

ANNUAL REVIEW

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

2024

FIND THIS REPORT ONLINE:
WWW.ILGA-EUROPE.ORG



Rue du Trône/Troonstraat
60 Brussels B-1050
Belgium
Tel.: +32 2 609 54 10
Fax: + 32 2 609 54 19

info@ilga-europe.org
www.ilga-europe.org

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ITALY

BIAS-MOTIVATED SPEECH

Hate speech continues to be a serious issue in Italy and openly perpetuated by the government of Georgia Meloni, who has vowed to tackle the so-called 'LGBT lobby' and 'gender ideology'. Meloni herself made several hostile comments this year, including about same-sex parenthood. In January, the Minister for Family, Birth and Equal Opportunities called surrogacy a crime and said children have the right to have a "mom and a dad". In March, Brothers of Italy MP Federico Mollicone said same-sex parenthood was not "normal" and that surrogacy was a crime worse than 'paedophilia'. Ignazio La Russa, president of the Senate said he would be sorry to have a gay son. Senator Lucio Malan shared a post on social media equating gay men with 'paedophiles'.

In August, an army general was transferred after publishing a book that includes anti-migrant and homophobic content. In December he was promoted to Chief of Staff, but a disciplinary action against him was begun at the same time for a lack of impartiality during active service.

BIAS-MOTIVATED VIOLENCE

Anti-LGBT hate crimes, including rape, assault, murder and beating continued and escalated since the Meloni government got into power. Arcigay shared in May that the past 12 months had marked the most violence the community has faced, including three suicides and three murders. Several people were physically assaulted, including young men in Turin and Rimini, and a young woman in Pavia. On May 17, Medus3 Observations on Lesbophobia published its second annual report, documenting 20 lesbophobic attacks that came to media attention in 2022. In March, a man was lured on a fake date and was murdered. In May, three police officers brutally beat a migrant trans woman in a racist and transphobic attack in Milan.

In November, a 13-year old boy committed suicide after being bullied for his alleged sexual orientation.

EDUCATION

ProVita and Brothers of Italy continued sending warning notices to all schools that grant 'alias careers' to their students. An "alias career" allows trans students to have their gender identity recognised in class registers and participate in their education accordingly, without change of official documents.

In April, a demonstration was held in support of trans youth in Rome. In September, a similar demonstration took place in Milan.

EMPLOYMENT

UNAR's study found that one in four LGBT+ people have experienced discrimination at work.

The new national collective labour agreement for the education, university and research sector 2019/21, signed in July, now obliges employers to allow trans employees to use gender-neutral bathrooms or bathrooms matching their gender identity, and an alias on name tags and email addresses. Teachers will also be equally treated, regardless of whether they are married or are in a civil union. The changes were welcomed by the Minister of Education. In some regions, Brothers of Italy tried to sabotage the measure, so far without success.

EQUALITY AND NON-DISCRIMINATION

On the occasion of IDAHOBIT in May, President Sergio Mattarella spoke up for LGBT rights again this year. The Senate adopted a motion to combat criminalisation based on sexual orientation and gender identity (SOGI) worldwide.

In early October, the outgoing government adopted a National LGBT+ Strategy for the period of 2022-2025. The Strategy features six key areas, work, safety, health, education and sport, culture and media, monitoring and evaluation, but some have highlighted gaps in terms of indicators, deadlines, and resources. The new government condemned the adoption.

FAMILY

This year marked major setbacks in the area of family rights, in line with Prime Minister Meloni's promises during the 2022 elections. Meloni had previously said LGBT people should not be allowed to have children.

In January, the Ministry of the Interior sent a letter to municipalities across the country to ensure that only the biological parent is featured on the birth certificates of children with same-sex parents. In March, the Ministry called on Milan's mayor to stop providing legal recognition to both parents, citing that this goes against Italian law. The Ministry's measures mean that only biological parents would be recognised, while the other parent would have no legal tie to their own child. Stepchild adoption would still be available for same-sex couples, but it is a costly and invasive procedure that can take years and highly depends on the composition of the court in the region.

Thousands protested against the Ministry's move (see here and here). Famiglie arcobaleno Association called on Italian



mayors to disobey. The European Parliament condemned the developments in March, called for the measure to be withdrawn, and tabled written questions to the Commission. Several mayors want to continue providing legal recognition to rainbow families. The mayor in Milan vowed to continue fighting for rainbow families and said he would leave birth certificates already approved, unchanged. Other cities have also stood with rainbow families (see here, here, here, here, and here).

The Turin Medical Association wrote an open letter to say the measure will cause children in rainbow families to suffer discrimination.

The Prosecutor in Padua requested that all 33 birth certificates that feature same-sex parents be revoked, and the registry offices complied. Since January, countless families have received letters informing them that the non-gestational parents were removed from the child's papers (see here, here, here, here). In November, the Prosecutor held hearings about the opposition from the families and decided to move the question of unconstitutionality to the Constitutional Court. In April, the government tabled a bill to extend a national ban on surrogacy to those who go abroad to access the service. The bill was approved by the Lower Chamber in July. Those prosecuted could face prison for up to two years and a fine of up to 1 million EURO.

The European Court of Human Rights declared several cases submitted by same-sex couples concerning parenthood recognition and the surrogacy ban inadmissible. In August, the Court did find a violation of Art. 8 in C. v. Italy, where the authorities refused to recognise the parenthood of a heterosexual couple to their child born out of surrogacy abroad.

Since January, fathers have also faced difficulty getting any kind of legal recognition of their parenthood. In August, Milan was able to continue registering at least one father on the birth certificate of children born out of surrogacy abroad.

FOREIGN POLICY

In March, the Senate voted against Italy's support for the European Commission regulation for cross-border recognition of same-sex parents.

FREEDOM OF ASSEMBLY

53 Pride marches were held in a coordinated manner across Italy between April and September, with family rights being at the forefront of Pride events.

Following Pride marches, participants were harassed and assaulted in Bologna, Chieti, Lombardy, Pavia, Palermo and Toscana.

The Lazio Region withdrew its patronage of Rome Pride this year, saying the Pride posters were "promoting illegal behaviour", such as surrogacy.

HEALTH

ArciGay's mapping in 31 cities found huge variations in the quality of HIV/AIDS care across the country, generally poor access to PrEP, and instances of discrimination in more than half of the cities covered. A full panel of STI tests is free in only six cities.

LEGAL GENDER RECOGNITION

In July, for the first time, a trans woman was able to have her gender marker changed without having undergone any surgeries, after the Trapani court ruled in her favour. The case received some attention in the media, which prompted transphobic backlash.

In October, another trans woman was able to change her gender marker without surgeries.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

MEP Elly Schlein became the first openly bisexual woman to lead the Democratic Party.

Miss Italia refused to open the competition to trans women. In protest, several trans women and over 100 trans men applied to compete.

SOCIAL SECURITY AND SOCIAL PROTECTION

The national LGBT helpline documented 400 cases in 2022 where LGBT young people were kicked out of home, with only 10% being able to find emergency shelter.



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