

ILGA-Europe Rainbow Map Points To Make-or-Break Moment for LGBTI Rights in Europe

[Press Release](#), [Rainbow Map and Index](#)

In light of the COVID-19 crisis, the annual ILGA-Europe Rainbow Map shows we have come to a pivotal moment for LGBTI people's human rights in the region.

Published today, May 14, 2020, the ILGA-Europe [Rainbow Map and Index](#) reveals that **once-leading countries in Europe are falling behind** in their commitments to equality for LGBTI people. Combined with the COVID-19 pandemic, which disproportionately affects the most vulnerable and is being used by some governments as an excuse to advance their agendas to curtail human rights, the Map's findings **identify a make-or-break moment for LGBTI equality** in Europe.

Key findings of the Rainbow Map 2020 include:

- There has been no positive change in 49% of countries
- For the second year in a row, countries are moving backwards on the Rainbow Index, as existing protections are disappearing
- Trans rights are where most of the current movement in terms of LGBTI equality is happening, for better or worse.
- Other forward movement, although on a smaller scale, is in the inclusion of equality measures protecting intersex people against discrimination
- Regression is most visible where civil and political rights are eroded: LGBTI human rights defenders increasingly at risk, authorities taking active measures to undermine civil society associations, and attempts to ban public events

According to Executive Director of ILGA-Europe, Evelyn Paradis: "This is a critical time for LGBTI equality in Europe. With each year passing, more and more countries, including champions of LGBTI equality, continue to fall behind in their commitments to equality for LGBTI people, while more governments take active measures to target LGBTI communities. History shows that those who are vulnerable before a crisis only become more vulnerable after a crisis, so we have every reason to worry that political complacency, increased repression and socio-economic hardship will **create a perfect storm for many LGBTI people in Europe** in the next few years."

"Our call to put high political priority on LGBTI equality has never been more pressing. The results of this year's Rainbow Map show that equality measures are falling through the cracks in several countries, not because of lack of political and public support but because of **widespread complacency** about the need for LGBTI equality measures. Fewer and fewer decision-makers are picking up the mantle to see important pieces of legislation through and keep political momentum, so processes are stalling or not being followed up. **There are reasons to be extremely worried that this situation will spread** as political attention is immersed in the economic fall-out of COVID-19."

Amidst overall stagnation and regression, **advances continue to be made on trans and intersex rights**. Indeed, most of the positive changes reported this year take place in countries which included gender identity and sex

characteristics in [equality laws](#) (as was the case in [Andorra](#), [Belgium](#), the [Netherlands](#), [North Macedonia](#), and [Switzerland](#)) and adopted new [legal gender recognition](#) (LGR) legislation which respects the principle of self-determination ([Iceland](#)) and gives minors access to LGR ([Spain](#)). However, in an increasing number of countries, LGR legislative measures are being stalled ([Albania](#), [Cyprus](#), [Finland](#) and [Sweden](#)), including in the context of a hostile climate on **trans rights fuelled by opposition groups**, as was the case in [the UK](#). A number of countries are also losing points this year (namely [Hungary](#), [Azerbaijan](#), [Serbia](#), and [the UK](#)) because existing administrative and legal procedures that allow for name or gender marker change in official documents for trans people are not effective in practice.

According to Viima Lampinen, Co-chair of the ILGA-Europe Executive Board: “The news that more governments are adopting laws that protect trans, intersex and non-binary people must be read with extreme caution. Targeted attacks on trans rights by opposition groups have been observed in an increasing number of countries across the region, especially transphobic speech fuelled online. The safety and wellbeing of trans communities in Europe remains precarious and only made more fragile by governments’ responses to the current pandemic, which is affecting these communities particularly hard. Trans, intersex and non-binary people need governments to stand strong as vocal allies, taking all necessary steps to secure their rights in law and in practice, and taking their needs into consideration in their COVID-19 responses.”

The 11th ILGA-Europe Rainbow Map is published at an unprecedented time in the world, during which vulnerable minorities, including LGBTI people, are particularly affected and the inequalities in our societies have been starkly brought into focus. Along with this, a number of European governments have used the pandemic as an excuse to make aggressive moves against LGBTI and other human rights. This is happening at a time when countries like [Poland](#) (dropping to the bottom of the [EU ranking](#)) and [Turkey](#) are going backwards on the Rainbow Index for having failed to uphold such [fundamental freedoms](#) as freedom of assembly, freedom of association and protection of human rights defenders.

Says Darienne Flemington, Co-chair of the ILGA-Europe Executive Board: “Countries like [Hungary](#), [Poland](#), [Turkey](#) have been in the spotlight because of their policies targeting LGBTI communities prior to the pandemic. The proposed ban of legal gender recognition in Hungary, proposed laws to ban abortion and sex education in Poland, scapegoating of LGBTI people as the source of the coronavirus by Turkey’s political leaders – these are all alarming signals of how governments with strong authoritarian tendencies are emboldened by the crisis to further limit the rights of vulnerable groups and minorities. If there was ever a time for European governments and institutions to stand firm on the rule of law and human rights, it is now.”

Evelyne Paradis concludes: “Amidst the public health emergency and economic turmoil we are facing, there is a crisis of structural inequality unfolding as well, one that makes the many vulnerable people in our societies even more at risk. In the current climate, it is only more evident that laws and policies are often the last lines of defence for LGBTI communities as other marginalised groups. That’s why it’s never been more important that governments enshrine the protection of LGBTI people into law and take concrete measures to make sure that they can live as who they are in societies that are just, equal and fair.”

The official launch of the ILGA-Europe Rainbow Map and Index 2020 will be broadcast on [Facebook Live](#), [May 14 at 3pm CET](#), with a round-table discussion bringing together panellists from civil society and policy makers.

Executive Summary

Rainbow Europe – ILGA-Europe’s annual benchmarking tool – is comprised of the Rainbow Map and Index and national recommendations. ILGA-Europe have produced the Rainbow Map and Index [since 2009](#), using it to illustrate the **legal and policy situation of LGBTI people in Europe**.

The Rainbow Map and Index ranks 49 European countries on their respective legal and policy practices for LGBTI people, **from 0-100%**.

In order to create our country ranking, ILGA-Europe examine the laws and policies in 49 countries using a set of 69 criteria – divided between six thematic categories: **equality and non-discrimination; family; hate crime and hate speech; legal gender recognition and bodily integrity; civil society space; and asylum**. More information on the list of criteria and their weight on the total score can be found at www.rainbow-europe.org/about

Rainbow Europe 2020 **individual criteria and the percentage ‘weight’** assigned to them remain exactly the same as the 2019 version, meaning that it is easier than ever before to compare a country’s momentum or regression on LGBTI equality laws.

Policymakers, researchers and journalists are able to go **‘behind’ the points** and see the original information sources that we base our Map and Index ranking on. This additional layer of information is available through **our updated Rainbow Europe web module**, www.rainbow-europe.org.

The Rainbow Map and Index presents a picture of what the policy landscape is like right now, while **our country-specific recommendations** attempt to answer the question **“what’s next?”** These recommendations for national policymakers are intended to encourage policymakers to address the most pressing legal and policy priorities within the framework of our Rainbow Map and Index. The recommendations were gathered following an online consultation with a wide range of LGBTI organisations in the various countries. As a result, the recommendations are tailored to the needs of activists working on the ground.

TOP 5, Rainbow Europe 2020

1. [Malta](#) (89%)
2. [Belgium](#) (73%)
3. [Luxembourg](#) (73%)
4. [Denmark](#) (68 %)
5. [Norway](#) (68%)

BOTTOM 5, Rainbow Europe 2020

45. [Monaco](#) (11%)
46. [Russia](#) (10%)
47. [Armenia](#) (8%)
48. [Turkey](#) (4 %)
49. [Azerbaijan](#) (2%)

For the fifth year in a row, [Malta](#) continues to occupy the number one spot on the Rainbow Europe Map, with a score of 89%.

[Belgium](#) comes second place for the third time with a score of 73%.

[Luxembourg](#) receives the same score as Belgium and occupies the third spot on the ranking for the second year in a row.

The three countries at the other end of the Rainbow Europe scale are [Azerbaijan](#) (2%), [Turkey](#) (4%), and [Armenia](#) (8%). Turkey’s score has been decreasing since 2015, due to restrictions on freedom of assembly and association. Azerbaijan has also lost points over the past two years due to irregularities on legal gender recognition.

[Hungary](#) is the country with the most dramatic drop in its score, **losing 8.46% points** in relation to the suspended procedures for legal gender recognition and the lack of proper state protection at public events. [Poland](#) has also dropped by 1.9% and is now the **lowest EU country** on the map.

Another important deduction happened, with [France](#) losing 6.80% points due to the expiration of the government’s action plan.

[Montenegro](#), [North Macedonia](#), and the [Netherlands](#) were the three **countries with the biggest jump** in scores.

Montenegro announced a **comprehensive action plan** for the next four years and **prohibited discrimination** based on sex characteristics. North Macedonia amended its equality and criminal codes, adding **sexual orientation** and **gender identity** as protected grounds. In the Netherlands, the Equal Treatment Act was amended with the **inclusion of gender identity, gender expression, and sex characteristics** grounds.

Equality action plans have expired in [Belgium](#), [Finland](#), and [France](#), while [Croatia](#), [Ireland](#), and [Kosovo](#) have shortcomings and implementation problems with their action plans. [Serbia](#) and [Andorra](#) included sexual orientation and gender identity protection in healthcare legislation. [Belgium](#) and the [Netherlands](#) were the only countries that recognised 'sex characteristics' in their equality laws.

Recognition of family legislation is stagnating across Europe. This year, only [Northern Ireland](#) (UK) introduced marriage equality and [Monaco](#) recognised the right to cohabitation for same-sex couples (coming into effect on 27 June 2020). [Serbia](#) imposed a ban on medically assisted insemination services for people with a history of same-sex relationships.

Court judgements in several countries had groundbreaking effects on the lives of LGBTI people, including [Spain](#)'s Constitutional Court's ruling against the age limit for gender marker change for trans people; [Switzerland](#)'s Federal Court decision saying that the Constitution protects 'gender identity' under 'sex/gender'; and [Kosovo](#)'s Basic Court decision approving the legal gender recognition of a trans man.

[North Macedonia](#) was this year's only country extending protection from **hate crime**, amending its Criminal Code to add sexual orientation and gender identity grounds. [Switzerland](#)'s referendum approved the inclusion of 'sexual orientation' grounds in the Criminal Code.

The right to self-determination for trans people has been recognised only in [Iceland](#) with its new Gender Autonomy Act. Legal gender recognition procedures have become more accessible through trans activists' efforts in [Armenia](#), [Cyprus](#), [Kosovo](#), and [Montenegro](#). The implementation of existing procedures has worsened in [Azerbaijan](#), [Georgia](#), [Serbia](#), [Turkey](#), and [Northern Ireland \(UK\)](#).