing number of Russians are neutral towards LGBTQI issues, the government crack-down on LGBTQI people has continued. The propaganda law has also been used as an instrument in harassing, detaining, prosecuting, raiding and fining LGBT people, activists, artists, and organisations. Hate crimes, including murder and extortion, remain common and are rarely addressed by the police or courts. LGBTQI events are routinely attacked or disturbed by extremists or the police. The anti-LGBTQI 'purge' in Chechnya has continued since 2017, despite firm international outcry over the past four years.

LGBTQI students are commonly targeted by bullying. In 2020, schools in St. Petersburg were called to screen their students' social media pages for propaganda. The COVID-19 pandemic has also had a detrimental impact on LGBTQI youth. Helplines had to run extended hours to meet the increased need for support.

International commitments

Russia is a State Party to seven of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrines the right to education. Russia is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has not signed the 2016 UNESCO Call for Action. In 2019, the Parliamentary Assembly of the Council of Europe adopted a resolution calling on Russia to end the persecution of LGBT people.

Best practices

Children 404 is the only space in Russia where LGBTI minors can connect, share their stories, and ask for advice or information. The community has pages on Facebook and the Russian social media site VK.



SAN MARINO



Anti-discrimination Legislation

In 2019, San Marino has **amended** its non-discrimination provision in the **Constitution** to include sexual orientation. Regrettably, GIGESC grounds are not included, despite **recommendations** as part of the Universal Periodic Review.

San Marino has no specific anti-discrimination laws in place that prohibit discrimination in education on grounds of SOGIGESC. **Law 21/1998** on General Education Norms (1998) states that the inclusion and non-discrimination of all students must be ensured, but this has mostly been **applied** and understood in regard to disability.



Policies and action plans

San Marino's anti-bullying action plan was **adopted** in 2017, but does not include SOGIGESC grounds or the needs of LGBTQI learners. The action plan calls for data gathering and awareness raising.



Education curricula

SOGIGESC issues are not part of the mandatory curricula.

San Marino continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.



Teacher training

There is currently no mandatory teacher training on LGBTQI awareness.



Legal gender recognition

There are no legal gender recognition procedures in place in **San Marino**, and practice is ad hoc.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.



Data collection

The government does not collect data on anti-LGBTQI bullying, despite the 2017 action plan and ECRI's **recommendations** (2018).



SAN MARINO



Support systems

Neither the government or schools provide targeted support for LGBTQI learners or their families. Arcigay Rimini has provided support in some individual cases.



Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.



School environment and inclusion

While some schools are quite conservative, some school principals and teachers are very supportive and work together to create a safer environment for LGBTQI learners.

Generally speaking, the small country has made progress over the past years by amending the Constitution to ban discrimination, through a successful referendum, and **introducing** civil partnership in 2018.



International commitments

San Marino is a State Party to **seven** of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrines the right to education. San Marino is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has not signed the 2016 UNESCO **Call for Action**.



SERBIA

Anti-discrimination Legislation

The **Anti-Discrimination Law** (2009) was **amended in 2021** and provides protection against discrimination on grounds of sexual orientation, gender identity and, since the amendments, variations in sex characteristics. The law is applicable to all fields including education.

The **Law on Higher Education** (2005, amended 2017) guarantees the right to higher education to all persons who have completed their secondary education, irrespective of their gender or sexual orientation.

The Law on Pupil and Student Standard (2010, amended in 2019) regulates the rights, duties and responsibilities of learners and prohibits discrimination, insults, violence and abuse on any grounds.

Furthermore, the **Law on Foundation of Education System** (2017, amended in 2020), which regulates the basics of the school system and sets principles, goals, outcomes and standards of education, includes a prohibition of discrimination on the basis of sexual orientation and gender identity.

There is no evidence of laws and policies prohibiting the discussion of LGBTQI issues in schools or their inclusion in education curricula.

Policies and action plans

After the end of the **Anti-Discrimination Strategy 2013-2018**, a working group was established in 2019 with the goal to create a new anti-discrimination strategy. Due to Covid-19, this process stalled. A new working group was established in 2021 and is due to present a draft strategy to the public soon.

The National Youth Strategy for the period 2015–2025 explicitly mentioned young people with different sexual orientations and highlights the issue of bullying and violence against the LGBTQI youth. It prohibits discrimination, but there is no explicit information about specific measures for LGBTQI people.

Education curricula

Civil society organisations report that there is no inclusion of LGBTQI topics in school curricula. Following a thorough textbook analysis, civil society organisation Labris requested the Ministry of Education to review the content of textbooks and teaching aids which contain discriminatory content. Thanks to their efforts, all textbooks with hateful content were successfully withdrawn by the Serbian Institute of Textbooks.

There is no sex or relationship education curriculum that is inclusive of LGBTQI issues.

The country has a national human rights curriculum that includes a discussion of discrimination on the basis of SOGIGESC. The institute of Improvement of Education and Upbringing has published a new manual for civic education containing information on sexual orientation and discriminatory treatments.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

Labris, however, has been organising training on LGBTQI awareness since 2011. In 2020, they held **two training sessions** for 40 teachers and school psychologists in Serbian high schools.



SERBIA

Legal gender recognition

On January 1, 2019, a new **by-law** entered into force containing revised guidelines regarding the current framework for legal gender recognition. The **decree specifies** that surgeries and sterilisation will no longer be required for legal gender recognition. Nevertheless, a diagnosis and hormonal therapy continue to be mandatory.

There are no regional or national policies allowing students to use their preferred name before having obtained legal gender recognition.

Data collection

The government does not provide data on bullying based on SOGIESC.

Disregarding recommendations from the European Commission against Racism and Intolerance (ECRI), the Council of Europe, and the EU, Serbia still does not gather data on anti-LGBTQI hate crimes.

Support systems

Every school has a psychologist and/or education specialist, and an obligation to develop an action plan against discrimination as well as violence and create a school board to deal with the issue. LGBTQI learners, however, are not explicitly mentioned.

There are no indirect support systems provided by local authorities or organisations for LGBTQI youths.

Information and guidelines

There is no data regarding the availability of information for LGBTQI youth in schools.

Schools are not required to adopt inclusion and anti-bullying guidelines explicitly mentioning LGBTQI youth.

School environment and inclusion

There is no information available regarding LGBTQI-related extracurricular activities.

The government provides no support for LGBTQI civil society organisations working in the area of education.

International commitments

Serbia has ratified **eight** of the nine core UN human rights treaties³¹, including the ICESCR and the CRC, which enshrine the right to education. Serbia is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the **2016 UNESCO Call for Action**.

³¹ Serbia has signed but not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



SLOVAK REPUBLIC

Anti-discrimination Legislation

There have been no legislative changes in Slovakia since **2018** that relate to education and SOGIGESC issues.

The **Act on Equal Treatment in Certain Areas and Protection against Discrimination** (2004) applies to the educational sector and includes a provision banning discrimination in education on the basis of sexual orientation and gender identity.

Furthermore, the **Education and Training Act** (2008) explicitly prohibits discrimination on the basis of all protected grounds and calls for equality when accessing education and training.

There has been no legal backlash in the past years.

Policies and action plans

There have been no relevant changes since **2018** and there are no dedicated policies or action plans regarding education and SOGIGESC issues in Slovakia.

The non-binding **National guidance on the prevention and resolution of harassment of students in schools and school facilities** (2006) does not include any provisions related to diversity or protected grounds.

Education curricula

The compulsory national curriculum does not include dedicated sex and relationship education. However, it contains the cross-curricular (Biology, Ethics and Religion classes) and non-compulsory course 'Education to Marriage and Parenthood'. The Ethics component of this course discusses SOGIGESC topics in a general and neutral way for general secondary schools. Nevertheless, there is evidence that the Religion component is predominantly heteronormative and dismissive of LGBTQI identities, i.e. religion classes of the Augsburg confession (Protestant) **contain** materials for teachers on how to discuss the primacy of heterosexuality in marriage and equates 'homosexuality' to other topics such as 'adultery, promiscuity, prostitution, homosexuality'.

The country has a civic education curriculum that does not include discussion of SOGIGESC issues.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness. Some universities, for instance the Faculty of Education at the Comenius University in Bratislava or the Faculty of Arts of the Pavol Jozef Šafárik University in **Košice**, include a number of courses for aspiring teachers on the topics of gender, sexual orientation and gender identity.



SLOVAK REPUBLIC

Legal gender recognition

The Personal Identification Numbers Act (1995) allows an individual to change the gender marker on their individual identification number after the presentation of a medical certificate. However the procedure requires unclear medical requirements which are interpreted as requiring sterilisation, surgery and a psychological diagnosis. Divorce also remains mandatory.

Since November 2018, the Legal Act on Universities **contains** a provision which allows individuals who have obtained legal gender recognition to receive a replacement of their diplomas from universities if they have changed their name or legal gender since graduating. However, this remains impossible for high school diplomas.

There are no national guidelines allowing students to use their preferred name in school or universities prior to accessing Legal Gender Recognition.

Data collection

The government does not collect data on LGBTQI students' experiences.

Since the school year 2017/2018, the State School Inspection collects data for its 'Report on education for democratic citizenship and human rights in primary schools and secondary schools (grammar schools and secondary vocational schools)'. For the purpose of this report the State School Inspection collects data on students' perceptions of discrimination. Students are asked whether they would 'stand up for their classmates in the case of attacks due to race, social origin, nationality, religion or sexual orientation'. In the period **2017/2018**, 74,44% students of secondary schools would stand up for a minority classmate. In **2018/2019**, it was about 80%. A similar survey was designed for a report on primary schools in 2018/2019, where 88% students indicated that they would stand up for their minority classmates. Data is not yet available for 2019/2020.

Non-governmental organisation Iniciatíva Inakosť published a **nationwide report** in 2017 on experiences of LGBTQ persons in Slovakia. The survey also asked whether the respondents experienced stigma, name calling or bullying in school – 52,7% of the survey respondents claimed to have such experiences.

Support systems

Schools are required to have a guidance counselor who is trained in providing support and relief to victims of bullying and harassment. In most cases, this role is fulfilled by a teacher who received specific training. However, Eastern Slovakia and some rural regions are often lacking such 'school psychologists'. Furthermore, they are not consistently trained in LGBTQI-related topics. School psychologists are encouraged to refer youth to the Pedagogical and Psychological Guidance Centres present in each Slovakian region.

To improve the effectiveness of the current system, the Slovak Institute for Youth (IUVENTA), an agency of the Ministry of Education, has been running the pilot programme 'School without hate' since 2018. The program has the objective of implementing standards concerning the prevention of bullying, cyberbullying, hate speech and human rights abuses at primary and secondary schools. A cooperation between experts and individual schools assesses internal policies and the school climate, as well as practices. The final outcome of this process is a list of recommendations on how to achieve a better support system as well as stronger preventive measures in each individual school.



SLOVAK REPUBLIC

LGBTQI civil society organisations do not receive funding to provide support to LGBTQI youth. However, the non-governmental organisation PRIZMA (based in Košice - Eastern Slovakia) cooperates with school psychologists upon their requests.

The organisation Inporadna has set up a face-to-face and online counseling centre in Bratislava and provides information on bias-motivated bullying and harassment in schools on its [website](#).



Information and guidelines

Schools generally do not provide information through leaflets and posters regarding LGBTQI communities.

Schools generally do not provide information regarding the local community through leaflets and posters. Teachers are allowed to discuss LGBTQI-related topics in school settings.

However, according to the experience of members of Iniciatíva Inakos, some schools (predominantly secondary schools in Bratislava) do have information on LGBTQI identities and rights available in forms of posters and leaflets.

Schools are required to adopt anti-bullying policies. However, the national framework on anti-bullying does not address the underlying causes of bullying and therefore does not mention SOGIGESC.



School environment and inclusion

Students and youth clubs are commonly found in Slovakian schools. LGBTQI youth organisations are not banned from meeting on school premises, however there is no experience of LGBTQI youth organisations in school premises due to the politicisation of LGBTQI youth.

The 2016-2020 legislature has impacted the social climate towards LGBTQI persons negatively. Although there have been no discussions at an institutional level regarding the exclusion of LGBTQI elements from the curriculum, all existing collaboration with civil society organisations has ceased to exist during the 2016-2020 legislature.

Support to LGBTQI students, teachers and parents has generally been provided by NGOs. However, during the 2016-2020 legislature the government halted the collaboration between LGBTQI NGOs and the Ministry of Education. In this period, while there was no official ban for schools to cooperate with human rights organisations, LGBTQI organisations (and Amnesty International Slovakia) have experienced that schools do not want to engage with them – either for ideological reasons or for fear of stirring public controversy. There were cases in the media where local politicians wanted to polarise or scandalise the topic. For instance, there was an incident when a member of the extreme-right party 'Popular Party – Our Slovakia' **complained** to the media about his son's school, which organised a carnival where 'boys dressed as girls'. It seems that schools have been under political pressure to avoid topics of gender identity and sexual orientation in general.



International commitments

Slovakia has ratified **eight** of the nine core UN human rights treaties³², including the ICESCR and the CRC, which enshrine the right to education. Slovakia is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the **2016 UNESCO Call for Action**.

³² Slovakia has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



SLOVENIA

Anti-discrimination Legislation

There have been no legislative changes in Slovenia since **2018** that relate to education and SOGIGESC issues.

The **Constitution** (1991) prohibits discrimination, but does not include SOGIGESC as protected grounds. The **Protection Against Discrimination Act** (2016) on the other hand includes SOGIGE grounds and prohibits discrimination in various areas of social life, including education. The **Organisation and Financing of Education Act** (1996) identifies diversity, gender equality, and human rights as goals of education, but does not mention SOGIGESC.

Policies and action plans

The '**Guidelines for analysing, preventing and dealing with violence in schools**' (2014) by the Ministry of Education do not mention LGBTQI learners or SOGIGESC issues.

Education curricula

National curricula contain very few references to LGBTQI rights issues.

In NGO Legebitra's 2021 report '**LGBT youth - let's break the silence in schools!**' (see under *School environment*), 54% of LGBT students said they were never taught about LGBT people in school and 12% said they actually heard hostile references from teachers.

Slovenia continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.

Mandatory teacher training

There is still no mandatory teacher training on LGBTQI awareness, only a number of elective courses. For instance, those in teacher training can select '**Gay and lesbian studies**' at the University of Ljubljana (Faculty of Arts). The Faculty of Pedagogy incorporates references to SOGIGESC issues, but no course is dedicated to these topics. The Faculty of Social Work provides a class on social work which goes beyond heteronormative perspectives.

Most LGBTQI NGOs provide some form of training and information materials for teachers and school staff. For instance, Legebitra and Ljubljana Pride provide classes for teachers who continue their education. The classes are registered in **KATIS**, a catalogue of continuing education programmes of the Ministry of Education. Legebitra also holds regular **workshops** and published '**Rainbow in the pocket**', Slovenia's first manual on LGBTI issues for youth workers and teachers. Local trans NGO TransAkcija often sends teachers their trans 101 manual '**Between Pink and Blue: A trans toolkit**', which is the only one of its kind in Slovenia, and includes a brief advice section for teachers on how to be inclusive and respectful towards trans youth.

In TransAkcija's 2019 '**Everyday lives of trans persons in Slovenia**' report (see also under *School environment*), 69% suggested that teachers should have access to manuals or toolkits on trans topics. 60% felt that mandatory education for teachers on trans topics would have a positive impact on trans people's well-being.



SLOVENIA

Legal gender recognition

Administrative procedures for legal gender recognition are **in place** and do not set out the requirements of sterilisation, surgery, or divorce. They do however require a psychiatric diagnosis and medical interventions. There is no age limit set out in the law, but there are only a handful of known cases where minors managed to have their legal gender changed. The one pedopsychiatrist who issues documents necessary for LGR has been supportive of minors' cases in the past. That being said, her opinion must be supported by the entire 'gender consilium' and it is the administrative offices who make the final decision.

In 2020, the Social Sciences Faculty and the student health centre at the University of Ljubljana installed gender neutral bathrooms to provide a safer environment for trans students. The move received considerable backlash in the media, and many have **called** it a 'perversion'.

Data collection

Data on LGBTQI students' experiences is only collected by civil society organisations; see under *School environment* and other sections.

Support systems

LGBTQI learners who have experienced bullying can access the school's general counseling services, i.e. see a psychologist or a social worker. However, there is no mandatory LGBTQI-related training for these persons and their understanding and knowledge about SOGIGESC issues varies from school to school.

In TransAkcija's 2019 '**Everyday lives of trans persons in Slovenia**' report (see also under *School environment*), 41% of respondents shared that teachers were never a source of support for them and teachers were one of the least likely persons that trans young people were out to. Only 19% felt fully accepted by their teachers. Similar results were found in relation to school social workers as well. In Legebitra's 2021 **report** 54% of young people said staff never intervened in anti-LGBT bullying incidents; only 34% felt that their school was supportive: 94% could identify one supportive staff person but only 50% could identify six or more.

Victims of anti-LGBTQI bullying can turn to the general helpline for children and young people, but this service is not specifically designed for LGBTQI youth. The website of the **TOM helpline** contains information about local LGBTQI organisations. **Legebitra** and **TransAkcija** both provide psycho-social support in person, on the phone or online.

Information and guidelines

The Ministry of Education, local NGOs and the police have a number of guidelines and information materials on how to tackle school bullying, but these lack SOGIGESC-specific content.

No relevant guidelines are in place for LGBTQI learners.



SLOVENIA



School environment and inclusion

The political climate has become increasingly hostile towards LGBTI people since 2018. With the new far-right government in place since early 2020, civil society is concerned about Slovenia's future and has held large demonstrations.

In 2020, the teen magazine *Pil's* cover page featured the question 'Do you like boys or girls?' on its front page. The magazine received hateful backlash, but stood by its values.

The COVID-19 lockdowns had a great impact on LGBTIQ learners, with many having to choose between going home to unsupportive family members or going through homelessness or housing insecurity. Local NGO Legebitra and student organisations lobbied student dorms, which ended up staying open for those in need during lockdown periods.

TransAkcija's 'Everyday lives of trans persons in Slovenia' includes important findings about the situation of trans young people and their experiences in schools (although this was not the main focus of the report). 40% of respondents reported having experienced discrimination in schools (see more information under *Teacher training* and *Support systems*).

In 2021, Legebitra published 'LGBT youth – let's break the silence in schools!', based on the first national survey on the topic. The survey reached 602 students between 16-21. Legebitra found that 62% reported having been verbally harassed at school in the past year, due to their SOGIE. One in five LGBTQ students were physically harassed (shoved or pushed) and one in ten were assaulted (punched, kicked, injured with a weapon). 26% of the respondents felt unsafe in school due to their gender expression and 35% due to their sexual orientation.



International commitments

Slovenia is a State Party to seven of the nine core UN human rights treaties, including the ICESCR, which enshrines the right to education. Slovenia is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the 2016 UNESCO Call for Action. Slovenia received nine recommendations on SOGIE issues in its 3rd Universal Periodic Review, many of which called on the state to better address discrimination against LGBTI people or to facilitate legal gender recognition.



Best practices

'Rainbow in a Pocket' is Slovenia's first manual on LGBTI issues for youth workers and teachers, written by local NGO Legebitra.

Local trans NGO TransAkcija often sends teachers their trans 101 manual 'Between Pink and Blue: A trans toolkit', which is the only one of its kind in Slovene and includes a brief tips sections for teachers on how to be inclusive and respectful towards trans youth. The TransAkcija website features the tips section on a standalone page for easier access.



SPAIN

Anti-discrimination Legislation

The **Law on the Improvement of Quality of Education** (2013) prohibits discrimination on grounds of sexual orientation or gender identity. In 2020, Organic Law 2/2006 was modified - the resulting **Organic Law 3/2020** protects from discrimination on grounds of sexual orientation and gender identity.

There is no federal anti-discrimination legislation in place that prohibits discrimination in all areas of life and covers SOGIGESC grounds. Civil society has been **concerned** about this gap for years as it exposes LGBTQI youth to discrimination and violence.

In 2021, the federal government **approved** Organic Law 8/2021 on comprehensive protection of children and adolescents against violence, which protects from discrimination and violence on SOGI grounds.

Several of the 17 autonomous regions have **adopted** regional anti-discrimination laws that prohibit discrimination on grounds of SOGI in education. Additionally, the regions of Valencia (Ley 23/2018), Madrid (Ley 3/2016), Murcia (Ley 8/2016), Aragon (Ley 4/2018), Cantabria (2020), and the Canary Islands (2021) also cover the ground of sex characteristics.

Policies and action plans

There are comprehensive guidelines in place, published by the state, to prevent, identify and tackle bullying in schools (see under **Information and guidelines**). They contain guidance for staff, teachers, students, and their families in case of bullying and establish an intervention protocol if a student is bullied because of their actual or perceived SOGIGESC. From early 2019, in Madrid, schools must also **report** bullying incidents, including when targeting a student on grounds of their SOGIGESC.

Some regions have also developed specific anti-bullying policies, including Madrid, Catalonia, Extremadura, the Canary Islands, Valencia, and Basque Country.

Education curricula

The curricula in Spain vary per region. Some regional governments have adopted anti-discrimination laws or policies that call for inclusive curricula. These include Andalusia and its **Action Protocol on Gender Identity in the Education System**; Madrid, Catalonia, the Canary Islands, Extremadura, and Valencia.

In 2020, FELGTB launched the campaign '**Tienen derecho a saber**' (*Eng*: 'They have the right to know'), to remind schools that they must ensure that education covers the diversity of sexuality, gender identity, gender expression and families.

Spain continues to have no sex education or human rights curricula that are inclusive of SOGIGESC, mandated by the federal government. Some regions, such as the Canary Islands, do cover SOGIGESC issues in their sex education.

The **Complutense University of Madrid** and the **University of Salamanca** run MA programs in LGBTQI Studies. A number of other universities across Spain have Gender Studies programs in place. An inter-university network on SOGI is currently being developed.



SPAIN



Mandatory teacher training

There is no mandatory teacher training in place on LGBTQI awareness.

Several teaching training schools and universities provide elective classes however.

Some NGOs also offer targeted lessons for teachers.

FELGTB runs the **RED EDUCA** program, providing training and information on LGBTI issues to teachers, students, and their families in early childhood education, primary, secondary, and higher (BA) education. Ten organisations are part of the project: they hold workshops, provide support in cases of bullying and harassment, and help schools design and implement protocols as well as policies, among other services.



Legal gender recognition

There are legal gender recognition procedures in place but, at the national level, they require a psychiatric diagnosis and hormonal therapy for two years. Only 10 of the 17 regions provide for LGR on the basis of self-determination.³³ While school IDs and healthcare cards fall under the mandate of the regions, birth certificates, IDs and passports are under federal competence. In 2019, the Constitutional Court **struck down** the age limitation of the LGR law and made it available for minors, with the same conditions as for adults. In 2020, the first trans minor **managed** to have their legal gender changed. In May 2021, the long-awaited LGR reform process **failed** trans people when the parliamentary vote on whether the draft law should be considered by Congress did not have enough support. The anti-gender movement in Spain has played a big role in stalling the reform (see under *School environment*).

Non-binary gender markers are not available.

There is no national policy regarding correct name use and gender recognition in schools and universities. A number of regions have laws or protocols in place regarding trans students and how schools must accommodate them, for instance **Valencia** and the **Canary Islands**.

Some universities have also adopted protocols, for instance the **University of La Laguna**, **University of Valencia**, and the **University of Castilla La Mancha**.



Data collection

The government **collects** data about hate crimes, including on SOGI grounds, but not on bullying specifically.

Civil society has gathered data on discrimination, harassment, and bullying in schools (see under *School environment*).

³³ See TGEU's Trans Rights Index 2021: <https://transrightsmap.tgeu.org/home/>. In May 2021, the Canary Islands adopted the Trans Law, unanimously, establishing legal gender recognition on the basis of self-determination.



SPAIN

Support systems

There is no national scheme to provide support for LGBTQI learners or their families, but the state has provided funding in the past for NGOs to create support materials and services. In recent years, various initiatives were launched to support LGBTQI people, including youth, for instance in Valencia and the Canary Islands. These initiatives work in coordination with schools in the specific region. An examples of this is ASTERISCO, a psychological support and social intervention service for LGBTQI people and their families in the north of Tenerife; financed by the Cabildo Insular de Tenerife, and ORIENTA; Integral LGTBI Office of the Generalitat Valenciana.

In 2020, FELGBT launched a **report** comparing the extent to which trans children and youth are protected in education in the 17 regions. The report concluded that Navarra, Valencia, and Aragón had the most protective measures in place. Regrettably, FELGBT also found that in Cantabria, Castilla-La Mancha, Castilla y León, La Rioja, Asturias and Ceuta and Melilla, trans minors had no legal protection whatsoever.

A number of hostile incidents have taken place in the past few years. In 2019 for instance, anti-LGBTQI posters were put up in schools across Murcia. In the same year, a Catholic organisation **spread** thousands of leaflets in schools, calling for mandatory parental consent before children can participate in lessons about LGBTQI rights. The local government in Murcia approved the suggestion and the 'parental PIN' has been enforced since. Still in 2019, the implementation of a protocol to protect trans students was **suspended** in Castilla and Leon.

Information and guidelines

The federal government has made a number of guidelines available, including **We are diversity: Activities for formal and non-formal education on diversity in sexuality, gender identity and expression, and families** (2020), **Embrace Diversity: proposals for education free from homophobic and transphobic bullying** (2015), and the **Guide for the educational community to prevent and support victims of school violence** (2017).

Civil society, for instance FELGBT, also makes information available on SOGIGESC issues for both learners and teachers.

School environment and inclusion

The anti-gender rhetoric in Spain has become stronger and louder, used by the media, public figures, and parties alike, including the **Feminist Party** and the **Socialist Workers' Party (PSOE)**. It has impacted the outcome of the legal gender recognition law reform process, which had already been stalled for three years.

Anti-LGBTQI discrimination and hate crimes, including **murder**, continue to be **common**. In some cases, young people are also targeted. In 2020, an 11-year-old was hospitalised after being physically assaulted by a young person. In the same year, a 17-year-old lesbian youth committed suicide after being bullied.

FELGTB has published studies on the situation of LGBTQI young people, including **'Trans youth in the education system'** (2019) and **'Reality of trans students in the educational system'** (2021).

NGOs receive regular state and regional funding. In 2020 however, some funding was **withdrawn** in Madrid.



SPAIN



International commitments

Spain has ratified **eight** of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrine the right to education. Spain is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the 2016 UNESCO **Call for Action**.



Best practices

In addition to the national law prohibiting discrimination on grounds of SOGI in education, a number of autonomous regions have additionally put in place **anti-discrimination laws** for the same purpose and a number of them went further by also including sex characteristics as a protected ground.

While federal **legal gender recognition** regulations are not based on self-determination, 10 of the 17 regions already provide for LGR on this basis.

FELGTB runs the **RED EDUCA** program, providing **training** and **information** to teachers, students, and their families in early childhood education, primary and secondary, and higher (BA) education, on LG-BTQI issues. Ten organisations are part of the project: they hold workshops, provide support in cases of bullying and harassment, and help schools design and implement protocols and policies, among others.

While there is no national policy regarding **name use and gender recognition** in schools and universities, a number of regions have laws or protocols in place regarding trans students and how schools must accommodate them, for instance **Valencia** and the **Canary Islands**. Some universities have also adopted protocols, for instance the **University of La Laguna**, **University of Valencia**, and the **University of Castilla La Mancha**.



Anti-discrimination Legislation

There have been no legislative changes in Sweden since **2018** that relate to education and SOGIGESC issues.

The **Discrimination Act** (2008), which is applicable within education, prohibits discrimination based on sexual orientation or gender identity. The government bill adopting the act explicitly stated that the intention is that the discrimination against, inter alia, intersex persons should fall within the legal ground of gender identity or gender expression.

The **Education Act** (2010) states that education in Sweden should be designed in accordance with fundamental democratic values and human rights. Article 8 provides that everyone shall have equal access to education in the school system, specifically referring to the Swedish anti-discrimination provisions under the Discrimination Act (2008).

Finally, the **Criminal Code** (1962) criminalises threats and expressions of contempt, and discrimination on such grounds as sexual orientation. It also classifies grounds such as sexual orientation as an aggravating circumstance for crimes committed against individuals in such groups. The government passed a **bill** that entered into force on July 1, 2019, reinforcing the protection of trans people under criminal law by mentioning that the gender identity of a victim can be seen as an aggravating factor in crimes. Furthermore, the bill also added trans people as a protected group against hate speech.



Policies and action plans

There have been no relevant changes in Sweden since **2018**.

The Education Act (2010) imposes an obligation on responsible authorities to draw up an annual plan against the abusive treatment of children and students. The Discrimination Act (2008) also imposes an obligation to take active measures against discrimination on all legal grounds and to document these measures. As a result, some municipalities have developed their own action plans. For example, the **Action Plan Against Violation and Bullying** of the municipality of Nacka includes sexual orientation and gender identity.



Education curricula

The national education guidelines establish that it is necessary to endorse values of diversity that exist in society, and that a norm-critical perspective is crucial in working with inclusion. In general, gender identity and expression or variations in sex characteristics are not mentioned in the national curriculum or the syllabuses, but these curricula are based on the idea that 'education should impart and establish respect for human rights and the fundamental democratic values on which Swedish society is based. Each and every one working in the school should also encourage respect for the intrinsic value of each person and the environment we all share.'

Sex and relationship education is mandatory and should be implemented in a cross-curricular manner, but does not **constitute** a standalone module or subject. In the general curriculum equality and freedom of gender expression/identity as well as norm criticism is present, however variations in sex characteristics are not mentioned.



Gender, gender roles and gender patterns are terms that recur in several places throughout the curriculum. The term gender identity can be found in, for example, the syllabuses for sports and health, and for religious studies in upper secondary school. For its part, the term sexual orientation is not mentioned in biology but the content in the syllabuses is gender neutral. The syllabus includes human puberty, sexuality, questions concerning identity, relationships and love, and biology. It also has information about sexual health. The gender-neutral content allows for a broad view on sexuality, gender, and the human body as well as identity and thus includes LGBTQI-perspectives.

The country does not have a specific human rights education, since the principles are implemented transversally throughout the curriculum.



Mandatory teacher training

All teachers must achieve 60 credits of basic education science. In this compulsory training, they receive information on how to prevent and tackle discrimination in schools. The National Agency for Education, for its part, provides lessons using a norm-critical approach and it specifically addresses the inclusion of LGBTQI people in the class. Civil society organisations, like RFSL, offer specific workshops, and provide teachers with certificates to prove their knowledge. Since 2021, all graduating teachers must pass an exam on sex and relationship education.



Legal gender recognition

The Gender Recognition in certain cases Act (1972) provides means for legal gender recognition. However, the law is not based on self-determination. A person who is over 18 can, after an application of their own, have their gender recognised provided that they have (a) over a long period of time perceived that they belong to another gender (b) have, for a while, presented in accordance with that gender entity and (c) are expected to live in accordance with that gender in the future.

The new gender recognition law continued to be stalled throughout 2019, 2020 and 2021. A **new draft law was presented** at the end of 2021 and proposes self-determination as the basis for legal gender recognition for those over 18 and with parental consent for those over the age of 12. If enacted, the law is proposed to enter into force on January 1, 2024.

There is no data available regarding school policies on gender recognition or use of correct names.



Data collection

The government monitors bias-motivated bullying based on SOGIGESC through the Swedish School Inspectorate.

Civil society organisation Friends also collects data about bullying at a national level and segregates its information on different grounds of discrimination. This work is done in collaboration with the government. The organisation currently runs several research projects that report bullying amongst young people.



Support systems

There are no specific anti-bullying support and relief services for LGBTQI learners, however, the Education Act states that schools must provide health services to learners at all levels of education. They shall include medical, psychological and educational support. Young people who have experienced discrimination can, therefore, seek assistance from their school counselor.

Local authorities do not provide support and relief services. However, publically funded NGOs, such as RSFL, offer victim support services for LGBTQI learners, in addition to the direct support systems.

Information and guidelines

The government provides information and guidelines on a national level. The authorities developed a methodology called **Open School!** to provide teachers with support in their work on LGBTQI issues. Civil society has also developed many different materials aimed at schools.

Information regarding the LGBTQI community is permitted and publicly available on school premises.

Civil society organizations report that schools are required to adopt LGBTQI inclusion guidelines and anti-bullying guidelines that include specific provisions on bullying on the basis of SOGIGESC.

School environment and inclusion

Extracurricular activities are commonly carried out in school venues, and LGBTQI youth clubs and student associations are present on school grounds. However, civil society organisations report that there have been some instances where schools have tried to oppose identity-based youth clubs.

In the past years, there have not been discussions regarding the inclusion or exclusion of LGBTQI-related content from the curricula.

Civil society organisations provide support and relief services and are publicly funded.

International commitments

Sweden has ratified **eight** of the nine core UN human rights treaties³⁴, including the ICESCR and the CRC, which enshrine the right to education. Sweden is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has signed the **2016 UNESCO Call for Action**.

³⁴ Sweden has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



SWITZERLAND

Anti-discrimination Legislation

On the federal level, there have been no legislative changes in Switzerland since **2018** that relate to education and SOGIGESC issues.

The federal **Constitution** (1999) sets out the right to education (art. 19), the protection of children and young people (art. 11) and also prohibits discrimination, including in public education. It does not, however, explicitly mention SOGIGESC grounds. Some **cantonal** constitutions include the ground of sexual orientation.

Geneva's regional **Public Education Act**, amended in 2021, sets out that all schools shall have their own anti-discrimination protocols in place, but does not mention SOGIGESC grounds. Some schools have **adopted** protocols that include protections for LGBTQI learners, but it is up to their discretion whether they do so.

Policies and action plans

Switzerland is a federal state and education falls under the competence of its cantons. Therefore, there are no national policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion in schools.

Geneva has a Fight Against Bullying Action Plan in place, but it excludes SOGIGESC grounds. A number of cities and cantons have equality actions plans in place that address anti-LGBTQI discrimination and violence, including **Zurich** (2019), **Bern** (2019), **Bienne** (2020), Luzern (2022) and Vaud (**2021**). Zurich's **gender equality action plan** also protects trans people from discrimination.

Basel-Landschaft canton has a specific **directive** in place regarding trans pupils, which grants the recognition of one's gender identity and allows for a change of name and gender marker, regardless of official changes. Vaud (2021) and Geneva (2020) have each similar **directives** in place regarding trans pupils.

Hate speech is only **prohibited** on the grounds of sexual orientation (2020). ECRI **recommended** Switzerland (2020) add gender identity as well.

Education curricula

Education is governed by the cantons and therefore there are no national curricula in place. The mandatory canton-level curricula do not contain specific content on LGBTQI rights issues. It is up to the willingness of each individual school and/or teacher whether and to what extent they cover SOGIGESC issues. ECRI **recommended** Switzerland (2020) to remedy this and urge all schools to put in place policies to tackle racist and anti-LGBTQI bullying, and provide guidance for LGBTQI learners, parents, and teachers.

In Geneva for instance, NGOs have **worked** extensively to remedy this gap, develop lesson plans with local schools, and mainstream SOGIGESC issues.

Some schools have gender and LGBTQI equality programmes **in place**, which are supervised by the state education inspectorate.

There continue to have be no mandatory sex education or human rights curricula that are inclusive of SOGIGESC.



SWITZERLAND



Mandatory teacher training

There is no mandatory teacher training in place on LGBTQI awareness. However, several teacher training schools and universities provide elective classes.

Some NGOs also offer targeted lessons for teachers. For instance, Geneva's Federation of LGBT associations **provides** sensitisation training to teachers. In the 2019/2020 academic year for instance, it held workshops for 344 teachers. The Agnodice Foundation provides such training for school staff in the French-speaking part of Switzerland.



Legal gender recognition

In 2020, the national parliament **approved** the Federal Council's plan to amend the existing legal gender recognition procedures and introduce a new model based on self-determination. The relevant amendments went into effect January 1, 2022. Regrettably, those under 16 **will still need** parental consent. LGR is thus accessible to children and youth, albeit not on the basis of self-determination. In 2020, a **six-year-old** and, in 2019, a **nine-year old** trans child were successfully granted a change of their legal gender.

Non-binary gender markers are not available, but there are pending parliamentary motions to introduce a third gender or to eliminate gender entries altogether. The Swiss Federal Council is currently working on a report to address these motions. A separate state commissioned study (2020) **recommended** the removal of the binary system currently in place.



Data collection

Despite a successful referendum in 2020, the Council of States **decided** not to record anti-LGBTQI motives of hate crimes and collect data on that. A number of cantons and cities have done so.

Civil society gathers data on discrimination and violence (see under *School environment*).



Support systems

There is no national scheme to provide support for LGBTQI learners or their families.

However, some NGOs provide targeted support to LGBTQI young people and some of them receive funding from the state to do so. Civil society has also reported that they are often contacted by supportive teachers and provide information as well as guidance in these cases. Geneva's Federation of LGBT Associations runs Totem, a group for young LGBTQI people up to the age of 25. **Totem** provides information to young LGBTQI people, hosts regular meetings, and runs a helpline. Local organisation Transgender Network Switzerland (TGNS) **provides** regular meetings for trans youth over 13, as well as counseling and information, supports trans youth coming out at school including by offering sensitising lessons, and supports trans pupils as well as students of all ages. The organisation also assists school management, universities and departments of education. NGO **Du bist du** offers counseling and information for LGBT+ young people.

The **Agnodice Foundation** works with trans, non-binary and questioning children and teens as well as their families, directing them to their network of professionals and accompanying transitions in school.



SWITZERLAND



Information and guidelines

Some cantons' education departments have provided guidance on addressing anti-LGBTQI bullying and urged schools to put in place targeted programs to tackle the issue. In 2020, the City of Zurich published a detailed **guidance document** on the rights and obligations of schools towards trans children and their parents. In 2020, the canton of Vaud **designated** an expert at the Department of Training, Youth and Culture to tackle anti-LGBTQI attitudes in the Vaudois training centers, and put in place a prevention and inclusion policy.

Civil society, for instance TGNS, Agnodice Foundation, Du bist du, or Geneva's Federation of LGBT Associations make information available on SOGIGESC issues for both learners and teachers.



School environment and inclusion

The state is generally supportive of LGBTQI youth issues and has made targeted funding available for a range of NGOs. Civil society reports that more funds are available in the French speaking part of Switzerland.

Anti-LGBTQI discrimination and hate crimes continue to be **common** and trans people are more likely to be targets than their LGB cisgender peers. Intersex children and young people continue to be **unprotected** from non-consensual medical interventions.



International commitments

Switzerland has ratified **eight** of the nine core UN human rights treaties³⁵, including the ICESCR and the CRC, which enshrine the right to education. Switzerland is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) and has signed the 2016 UNESCO **Call for Action**.



Best practices

The **Agnodice Foundation** made available **guidelines** for schools to support trans students.

Geneva's Federation of LGBT Associations set up **Totem**, which is a group for young LGBTQI people up to the age of 25 and meets twice a month. The Federation also has a school program in place, where LGBTQI people are trained to hold workshops in schools, in an effort to tackle anti-LGBTQI attitudes.

National trans organisation TGNS provides regular meetings for trans youth over 13 and also offers counseling and information to trans youth of all ages, and their parents. TGNS also supports trans youth in coming out at school, including by offering sensitising lessons, and working with management or teachers to create a safer environment. TGNS also cooperates with universities and departments of education in the individual cantons.

Basel-Landschaft canton has a specific **directive** in place regarding trans pupils, which grants the recognition of one's gender identity and allows for a change of name and gender marker, regardless of official changes. The **City of Zurich** has also published a detailed **guidance document** on the rights and obligations of schools, trans children and their parents, as well as other children and their parents.

A number of **universities** have adopted guidelines to recognise the gender identity of trans students on documents and in class, on the basis of self-determination. These include the universities of Luzern, Zurich, and Basel, and the University of Applied Sciences and Arts Northwestern Switzerland.

³⁵ Switzerland has not ratified the CMW https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=2&Lang=EN



TURKEY

Anti-discrimination Legislation

There have been no legislative changes in Turkey since 2018 that relate to education and SOGIGESC issues.

The **Constitution** (1982) prohibits discrimination in education, but does not mention SOGIGESC grounds. Similarly, the **Human Rights and Equality Institution of Turkey Act** (2016), which establishes and sets forth the purpose of the Human Rights and Equality Institution of Turkey, does not list SOGIGESCS as discrimination grounds. These legal gaps have been criticised by the Council of Europe's **ECRI** (2016 and 2019) and UN Member States as part of Turkey's third **Universal Periodic Review** (2020).

Policies and action plans

There are no national policies or action plans to tackle anti-LGBTQI bullying or promote LGBTQI inclusion.

Education curricula

SOGIGESC issues are not part of curricula. On the contrary, the current curricula **reinforce** gender stereotypes, patriarchal power structures, or the **idea** that being LGBTQI is an illness. In 2019, the President of the Council of Higher Education, Yekta Saraç **stated** that Women's Studies and Gender courses must be closely monitored as they promote the idea of 'gender'. Saraç clarified that the concept of 'gender' is against the country's values. In the following weeks, the Council of Higher Education **removed** a gender policy paper from their portal and also cancelled a project that focused on gender equality.

Turkey continues to have no mandatory sex education or human rights curricula that are inclusive of SOGIGESC. Sex education for grades 6-8 only includes **negative** references in relation to LGBTQI people.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness. On the contrary, it is common for teachers to be **fired** due to being LGBTQI. In 2019 for instance, a gay teacher living with HIV was **fired** from his job in Ankara.

Teachers have also been instructed to **report** to parents if they find out that a student is LGBTQI.

Civil society has **provided** sporadic training to teachers in the past. In 2019, a school training on anti-LGBTQI peer bullying, which was organised by the Ministry of National Education, **received** intense backlash in the media. The training was for school counselors and teachers.



Legal gender recognition

Legal gender recognition is available under the Turkish Civil Code (2001). However, the Civil Code contains abusive prerequisites in order for an applicant to change their gender marker. More specifically, the law requires the applicant to (1) be older than 18 years old, (2) be unmarried, (3) obtain an official medical report and (4) submit a proof that the applicant has undergone gender affirming surgery. Although the Turkish Constitutional Court de jure abolished the 'sterilisation' requirement, in practice it remains applied because the requirement to submit proof of gender affirming surgery is interpreted as relating to genital surgeries that lead to infertility.

Name change is also possible under the Civil Code. However, neither LGR or name change are available to minors.

No information is available about policies or practices allowing trans students to use their correct name and gender in schools.

Data collection

The government does not collect data on anti-LGBTQI bullying. Civil society gathers data about various aspects of being LGBTQI in Turkey (see more under *School environment*).

Support systems

Neither the government nor schools provide targeted and consistent support for LGBTQI learners or their families. Civil society provides a range of support services, but does not receive any state funding to do so.

In particular, the Young LGBTI+ Association provides counseling and peer support online, on the phone, or in person. Other organisations also provide mental health support via meetings, one-on-one consultation, or hotlines, but not specifically for young people. These include SPoD and the May 17 Association. The Pink Life Association (Pembe Hayat) provides counseling for trans people.

Information and guidelines

No relevant guidelines are in place for teachers or LGBTQI learners.

In 2020, Kaos GL published guidance for professionals working with LGBTQI children and teenagers.



School environment and inclusion

The state has continued to harass and prosecute LGBTQI activists in Turkey. Events are routinely banned or **dispersed** by force, despite an increasing number of court rulings **annulling** and regional bodies **condemning** such orders. Hate speech is extremely common and perpetrated by **political** and **religious** leaders as well as the **media**. Hate crimes, including **murder**, remain common and **trans people** are most **targeted**. The police and judiciary are rarely supportive of victims in seeking justice. Organisations are routinely **harassed** and **censorship** is rampant. Discrimination is common, in all areas of life. That being said, the public has never been more supportive of LGBTQI people, according to a **2020 study**.

Young LGBTQI people are also greatly impacted by the hostile environment and face harassment and bullying in school. Kaos GL collects incidents in its annual reports (**2018, 2019**). In 2018 for instance, trans students were reported to be **denied** dorm accommodation. In 2020, the Ministry of Family, Labor and Social Services **ordered** the book 'Declaration of the Rights of Boys and Girls by the Board of Protection of Minors' to be removed from stores, for promoting 'homosexuality' and 'gender ideology'. The Free Colors Association's 2021 research **found** that 80% of LGBTQI respondents in Bursa had experienced discrimination in school.

Universities, such as METU or **Boğaziçi University**, have been a relatively safe space where Pride events or info booths could take place. However, the rector appointed at METU in 2016 has not been supportive and allowed police forces to enter the university's premises and use excessive force against participants. Some events have also been threatened or **attempted** to be banned over the years. In 2019, students who participated in METU Pride saw their scholarships and credits being **cancelled**. In 2020, a **campaign** asking LGBTQI people to post pictures of themselves from their childhood, gaining a lot of visibility, but, regrettably, also backlash.

The Young LGBTI+ Association's 2020 **COVID-19 study** found that the pandemic has made life more difficult for young LGBTQI people, exposing them to unsafe family homes and worsening their mental health. Kaos GL's **study** with LGBTQI students confirmed the same.



International commitments

Turkey is a State Party to **eight** of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrines the right to education. Turkey is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has not signed the 2016 UNESCO **Call for Action**. Turkey received 18 UPR **recommendations** on SOGIGESC issues, including on comprehensive anti-discrimination legislation and an end to bans on events.



Best practices

The **Young LGBTI+ Association** focuses specifically on youth issues in its advocacy, research, and provision of support services to young LGBTI+ people in Turkey.

Some universities in Ankara, Istanbul, and Izmir have LGBTQI student clubs and some are officially recognised.



UKRAINE

Anti-discrimination Legislation

There have been no legislative changes in Ukraine since **2018** that relate to education and SOGIGESC issues.

The **Law on Principles of Prevention and Combating Discrimination** (2013) does not mention SOGIGESC grounds. The **Law on Education** (2017) and the **Law on Higher Education** (2014, amended in 2022) prohibit discrimination in education, but do not mention SOGIGESC either. In 2018, Ukraine put an **anti-bullying law** in place, but without mentioning SOGIGESC.

ECRI's 2020 monitoring report **found** that Ukraine has failed to criminalise anti-LGBTQI hate speech, despite ECRI's recommendations in 2017.

Propaganda law bills have been repeatedly tabled over the past few years, but did not have enough support in parliament.

Policies and action plans

In 2021, Ukraine renewed its **National Human Rights Strategy** for the period of 2021-2023. The Strategy does not mention SOGIGESC, but it includes chapters on freedom of assembly, education, non-discrimination, and awareness raising, which can be used by activists. The new **Human Rights Action Plan** (2021-2023) mentions SOGI under the term 'intolerance'.

A previous Strategy and Action Plan were in place for the period of 2015-2020, and their elements on SOGI issues remained largely without implementation.

Education curricula

SOGIGESC issues are not part of national curricula.

Ukraine continues to have no mandatory sex education or human rights curricula in place.

Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

Legal gender recognition

Ukraine has legal gender recognition procedures **in place**, but it is not based on self-determination and remains inaccessible to minors. LGR is conditional upon a mandatory diagnosis and hormonal therapy and is a long bureaucratic procedure.

The change of first name is possible from the age of 16. Since 2020, patronymic names can also be **changed**, on the basis of self-declaration.

Higher education institutions are **obliged** to issue a duplicate of diploma following a person's name change due to LGR. Not all institutions are aware of this regulation, but it is in place. Practice in secondary schools however is not regulated, and it remains up to the discretion of each school whether they allow trans students to use their correct name and gender in schools.



Data collection

The government does not collect data on anti-LGBTQI bullying. Several LGBTQI organisations, including Nash Mir, Insight, and others, monitor human rights violations, but do not receive public funding to do this work.



Support systems

Schools provide direct support and relief services for victims of bullying, but do not provide any training for counselors on SOGIESC issues.

Civil society organisations provide support services for LGBTQI people and their families, but do not receive state funding to carry out this work. For instance, Insight provides counseling and support groups for LGBTQI people.



Information and guidelines

There are no laws prohibiting school employees from providing LGBTQI-related information to students. There is no evidence of laws or policies prohibiting the presence of LGBTQI-related information in schools. However, civil society organisations report that these are considered highly controversial, and would be removed immediately.



School environment and inclusion

Ukrainian schools can provide or host extracurricular activities or youth clubs on their own initiative.

Discrimination and violence against LGBTQI people remains common in Ukraine and politicians routinely speak about LGBTI people in a hateful manner. In 2018, the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity carried out a country visit to Ukraine and found a lack of implementation of protective laws, stigma, discrimination, and a lack of positive political leadership on SOGIESC issues.

The social climate for LGBTQI youth is generally not favourable, as LGBTQI issues are seen as controversial within education settings. The repeated attempts to introduce an anti-propaganda law have sparked public debates in mainstream media that often employed hateful narratives.



International commitments

Ukraine has ratified eight of the nine core UN human rights treaties³⁶, including the ICESCR and the CRC, which enshrine the right to education. Ukraine is not a member of the European Governmental LGBTI Focal Points Network (as of April 2022), and has not signed the 2016 UNESCO Call for Action.

36 Ukraine has not ratified the CMW. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Country-ID=2&Lang=EN



UNITED KINGDOM



Anti-discrimination Legislation

There have been no legislative changes in the United Kingdom since **2018** that relate to education and SOGIGESC issues.

The **Equality Act** (2010) ('EA10') prohibits unlawful discrimination, harassment and victimisation in education, on grounds of sexual orientation and gender identity - the latter is defined in the EA10 as 'gender reassignment'). The **Education and Inspections Act** (2006) requires all state schools to proactively prevent all forms of bullying, including anti-LGBTQI bullying, although this is not explicitly stated. The **Education (Independent School Standards) Regulations** (2014) set out that independent schools must also prevent bullying and put in place effective anti-bullying strategies.



Policies and action plans

Following the findings of the **National LGBT Survey** in 2018, the UK government adopted an '**LGBT Action Plan**' the same year. The Plan included a chapter on education and set out a number of commitments, including tackling anti-LGBTQI bullying, victim support, guiding teachers to support trans students, and others. In May 2021, Minister for Women and Equalities, Liz Truss MP **suggested** that the Action Plan had been dropped by the new government, led by Boris Johnson. Truss has suggested the Action Plan and its expert group of Advisors would be replaced by a new **LGBT Panel**, though any such concrete plans have yet to be announced.

Since 2014, the UK government has **provided** significant funding for its programme aimed to tackle anti-LGBTQI bullying in schools. The programme is run in cooperation with civil society and helps building schools' capacity on the issue. The programme concluded in 2020, but the Ministry of Education **announced** funding dedicated to tackling bullying across protected characteristics.

The UK's four regions have developed their own policies and guidelines for school leaders and school staff to tackle bullying. See for instance the anti-bullying **guidelines** for England and Wales (2017), which also covers LGBT learners. Scotland's **guidelines** (2014, as updated in 2018) also cover LGBT pupils.



Education curricula

The 2018 National LGBT Survey **found** that a mere 3% of LGBT students reported that SOGI issues were discussed in class or at school events.

As part of its commitments in the LGBT Action Plan, the government introduced **guidelines** on the mandatory inclusion of LGBT topics in the Relationships Education and Relationships and Sex Education (RSE) curricula in England and Wales, which entered into force at the beginning of the 2020/2021 academic year. Implementation has been **delayed** due to the COVID-19 pandemic. The guidelines were preceded by years of advocacy work by civil society. They are being implemented, but have been met with strong backlash, see under **School environment**. Further, in September 2020 the Department of Education introduced some new **guidance**, which had very little reference to LGBT RSE.



UNITED KINGDOM

The paragraph on 'gender stereotypes' left many teachers **confused** about how to teach and support trans children and young people, and generated a great deal of confusion and misinformation. The guidance on not being able to work with organisations with 'extreme positions' left many teachers wondering if they could work with LGBT orgs, and was also raised as an issue by the Coalition for Anti-Racist Educators and the Black Educators Alliance in a **pre-action letter**. This has resulted in a **review** of the guidance.

The Scottish Government's LGBT Inclusive Education Implementation Group has also been **working on** LGBT-inclusive materials to be part of curricula and school evaluation routines. A specific working group is focusing on intersex-related content for RSE. The materials are to be finalised and introduced in 2021.

In Northern Ireland, RSE is **lagging** behind, with most of it being run by a religious organisation that is exclusionary towards LGBTQI topics and advocates for abstinence.



Mandatory teacher training

There is currently no mandatory teacher training on LGBTQI awareness.

Civil society provides training materials and resources, such as lesson plans, for teachers. Some universities also provide elective classes on LGBTQI issues as part of their teacher training.

The Scottish LGBT Inclusive Education Implementation Group has been working on materials to ensure teacher training is inclusive of SOGI issues (see under *Education curricula*). The group has created the e-learning platform **lgbteducation.scot** which offers LGBTQI inclusion training to teachers.



Legal gender recognition

Legal gender recognition (LGR) procedures are only in place in England, Wales and Scotland, for those who are over 18 years old, comfortable with being recognised as a binary gender identity and able to offer medical evidence of gender dysphoria. Trans rights activists campaign for a process that is based on the principle of self-determination, which is also available to non-binary people and to those under 18 years of age. There is an ongoing consultation in relation to Scotland, England and Wales, further to a public consultation. Regrettably, the only changes that were made consisted of (i) the application form being made available online and (ii) the fee being reduced to £5.00. The reform processes have failed young people (see under *School environment*.)

In Northern Ireland, medical interventions are also a requirement although trans people have been unable to access gender affirming healthcare services since 2018, due to long waiting times. Consequently, trans people in Northern Ireland have also been unable to access LGR since 2018, unless they could afford to resort to private healthcare.

Name change is accessible to minors with supportive primary carers and some NGOs provide guidance on how the process can be done.

There is no national policy regarding name use and gender recognition in schools and universities.



UNITED KINGDOM



Data collection

The 2018 National LGBT Survey **covered** the area of education and included worrying findings about the experiences of LGBT youth (see more under *School environment*).

Although the government does not provide annual data on anti-LGBTI bullying in schools, it **publishes** annual hate crimes statistics in England and Wales, including on grounds of sexual orientation and trans identity.

Civil society has also carried out studies on the experiences of LGBTI students in schools. See for instance LGBT Youth Scotland 2020 report **here**, Stonewall's 2017 School Report **here** and 2018 LGBT in Britain: Trans Report **here**.



Support systems

The **LGBT Action Plan** committed to tackling anti-LGBT bullying, supporting victims of harassment and violence, and providing training for teachers on how to better support trans students, among others. By 2020, the UK's anti-bullying programme reached over 2,000 schools.

In 2019, the NHS England presented its new **Long Term Plan**, committing to fund Mental Health Teams and providing them training on how to support LGBTQI youth. However, trans young people are having to wait between 2-3 years to be seen by a gender identity specialist and there are similar waiting times with regard to adolescent mental health support. In Scotland, the **Respect Me** anti-bullying service has been running since 2007 and continued to support LGBTQI youth throughout the COVID-19 pandemic.

Civil society provides a range of support services to LGBTQI youth and much of this work receives state funding. For instance, **Mermaids** provides support to trans, non-binary and gender diverse children and young people across the UK, as well as their family members (whatever this means to the trans young person). It runs a helpline, webchat, and launched a support space for students aged 18-25 in 2021. In Scotland, **LGBT Youth Scotland** runs online youth groups and one to one support in most local authority areas for LGBTQI learners.



Information and guidelines

There is a growing coordinated attack on trans inclusive guidance, in public bodies, including universities. Much of this criticism has garnered mainstream media attention, largely in **support** of gender-critical feminists. In May 2021, the UK and the Equality and Human Rights Commission **decided** not to publish guidance for schools on trans inclusion. Although the government has provided different resources for schools on how to tackle bullying on grounds of SOGIESC, there is no specific and recent guidance on how to support young trans people in schools. Civil society has created a number of helpful resources available for schools, teachers, and LGBTQI learners. In 2020, the Scottish government released guidelines for trans youth in School, **Supporting transgender young people in schools: guidance for Scottish schools**. NGO LGBT Youth Scotland has made available the following resources: **Supporting Transgender Young People** (2018), **Developing a Gender and Sexual Orientation Alliance** (2017) and **Addressing Inclusion: Effectively challenging homophobia, biphobia and transphobia** (2020).

Mermaids provides **training and support** to schools that seek to support trans, non-binary and gender diverse pupils, runs support groups for **parents** of trans youth and youth themselves, as well as online, safe **forums** for members. Mermaids also contributes to research, policy and legal work.



School environment and inclusion

The political climate has clearly worsened on SOGIGESC issues in the past years. The anti-gender rhetoric has become stronger and louder, used by the media, public figures, and politicians alike. It has impacted the outcome of legal gender recognition law reform processes across the UK, and presumably has contributed to an increase in hate crimes.

A 2021 study by Just Like Us, **Growing up LGBT+**, found that LGBTQI pupils were twice as likely to be bullied and three times more likely to contemplate suicide than non-LGBTQI peers.

The stalling and/or regression of legal gender recognition law reform has had a devastating impact on trans people, including trans youth. In 2020, the government's announcement about the meagre outcome of lengthy consultations hit the community hard. The government failed to commit to a self-determination model, ensure access without age limitations, or provide for non-binary gender marker options. In the leadup to the decision, Minister for Women and Equalities, Liz Truss MP made several anti-trans statements, including how the UK must 'protect' single-sex bathrooms and minors from 'irreversible' decisions. Such statements have fed into the looming anti-trans sentiments in the country.

Young people have continued to fight for access to LGR and trans healthcare - the online campaigns **#TransHealthcareNow** (Union of Students in Ireland) and **#Trusstme** (Gendered Intelligence) are key examples. In late 2020 however, England and Wales' High Court **ruled** in the **Tavistock case** that trans people under 16 years old, and potentially those who are 16 and 17 years old, are highly unlikely to be able to consent to gender affirming healthcare on their own behalf. The impact has been that now all under 16 trans youth will need a court ruling to say that treatment is in their 'best interest'. Those between 16-18 might need this also. The ruling was yet another blow for young trans people in the UK, but was successfully **overturned** in September 2021.

In late 2020, the Ministry of Housing, Communities and Local Government launched a **consultation on bathroom provision** and held a parliamentary evidentiary hearing in December 2020.

Besides trans youth, LGBTQI youth are in general facing a growingly hostile environment. The mandatory inclusion of LGBTQI topics in schools has sparked serious backlash, from **religious communities, parents,** and students alike. The government has **failed** to adequately respond to these attacks. A 2019 Albert Kennedy Trust report **found** that almost half of young homeless LGBT people become homeless because their family rejected them. Half of them come from religious backgrounds, primarily Christian or Muslim. The National LGBT Survey **found** that a third of LGBT pupils experienced negative reactions about their real or perceived SOGI in school, mostly from students (88%), but also teachers (9%). 83% of these cases went unreported. Those **worst impacted** were trans and gender non-conforming students. For instance, 36% experienced verbal harassment from teachers and staff. A 2021 report 'Growing up LGBT+: The impact of school, home and coronavirus on LGBTQI young people' **found** that the pandemic has hit LGBTQI young people much worse than other young people, including in terms of mental health problems; LGBTQI young people report bullying, loneliness, and suicidal ideation to a much larger extent than their peers.

In 2020, a school in London **painted** a rainbow crossing outside its premises and was later targeted by hundreds of hateful messages. It stood firmly by its values, but such news incidents may negatively impact the sense of safety of LGBTQI students across the country.

In 2019, the UK government **published** a call for testimonies and evidence of intersex people's experiences in various spheres of life, including in education. The submissions are being analysed.



UNITED KINGDOM



International commitments

The UK has ratified seven of the nine core UN human rights treaties, including the ICESCR and the CRC, which enshrine the right to education. The UK is a member of the European Governmental LGBTI Focal Points Network (as of April 2022), but has not signed the 2016 UNESCO Call for Action.



Best practices

LGBT Youth Scotland has published a number of toolkits and guidelines for schools and students, including:

Supporting Transgender Young People (2018)

Developing a Gender and Sexual Orientation Alliance (2017)

Addressing Inclusion: Effectively challenging homophobia, biphobia and transphobia (2020)

Mermaids provides training and support to schools that seek to support trans pupils and also to trans youth and their families.

Stonewall has a number of resources for schools, including lesson plans, guidance for developing LGBTQI-inclusive curricula, and others. They also provide e-learning and an awards programme for schools and colleges.

The **All Sorts Youth Project** has resources for young LGBTQI people, including young people of colour and of faith and resources for schools to work with young LGBTQI learners.





IGLYO – The International Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI) Youth and Student Organisation is the largest LGBTQI youth and student network in the world, counting over 100 Member Organisations in more than 40 countries across the Council of Europe Region.

IGLYO's mission is to strengthen the rights of LGBTQI youth, fight for equality and inclusion, and empower our youth voices. We strive to represent the diverse rights and intersectional needs of LGBTQI youth within national and European policy and legal mechanisms. We build the capacity and skills of our members to meet the needs of diverse LGBTQI youth and, in turn, raise our voice to increase the visibility of our movements. To this end our mission objectives are: Rights and Empowerment for LGBTQI youth.

Our activities promote our mission objectives of rights and empowerment. We produce evidence-based analytical research and advocacy messages, facilitate the active meaningful participation of LGBTQI youth, and develop and disseminate compelling communications to reach the LGBTQI youth constituency, especially those who face higher rates of violence and discrimination, and relevant key policy and legislative decision makers. We run large training, peer learning, and organisational development programmes for LGBTQI youth and our member organisations. We also work on making IGLYO an effective, empowering, functioning and well-informed organisation and network of members and supporters.

IGLYO aibsl is registered as a non-governmental organisation in Belgium (No d'entreprise: 808808665).

For further information, please contact: education@iglyo.com

www.education-index.org

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