

ANNUAL REVIEW

OF THE HUMAN RIGHTS SITUATION OF LESBIAN,
GAY, BISEXUAL, TRANS AND INTERSEX PEOPLE
IN EUROPE AND CENTRAL ASIA

2020

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THIS REVIEW COVERS THE PERIOD
OF JANUARY TO DECEMBER 2019.



SPAIN

BIAS-MOTIVATED SPEECH

On a radio show, comedian Paco Arevalo denied Franco's persecution of gay people, sparking criticism. The radio station apologised.

Following the far-right Vox's debut in the Senate, in February the party vetoed a motion to tackle homophobia in sports. In its election campaigns in May, Vox vowed to ban Pride marches and compared homosexuality to "bestiality". In the November elections, Vox came in as the third strongest party.

The Feminist Party, led by Lidia Falcón, verbally attacked trans people in a series of trans exclusionary Twitter posts, calling them "pimps and children buyers" and claimed that the legal gender recognition law was imposed on Spain by the "gay lobby". Trans activists condemned this as hate speech.

BIAS-MOTIVATED VIOLENCE

Several anti-LGBT hate crimes were committed this year. NGOs continued calling for comprehensive hate crime legislation that protects LGBTI people. A trans sex worker was brutally murdered by a client in Avilés on 21 September. Gay men were verbally harassed, threatened and assaulted in Barcelona, Tenerife, and Valencia.

In July, a man was found guilty, fined and sentenced to six months in prison for making homophobic threats and slurs in public in Barcelona three years ago.

On 10 December, a Barcelona court found six members of the Pilla pilla group guilty, for luring gay men on fake dates in 2013, ambushing them, making videos of them and publicly accusing them of pedophilia. The group's leader was sentenced to six years in jail.

On 19 December, politician Ángel Vázquez suffered a homophobic attack in Burjassot

BODILY INTEGRITY

In March, the National Federation of Lesbians, Gays, Transsexuals and Bisexuals (FELGTB) expressed concern about conversion therapies and warned that in the regions of La Rioja, Asturias, Cantabria, Castilla y León, Canarias or Castilla – La Mancha, where no laws are in place to protect LGBTI people, the risk was

even higher. Only Andalusia, Madrid, Valencia and Aragon have banned conversion therapies.

In September, the Community of Madrid imposed a 20,000EUR fine on Elena Lorenzo, who was reported to provide conversion therapy online three years ago. Conversion therapies on SOGI grounds are banned in Madrid.

DATA COLLECTION

The Home Office published its 2018 hate crime report in September this year, finding a slight (4 per cent) decrease in anti-LGBTI hate crimes compared to the previous year. This is contrary to hate crime monitoring by NGOs. The Madrilenian Observatory found a 7 per cent increase during the same period. The Catalan Observatory found a stark 30 per cent increase in anti-LGBT hate crimes in the first six months of 2019, compared to 2018.

EDUCATION

LGBTI students remained exposed to discrimination and violence in schools due to the delay in adopting the federal anti-discrimination law (see under **Equality and non-discrimination**). From January on, teachers and students are obliged to report cases of bullying, including against LGBTI students.

The Complutense University of Madrid launched an MA program in LGBTI Studies.

The Catholic Hazteoir distributed leaflets to 23,000 schools and 6,000 parent associations as part of their #MisHijosMiDecisión/ MyChildrenMyDecision campaign. The Data Protection Agency launched an investigation regarding data protection violation. The campaign called for a "parental PIN", i.e. mandatory parental consent before children can attend talks about LGBT equality. The Murcia government introduced the measure.

In late December, homophobic posters appeared in Murcia schools; the police investigates.

In December, the Education Department of Castilla and Leon suspended the implementation of the protocol on the inclusion and safety of trans and gender non-conforming students, after the Superior Court of Justice admitted the lawsuit filed by the Christian Lawyers in the summer.



EMPLOYMENT

The report “LGBTI diversity in employment in Spain” by Mpatika found that only 38 per cent of LGBTI people are out at work.

EQUALITY AND NON-DISCRIMINATION

The LGBTI Equality Law, drafted in 2017, continued to be stalled in parliament this year. In January, the Equality Commission removed most articles and references to trans people from the text, which was heavily criticised by FELGTB. On IDAHOT, 17 May, FELGTB launched a map showing various levels of legal protection for LGBTI people, highlighting with concern the regions of Asturias, Cantabria, Castilla-La Mancha, Castilla y León and La Rioja, where no specific legislation is in place.

On 29 April, the Catalan government announced that they would make their forms more inclusive by adding a non-binary gender option and including families having a single parent or same-sex parents.

In June, the FELGTB Observatory against Homophobia presented its new findings regarding discrimination and violence against LGBT people in Catalonia, revealing that 65 per cent of cases remain unreported. Gay men were most targeted by physical attacks and verbal insults and trans people suffered the highest levels of discrimination in access to goods and services and discrimination in employment. Discrimination and violence were most common in Barcelona, and increased compared to last year.

On 31 July, the Regional Minister of Social Rights, Noemí Santana, in Canaria announced that it will create a Vice Ministry of Equality, headed by long-time LGBTI activist Sylvia Jaén.

The Regional Government of Murcia announced in August the creation of the first ever “Consejería” LGBT (ministry at regional level) in Spain.

On 1 August, the government launched the Orienta service for LGBTI people to provide support for LGBT people and their families in Valencia, Castelló and Alicante.

FAMILY

In the ongoing debate on surrogacy, politicians in Valencia spoke

very negatively about rainbow families in November. LGBTI organisations expressed concern in a joint press release.

FREEDOM OF ASSEMBLY

Members of the centre-right Ciudadanos party were blocked from attending Pride in Barcelona and Madrid by protesters. The party was criticised by the community for forming alliances with the anti-LGBT Vox party.

FREEDOM OF ASSOCIATION

50 young people attended the first trans camp in Andalusia, organised by the Sylvia Rivera Transgender Association.

HEALTH

FELGTB’s survey found that 50 per cent of trans people delay going to the doctor in fear of discrimination and harassment.

LEGAL GENDER RECOGNITION

On 18 July, the Constitutional Court ruled against excluding trans minors from Law 3/2007 regulating legal gender recognition (LGR). The judgment lifts the age limitation on the law, making it possible for trans youth under 18 to change their gender marker the same way that adults would. Previously, trans minors had to go to court. Legal protections for trans youth vary across the regions. In December, the first minor changed his legal gender, as endorsed by the Supreme Court.

FELGTB’s map (see under **Equality and non-discrimination**) revealed that only nine of the 17 regions recognise the right of trans people to self-determination in LGR.

A group of left-wing parties started to push for regional legislation on LGR in Rioja again, after the failed attempts of the previous legislature.

An eight-year old trans girl Elsa, spoke at the Parliamentary Assembly of Extremadura in December, calling for laws that protect LGBTI people. The Spain’s acting President commended her.

SOCIAL SECURITY AND SOCIAL PROTECTION

A shelter for LGBTI refugees opened in Madrid.