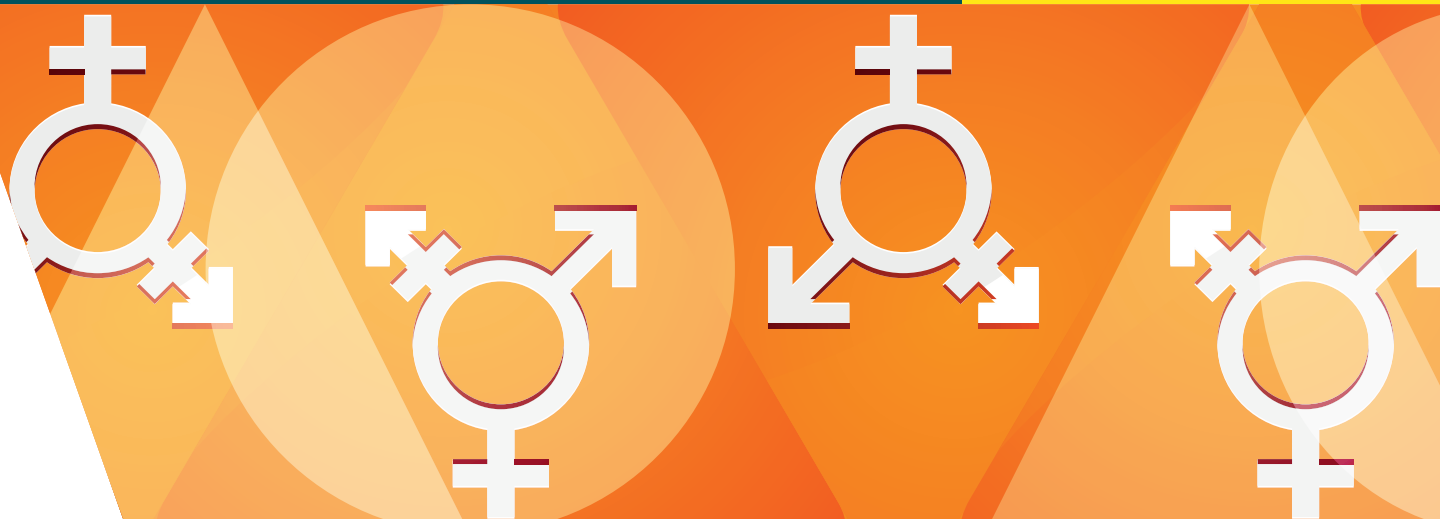


EQUALITY



# Being Trans in the European Union

Comparative analysis of  
EU LGBT survey data



EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS



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# Being Trans in the European Union

Comparative analysis of  
EU LGBT survey data



# Foreword

*“The Commission and Member States should be encouraged to regularly collect relevant and comparable data on the situation of LGBTI persons in the EU together with relevant agencies and Eurostat, while fully respecting EU data protection rules [...] The Fundamental Rights Agency should assist Member States in improving their collection of comparable data about homophobic and transphobic hate crime”*

*European Parliament Resolution of 4 February 2014 on the EU Roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity (2013/2183(INI))*

Before the turn of the century the topic of ‘transsexualism’ was studied on the margins of medical and legal scholarship. In the last 10 to 20 years, the social sciences have taken up ‘trans research’, while an ever increasing number of research networks and projects have also developed.

FRA started its work on the rights of lesbian, gay, bisexual and transgender (LGBT) persons immediately after its creation in 2007, following a request by the European Parliament to collect data on discrimination against LGBT persons and the situation regarding homophobia in the European Union (EU). In 2008, FRA published a first report on the legal situation. This research showed that, despite the lack of secondary EU law expressly prohibiting discrimination on grounds of sexual orientation in areas beyond employment, a number of Member States provide LGBT persons with better legal protection than the Employment Equality Directive. In 2009, a second report looked at the social situation of LGBT persons in the EU based on a review of official and non-official national data.

In 2010, FRA updated its comparative legal analysis, publishing the following year a summary of its socio-legal findings, including an analysis of trends, challenges and promising practices. This analysis showed an uneven and uncoordinated EU landscape. Member States’ approaches diverged with respect to the prohibition of discrimination on the grounds of sexual orientation and gender identity. They also differ in how their criminal law deals with bias-motivated crimes against LGBT persons. Having mapped the legal situation and aspects of LGBT persons’ lived realities, FRA then undertook the first EU-wide survey on the rights of LGBT persons, publishing in 2013 the results, which are based on the responses of over 93,000 self-identified LGBT persons in the EU.

The European Commission and several Council of Europe bodies have supported policy-driven research on transgender persons. More specifically, through its Recommendation CM/Rec(2010)5 to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, the Council of Europe’s Committee of Ministers stressed the need to collect and analyse relevant data to monitor and redress any direct or indirect discrimination on the grounds of gender identity. In 2010, Equinet, the European network of equality bodies, published a report on the work of equality bodies in promoting equality for, and combating discrimination against, trans people at EU Member State level. FRA responded by including trans persons in its EU-wide LGBT survey, which for the first time provided EU-wide comparable data on the actual living conditions of trans people and the respect of their fundamental rights. This survey contains the largest data set on trans persons collected to date in Europe, providing an insight into the differences within the subgroups of trans respondents.

This report is published at a time when, as evidenced by FRA Annual reports, a growing number of EU Member States are initiating legal and/or policy changes regarding trans persons. At the EU level, the European Parliament has called on the European Commission, EU Member States and relevant agencies to work jointly on a policy to fully protect the fundamental rights of, among others, trans persons – the so-called EU Roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity. In May 2013, on the International Day against Homophobia (IDAHO), Equality Ministers from 11 EU Member States signed a joint statement calling for a comprehensive EU-wide approach to LGBT issues, in which trans issues should receive the appropriate attention.

**Morten Kjaerum**  
Director

# Country codes

Country code	Country
AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HU	Hungary
HR	Croatia
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	Netherlands
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SK	Slovakia
SI	Slovenia
UK	United Kingdom



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# Executive summary

*“As transgender, I feel it is crucial policy makers and healthcare providers understand there are more than just two extremes of the gender spectrum. There can be anything in between, and people can live a fulfilled life without being on either end of the spectrum, i.e. not fully man or woman. We need more understanding, but more importantly, more resources and legal support to live our lives equal to other people.”*

(Trans woman, 28, Netherlands)

The trans respondents – an umbrella term encompassing all survey respondents who self-identified with one of the trans subgroups listed in the survey<sup>1</sup> – of the EU LGBT survey point to serious and repetitive victimisation in the EU. Frequent discrimination and victimisation, disrespect and maltreatment, prompt persistent feelings of fear among trans persons. They may, in reaction, avoid certain locations. They may also not disclose, hide or disguise their true gender identity. These phenomena are notably more intense when directed against trans than other lesbian gay or bisexual survey respondents.

The problems trans persons face in expressing freely their experienced gender reinforce the barriers to recognition of their preferred gender and perpetuate a lack of public awareness about the reality of trans persons' identities and lives. They create a vicious circle of fear and ignorance, of intolerance and discrimination or even hate-motivated violence and crime. The personal and social lives of trans respondents are often difficult and their presence more or less visible in different EU Member States.

Where action plans, positive measures and equality policies combating discrimination are well developed and implemented, trans people are more open about their gender identity in the private, professional or other spheres. This finding underpins the long-standing argument that legal frameworks and policy instruments do count. They can have a positive impact on people's lives, as they contribute to protecting and promoting fundamental rights and to advancing social norms and beliefs.

## Discrimination

Equal and full social participation of all without discrimination is the precondition for inclusive and cohesive societies that take advantage of their human

capital and guarantee well-being and prosperity to all their members. In this regard, the EU LGBT survey results are worrying. They show that the equality of trans persons is, as yet, a hard-to-reach objective which requires decisive action at EU and Member State level.

In the year preceding the survey more than half of all trans respondents (54 %), compared with 47 % of all LGBT respondents, felt personally discriminated against or harassed because they were perceived as trans. Those respondents who were young, not in paid work or from a low income class were more likely to feel discriminated against because of being trans.

Trans respondents were more likely to say they had felt discriminated against because of being trans in the year preceding the survey in *employment* – particularly when looking for a job – than in any other area of social life covered by the survey. One in three trans respondents felt discriminated against because of being trans when looking for a job (37 %) or at work (27 %) in the 12 months before the survey, which is more than twice the equivalent percentage of lesbian, gay and bisexual respondents. Trans women – the term used for a transsexual person, or a woman with a transsexual past who was assigned a male sex at birth – are the most likely to have felt discriminated against, followed by trans men – the term used for a transsexual person, or a man with a transsexual past who was assigned a female sex at birth – and other trans categories.

Looking at the data on discrimination in education shows that a quarter of trans respondents (24 %) who attended school/university themselves or have a child/children in school/at university say that they felt discriminated against by school or university personnel in the 12 months preceding the survey. When looking at trans students only, the number rises to 29 %. Male cross dressers (34 %) are the most likely to have felt discriminated against by school/university personnel. More than a quarter of the survey's trans respondents (28 %) say that they often or always experienced negative comments or conduct at school because of being trans. Trans men and queer/other respondents (respondents who do not identify with any of the categories presented in the survey, and chose to describe their gender identity as 'other') (both 44 %) experienced negative comments or conduct at school due to their gender identity.

Around one in five respondents who accessed healthcare services (22 %) or social services (19 %) in the year preceding the survey indicated that they felt personally discriminated against by healthcare or social service personnel because of being trans. Trans

<sup>1</sup> The term 'trans person' is widely used by trans persons in Europe and the world. It was also chosen to avoid confusion with one of the possible identity groups from which the respondents could choose ('transgender').

respondents report this type of discrimination twice as often as lesbian, gay, and bisexual respondents.

Turning to the reporting of incidents of discrimination to the police or elsewhere, only very small numbers of respondents reported the most recent incident. Trans people are, nevertheless, more likely to report their last experience of discrimination than other LGB groups. Comparing the different trans subgroups, trans women are the most likely to report incidents, and gender variant and female cross dressers the least likely. Reporting took place significantly more often, however, when the last incident happened at work (29 %). More than three in five trans respondents did not report the incident because they were convinced that nothing would happen or change, and half of them because they thought it was not worth reporting it. Trans respondents were also concerned that the incident would not be taken seriously, and they did not want to reveal their sexual orientation and/or gender identity. Almost one in three (30 %) did not know how or where to report.

## Violence

The EU LGBT survey's most striking result is the high level of repetitive violence and hate-motivated crime trans persons suffer,<sup>2</sup> indicating the need to improve policies combating hate crime across the EU.

The results show that the annual incidence rate of violence or harassment is around one incident per two trans respondents, which is twice as high as the incidence rates for lesbian, gay and bisexual respondents. This means that one in two trans persons indicate that they were attacked or targeted through violence, threats or insults in the year preceding the survey. About two in five (44 %) trans respondents who were victims of violence in the 12 months preceding the survey indicate that this happened three or more times during this period. A breakdown by identity group shows that female and male cross dressers are most likely to have suffered multiple violent incidents (three times or more) in this period.

With regard to violence suffered for any reason and not only due to the respondents' gender identity, trans respondents are the most likely of all LGBT groups to say they were attacked or threatened with violence in both the five-year and one-year time periods asked about in the survey. In the five years preceding the survey, 34 % of all trans respondents experienced violence or were threatened with violence, and 15 % experienced violence or the threat of violence in the 12 months preceding the survey. These violent incidents may have taken place for any reason, not only due to respondent's

gender identity. A breakdown by identity group shows high numbers of violent incidents in the 12 months preceding the survey, ranging from 40 % for queer/other respondents up to 50 % for male cross dressers.

About one in 10 (8 %) trans respondents were physically or sexually attacked or threatened with violence which they think happened partly or entirely because they were perceived to be trans. In the 12 months preceding the survey, hate-motivated violence was mostly likely among trans women (16 %), male cross dressers (14 %) and transgender respondents (11 %). Among all the LGBT survey respondents the trans respondents are the most likely to report to the police hate-motivated violence. One out of five reported the most recent hate-motivated incident (21 %) and one in four the most serious one (24 %) to the police.

A breakdown by identity groups shows that trans men are the least likely to report incidents of violence to the police for both the last and the most serious incident. Female cross dressers are the most likely to report the last hate-motivated incident of violence of the previous year (37 %). Trans women are the most likely to report the most serious incident of violence of the previous five years (32 %).

Perpetrators of violence and harassment are in most cases unknown males acting in groups. The hate-motivated incidents take place almost as often indoors as outdoors, while hate-motivated harassment occurs slightly more often in indoor public spaces. Of all *outdoor* locations, trans respondents most often mention incidents in a street, square, car park or other public place. Of all *indoor* locations, hate-motivated violence happened most often at home, whereas hate-motivated harassment happened most often at the workplace. One in 10 of the most recent incidents of harassment took place on the internet or by email, including Facebook and Twitter.

## Living as a trans person

The survey data show that many trans people grow up and live in a social environment which is mostly unaware of trans people's existence and needs. When the fear, caused by persistent victimisation and discrimination, collides with the ignorance of others – including one's own family, work or social environment – hiding or avoiding visibility serves as a defensive measure. But this choice inevitably reinforces a lack of recognition and acknowledgement of trans persons' rights. Stereotypes and ignorance about the reality of the daily lives and rights of trans persons perpetuate negative public attitudes and maltreatment of varying intensity; from idiotic jokes and offensive language to serious harassment and exclusion. In this way, an invisible cage is

<sup>2</sup> FRA (2012).



created, erecting barriers to equality and compromising the lives of trans persons. Ultimately, as trans respondents noted, they are citizens who feel that they are not allowed to be themselves.

Four in five trans respondents say that positive measures to promote respect for the human rights of trans people, such as equality plans, public campaigns or specialised services, are very or fairly rare in their country of residence. One in eight trans respondents indicate that they often or almost always receive negative reactions because they are perceived to behave in a manner that is too feminine or masculine. Living in a trans-negative environment leads trans persons to adapt their expression and behaviour. One third of all trans respondents (32 %) avoid expressing their gender – or their desired gender – through physical appearance and clothing for fear of being assaulted, threatened or harassed. In addition, half of the trans respondents report that they avoid certain places or locations because of these fears.

The survey found that almost one in five respondents avoid being open about being trans even in their own home, and six in 10 avoid being open in public transport. These findings underline how the daily life of trans people is affected by the general public's social views

and reactions towards trans people. This makes them unable to enjoy the right to respect for private life, which encompasses the right to express one's identity in all areas of life, including in public. Over nine in 10 respondents (94 %) say that if national authorities promoted the rights of trans people they could live more comfortably as a trans person.

The lack of identity documents that conform with one's gender identity or expression can lead to discrimination. One in three trans respondents felt discriminated against when showing their identification card or other official document that identifies their sex. Almost nine in 10 (87 %) say that easier legal procedures for gender recognition in their preferred gender would help them to live a more comfortable life. Nine in 10 (92 %) say that were public figures in politics, business and sports to speak out openly in support of transgender people that would also help.

The results show that trans respondents are less likely to avoid expressing their gender if their country of residence has adopted positive measures to promote the respect for the human rights of trans people through, for example, equality plans, public campaigns or specialised services.



# Introduction

## The EU LGBT survey and the specific experiences of trans persons

The Eurovision Song Contest results in 2014 stirred a lively debate on gender and sexuality in many countries. Voting for Austrian winner Conchita Wurst, who describes herself as a 'bearded lady', was seen as a vote against homophobia and transphobia. Her case illustrates the impossibility of corralling gender variant expressions and/or identity into socially acceptable male or female norms or even described in words.

At a time when Facebook offers more than 50 options for choosing a personal gender marker, it becomes clear that gender feelings cannot be shoehorned into 'female' and 'male' boxes. As more trans persons openly refuse to identify as either male or females, the survey results make clear that gender discussions, whether general ones in society or those on specific legal and policy measures, must move beyond those boxes.

By illuminating the daily life of trans persons in the European Union (EU) and its Member States, the richness and the comparable nature of the survey data presented in this report make this possible. Drawing on the wealth of results from the EU lesbian, gay, bisexual and transgender (LGBT) survey, conducted by the European Union Agency for Fundamental Rights (FRA) in 2012, the report analyses the lived reality of 6,597 self-declared trans respondents. The survey data represent the largest collection of empirical evidence of its kind to date to shed light on transgender persons' experiences across various life spheres.

The report analyses transgender persons' experiences with regard to discrimination, harassment and violence. It examines the opinions and views of transgender respondents aged 18 years and above who were internet users, were informed about the survey and decided to participate in it. Although the survey results cannot be considered representative of all trans people in the EU, they provide insight into the challenges transgender people face and thereby provide support to politicians and policy makers aiming to tackle the problems the respondents describe and to craft policies and laws that better promote their fundamental rights.

The survey stems from a European Commission request from 2010, made in response to calls from the European Parliament. The Commission asked FRA to collect comparable survey data on hate crime and discrimination against LGBT persons in all EU Member States. FRA developed the 'European Union survey of discrimination

and victimisation of lesbian, gay, bisexual and transgender persons', which was launched online on 2 April 2012 and ran until 15 July 2012. A large number of respondents (93,079) took part in the survey, providing a wealth of comparable data on their opinions and experiences. The EU LGBT survey is the largest conducted to date of LGBT persons.

The areas covered by the survey were identified in cooperation with relevant stakeholders. Since this survey is comparative and was carried out simultaneously in all EU Member States, the existing international and EU legal standards formed an important starting point for these discussions. At the international level, some United Nations (UN) treaty bodies, drawing on the relevant UN conventions, have placed gender identity on open-ended lists of discrimination grounds. At the EU level, the Charter of Fundamental Rights of the European Union prohibits discrimination based on sexual orientation – but not on gender identity. Trans persons are protected from discrimination on the ground of 'sex' in the EU Charter. This is in line with the related jurisprudence of the Court of Justice of the European Union (CJEU), which is based on the EU Directive implementing the principle of equal treatment between men and women in the access to and supply of goods and services (*Gender Goods and Services Directive*). Such protection exists provided that discrimination arises from gender reassignment and concerns the area of employment.<sup>3</sup> In addition, the Council of Europe's Recommendation Rec(2010)5 on measures to combat discrimination on the grounds of sexual orientation or gender identity sets out practical measures to guarantee the fundamental rights of LGBT persons, starting from the right to life, security and protection from violence. It also encompasses the freedom of association, expression and peaceful assembly, the right to respect for private and family life, and equal treatment in various areas of social life including employment, education, health, housing and sports.<sup>4</sup> The results in this report are presented in the context of and in relation to existing legal standards.

The target group of the EU LGBT survey were persons who self-identify as gay, lesbian, bisexual or transgender. The survey examines issues of equal treatment and discrimination on two grounds, namely sexual orientation and gender identity. This analysis compares the results for the total group of trans respondents with those for lesbian women, bisexual women, gay men

3 The Gender Equality Directive (recast) 2006/54/EC, adopted on 5 July 2006, prohibits discrimination on the grounds of sex in the field of employment, covering also discrimination arising from the gender reassignment of a person (rec. 3).

4 Council of Europe, Committee of Ministers (2010).



and bisexual men in the *EU LGBT Survey. Main Results* and the *Results at a glance* reports.<sup>5</sup> These reports show that, with few exceptions, trans respondents indicate the highest levels of experiences of discrimination, harassment and violence amongst the different LGBT groups. Furthermore, some of the results of the trans groups follow different patterns than those of lesbian, bisexual or gay respondents. For instance, whereas LGB respondents who openly express their sexual orientation are less likely to indicate discrimination experiences, this is not true for the trans respondents who openly express their gender identity. These and other (diverging) patterns identified in the report signal a need for more in-depth analysis of the experiences of trans persons experiences.

The present report analyses the experiences with regards to equal treatment, discrimination and violence of 6,579 trans respondents from the FRA EU LGBT survey. The survey represents the opinions and views of trans respondents aged 18 and above who were internet users, were informed about the survey and decided to participate in it. Although the results cannot be considered representative of all trans people in the EU, they constitute the largest collection of empirical evidence of its kind to date.

## Who are trans persons?

The gender that we are officially assigned at birth (male or female) is based upon our physical features. This might not, however, match our gender identity – that is, the way we feel and think about our gender. **A trans person is someone who identifies with a different gender and/or expresses their gender identity differently from the gender that they were assigned at birth.**

This report uses ‘trans’ as a short-hand term to refer to persons whose gender identity and/or gender expression differs from the sex assigned them at birth. The term can cover many gender identities. The survey listed a number of such sub-categories: transsexual, transgender, cross dresser, gender variant, queer or differently gendered people.

It also allowed respondents to select the category ‘other’ and describe their identity in their own words. The report uses ‘trans’ to refer to the total sample of transgender survey respondents, irrespective of the sub-category of their trans identity, in line with common practice among trans people in Europe. Non-governmental organization (NGO) and EU network Transgender Europe (TGEU), as well as other international LGBT networks and organisations, such as the

International Lesbian and Gay Association (ILGA) use ‘trans’ as an umbrella term encompassing various categories of gender variant people. According to the TGEU, the term ‘Trans people’ “includes those people who have a gender identity which is different to the gender assigned at birth and those people who wish to portray their gender identity in a different way to the gender assigned at birth. It includes those people who feel they have to, or prefer or choose to, whether by clothing, accessories, cosmetics or body modification, present themselves differently to the expectations of the gender role assigned to them at birth. This includes, among many others, transsexual and transgender people, transvestites, cross dressers, no gender and genderqueer people.”<sup>6</sup>

The concepts of gender identity and gender expression used here are based on principles and legal standards that apply international human rights law to sexual orientation and gender identity issues. These standards, known as the Yogyakarta Principles, were developed by international human rights experts from the UN human rights system and treaty bodies, judges, academics and NGO representatives.<sup>7</sup> Other, more medical, terms are derived from the *Standards of Care for the Health of Transsexual, Transgender, and Gender-Nonconforming People, Version 7* compiled by the World Professional Association of Transgender Care (WPATH).<sup>8</sup>

**Gender identity:** “each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms”.<sup>9</sup> Those whose gender identity does not correspond with the sex assigned at birth are commonly referred to as trans persons. This group includes persons who wish at some point in their life to undergo gender reassignment treatments, who are usually referred to as transsexual persons. It also includes persons who ‘cross-dress’ or do not, as well as those who do not want to consider themselves as either ‘men’ or ‘women’. Some refer to themselves as ‘gender variant’.

**Gender expression:** a person’s manifestation of gender identity, for example through ‘masculine’, ‘feminine’ or ‘gender variant’ behaviour, clothing, haircut, voice or body characteristics. Trans persons may choose to express their gender identity in different ways. Since experiences of homophobia, transphobia and discrimination on the grounds of sexual orientation and gender

5 FRA (2013a) and FRA (2014a).

6 <http://tgeu.net/>.

7 International Commission of Jurists (2007).

8 Coleman, E. *et al* (2012).

9 International Commission of Jurists. (2007).





identity are often rooted in social perceptions of gender roles, which this survey has also covered.

Trans persons may face discrimination and hate crime on grounds of their gender identity and/or gender expression. Gender identity is not a sexual orientation. Due to a lack of knowledge on transgenderism, social reactions to trans people sometimes confuse the expression of gender identity with sexual orientation. But like everyone else, trans people can have any kind of sexual orientation. Trans, gay, bisexual and lesbian people share the disadvantage of being different than the socially predominant (heterosexual) norms for women and men. The data presented in this report focus on the experiences of 6,579 self-identified trans respondents of the FRA EU LGBT survey<sup>10</sup> with respect to their experiences of discrimination, violence and harassment, and to their opinions. It applies concepts used by international treaty bodies and other human rights mechanisms, outlined in Annex 1.<sup>11</sup>

The meaning of 'being a trans person' or 'a trans respondent' may vary across those surveyed. For some it might suggest a current and vivid trans identity, for others, it might reflect only a small part of their life. For still others, it may relate to a past with which they no longer identify but which still has repercussions in their daily life.

By investigating the specific situation of trans people in the EU, FRA can report on the lived experiences of this very diverse group within different areas of life. The report thus provides EU institutions and Member States, as well as other key stakeholders, with reliable and comparable data that facilitate the development of more targeted and effective legal and policy responses to address the needs of (different groups

of) trans persons and ensure the protection of their fundamental rights.

## How many people are trans?

The exact proportion of trans persons in the total population of a certain state or region is not known. States do not register trans persons, nor does every trans person pursue an (open) medical and/or legal path that leaves a record.<sup>12</sup> So far, crude estimates of the proportion of the trans population have relied on indirect methods, such as clinical reports. The latter describe research results of patients undergoing certain medical procedures, such as hormonal treatment or surgery, but they necessarily underestimate the overall prevalence of trans people, since not all pursue medical treatment. Even when medical treatment is desired, other obstacles might hinder trans people from taking action. These may stem from fears related to employment (losing a job), family life (losing a partner, contact with children or rejection by parents) or other people's opinions and reactions.

Studies of the general population that measure feelings of gender identity offer a more accurate idea of the proportion of trans people. Such studies are rare, but scientific work has investigated how such question(s) could be formulated to be integrated in large scale population studies. Recent studies in the Netherlands and Belgium measured feelings of ambivalent gender identity (equal identification with the other sex as with the sex assigned at birth) and incongruent gender identity (stronger identification with the other sex than with the sex assigned at birth) among the general population. Results of these studies show that between 2.2 % and 4.6 % of natal men, and 1.9 % and 3.2 % of natal women reported an ambivalent gender identity. Between 0.7 % and 1.1 % of natal men and 0.6 % and 0.8 % of natal women reported an incongruent gender identity. These findings indicate that the phenomenon of gender non-conforming feelings is much more widespread than often thought.

<sup>10</sup> The EU LGBT survey gathered 6,771 completed responses from self-identified trans persons. This report analyses their responses in more detail, including the answers to the open question where they had the opportunity to be more detailed about their experiences and views. This careful reading led to a repositioning of some respondents into different sub identity groups than those they had initially indicated elsewhere in the survey. This was mostly the case for those respondents who – after self-identifying as a trans person – chose the sub identity 'other'. The detailed description of the personal sense of belonging that these respondents gave often matched the description of one of the listed response categories. In other cases, the analysis of the open answers led to the decision not to count the respondent as a trans person. As a result, this report lists a slightly different total number of trans respondents, as well as small differences in the number of respondents belonging to the different sub identity groups, compared with the *EU LGBT survey. Main results report* and the *Survey at a glance* report. The report's annexes provide more detail on this process.

<sup>11</sup> For example, the Council of Europe's Commissioner for Human Rights, the UN Committee on Economic, Social and Cultural Rights and the UN High Commissioner for Human Rights.

<sup>12</sup> As referred by the German Constitutional Court (ruling n. 1 BVL 3/03 of 6.12.2005) according to the German Society for Sexual Research (*Deutsche Gesellschaft für Sexuallforschung*, DGfS), and its Journal, *Zeitschrift für Sexuallforschung* (2001), p. 258 [264], only 20 %-30 % of trans persons do not aspire to undergo gender reassignment.

## TRANS RESPONDENTS IN THE EU LGBT SURVEY

### Characteristics of trans respondents surveyed

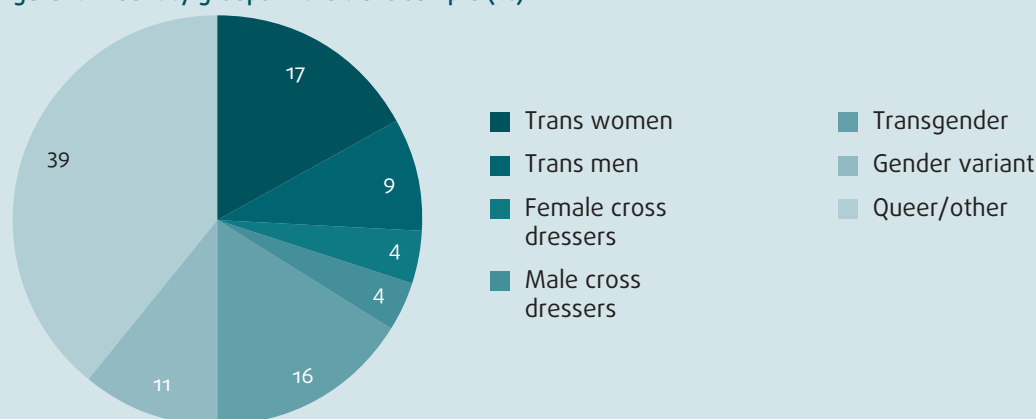
The trans respondents:

- are on average young, with seven out of 10 respondents from 18 to 39 years of age (average: 34 years of age);
- fall into diverse subgroups (identity groups), with twice as many trans women as trans men, and with almost as many female as male cross dressers;
- are just as often well- as less- educated;
- tend to fall into the lower income quartile more often than the general population;
- describe their sexual orientation as bisexual or gay, or use different terms;
- tend not to be in a relationship, with one third living in a single household;
- live more often in an urban environment.

The trans sample of the survey is very diverse. It differs in the chosen sub-identities, the current feeling of being a man, a woman or something else (gender belonging), gender expression and the ways in which respondents have tried to live according to their gender identity (openness/social and/or medical transition). More detail can be found in Annex 1.

Previous research in the field of trans studies describes differences in the lives of trans women, trans men and other trans persons. This is the first time, however, that an EU-wide study makes it possible to compare different subgroups of trans people. Unlike in most trans research to date, the EU LGBT sample contains sufficient numbers of certain subgroups, such as cross dressers, to ensure they remain visible. The survey results, contain, for example, enough cross dressers to allow comparisons between female and male cross dressers (Figure 1).

Figure 1: Identity groups in the trans sample (%)



Questions: Computed variable on the following survey questions:

A2. What sex were you assigned at birth? Female/Male.

A3. Are / were you a transgender person? Yes.

A3.1 Please select the one answer that fits you the best. 1 Transgender 2 Transsexual 3 Woman with a transsexual past 4 Man with a transsexual past 5 Gender variant 6 Cross dresser 7 Queer 8 Other, please write here:...

Note: The respondents in the categories 'transgender' and 'transsexual' were regrouped as trans men and women – for more details see Annex 2.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

Given the diversity of trans persons, the analysis examines the different groups in the knowledge that the fundamental rights issues affecting trans women, trans men, female cross dressers, male cross dressers, transgender, gender variant and queer/other persons may be profoundly different. These groups correspond to the terms self-selected by trans respondents. The experiences of trans persons are also affected by their educational and socioeconomic background and other characteristics, which the analysis takes into account where relevant.

Half of the trans respondents are highly **educated** (college, university or higher degrees, 53 %). Half of the trans respondents (51 %) indicate that they are in paid work, which includes those on temporary leave. One in four

respondents is a student (24 %) and 13 % are unemployed. Small segments of the sample are doing unpaid or voluntary work, are retired or otherwise not working.

The **income** distribution of the total LGBT sample corresponds to that of the general population,<sup>13</sup> with about a quarter of the respondents belonging to each category. Trans respondents are, however, more likely than other LGB groups to report household income in the bottom quartile and less likely to report incomes in the top quartile.

About half of the respondents in all trans groups indicate that, at the time of the survey, they were not in a **relationship** (48 %) and the majority indicate that their **civil status** is single (75 %). One in seven respondents are married or living in registered partnerships (15 %).

The survey adopted a weighting methodology, to counterbalance the absence of reliable statistics on the proportionate size of the trans population in the EU and to mitigate the effects of the overrepresentation of some countries in the total sample.<sup>14</sup>

<sup>13</sup> Derived from the European Social Survey (ESS) income distribution results, see Annex 2 for more details.

<sup>14</sup> This procedure ensures that the opinions of the trans respondents from each country are represented in the survey results proportionally according to the country's population. For this purpose, it was presumed that the percentage proportion of the trans respondents and the trans subgroups among all survey respondents are the same in each EU Member State and calculations were based on this assumption. For full description see Annex 2.



# FRA opinions

Drawing on the findings presented in this report, FRA has formulated the following opinions, which aim to support EU institutions and EU Member States in introducing and implementing legislative and policy measures that respect and safeguard the fundamental rights of trans persons.

## Strengthening EU action and national responses

The EU and its Member States are encouraged – drawing from the evidence of this survey and the experience and existing promising practices in some EU Member States – to address trans issues. They should, in particular, consider gender identity and gender expression as protected grounds in human rights and anti-discrimination policies, action plans and awareness-raising campaigns.

As this survey has found that discrimination and violence may often happen due to a person's nonconforming gender expression, the EU Strategy for equality between women and men should be enhanced to include actions combating gender stereotypes and discrimination on grounds of gender identity, gender expression and transphobia.

## Ensuring legal gender recognition

As the survey has shown, obtaining identity documents matching their gender identity and expression is a problem that hinders normal social life for many trans respondents. EU Member States should ensure the full legal recognition of a person's preferred gender, including the change of first name, social security number and other gender indicators on identity documents.

Gender recognition procedures should be accessible, transparent and efficient, ensuring respect for human dignity and freedom. In particular, divorce and medical interventions, such as sterilisation, should not be required in legal gender recognition processes.

EU Member States should fully recognise documents and decisions issued by other EU Member States in the area of legal gender recognition, to facilitate the enjoyment of trans persons' right to freedom of movement in the EU.

## Fighting discrimination against trans persons

### Discrimination in employment and access to goods and services

The survey results show a strikingly strong correlation between gender expression and discrimination experiences. When revising current equality legislation or adopting new legislation in that area, the EU legislator should ensure that the legislation also covers discrimination based on gender identity. The current legal protection granted by EU law to those who intend, are undergoing or have undergone gender reassignment should be extended to all trans persons.

The survey shows that very few trans respondents report the discrimination incidents they experience to the authorities. The EU should continue to monitor closely the effectiveness of national complaints bodies and procedures in the context of the implementation of the Gender Equality Directive (2006/54/EC recast) and Gender Equality Directive on Goods and Services (2004/113/EC). EU Member States should ensure that equality bodies and other national complaints mechanisms are adequately mandated and resourced in order to increase awareness of discrimination on the grounds of gender identity and improve reporting of incidents.

EU Member States should ensure that the public sector develops and implements diversity strategies and equal treatment policies in full respect of privacy, sharing experiences and good practices addressing the needs of trans persons. This may be achieved by, for example, adopting codes of conduct and facilitating changes in name and gender markers on employment-related documents. Member States should encourage efforts by trade unions and employers' organisations to improve diversity and non-discrimination policies on the grounds of gender identity at the workplace and in vocational training institutions.

### Discrimination in education

The survey shows that education is an area where trans respondents experience bullying and negative reactions because of their gender expression or identity. The EU should help combating bully of trans persons in schools whether of students or parents, as part of its efforts to combat gender stereotypes through the EU Strategy for equality between women and men. The EU's Programme for Education should encourage peer learning among EU Member States and promote existing best practices tackling transphobic bullying.

EU Member States should ensure that schools provide a safe and supportive environment for trans persons, free from discrimination, bullying and exclusion. Schools should be encouraged to adopt general anti-bullying policies that include trans issues.

The competent public authorities, such as equality bodies, national human rights institutions and children's ombudspersons, should be properly mandated, resourced and encouraged to explore cases of bullying and discrimination on grounds of gender identity in education.

EU Member States should ensure that objective information on gender identity and gender expression is part of school curricula, to encourage respect and understanding among staff and students and to raise awareness of the problems faced by trans persons. EU Member States should provide training to educational professionals on how to approach trans issues in education and on how to deal with incidents of transphobic bullying and harassment.

## Discrimination and access to health

As the survey shows, about one in five respondents who accessed healthcare services or social services in the year preceding the survey felt discriminated against by healthcare or social service personnel because of being trans. EU Member States should ensure that adequate training and awareness raising is offered to healthcare practitioners and health insurance personnel on the health needs of trans persons to eliminate prejudices and improve the provision of services to trans persons.

EU Member States should consider ensuring that trans-specific healthcare services are available and that trans persons can enjoy equal and respectful treatment when accessing healthcare services. Member States should consider facilitating gender confirming treatment, and, where this is unavailable, promoting access to such treatment in an EU Member State that offers it.

EU Member States should reference trans-specific healthcare in their national health plans and policies and ensure that health surveys, training curricula and health policies also take into account trans persons and their needs.

## Combating hate-motivated violence and harassment against trans persons

When assessing national legislation transposing Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of

crime (the EU Victims' Directive), the European Commission should pay particular attention as to whether gender identity or gender expression are adequately included as personal characteristics of victims in individual assessments.

When implementing the EU Victims' Directive, EU Member States should pay attention to the protection needs of victims of crimes committed because of the victim's gender identity (in accordance with the Recitals 9, 17 and 56 of the Directive). EU Member States should ensure that throughout the criminal proceedings, in accordance with the Article 21 of the EU Victims' Directive, the right to protection of privacy of transgender persons, including previous names and gender, is fully respected.

EU Member States should consider enacting criminal law provisions which afford protection against transphobic crimes and ensure that law enforcement authorities are trained to tackle transphobic crime effectively, which includes raising awareness on trans issues.

EU Member States should address the underreporting of hate crime, including crimes against trans persons, as underlined by the December 2013 Justice and Home Affairs Council Conclusions on combating hate crime which reflected the conclusions of the 2013 Vilnius FRA Fundamental Rights Conference. Member States are called upon to take appropriate measures to facilitate hate crime reporting by victims and as far as possible also through associations that support them. This should include measures to build trust in police and other state institutions. Law enforcement authorities should therefore be trained on how to handle cases reported by trans persons, particularly concerning victims' support and the systematic recording of incidents. Practices such as 'third party reporting', engaging civil society organisations through multi-agency partnerships, could also be considered to improve reporting rates.

EU Member States should ensure that law enforcement authorities properly record, investigate and prosecute hate-motivated crimes based on gender identity and gender expression in line with ongoing efforts to improve and approximate data collection on crime (such as the Eurostat Working Group on Statistics on Crime and Criminal Justice Statistics in the framework of the EU Statistics Action Plan 2011–2015). To develop evidence-based legal and policy measures, Member States should collect statistics on numbers and types of crime and gender identity of victims (in accordance with Article 28 and Recitals 56 and 64 of the Directive 2012/29/EU) as well as on the number of convicted offenders and the type of sentence imposed.



# 1

## Discrimination: experiences, awareness, reporting and perceptions



### 1.1. Research and policy context

The principle of equal treatment constitutes a fundamental EU value, ensuring both respect for human dignity and full participation for all on an equal footing in economic, cultural and social life. Article 21 of the Charter of Fundamental Rights of the European Union prohibits “any discrimination based on any ground such as sex [...]”. EU-wide protection of trans persons against discrimination is secured in the area of employment and occupation, as interpreted by the CJEU. In its jurisprudence, the CJEU has held that that right covers persons who underwent, are undergoing or intend to undergo gender reassignment. The EU has legal competence under Article 19 of the Treaty on the Functioning of the European Union (TFEU) to legislate in the area of equality and thereby actively combat discrimination. The Racial Equality Directive and the Employment Directive are primary examples of this.<sup>15</sup> Member States have a legal obligation to transpose this legislation and to set up structures to combat discrimination and to promote equal treatment in employment.

As the Council of Europe indicates, discrimination can take place in many areas of life. It may have far-reaching consequences for trans persons’ ability to obtain a school diploma, find a job and maintain a secure and certain standard of living. At an early age, discrimination on the grounds of gender identity already contributes to isolation, underachievement and malaise, and may even lead to suicide attempts.<sup>16</sup> Research published in 2006 shows that young trans persons encounter all

<sup>15</sup> Article 19 of the Founding Treaty of the European Union. See also: FRA (2013b).

<sup>16</sup> See Council of Europe *Recommendation Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity*, 31 March 2010.

### Main findings

- The level of perceived discrimination EU trans respondents report is alarming, especially in the area of employment. More than half of all trans respondents felt discriminated against or harassed because they were perceived as trans in the year preceding the survey. Respondents who are young, not in paid work or from a lower income class, are more likely to indicate feeling discriminated against.
- The more open trans respondents are about being or having been trans, the more likely they are to indicate that they have felt discriminated against in the year preceding the survey.
- Discrimination happened more often in employment than in any other area of social life covered by the survey:
  - Employment: over one in three trans respondents felt discriminated against because of being trans when looking for a job (37 %), and a quarter (27 %) reported discrimination at work.
  - Education: a quarter of trans respondents who attend school/university themselves or have a child/children in school/at university, say they felt personally discriminated against by school or university personnel in the 12 months preceding the survey. When looking at trans students only, the number rises to 29 %.
  - Healthcare: around one in five respondents who accessed healthcare services (22 %) or social services (19 %) in the year preceding the survey felt healthcare or social service personnel discriminated against them because of being trans.
  - Goods and services: being young, unemployed and/or from a lower income class increases the chances the respondent felt discriminated against in the year preceding the survey.
- Only very small numbers of respondents reported their last incident (15 %). That figure rose substantially when the last incident took place at work (29 %).

- The reasons for not reporting are diverse. A large proportion of persons are convinced that nothing would happen or change, that it's not worth it or that the incident would not be taken seriously. Some said they were unwilling to reveal their sexual orientation and/or gender identity. Emotional reasons were also mentioned, such as shame or fear. Almost one in three (30 %) did not know how or where to report the incident.

sorts of problems in secondary and higher education, including personal safety problems, problems in the use of toilet facilities and access to healthcare. They may face difficulties in declaring and obtaining their preferred gender on their school ID pass.<sup>17</sup> Moreover, an online survey and qualitative review has indicated that trans youth perform worse at school, and some even drop out.<sup>18</sup> Major studies on trans youths' lives in Europe are, however, lacking.

Research shows that later in life, one of the most problematic areas is employment. It is also one of the most important. Employment status may be an independent predictor of physical and mental functioning in both trans women and men.<sup>19</sup> According to the 2008 Transgender Eurostudy, 40 % of trans women and 36 % of trans men respondents were in paid work, considerably below the average European employment rates of 57 % and 72 % for women and men, respectively (Eurostat figures).<sup>20</sup> In addition, research conducted in Belgium indicates that besides the problem of finding (and keeping) employment, many trans persons suffer a wide range of discriminatory practices and bullying at the work place.<sup>21</sup> This chapter looks into discrimination experiences of trans persons in light of the legal protection afforded to them.

## European Union

The general non-discrimination clauses in the TFEU (Article 10) and in the EU Charter of Fundamental Rights (Article 21) do not mention gender identity explicitly. It was the CJEU that clarified that the grounds of sex also covers discrimination experienced by transgender persons, but only when the person in question underwent, is undergoing or intends to undergo gender reassignment surgery.<sup>22</sup>

The Gender Equality Directive (recast), adopted in 2006 and prohibiting discrimination on the grounds of sex in the field of employment, is the first EU directive

that explicitly relates to the transgender dimension. It says that "in view of its purpose and the nature of the rights which it seeks to safeguard, it also applies to discrimination arising from the gender reassignment of a person".<sup>23</sup> Transgender persons who do not want or cannot undergo gender reassignment surgery are, however, therefore *still unprotected* from discrimination based on their gender identity (in the FRA survey this concerns approximately half of the trans respondents).

There are two EU directives in which the EU has *explicitly* included protection against discrimination based on gender identity. According to the Qualification Directive (recast) (2011/95/EU), international protection may be granted to an asylum seeker who is a member of a particular social group, which can be characterised by gender identity (Article 10.1(d)). The Victims' Rights Directive also explicitly mentions 'gender identity' and 'gender expression' as protected grounds of discrimination (Recital 9). It defines violence directed against a person because of that person's gender identity or gender expression as gender-based violence (Recital 17).

The Special Eurobarometer 393<sup>24</sup> found that among Europeans more believe that discrimination on the grounds of gender identity is widespread (45 %) than believe it is rare or non-existent (42 %). This figure reveals the lack of awareness by a large part of EU citizens about the extent of discrimination as shown by the results of this survey.

## Council of Europe

The Council of Europe has several instruments relevant to the protection of transgender persons from discrimination. The most important is based on the European Convention of Human Rights (ECHR) and the European Court of Human Rights (ECtHR) case law implementing it. Discrimination is prohibited in Article 14 of the ECHR, which says that "the enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground". Article 1 of Protocol No. 12 to the ECHR introduces a general prohibition on discrimination.<sup>25</sup> According to ECtHR caselaw, discrimination on the basis of transsexuality is also prohibited.<sup>26</sup> The first international treaty to explicitly include gender identity as a prohibited grounds of discrimination is the Convention on preventing and

17 Takács, J. (2006).

18 Whittle, S. *et al.* (2007).

19 Wierckx, K. *et al.* (in review at the time of writing).

20 Whittle, S. *et al.* (2008).

21 Motmans, J. *et al.* (2010); Vennix, P. (2010); Whittle, S. (2000).

22 For the relevant case law, see Toggenburg, G. N. (2009), pp. 135–154.

23 Gender Equality Directive (recast) 2006/54/EC, 5 July 2006, Recital 3.

24 European Commission (2012).

25 According to this article: 'The enjoyment of any right set forth by law shall be secured without discrimination on any ground [...].'

26 ECtHR, *P.V. v. Spain*, No. 35159/09, 30 November 2010, para. 30.



combating violence against women and domestic violence (Istanbul Convention).

Recommendation CM/Rec(2010)5 of the Committee of Ministers to Council of Europe member states on measures to combat discrimination on the grounds of sexual orientation or gender identity calls on member states to ensure the equal enjoyment of human rights in various fields of life for everyone, regardless of gender identity. Other (non-legally binding) documents include recommendations and resolutions<sup>27</sup> of the Parliamentary Assembly of the Council of Europe. The first of these, dating from 1989, is entirely dedicated to the condition of transsexuals.<sup>28</sup> The Congress of Local and Regional Authorities of the Council of Europe has also adopted a recommendation in this field.<sup>29</sup>

## United Nations

At the international level, Articles 2 and 7 of the Universal Declaration of Human Rights prohibit discrimination on any grounds. Principles of equal treatment and non-discrimination are guaranteed in the International Covenant on Civil and Political Rights (ICCPR, Article 2 (1) and 26) as well as in the International Covenant on Economic, Social and Cultural Rights (ICESCR, Article 2) and in a number of other specific conventions (for instance in the Convention on the Rights of the Child, Article 2). Treaty bodies established to observe the implementation of these documents have clarified that the general and open-ended non-discrimination clauses included in them also cover the prohibition of discrimination based on gender identity.<sup>30</sup> In its declaration on sexual orien-

tation and gender identity, the UN General Assembly reaffirmed in 2008 that ‘human rights apply equally to every human being regardless of sexual orientation or gender identity’.<sup>31</sup>

Research work devoted to understanding the experiences of and combating discrimination against transgender persons has intensified in recent years. The UN’s Human Rights Council achieved a crucial milestone with the adoption of Resolution 17/19 on Human rights, sexual orientation and gender identity.<sup>32</sup> It expressed “grave concern” at violence and discrimination against individuals based on their sexual orientation and gender identity and asked the High Commissioner for Human Rights to prepare a report on the situation of LGBT persons worldwide. Based on the findings of the High Commissioner’s report, in March 2012 the Council organised the first-ever UN panel discussion specifically focused on the situation of LGBT persons.

## 1.2. What did the survey ask?

This chapter presents data on discrimination in several areas of social life, namely employment, education, healthcare and social services, and in goods and services available to the public. The chapter also reports on respondents’ awareness of non-discrimination legislation in the area of employment and whether they have reported incidents of discrimination against them.

The EU LGBT survey examined respondents’ experiences of discrimination and harassment<sup>33</sup> on different grounds, among them sexual orientation and gender identity. Before answering the questions on discrimination, respondents were provided with the following explanation: “By discrimination we mean when somebody is treated less favourably than others because of a specific personal feature such as their age, gender, gender identity, sexual orientation, minority background or for any other reason.” The survey then focused specifically on their perceptions of discrimination because of being trans: respondents were asked if they had felt personally discriminated against because of being trans in the areas of social life covered by the survey – namely employment, education, healthcare, social services and when accessing goods and services available to the general public – in the year preceding the survey. It also asked whether or not they had reported the most recent incident. To gather more detail about particular areas of life, further specific questions were asked about such

27 Such as Resolution 1728 (2010) Discrimination on the basis of sexual orientation and gender identity.

28 See Recommendation 1117 (1989) Condition of transsexuals.

29 See Recommendation 211 (2007) Freedom of assembly and expression for lesbians, gays, bisexuals and transgendered persons.

30 See, for instance, on Gender identity: Committee on Economic, Social and Cultural Rights, General Comment No. 20 (Nondiscrimination in Economic, Social and Cultural Rights), para. 32; Committee on the Rights of the Child, General Comment No. 13 (The right of the child to freedom from all forms of violence), paras. 60 and 72(g) (stressing that States parties must address discrimination against vulnerable or marginalised groups of children including children who are lesbian, gay, transgender or transsexual); In its General Comment No. 2, the Committee against Torture explained that the obligation of States Parties to prevent torture includes the obligation to ensure that “their laws are in practice applied to all persons, regardless of” a variety of personal characteristics, including “sexual orientation” and “transgender identity.” Committee on the Elimination of Discrimination against Women, General Recommendation No. 28 (on the core obligations of States parties under Art. 2), para. 18. (The discrimination of women based on sex and gender is inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, health, status, age, class, caste, and sexual orientation and gender identity [...] States parties must legally recognize such intersecting forms of discrimination and their compounded negative impact on the women concerned and prohibit them.”).

31 UN, General Assembly (2008).

32 UN, Human Rights Council (2011).

33 The survey initially asked about discrimination. It also covered harassment, as harassment is a form of discrimination under EU law (2000/78/EC), to achieve comparability with the Eurobarometer survey.

experiences at work (in the last five years), at school (before the age of 18) and when accessing healthcare.

The discrimination experiences examined here are to be understood as based on the trans identity or background of the respondents. They may involve discrimination based on gender reassignment, but they can also include discrimination based on gender identity and gender expression. The instances recalled in the survey are those that respondents experienced and identified as discrimination; they were not necessarily judged as such by an administrative or judicial process.

### 1.3. Discrimination or harassment on the grounds of being trans

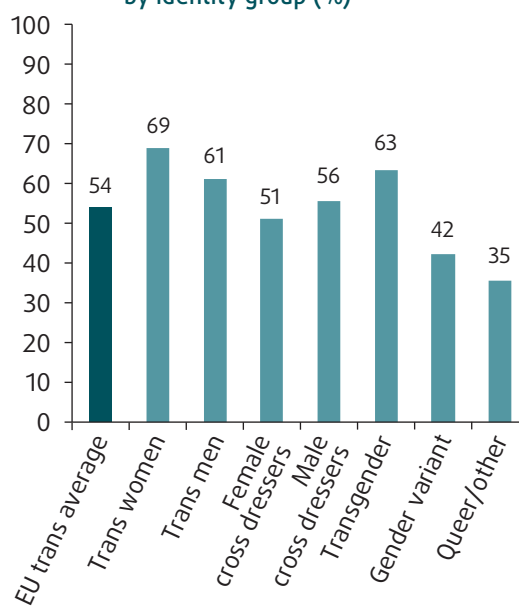
*“I would like my perceived gender to be irrelevant. I should be able to go about my business and be treated fairly and with respect no matter how I present myself. I just want to be allowed to be me without worrying about others.”*

(Trans, 42, United Kingdom)

More than half of all respondents (54 %) say that in the year preceding the survey they have felt personally discriminated against or harassed because of being perceived as trans (Figure 2).<sup>34</sup> This is a slightly higher percentage than the average rate of LGBT respondents who felt personally discriminated against or harassed because of their sexual orientation (47 %).<sup>35</sup>

Trans women, trans men and transgender respondents are most likely to say that in the 12 months preceding the survey they have felt discriminated against or harassed on the grounds of being perceived as trans. Discrimination or harassment experiences are more common for those respondents who are young, not in paid work or from a low income class.

**Figure 2: Respondents who felt discriminated against or harassed because of being perceived as trans in the last 12 months, by identity group (%)**



Question: CzA. In the last 12 months, in the country where you live, have you personally felt discriminated against or harassed because of being perceived as: D. Transgender. Yes.

Base: Trans respondents in the EU LGBT survey.

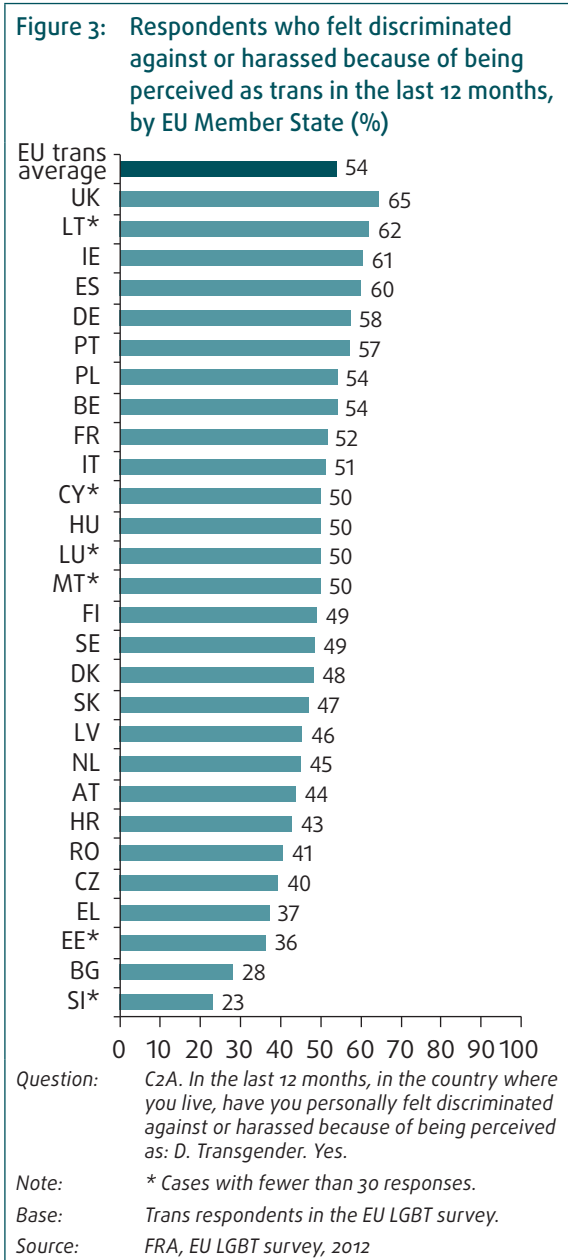
Source: FRA, EU LGBT survey, 2012

Looking at the results by country, slight differences emerge in the percentages of respondents who say they have felt personally discriminated against or harassed in the 12 months preceding the survey on the grounds of being perceived as trans (Figure 3). The highest scores are found in the United Kingdom (65 %), the lowest in Bulgaria (28 %).<sup>36</sup>

<sup>34</sup> Overall, a quarter of trans respondents (27 %) indicated that discrimination on the basis of being perceived as transgender did not apply to them, which is largely due to the proportion of queer/other respondents choosing this answer option (56 %), but also the proportion of cross dressers (female: 23 %, male: 27 %).

<sup>35</sup> FRA (2014a).

<sup>36</sup> When similar statements are made comparing figures from different countries, countries where the sample size is very small (less than 30 respondents) are excluded, although they are included in the figures and marked with an asterisk.



### 1.3.1. Effects of trans discrimination on quality of life and avoidance behaviour

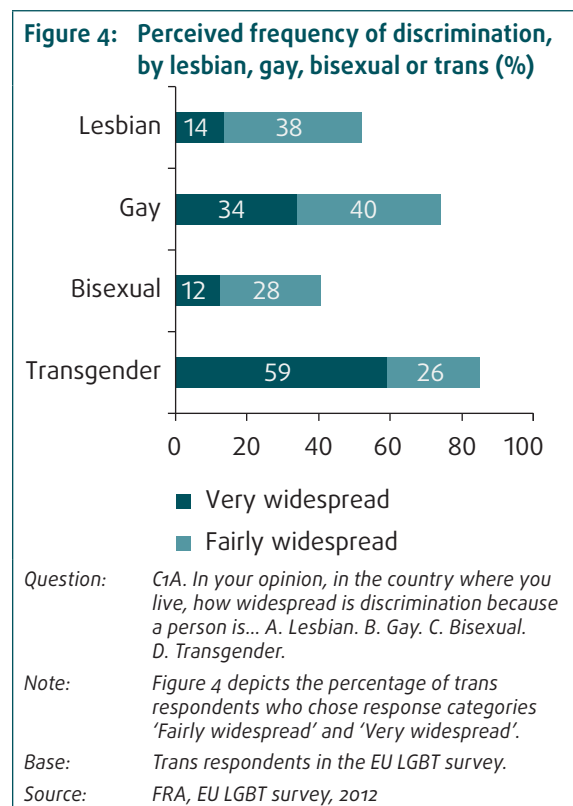
Discrimination because of who you are can undermine your well-being. Trans respondents who felt personally discriminated against or harassed in the 12 months preceding the survey because of being perceived as a trans person report a somewhat lower life satisfaction (6.1) than those who did not feel discriminated against or harassed in the period (6.8)

Those who felt discriminated against or harassed in the 12 months preceding the survey for being trans are more prone to avoid expressing their preferred gender than those who did not feel discriminated against or harassed (60 % versus 40 %). Trans respondents who

felt discriminated against or harassed are also more likely to avoid certain places or locations for fear of being assaulted, threatened or harassed than those who did not experience such feelings (32 % versus 68 %).

### 1.3.2. Perception of discrimination because of being LGBT

Besides their personal experiences of feeling discriminated against or harassed, respondents were also asked, in their opinion, how widespread discrimination is because a person is lesbian, gay, bisexual or trans in the country where they live (Figure 4). This evaluation of trans respondents is close to the LGBT average.<sup>37</sup>



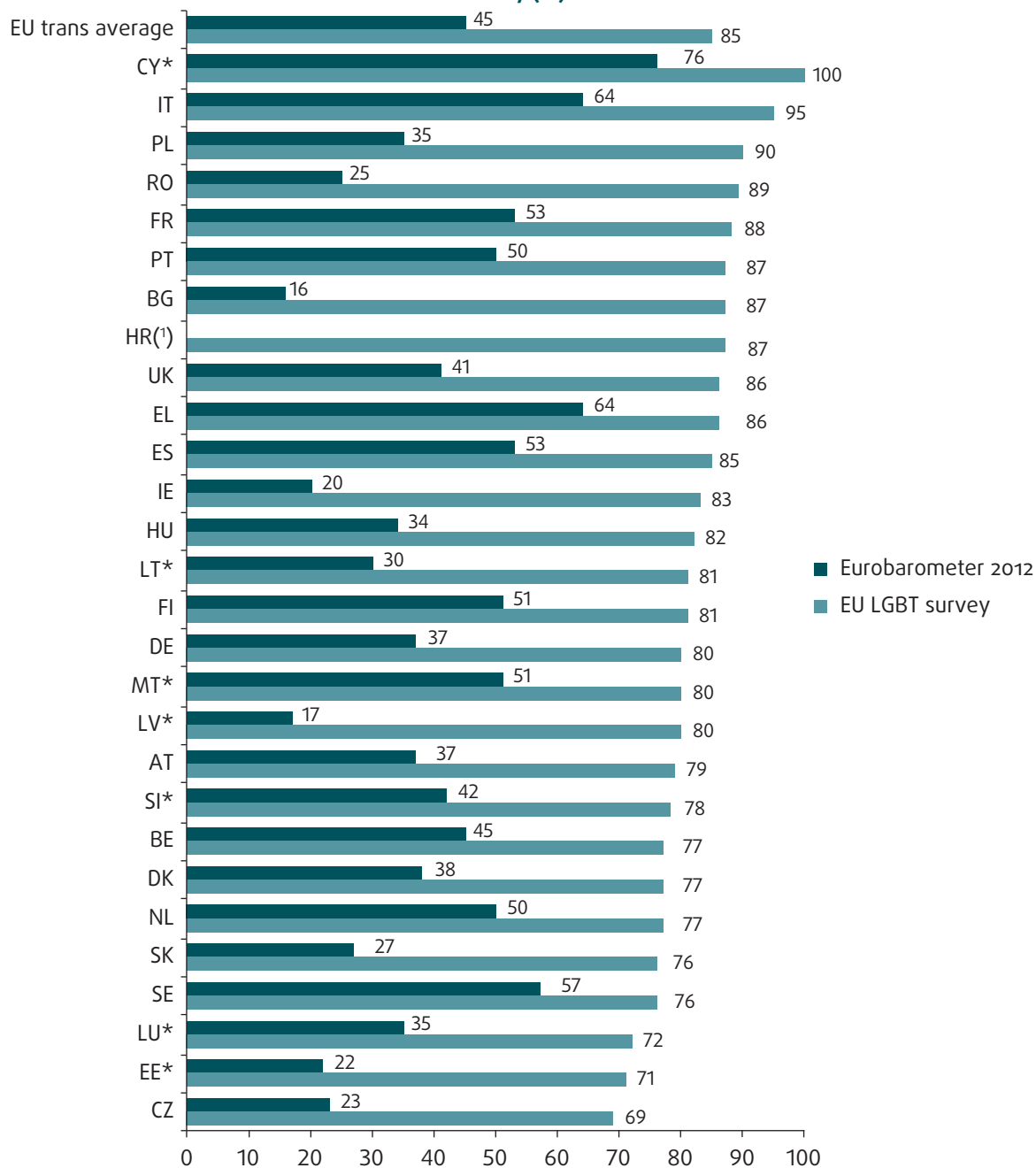
In general, 85 % of trans respondents think that discrimination because of being trans is fairly or very widespread in the country in which they live (Figure 5).

### 1.3.3. Perceptions of discrimination based on a person's gender identity: comparison of European LGBT survey and Eurobarometer data

To assess how trans respondents' perceptions of discrimination on the grounds of gender identity compare with those of the general population, data from the EU LGBT

<sup>37</sup> FRA (2014a).

**Figure 5: Perceived level of discrimination on the grounds of gender identity, by respondents to the 2012 Eurobarometer and the 2012 EU LGBT survey (%)**



**EU LGBT Survey Question:** C1A. In your opinion, in the country where you live, how widespread is discrimination because a person is Transgender?

**Special Eurobarometer 363 Question:** QC1 For each of the following types of discrimination, could you please tell me whether, in your opinion, it is very widespread, fairly widespread, fairly rare or very rare in (OUR COUNTRY)? Discrimination on the basis of gender identity (being transsexual or transgender).

**Notes:** Figure 5 depicts the percentage of trans respondents who chose response categories 'Fairly widespread' and 'Very widespread'.  
\* Cases with fewer than 30 responses.  
(1) The special Eurobarometer 363 did not include Croatia.

**Base:** Trans respondents in the EU LGBT survey; all special Eurobarometer 363 respondents. The special Eurobarometer 363 did not include Croatia.

**Source:** FRA, EU LGBT survey, 2012 ; special Eurobarometer 393, 2012



survey are presented alongside those from the Special Eurobarometer 393.<sup>38</sup> Both surveys asked respondents how widespread, in their opinion, discrimination based on a person's sexual orientation and gender identity is in their country of residence. The results are not directly comparable but are presented here together to identify major discrepancies and trends.

Trans respondents to the EU LGBT survey are more likely than Eurobarometer survey respondents to say that discrimination based on a person's gender identity is widespread in their country of residence. The EU LGBT trans respondents are more likely to be directly affected by discrimination based on a person's gender identity than the Eurobarometer's random sample.

Trans respondents' views and those of Eurobarometer respondents differ by country. The lowest differences are found in Sweden (19 percentage points) and Greece (22 percentage points), and the highest in Bulgaria (71 percentage points), Romania (64 percentage points) and Ireland (63 percentage points).

## 1.4. Discrimination in employment

EU-wide protection against discrimination in the area of employment and occupation is provided for in the Gender Equality Directive (recast). The directive, as interpreted in light of CJEU case law, covers discrimination on the ground of gender identity with respect to transgender persons who underwent, are undergoing or intend to undergo gender reassignment. EU Member States have a legal obligation to set up structures to combat discrimination and to promote equal treatment in employment, by transposing this legislation. The European Parliament called on the European Commission to include a focus "on gender identity when monitoring the implementation of Directive 2006/54/EC".<sup>39</sup>

In addition, the European Social Charter refers to "the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex" (Article 20). The Charter also contains an anti-discrimination clause, according to which "the enjoyment of the rights set forth in this Charter shall be secured without discrimination on any ground [...]".<sup>40</sup> At the UN level, Article 6 of the ICESCR guarantees the "right to work, which includes the right

of everyone to the opportunity to gain his living by work which he freely chooses or accepts." Taking into account the anti-discrimination clause from Article 2.2 of the ICESCR, this right must "be exercised without discrimination of any kind."

In Recommendation 2010(5), the Council of Europe mentions employment in the context of gender identity: "Member states should ensure effective protection against discrimination on grounds of sexual orientation or gender identity in employment and occupation in the public as well as in the private sector."<sup>41</sup> What is more, the Committee of Ministers agreed that "[p]articular attention should be paid to providing effective protection of the right to privacy of transgender individuals in the context of employment, in particular regarding employment applications, to avoid any irrelevant disclosure of their gender history or their former name to the employer and other employees."<sup>42</sup>

The FRA survey asked respondents if they had felt personally discriminated against because of being trans when looking for work or at work in the year preceding the survey. To develop a broader understanding of trans persons' experiences at the workplace, respondents were also asked if they had been open about being trans at work, and if they had heard or seen negative comments or conduct towards LGBT persons, or experienced general negative attitudes regarding LGBT persons at work, during the five years preceding the survey.

### 1.4.1. Discrimination when looking for a job or at work in the last 12 months

*"I just feel it is sad. I tried to get a job with openness and honesty about my trans past and didn't find any. I lie my ass off saying that I am the rather large and masculine Mom of two grown boys and have been in employment about 12 years now based on a lie [...] Living the lie is easier than fighting all the time against society in everyday life [...] It keeps myself and my boys fed and clothed."*

(Trans, Lesbian, 44, Germany)

Over one in three trans respondents have felt discriminated against because of being trans when looking for a job (37 %) and slightly over a quarter report discrimination when at work (27 %) in the 12 months preceding the survey (Figure 6). This is more than twice the percentage of lesbian, gay and bisexual respondents who have felt discriminated against in employment. A breakdown in subgroups shows that of all trans respondents, trans women are the most likely to indicate that they have felt discriminated against.

38 For the results of both the EU LGBT survey and the Eurobarometer survey, see the FRA main results report (2014). For more information on the Eurobarometer 393 (2012), see [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_393\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_393_en.pdf).

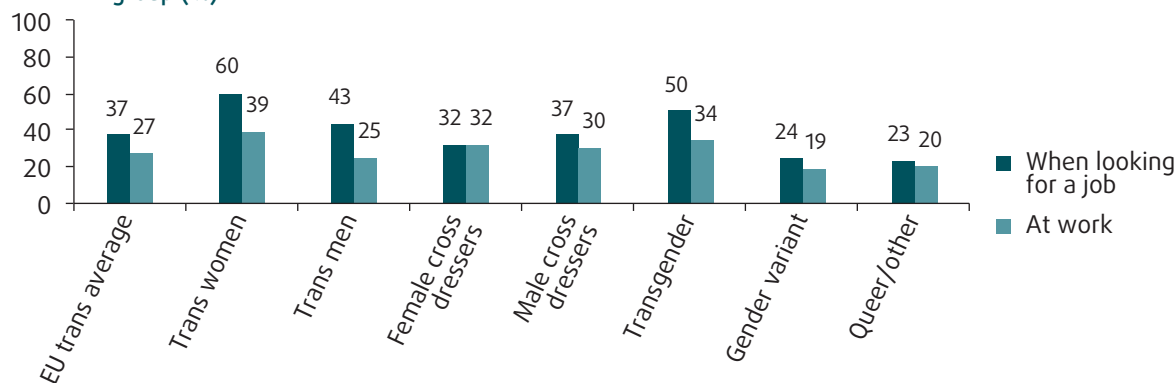
39 See Point C (i) of the EU Roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity (European Parliament (2014).

40 Part V, Art. E.

41 Point 29.

42 Point 30.

**Figure 6: Feeling discriminated against in the last 12 months when looking for a job or at work, by identity group (%)**



**Question:** C4. During the last 12 months, have you personally felt discriminated against because of being transgender in any of the following situations: - A. When looking for a job; B. At work.

**Base:** Trans respondents in the EU LGBT survey who applied for a job or who worked/were employed in the 12 months before the survey.

**Source:** FRA, EU LGBT survey, 2012

With the exception of the youngest group (who, one could hypothesise, have fewer experiences due to a shorter reference period), the likelihood of feeling discriminated against at work declines with age. In contrast, the older the respondents, the more likely they are to have felt discriminated against when looking for a job in the 12 months preceding the survey. Respondents from the lowest income group are more likely to indicate feeling discriminated against at work or when looking for work, in comparison with respondents from the highest income group.

Trans persons' perceptions of discrimination at work or when looking for work vary across EU Member States (Figure 7). The percentage of those respondents who were employed in the 12 months preceding the survey and who felt personally discriminated against at work during this period because of being trans ranges from 35 % in France to 20 % in Finland, Ireland, Hungary and Poland. The percentage of those respondents who were looking for a job in the 12 months preceding the survey and who felt personally discriminated against at work during this period ranges from 53 % in Belgium to 17 % in Sweden. In seven Member States the number of trans respondents looking for a job is under 30. This is not just an indication of a very low sample. It also indicates that only a small number of trans respondents actually looked for a job in the year preceding the survey, as discrimination in the labour market may discourage them before they even try to access it.

#### 1.4.2. Discrimination at work in the five years preceding the survey

*"The job where I transitioned I was fully out as trans. I was dismissed from my job one week before I had a hysterectomy. [...] In subsequent jobs I have not been out at work because of this experience."*

(Trans man, 56, United Kingdom)

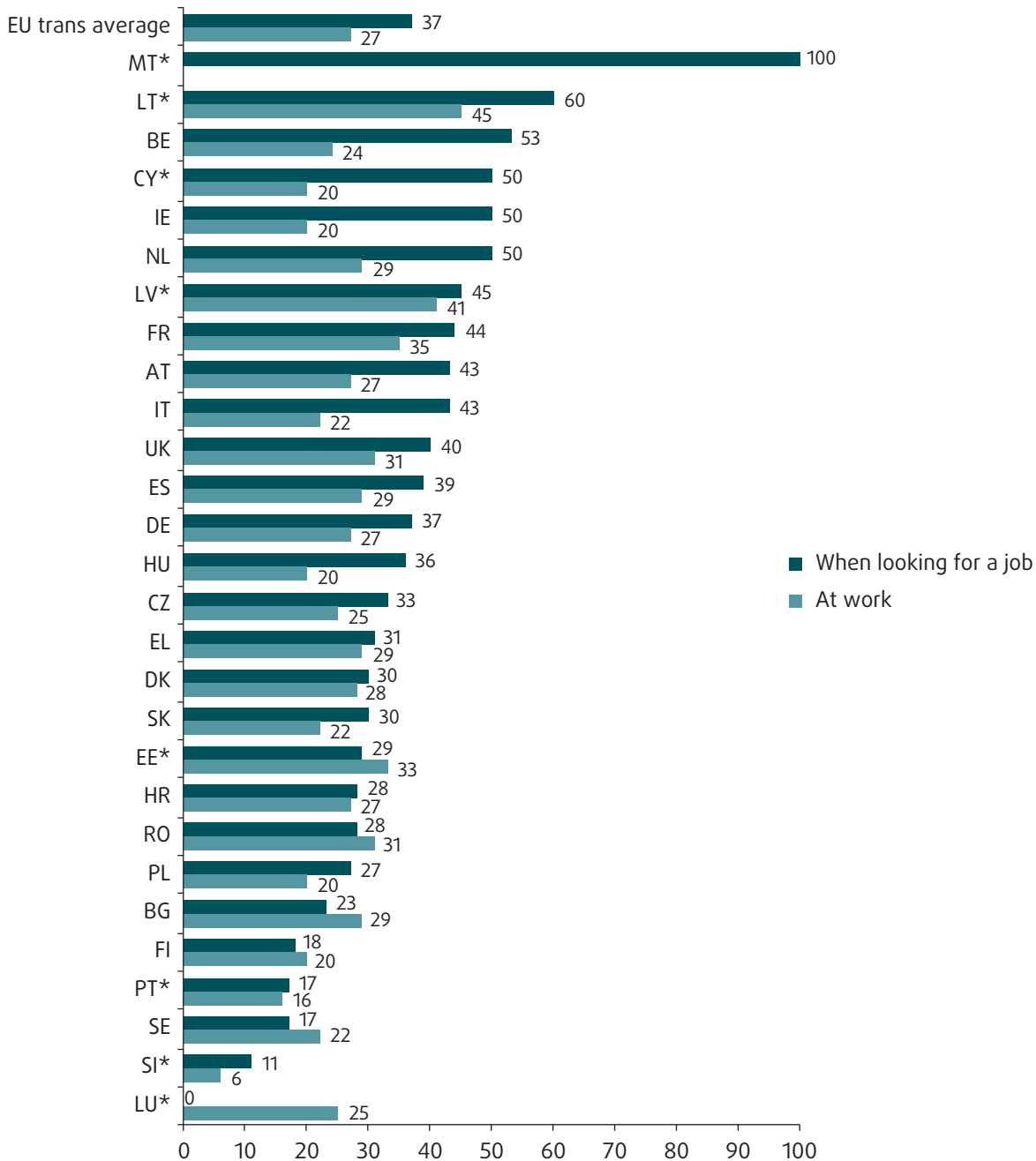
The EU LGBT survey asked respondents to what extent they are open at work or whether they hide or disguise being a trans person. It also asked to what degree they have experienced a general negative attitude at work toward LGBT people and have heard or seen related negative comments or conduct.

#### Openness about being trans at work in the five years preceding the survey

Being open<sup>43</sup> or not at work strongly relates to perceptions of discrimination: people who hide or disguise their trans identity may successfully avoid being targeted for discrimination on this basis. Hiding one's trans identity can also result from a general negative atmosphere at the workplace towards LGBT persons. On average, almost a quarter of respondents report that they are often or always open about their trans

<sup>43</sup> Openness refers to whether or not a person is open to others about being trans. Trans persons may have different levels of openness in their social environment towards family, friends or colleagues. Therefore, openness is not only used in a general sense, but also for specific social settings, such as the family, work and school. Being open is not always a matter of personal choice. One can be forced to come out as a trans person when accessing medical care and/or the legal gender reassignment is not available. Many trans persons live according to their gender identity feelings, but are still legally recorded according to the sex assigned them at birth.

**Figure 7: Feeling discriminated against in the last 12 months when looking for a job or at work, by EU Member State (%)**



**Question:** C4. During the last 12 months, have you personally felt discriminated against because of being transgender in any of the following situations: - A. When looking for a job; B. At work.

**Note:** \* Cases with fewer than 30 responses.

**Base:** Trans respondents in the EU LGBT survey who applied for a job or who worked/were employed in the past 12 months.

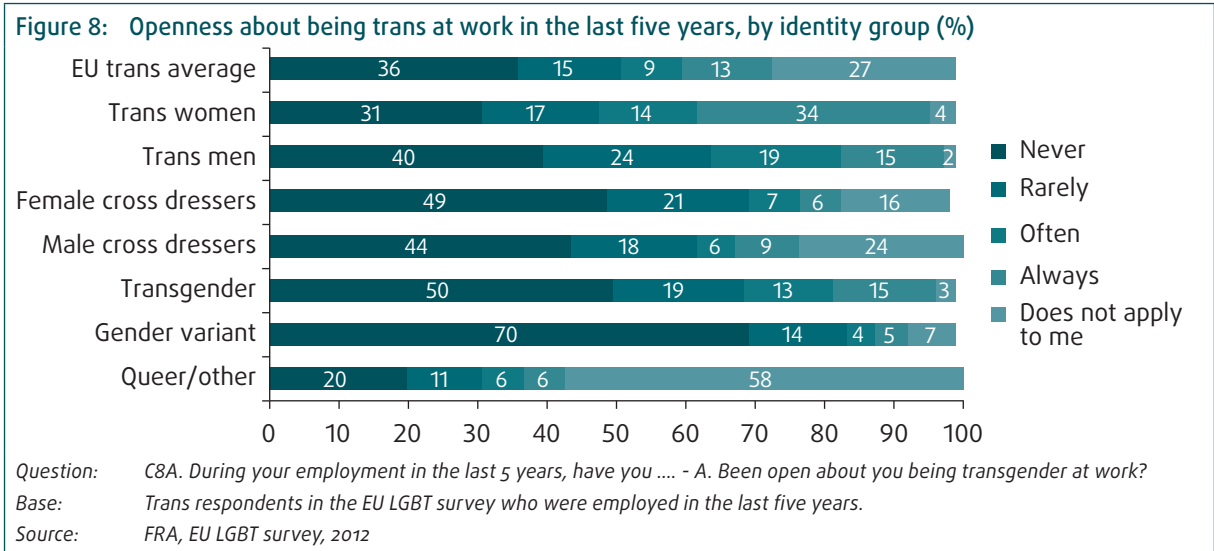
**Source:** FRA, EU LGBT survey, 2012

background, and half of all trans respondents are never or rarely open (Figure 8).

For some trans respondents, their trans identity can seem an irrelevant factor in their professional life. They might not or no longer identify as a trans person but simply as a man or a woman. They might not feel that being trans is an aspect of their life they wish to be

open about at the workplace. This might explain why a quarter of trans respondents report that ‘openness at the workplace’ does not apply to them. Queer/other respondents report this to a large extent and cross dressers to a lesser extent.

Besides being actively open about being LGBT, the questionnaire asked about the opposite tendency as



well: whether or not respondents have specifically *hidden or disguised* their identity at work. Of all trans respondents, 46 % indicate that they often or always hide or disguise their trans background at work.

To facilitate further analysis, replies on being open and on hiding or disguising were categorised into three groups: those who are *generally open* about their trans identity at work (always open and never or rarely hiding being trans at work), those who are *generally closeted* (never open about being trans and often or always disguising being trans at work), and the rest, who are *open selectively* (Figure 9).

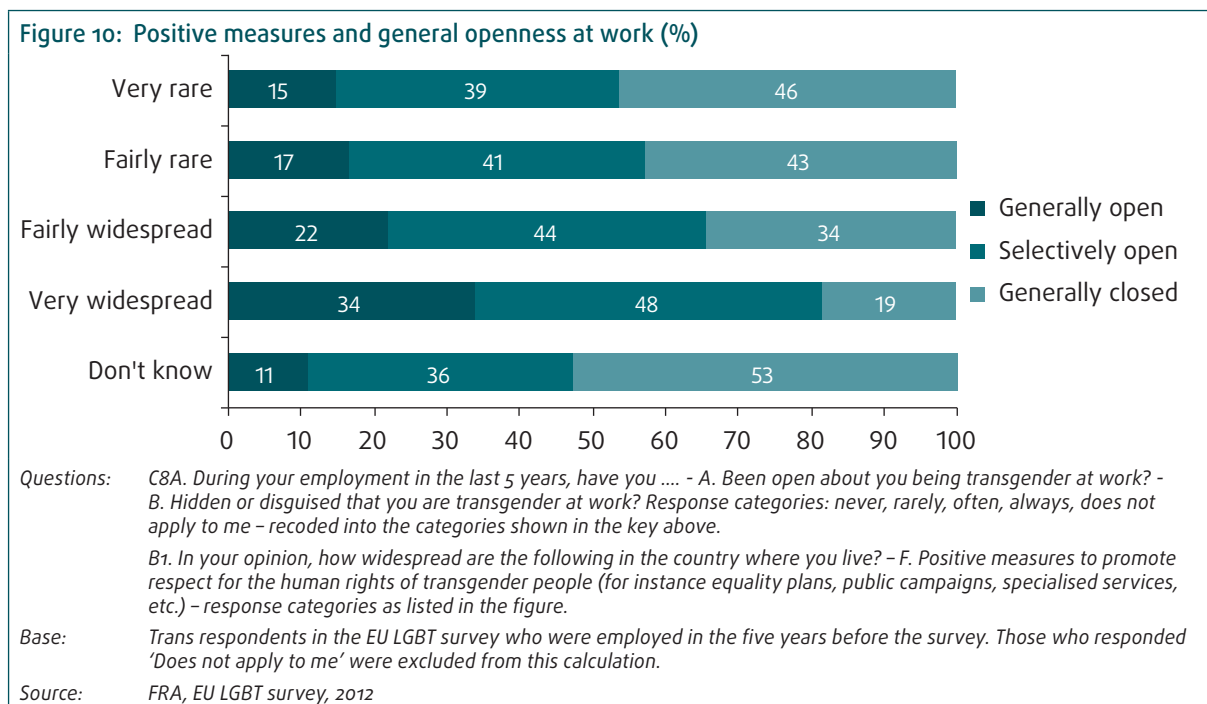
This analysis shows that only 16 % of all trans respondents who were employed in the five years preceding the survey were generally open at work. Two in five were selectively open (40 %) or generally closed (44 %),

respectively. Trans women are the most likely of all identity groups to be generally open and the least likely to be generally closed. Cross dressers and gender variant respondents are the most likely to be generally closed and the least likely to be generally open. Although being open increases with age, even in the respondent group aged 55 and above, only one in three (29 %) is generally open about being trans at work.

The more their country of residence adopts widespread positive measures to promote respect for the human rights of trans persons, the more respondents tend to be generally open at work and the less they are generally closed. When positive measures are very widespread (based on the view of the survey respondents), only one in five trans respondents stay generally closed at work, whereas one in two stay generally closed at work when positive measures are very rare (Figure 10).







## Experience with LGBT hostility at work in the last five years

The low numbers of trans respondents who are generally open at work (16 %, see Section 1.2.2.) indicate that many trans persons manage their visibility consciously and in accordance with how they perceive their work environment. One in three trans respondents (35 %) who were employed on a regular basis in the five years preceding the survey have heard or seen negative comments or conduct because a colleague is perceived to be lesbian, gay, bisexual and/or transgender. Male cross dressers are the most likely to report this (45 %) and trans men the least likely (28 %).

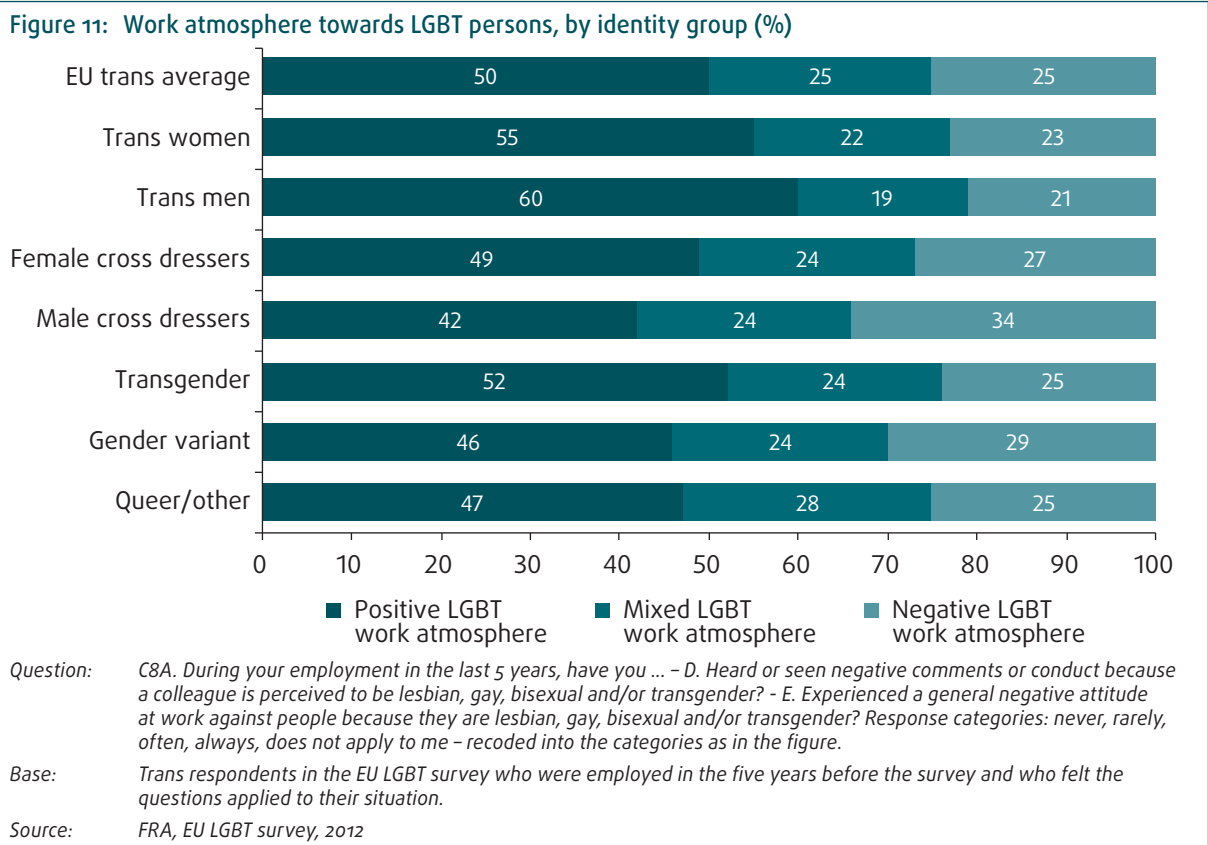
The survey questions did not specify who was responsible for the negative workplace comments or conduct. It could be the management or work colleagues, but it could also be others, such as employees of other cooperating public or private organisations or clients.

Furthermore, in the five years preceding the survey almost two in five (37 %) respondents often or always experienced a general negative attitude at work against people because they are LGBT. Almost half of the male cross dressers (47 %) and gender variant respondents (46 %) indicate this. Again, trans men are the least likely to perceive there to be a general negative attitude at work towards LGBT persons (29 %).

To facilitate further analysis, replies were categorised into three groups: those who experienced a *negative work atmosphere towards LGBT people* (often or always heard or saw negative comments or conduct because a colleague is perceived to be LGBT and often or always experienced a general negative attitude at work against LGBT people), those who experienced a *positive work atmosphere towards LGBT people* (never or rarely heard or saw negative comments or conduct because a colleague is perceived to be LGBT and never or rarely experienced a general negative attitude at work against LGBT people), and the rest, who experienced a *mixed work atmosphere towards LGBT people* (Figure 11).

Half of all trans respondents who were employed in the five years before the survey indicate a positive work atmosphere towards LGBT people (50 %), a quarter a mixed work atmosphere (25 %) and a quarter a negative work atmosphere (25 %).

A breakdown by identity group shows that male cross dressers, gender variant, queer/other respondents and female cross dressers report a lower than average positive work atmosphere towards LGBT people in the five years preceding the survey, compared with other trans groups. Trans women and trans men are more likely to report a positive work atmosphere.



A breakdown by country shows that over 50 % of respondents from 11 EU Member States experience a positive work atmosphere for LGBT people in the five years preceding the survey (Figure 12). In countries such as Bulgaria, Croatia, Greece and Romania only one third of all trans respondents who were employed during the five years preceding the survey report a positive work atmosphere towards LGBT people (as was the case for Cyprus, where the number of trans respondents available for analysis was small).

As suggested, the workplace environment as regards LGBT persons as the respondent experiences it may be strongly linked to his or her degree of openness at work. Trans respondents who are generally open are significantly more likely to report a positive attitude at work toward LGBT people than those who are generally closed (Figure 13).

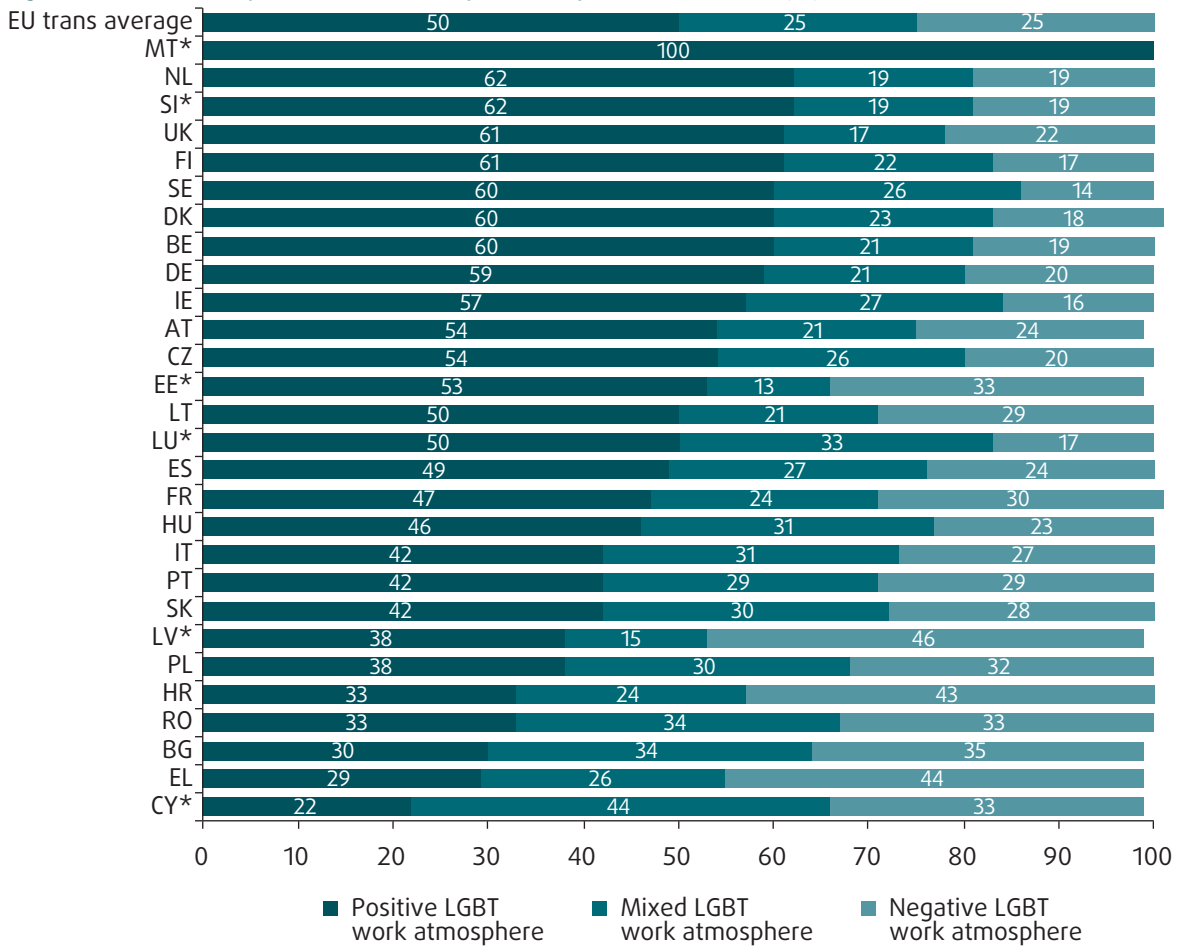
### Personal experiences with negative comments or conduct at work

The EU LGBT survey asked respondents if they had experienced negative comments or conduct at work in the five years preceding the survey directed towards themselves because of being trans. Some one in six (15 %) of trans respondents say that this has often or always happened. Of the total, 66 % say they have never experienced negative comments or conduct directed towards themselves because of being trans (Table 1).

Gender variant respondents are the most likely to have never experienced negative comments or conduct directed towards themselves because of being trans, whereas trans women and male cross dressers are the most likely to often or always experience this.



Figure 12: Work atmosphere towards LGBT persons, by EU Member State (%)



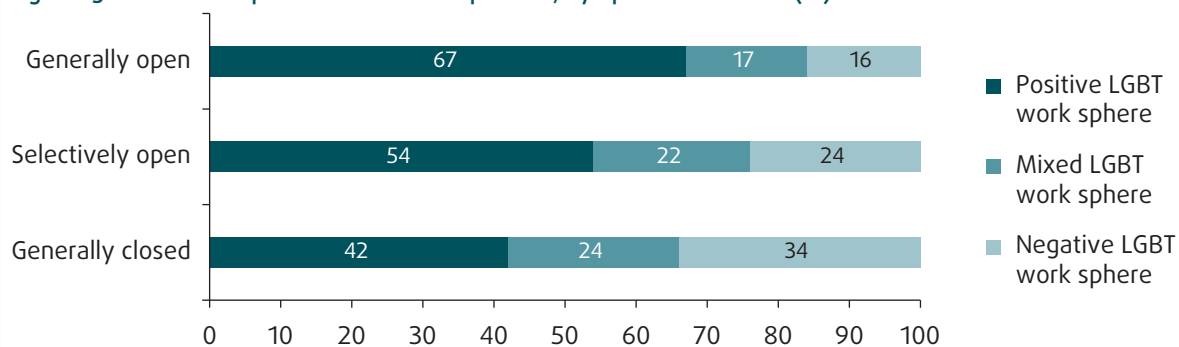
Question: C8A. During your employment in the last 5 years, have you ... - D. Heard or seen negative comments or conduct because a colleague is perceived to be lesbian, gay, bisexual and/or transgender? - E. Experienced a general negative attitude at work against people because they are lesbian, gay, bisexual and/or transgender? Computed variable.

Note: \* Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey who were employed in the last five years and who felt the question applied to them.

Source: FRA, EU LGBT survey, 2012

Figure 13: Work atmosphere towards LGBT persons, by openness at work (%)



Question: C8A. During your employment in the last 5 years, have you ... - D. Heard or seen negative comments or conduct because a colleague is perceived to be lesbian, gay, bisexual and/or transgender? - E. Experienced a general negative attitude at work against people because they are lesbian, gay, bisexual and/or transgender? Response categories: never, rarely, often, always, does not apply to me - recoded into the categories as in the figure.

Base: Trans respondents in the EU LGBT survey who were employed in the five years before the survey and who felt the question applied to their situation.

Source: FRA, EU LGBT survey, 2012

**Table 1: Experienced negative comments or conduct at work because of being trans, by identity group (%)**

	Never	Rarely	Often	Always	Sample (n)
Trans women	65	17	13	6	513
Trans men	74	19	6	2	248
Female cross dressers	63	17	11	10	126
Male cross dressers	60	18	18	4	136
Transgender	69	18	9	5	462
Gender variant	73	15	8	4	310
Queer/other	63	21	11	6	1,429
<b>EU trans average</b>	<b>66</b>	<b>19</b>	<b>10</b>	<b>5</b>	<b>3,224</b>

*Question:* C8A. During your employment in the last 5 years, have you ... – C. Experienced negative comments or conduct at work because of you being transgender? Response categories: never, rarely, often, always, does not apply to me – recoded into the categories as in the figure.

*Note:* n = subgroup sample

*Base:* Trans respondents in the EU LGBT survey who were employed in the five years before the survey and who felt the question applied to their situation.

*Source:* FRA, EU LGBT survey, 2012

The amount of respondents on a country level who have never experienced negative comments or conduct at work because of being trans ranges from 73 % in Slovenia to 32 % in Bulgaria (and 14% in Estonia where, however, the number of trans respondents available for the analysis is small) (Figure 14).

## 1.5. Discrimination in education

The right to education is guaranteed in Article 14 of the EU Charter of Fundamental Rights. Taking into account the non-discrimination principle enshrined in Article 21 of the Charter, the enjoyment of this right must be accessible to all on an equal basis. However, the EU can only take steps to support, coordinate or supplement the actions of the Member States, since education falls mainly within Member State competence.

Referring to homophobic and transphobic bullying in schools, the European Parliament called on the European Commission to promote equality and

non-discrimination on the grounds of sexual orientation and gender identity throughout the EU’s youth and education programmes.<sup>44</sup>

Building on the right to education as guaranteed in Article 2 of Protocol 2 to the ECHR, the Council of Europe’s CM Recommendation 2010(5) further details this right, both in relation to discrimination and bullying and to school curricula. The recommendation states that “taking into due account the over-riding interests of the child, member states should take appropriate legislative and other measures, addressed to educational staff and pupils, to ensure that the right to education can be effectively enjoyed without discrimination on grounds of sexual orientation or gender identity; this includes, in particular, safeguarding the right of children and youth to education in a safe environment, free from violence, bullying, social exclusion or other forms of discriminatory and degrading treatment related to sexual orientation or gender identity. Member states should also take appropriate measures to this effect at all levels to promote mutual tolerance and respect in schools, regardless of sexual orientation or gender identity. This should include providing objective information with respect to sexual orientation and gender identity, for instance in school curricula and educational materials, and providing pupils and students with the necessary information, protection and support to enable them to live in accordance with their sexual orientation and gender identity. Furthermore, member states may design and implement school equality and safety policies and action plans and may ensure access to adequate anti-discrimination training or support and teaching aids. Such measures should take into account the rights of parents regarding education of their children.”<sup>45</sup>

The Council of Europe’s Parliamentary Assembly has recommended that the Committee of Ministers intensify its work against homophobia and transphobia, with a particular emphasis on prevention in schools.<sup>46</sup>

Similar trends can be observed at the global level. Three UN Committees (the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child) have expressed their concern about discrimination in schools, and called for measures to counter

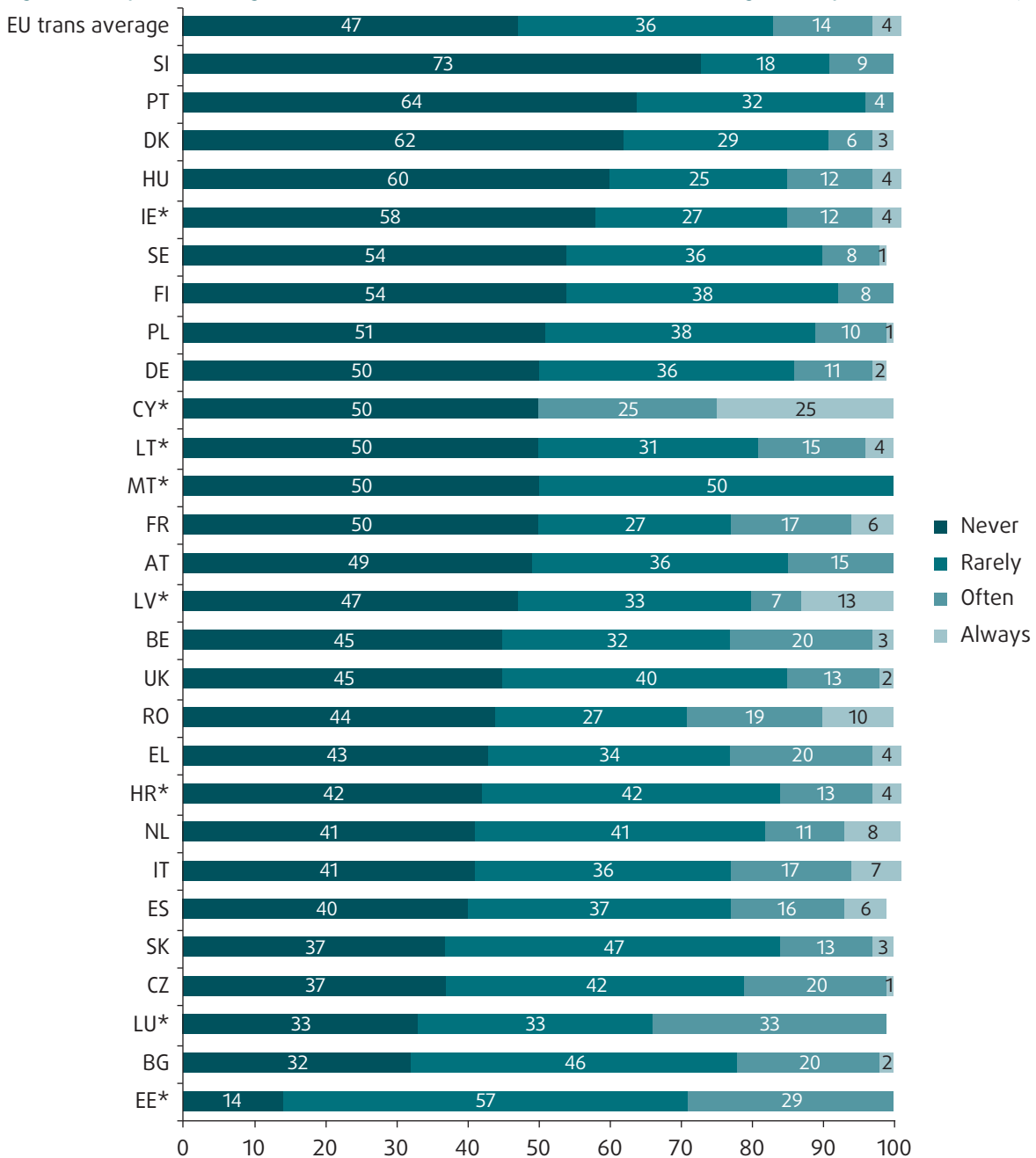
44 Point 4.D(i) of European Parliament Resolution of 4 February 2014 on the EU Roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity. See also Regulation (EU) No. 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing ‘Erasmus+’ is an example of this mainstreaming of non-discrimination as Erasmus+ mentions the six EU grounds on which discrimination is prohibited (‘gender identity’ not being one of them, recital 7).

45 Council of Europe, Committee of Ministers (2010), point 31.

46 See point 5.4 of Recommendation 2021 (2013) Tackling discrimination on the grounds of sexual orientation and gender identity (Council of Europe, PACE (2013)).



Figure 14: Experienced negative comments or conduct at work because of being trans, by EU Member State (%)



Question: C8A\_C. During your employment in the last 5 years, have you ... - Experienced negative comments or conduct at work because of you being transgender? Response categories: never, rarely, often, always, does not apply to me – recoded into the categories as in the figure.

Note: \* Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey who were employed in the last five years and who felt the question applied to their situation.

Source: FRA, EU LGBT survey, 2012

homophobic and transphobic attitudes. The UN agency UNESCO observed that “it is often in the primary school playground that boys deemed by others to be too effeminate or young girls seen as tomboys endure teasing and sometimes the first blows linked to their appearance and behaviour, perceived as failing to

fit in with the hetero-normative gender identity.”<sup>47</sup> The EU could seek synergies with UNESCO’s work

<sup>47</sup> “International consultation on homophobic bullying and harassment in educational institutions”, UNESCO concept note, July 2011. See also, “Education Sector Responses to Homophobic Bullying”, UNESCO, 2012.

on improving educational responses to homophobic and transphobic bullying, and also with the Council of Europe, which adopted a Strategy for the Rights of the Child (2012–2015) focused on bullying.

### 1.5.1. Discrimination by school/ university personnel as a student or parent

*“I wish young people were educated about LGBT-related things in school and with that try to make LGBT people seem more normal compared to people who are lucky enough to be cisgendered and heterosexual.” (Trans, 18, Finland)*

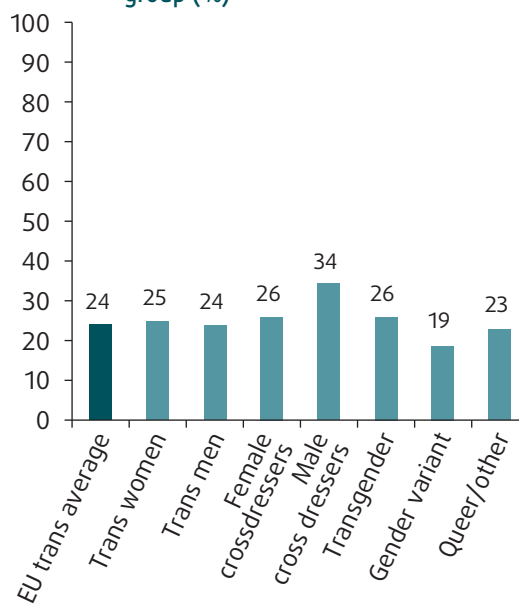
Respondents who were in education themselves or who were the parents of children at school or university at the time of the survey were asked about whether they had felt discriminated against by school or university personnel in the year preceding the survey because of being LGBT.

A quarter of trans respondents (24 %) who attend school/university themselves or have a child/children in school/at university say they felt personally discriminated against by school or university personnel in the 12 months preceding the survey (Figure 15). In this respect, trans respondents scored the highest of all LGBT subgroups in the EU LGBT survey. When looking only at trans students (that is, excluding respondents who are not in school/university themselves), the number rises to 29 %.

Again, male cross dressers (34 %) are the most likely to have experienced discrimination by school/university personnel. This shows the overall disapproval of males who express their femininity.

A breakdown by EU Member State reveals that less than one in five respondents in countries such as Portugal, Austria, the Netherlands and Belgium experienced discrimination by school/university personnel in the 12 months preceding the survey (Figure 16).

**Figure 15: Feeling discriminated against by school/ university personnel because of being trans in the last 12 months, by identity group (%)**



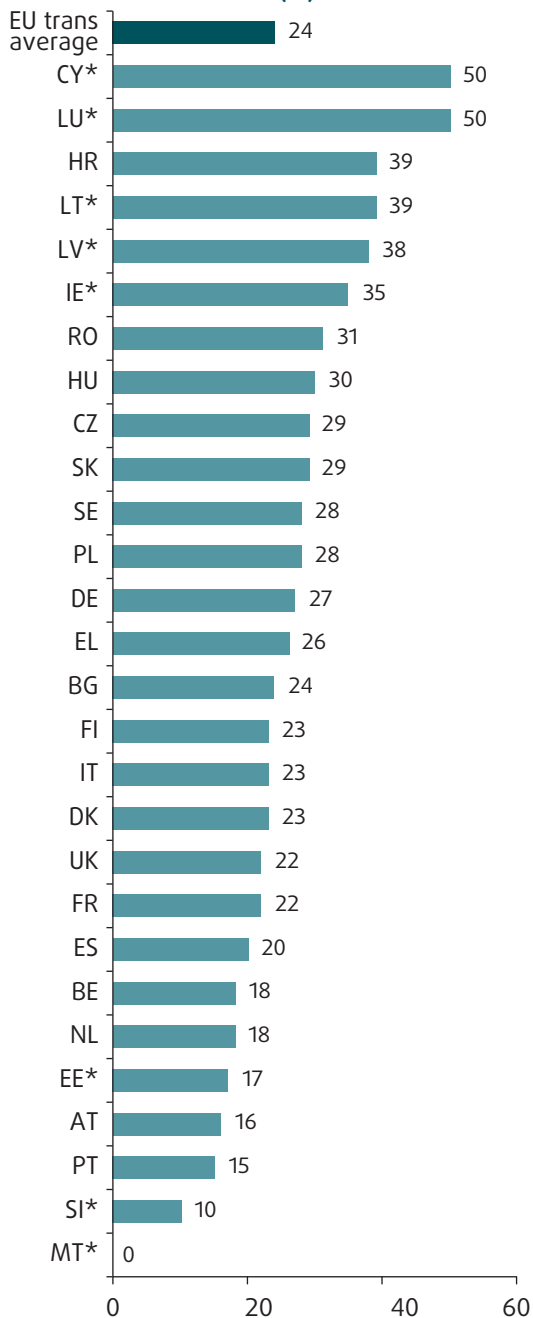
**Question:** C4. During the last 12 months, have you personally felt discriminated against because of being transgender in any of the following situations: - F. By school/university personnel. This could have happened to you as a student or as a parent.

**Base:** Trans respondents in the EU LGBT survey who attended school/university themselves or had a child/children in school/at university during last 12 months (N=3,025).

**Source:** FRA, EU LGBT survey, 2012



**Figure 16: Feeling discriminated against by school/ university personnel because of being trans in the last 12 months, by EU Member State (%)**



**Question:** C4. During the last 12 months, have you personally felt discriminated against because of being transgender in any of the following situations: - F. By school/university personnel. This could have happened to you as a student or as a parent.

**Note:** \* Cases with fewer than 30 responses.

**Base:** Trans respondents in the EU LGBT survey who attended school/university themselves or had a child/children in school/at university during 12 months before the survey.

**Source:** FRA, EU LGBT survey, 2012

### 1.5.2. Discrimination experiences at school before the age of 18

#### Openness about being trans at school before the age of 18

Trans respondents were asked whether during their schooling before the age of 18 they talked openly about being trans. Of all trans respondents who felt the question applied to them, only 8 % were often or always open at school, 78 % never and 13 % rarely (Figure 17). Part of the explanation for this overall very low rate can be found in the ‘age of awareness’. From previous surveys it is known that not all trans people ‘know’ from an early age how to describe their gender identity,<sup>48</sup> and many lack information on transgenderism, and/or the possibility of identification as a trans person.

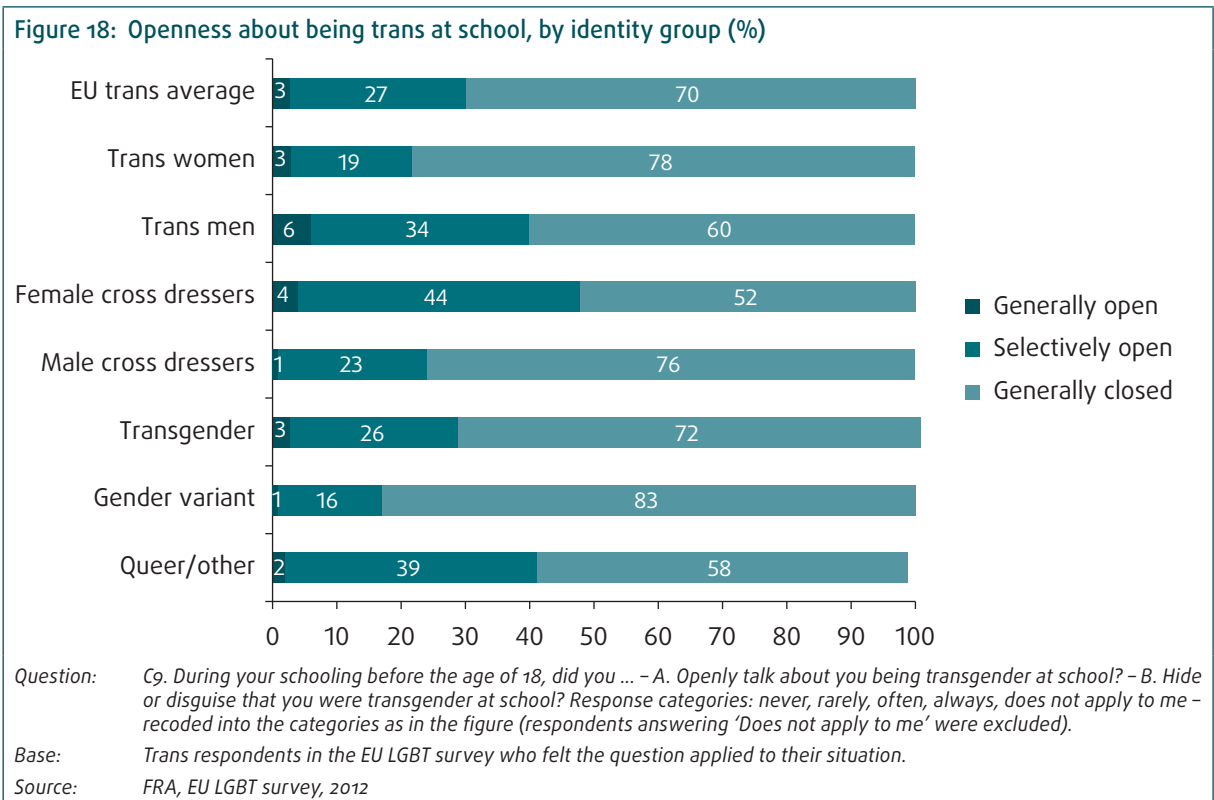
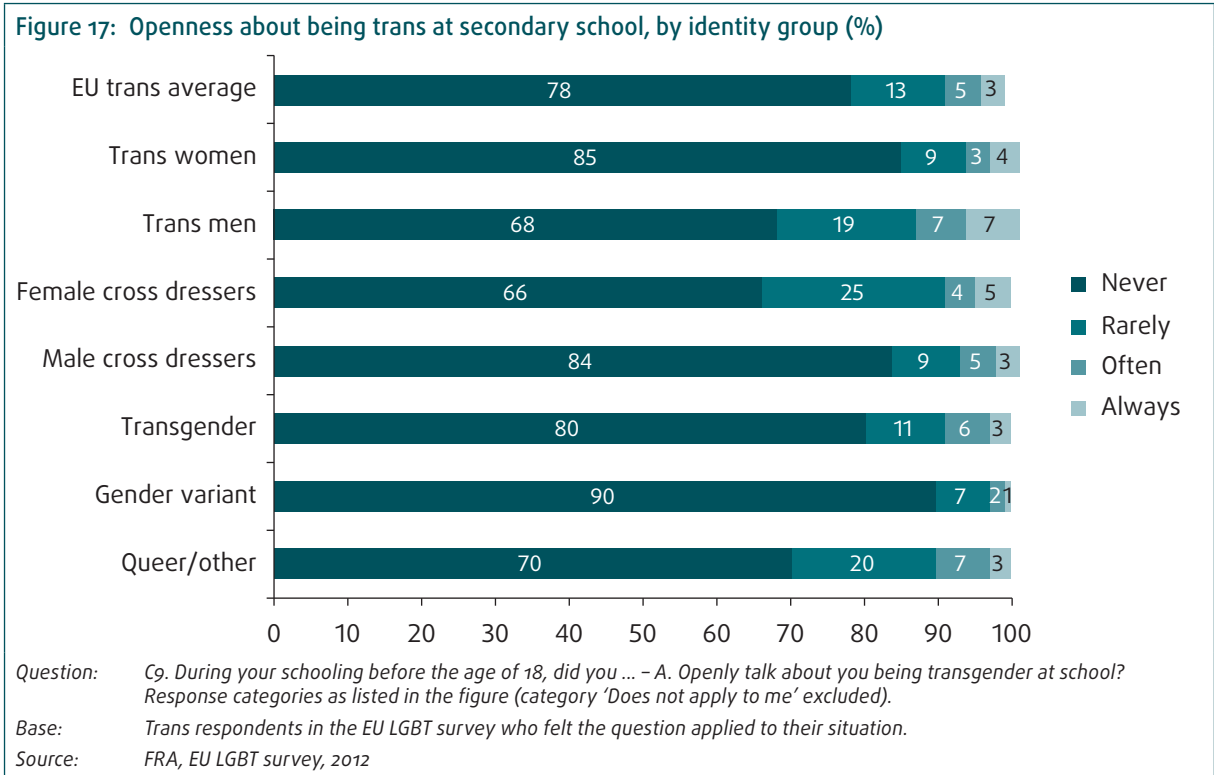
Besides being actively open about being trans, the questionnaire also asked about the opposite tendency: whether or not respondents consciously *hid or disguised* their identities (for example by avoiding non-normative gender expression or by specifically denying their preference) at school before the age of 18. On average, eight in 10 respondents (82 %) say that they often or always hid or disguised being trans at secondary school.

To facilitate further analysis, replies on being open and on hiding or disguising their trans identity were categorised into three groups: those who were *generally open* about their trans identity at school (always open and never or rarely hiding being trans at school), those who were *generally closed* (never open about being trans and often or always disguising being trans at school), and the rest, who were *open selectively* (Figure 18).

Seven in 10 respondents indicate that they were generally closed when they attended secondary school. Over a quarter was selectively open and only 3 % were generally open about being trans at secondary school. Gender variant respondents, trans women, male cross dressers and transgender respondents indicated particularly high numbers of being generally closed at secondary school.

Here again, the more widespread the measures promoting respect for the human rights of trans people are in their country of residence (based on the perception of the trans respondents), the more respondents are likely to be generally open at work and the less they are generally closed. More influential than this, however, is the existence of positive measures regarding openness at school. This might be due to the fact that positive

<sup>48</sup> For those who presented themselves at a clinic, a multi-centre European research project has shown that the age of onset is different for females and males. The majority of trans men have an earlier age of onset whereas half of the group of trans women have a relatively late age of onset (Nieder, T.O. et al. (2011)).

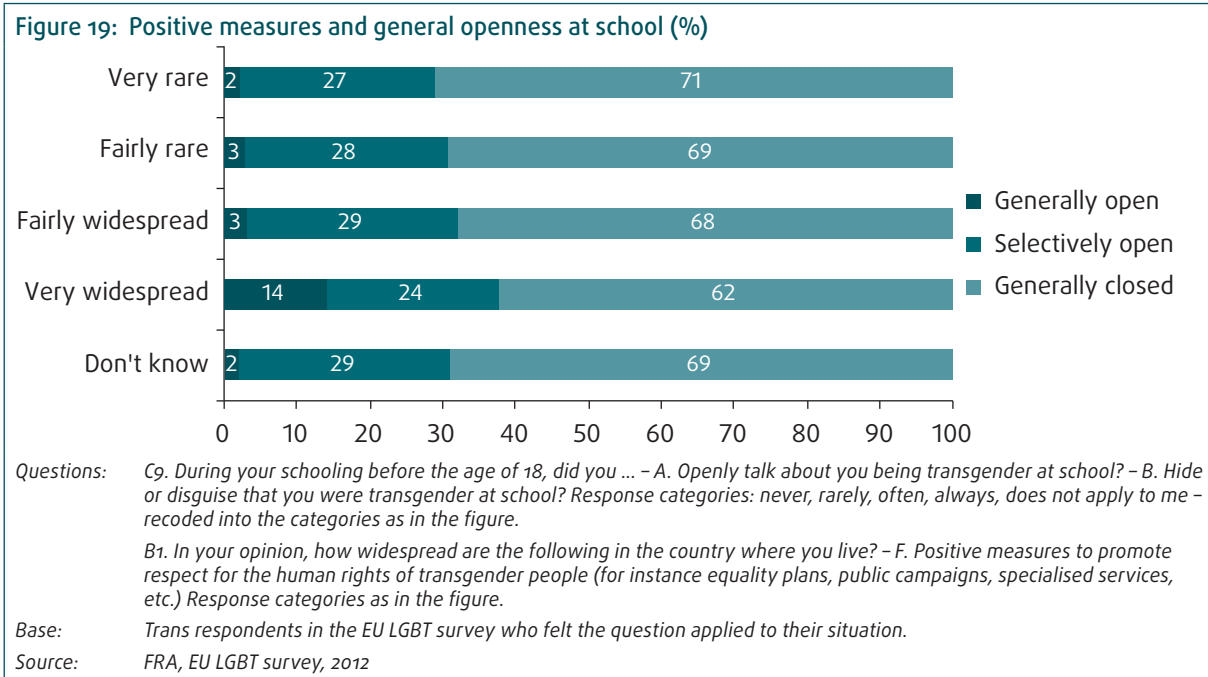


measures toward equality at work are more widespread than positive measure in schools or that – as explained earlier – people may not be ready to express their trans identity at an earlier age (Figure 19).

Those who are currently in paid work report considerably more often that they were generally closed in

secondary school than those who are currently not in paid work. In addition, those respondents who have completed higher education report significantly more often that they were generally closed at secondary school than respondents with less than higher education. The same tendency regards income: the higher the income quartile, the more likely the respondents were



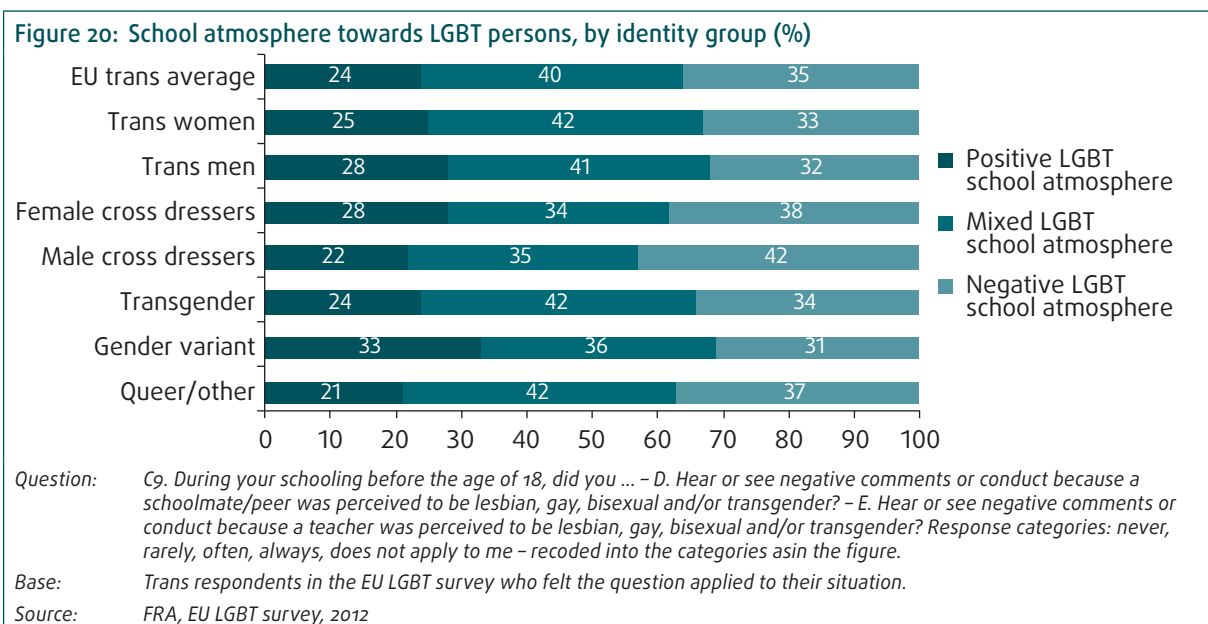


generally closed in secondary school. It seems as if trans people with higher education, higher income and in paid work have a history of being closed (or unaware) about being trans during their schooling years.

### Experience with trans hostility at school before the age of 18

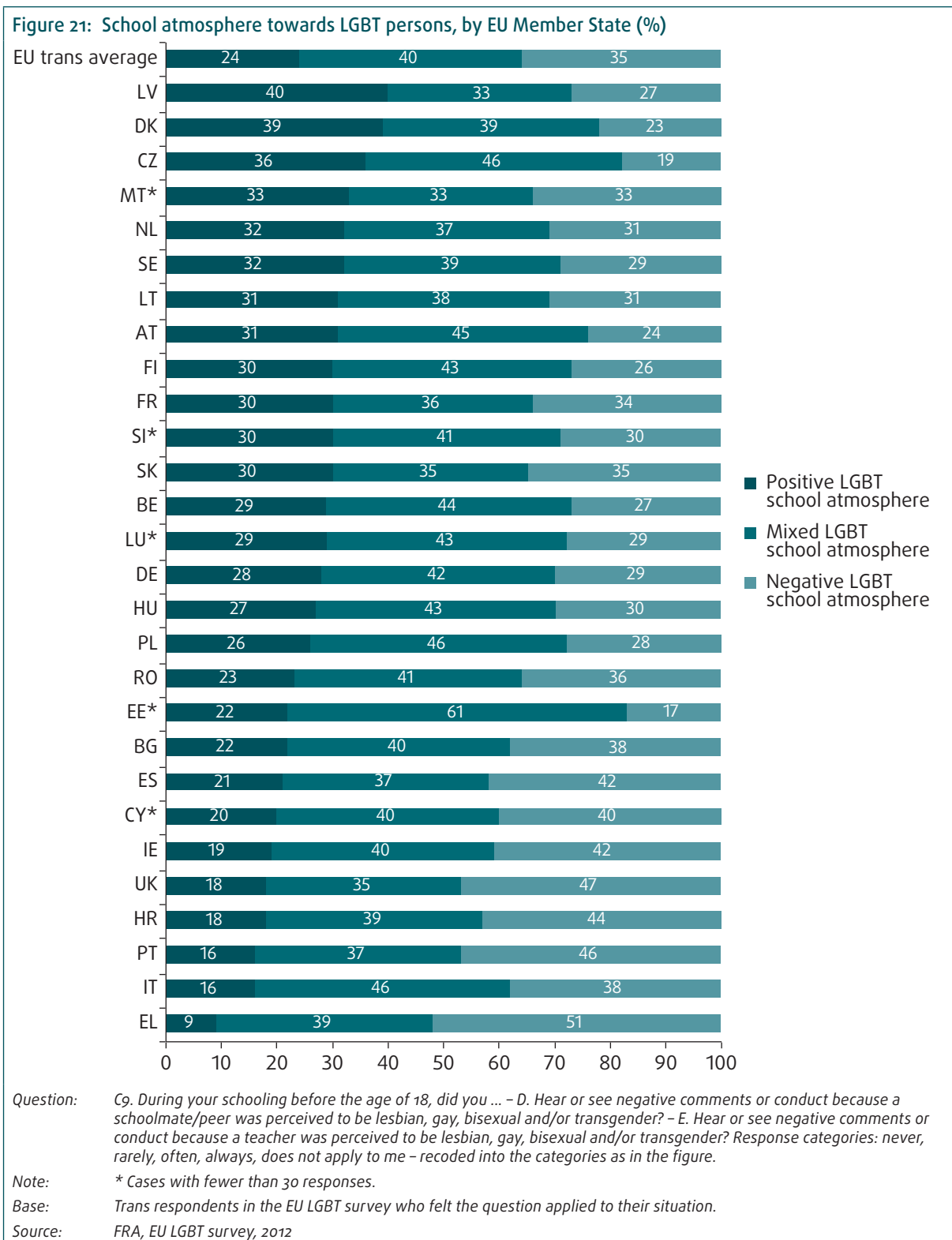
Many trans respondents recall a rather negative general atmosphere towards LGBT persons at secondary school. Seven in 10 (69%) indicate they have heard or seen negative comments or conduct during their schooling before the age of 18, because a schoolmate/peer was perceived to be LGBT. Almost half of trans respondents (45%) also indicate having heard or seen negative comments or conduct because a teacher was perceived to be LGBT.

To facilitate further analysis, replies were categorised into three groups: those who experienced a *negative school atmosphere towards LGBT people* (having often or always heard or seen negative comments or conduct because a schoolmate/peer is perceived to be LGBT and often or having always heard or seen negative comments or conduct because a teacher is perceived to be LGBT), those who experienced a *positive school atmosphere towards LGBT people* (having never or rarely heard or seen negative comments or conduct because a schoolmate/peer is perceived to be LGBT and having never or rarely heard or seen negative comments or conduct because a teacher is perceived to be LGBT), and the rest, who experienced a *mixed school atmosphere towards LGBT people* (Figure 20).



On average, one in three trans respondents experienced a negative LGBT school atmosphere. A quarter experienced a positive school atmosphere. A breakdown by identity group reveals that the queer/other respondents and the male cross dressers are the least likely to have experienced a positive school atmosphere towards LGBT people.

A breakdown by EU Member State shows that respondents from Greece, Italy, Portugal, Croatia, the United Kingdom, Ireland, Spain, Bulgaria and Romania are the least likely to have experienced a positive LGBT atmosphere at school. Respondents from Latvia, Denmark and the Czech Republic are the most likely to have experienced a positive school atmosphere towards LGBT persons (Figure 21).

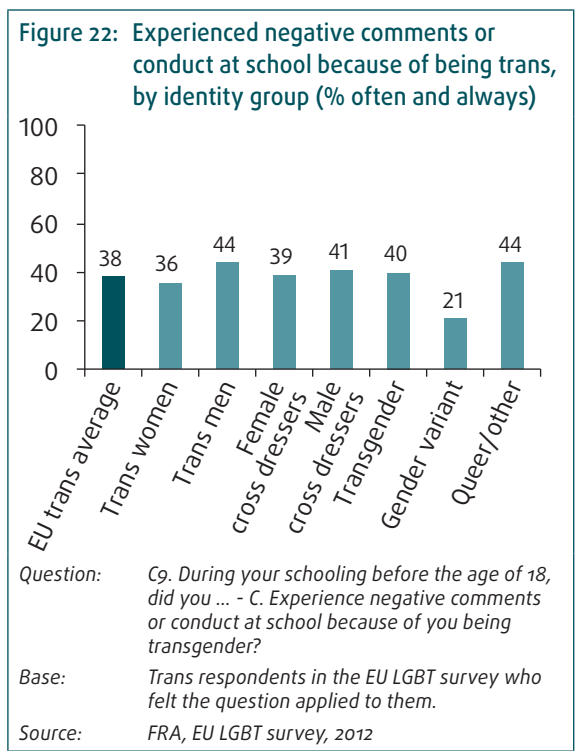


## Personal experiences with negative comments or conduct at school before the age of 18

The EU LGBT survey asked respondents if they had experienced negative comments or conduct at school towards themselves because of being trans. More than a third (38 %) say that this happened often or always. On the other hand, 38 % of trans respondents say they never experienced negative comments or conduct at school for that reason.

Gender variant respondents are the least likely to have often or always experienced negative comments or conduct towards themselves because of being trans (21 %). Trans men (44 %) and queer/other respondents (44 %) are the most likely to have often or always experienced this.

Respondents who were not in paid work when completing the survey were more likely to have experienced negative comments or conduct at school towards themselves because of being trans (41 %) than those in paid work (35 %) regardless of their income quartile. Given that the respondents not in paid work are also over-represented among those who do not hide or disguise their identity, one could reasonably hypothesise that their schooling experience affected their employment prospects. Such a direct relationship is not proven by the survey results but could be a possible direction for future research. It could also be argued, however, that the lack of employment could affect the way respondents answer a survey about past negative experiences. In any case, it goes without saying that trans persons should not feel limited in expressing their gender identity out of fear of exclusion from the labour market.



## 1.6. Discrimination in healthcare and social services

*“I have experience of communication with transphobic psychologists who think that my gender identity is the result of some kind of trauma and is nearly an illness. I do not think that it is an illness. I like my identity; I simply do not like society’s reaction to it.” (Queer, 40, Latvia)*

According to Article 35 of the EU Charter of Fundamental Rights “Everyone has the right of access to preventive health care and the right to benefit from medical treatment under the conditions established by national laws and practices. A high level of human health protection shall be ensured in the definition and implementation of all the Union’s policies and activities.”

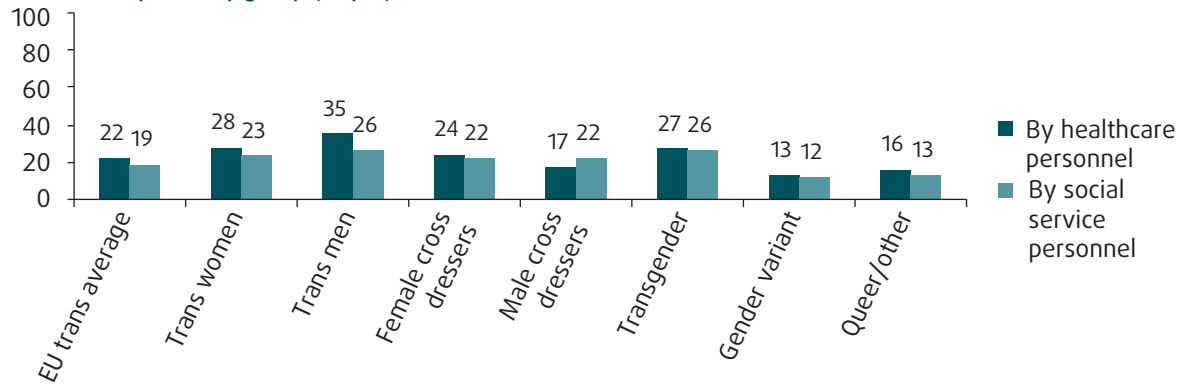
The specific needs of some parts of the trans population make access to healthcare a highly relevant issue. Notably, the ECtHR ruled that although a law allowed for legal gender recognition, a person’s right to private life (Article 8 of the ECHR)<sup>49</sup> had still been violated, because the law regulating full gender-reassignment surgery, although drafted, had yet to be adopted.

Council of Europe Recommendation 2010(5) calls on member states to ensure that the highest attainable standard of health can be effectively enjoyed without discrimination on the grounds of sexual orientation or gender identity. It also specifies, that “transgender persons [should] have effective access to appropriate gender reassignment services”. Moreover, according to this Recommendation, “any decisions limiting the costs covered by health insurance for gender reassignment procedures should be lawful, objective and proportionate”.

Among trans respondents who accessed healthcare services in the 12 months preceding the survey, over one in five (22%) say that they felt personally discriminated against by healthcare personnel because of being trans. Similarly, 19 % of trans respondents who used social services in the same period felt discriminated against by social services personnel (Figure 23). This type of discrimination is twice as high among trans respondents as among respondents to the EU LGBT survey.

<sup>49</sup> ECtHR, *L. v. Lithuania*, No. 27527/03, 11 September 2007. According to the court’s press release, “The Court observed that Lithuanian law had recognised transsexuals’ right to change not only their gender but also their civil status. However, there was a gap in the relevant legislation: the law regulating full gender-reassignment surgery, although drafted, had yet to be adopted. In the meantime, no suitable medical facilities are reasonably accessible in Lithuania. That legislative gap had left the applicant in a situation of distressing uncertainty as to his private life and the recognition of his true identity[...] The Court therefore concluded that there had been a violation of Article 8.”

**Figure 23: Feeling discriminated against in the last 12 months when accessing healthcare or social services, by identity group (% yes)**



Question: C4. During the last 12 months, have you personally felt discriminated against because of being trans in any of the following situations:.. - D. By healthcare personnel (e.g. a receptionist, nurse or doctor) - E. By social service personnel?

Base: Trans respondents in the EU LGBT survey who accessed healthcare services in the 12 months preceding the survey (N=5,236) and/or who accessed social services (N=1,921).

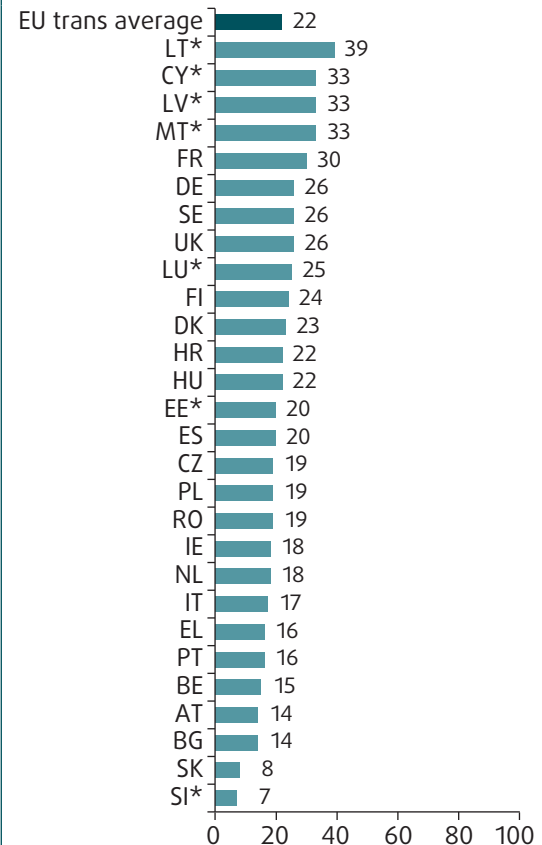
Source: FRA, EU LGBT survey, 2012

Experiences differed by identity group, with trans women, trans men and transgender respondents indicating the highest rate of negative experiences.

Discrimination experiences by healthcare personnel differ by country. Excluding EU Member States where the number of trans responses for analysis was too small, Slovakia showed the lowest incidence (8 %) and France (30%), Germany, Sweden and the United Kingdom (26 % for all three) the highest (in both cases excluding the EU Member States where the number of trans respondents available for analysis is low). These are presented with an asterisk in Figure 24.

Increased openness to medical staff/healthcare personnel linked to more negative experiences. Of those respondents who were not open vis-à-vis medical staff 16 % report negative experiences. This rises to 30 % when they were open to a few, to most or to all medical staff they encountered. Again, it is important to guarantee healthcare services in which trans people are encouraged to express their gender identity. Trans persons should not be required to hide or disguise their gender identity to avoid negative experiences in accessing treatment and enjoying their right to health.

**Figure 24: Feeling discriminated when accessing healthcare in the last 12 months, by EU Member State (%)**



Question: C4. During the last 12 months, have you personally felt discriminated against because of being trans in any of the following situations:.. - D. By healthcare personnel (e.g. a receptionist, nurse or doctor). Yes.

Note: \*Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey that had accessed healthcare services in the 12 months preceding the survey.

Source: FRA, EU LGBT survey, 2012

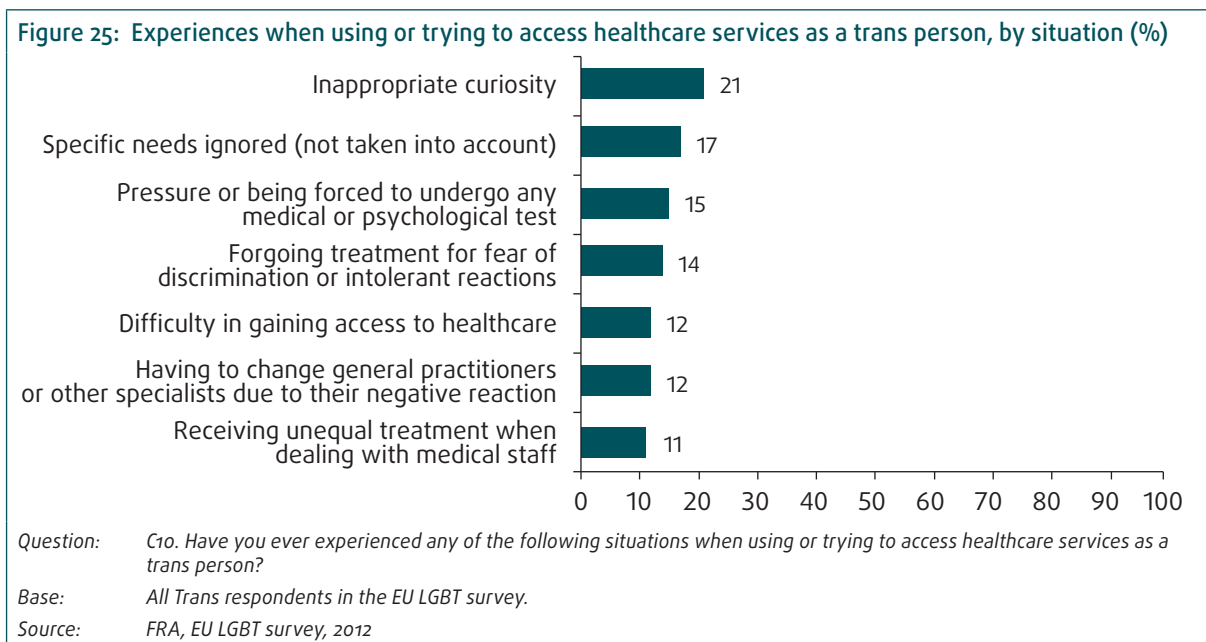
### 1.6.1. Experiences in accessing healthcare services

*“Having travelled in Europe I found myself to be a second-class citizen basically everywhere I’ve been. In my home country I still cannot change my birth certificate, from which all my other IDs are derived, to reflect my true gender. I have to live up to the gender expectations of medical professionals to receive treatment.”* (Trans, 34, Ireland)

For many trans people the discrepancy between gender identity and/or expression and the body can lead to difficulties when accessing healthcare services. In the EU-wide Transgender Eurostudy, up to 30 % of respondents experienced a situation where a healthcare practitioner wanted to help but lacked information about trans issues.<sup>50</sup> In a Belgian study, a third of trans persons report having changed healthcare provider or avoided mental health services due to prior negative experiences. Of the total, 70 % encountered negative experiences in healthcare.<sup>51</sup>

In the EU LGBT Survey one in five trans respondents (21 %) indicate having experienced inappropriate curiosity and 17 % say that their specific needs were ignored when accessing healthcare services (Figure 25).

These experiences differ according to identity group. Gender variant respondents and female and male cross dressers report fewer negative incidents involving healthcare personnel (Table 2).



<sup>50</sup> Whittle, S. et al. (2008).

<sup>51</sup> Motmans, J. et al. (2010); see also for Ireland: McNeil, J. et al. (2013).

**Table 2: Experiences when using or trying to access healthcare services as a trans person, by identity group (%)**

	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
Inappropriate curiosity	21	25	16	5	4	21	5	23
Specific needs ignored (not taken into account)	17	33	15	4	3	20	5	19
Pressure or being forced to undergo any medical or psychological test	15	32	17	3	4	22	4	15
Forgoing treatment for fear of discrimination or intolerant reactions	14	26	15	5	3*	22	7	22
Difficulty in gaining access to healthcare	12	39	15	2*	2*	20	4	18
Having to change general practitioners or other specialists due to their negative reaction	12	31	17	4	3	22	5	18
Receiving unequal treatment when dealing with medical staff	11	33	16	4	3*	18	4	23

Question: C10. Have you ever experienced any of the following situations when using or trying to access healthcare services as a trans person?

Note: \* Cases with fewer than 30 responses.

Base: All Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

## 1.7. Discrimination in other goods and services available to the public

*“I do not want to receive any special treatment because of my gender but, merely be accepted as a woman. [...] I am pigeonholed/labelled as a transgender and that in my perception is not the case, I am female. It is virtually impossible to live life stealthily when organisations seem to insist that you disclose previous names and gender, to be able to qualify for certain goods and services.”*

(‘Other’ identity, 42, United Kingdom).

Aside from access to health and education, there are other goods and services relevant to the experiences of trans persons, such as housing, sports and going out to bars and restaurants. The Gender Equality Directive on Goods and Services (Directive 2004/113/EC) bans discrimination in these areas on the grounds of sex. It covers discrimination on the grounds of gender reassignment (in accordance with CJEU case law), but not on gender identity or gender expression as such. This leaves half of the EU LGBT trans sample – all those who have not undergone gender reassignment – unprotected

from discrimination by the EU law for equal treatment between women and men. In the field of application of EU law, however, the general principle of non-discrimination would apply.

In 2008, the European Commission proposed a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation, to broaden the scope of protection against discrimination. The European Parliament called on Member States to adopt the proposed directive. Recently, in its Resolution on the EU Roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity the European Parliament called on the Commission to “include a specific focus on access to goods and services by transgender persons when monitoring the implementation of Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services”.<sup>52</sup>

The Council of Europe’s Committee of Ministers also addresses access to goods and services in its

<sup>52</sup> European Parliament (2014).



Recommendation 2010(5). This Recommendation calls on member states to ensure, for example, equal access to adequate housing and sport facilities, including explicitly transgender persons.

In addition to the domains already covered, the EU LGBT survey measured experiences of discrimination because of being trans in accessing various goods and services available to the public. These included: when looking for a house or apartment to rent or buy; visiting a café, restaurant, bar or nightclub; visiting a shop; visiting a bank or insurance company; or exercising at a sport or fitness club. Questions inquired about feeling personally discriminated because of being trans, in the 12 months preceding the survey. Respondents were screened beforehand to make sure that the questions concerning discrimination were only asked of those who had used the particular service or engaged in the given activity.

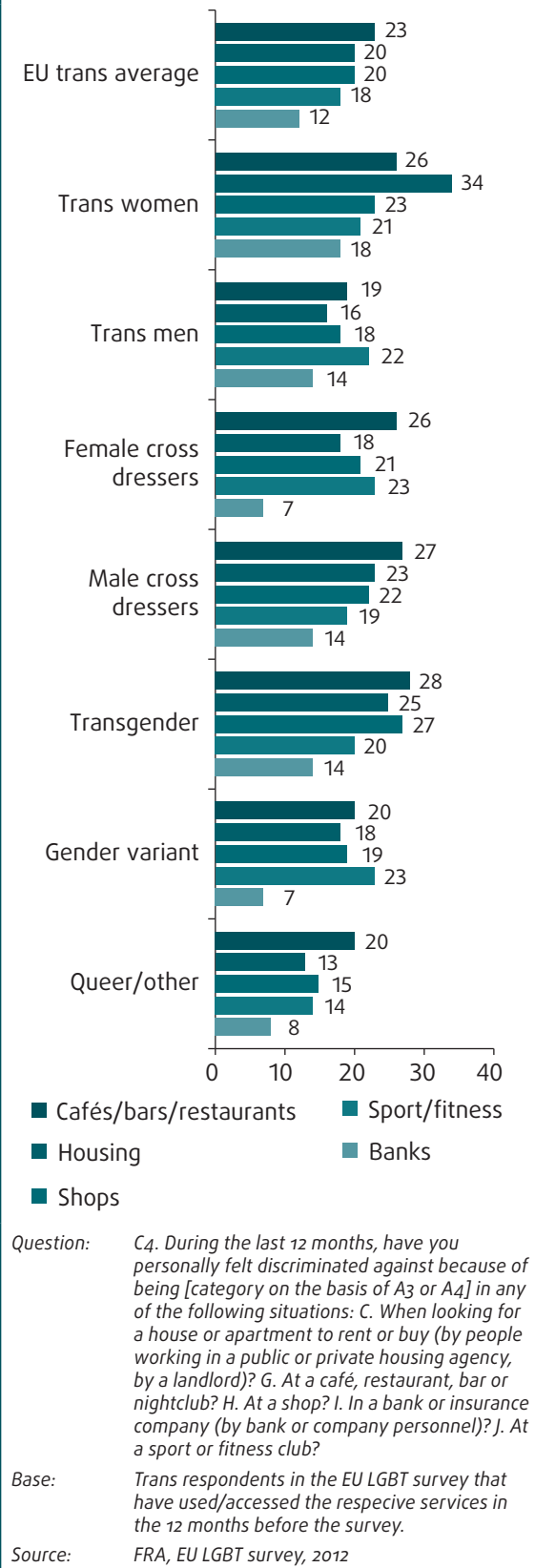
Of the trans respondents who accessed these services in the 12 months preceding the survey, around 18 %–23 % felt personally discriminated against because of being trans in shops, cafés, restaurants, bars and nightclubs, at sports and fitness clubs and when looking for a house during this period. One in eight experienced discrimination in a bank or insurance company (by bank or company personnel). Figure 26 gives an overview of the proportion of users who felt discriminated against in each activity during the year preceding the survey. As in other areas of life, the relative ‘invisibility’ of the trans group, their openness or avoidance behaviour when using these services may result in lower rates of discrimination than if they are more open about being trans. The main survey results report<sup>53</sup> shows that trans respondents face markedly more discrimination because of being trans than other LGB groups when using these services. These findings indicate the need for a horizontal approach aiming at anti-discrimination for trans people in all areas of life.

*“There is nothing stopping providers of goods and services from making it mandatory for people to identify as male or female to use them. This is a huge problem as a lot of things are done online and you cannot use the good or service without identifying as female or male. Basically this means that I suffer constant discrimination.”*

(Gender variant, 24, United Kingdom)

One in five (20 %) trans respondents who **looked for a house or apartment to rent or buy** in the year preceding the survey said they felt personally discriminated against because of being trans. The group of trans women in particular (34 %) indicate a high rate of discrimination, but transgender (25 %) and male cross dressers (23 %) also score above the EU average for trans respondents.

**Figure 26: Feeling discriminated against because of being trans in services available to the public in the last 12 months, by identity group (%)**



53 FRA (2014a).

Trans respondents in the youngest age group (18–24) are less likely (16 %) than trans respondents aged 25 and above (22 %) to have experienced this type of discrimination. Feelings of discrimination do not vary by educational level. Respondent not in paid work report feelings of discrimination when looking for a house or apartment to rent or buy in the 12 months preceding the survey far more often than those in paid work (31 % versus 18 %). Similarly, respondents from the lowest income quartile indicate significantly more often (27 %) having felt discriminated against in the same situation than the other income groups (14 %–19 %).

Of those trans respondents who **visited a café, restaurant, bar or nightclub** in the 12 months preceding the survey, slightly over one in five (23 %) felt discriminated against when doing so because of being trans. Trans men are the least likely to indicate this (19 %). Young trans respondents are more likely to indicate such feelings than older respondents. Trans respondents in paid work were less often discriminated against than those not in paid work (20 % versus 26 %) when they visited a café, restaurant, bar or nightclub in the 12 months preceding to the survey. Respondents from the two lowest income quartiles are more likely to have experienced this kind of discrimination than those from the two highest income quartiles.

Of those trans respondents who **visited a shop** in the year before the survey, one in five (20 %) felt discriminated against when doing so because of being trans. Transgender respondents indicated the highest rate of feeling discriminated against in shops in the 12 months preceding the survey (27 %). Discrimination experiences in shops during the 12 months prior to the survey becomes less frequent when respondents are older. Respondents in paid work felt discriminated against less often than those not in paid work (18 % versus 24 %). The same distinction exists between more highly educated<sup>54</sup> (18 %) and less educated respondents (21 %). Respondents from the two lowest income quartiles are more likely to have felt discriminated against in shops than those from the two highest income quartiles. This difference is only valid for those in paid work.

One in five (18 %) trans respondents who **exercised at a sport and fitness club** in the year preceding the survey say that they felt personally discriminated against because of being trans. The group of queer/other respondents are less likely than the other sub groups to indicate having felt discriminated against in this way (14 %). Feeling discriminated against at a sport or fitness club is less frequent among the older age groups (aged 40 and above) than among younger respondents. Trans respondents in paid work are less

likely to indicate having felt discriminated against than those not in paid work (15 % versus 24 %). Similarly, trans respondents from the lower income quartiles are more likely to indicate having felt discriminated against than those from higher income quartiles.

One in eight trans respondents (12 %) who **visited a bank or insurance company** in the year preceding the survey felt discriminated against because of being trans by bank or company personnel during that time. Again, trans women are the most likely to indicate having felt discriminated against in this way (18 %). For this type of discrimination, there is no difference between age groups. Trans respondents in paid work feel less often discriminated against than those not in paid work (10 % versus 18 %). Trans respondents who were not in paid work *and* who were from the lowest income quartile, are more likely to have felt discriminated against in this way than those not in paid work and from the other income quartiles.

## 1.8. Reporting discrimination incidents and rights awareness

*“The reason for me not reporting discrimination is that it is structural and very difficult to pinpoint.”*

(Transexual, Bisexual, 37, Sweden)

Reporting discrimination incidents to the competent authorities, such as the Equality Bodies, is essential to combat discrimination based on gender identity. For the principle of non-discrimination on the grounds of gender identity to be effective, it is important to enforce the existing legal framework prohibiting discrimination in the field of employment. The Gender Equality Directive (recast) provides for the establishment of equality bodies tasked with assisting victims of discrimination in pursuing their complaints about discrimination (Article 20.2(a)). Victims of discrimination are encouraged to report incidents to equality bodies. Moreover, Member States must allow civil society organisations to help the victims in judicial or administrative proceedings (Article 17.2).

One of the main objectives of the EU LGBT survey was to collect information on the level of awareness of the legal prohibition of discrimination and the level of reporting of discrimination incidents which respondents thought had occurred because they were LGBT. The survey asked those who encountered discrimination in any of the previously discussed services of public interest whether they or someone else had reported the incident. Respondents were also asked to recall their most recent incident of discrimination.

<sup>54</sup> More highly educated covers respondents with college/university/higher academic education.





Only very small numbers of respondents reported their last incident (15 %) (Figure 27). Nevertheless, trans people are more likely to report the last incident of discrimination than other LGB groups (8 % of lesbian women, 11 % of gay men, 6 % of bisexual women and 11 % of bisexual men).<sup>55</sup> Trans women are the most likely to report it (23 %), and gender variant persons the least likely (6 %).

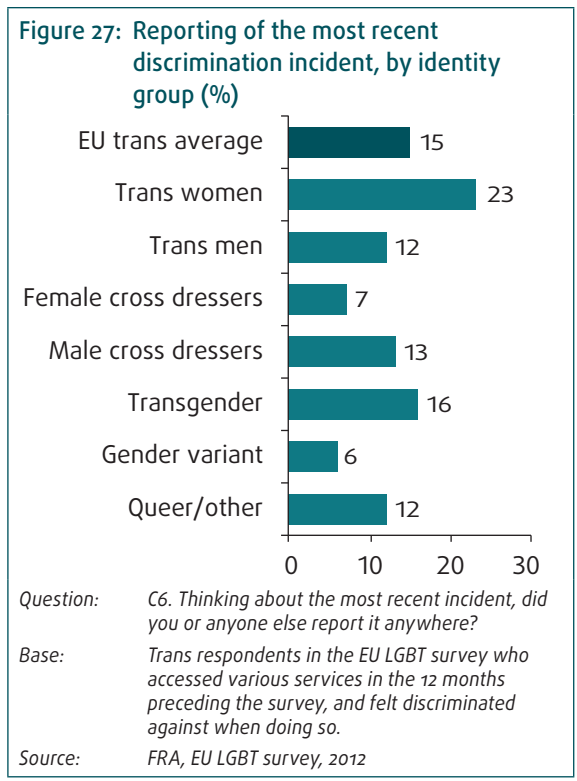


Figure 28 illustrates that more incidents are reported when the last one happened at work (29 %). Existing equality legislation and policies and procedures in place for reporting discrimination that takes place at work might help explain these findings. For those whose latest experience of discrimination happened when looking for a job, the rate of reporting is higher among respondents who know that their country of residence prohibits by law discrimination against persons because of their gender identity when applying for a job than among respondents who are not aware of such a law. The direction of the correlation can also be reversed: trans persons may well be better informed about their legal protection against discrimination once they themselves have reported an incident of discrimination. The data show that in general, however, the different country reporting rates hinge on which countries promote positive measures towards trans people, as indicated by the survey respondents. When respondents recognise such positive measures as fairly or very widespread in a country, the rate of reporting of discrimination experiences in the year preceding the survey reaches 23 %. When positive measures are very or fairly rare in the country, reporting rates remain at 14 %. This suggests that were domains other than employment to offer a similar level of protection against discrimination for trans people, reporting numbers in those domains would increase.

The reasons for not reporting are diverse. An overall large number of respondents are: convinced that nothing would happen or change (62 %); feeling that it is not worth it (47 %); concerned that the incident would not be taken seriously (40 %); or unwilling to reveal their sexual orientation and/or gender identity (38 %). Nearly



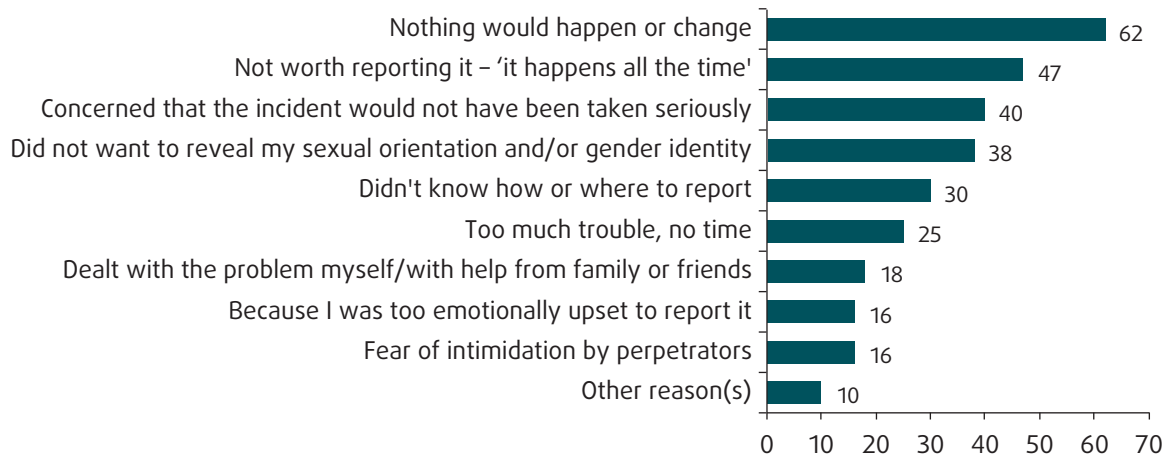
55 FRA (2014a).

one in three (30%) did not know where to report their experience. Emotional reasons are also mentioned, such as shame, fear and being emotionally upset (Figure 29).

The cross dresser and gender variant respondent groups are the most likely not to report the most recent incident

of discrimination because they are unwilling to reveal their sexual orientation and/or gender identity. The group of trans women are the least likely to choose this option as a reason for not reporting (Figure 30).

**Figure 29: Why most recent incident of discrimination was not reported (%)**



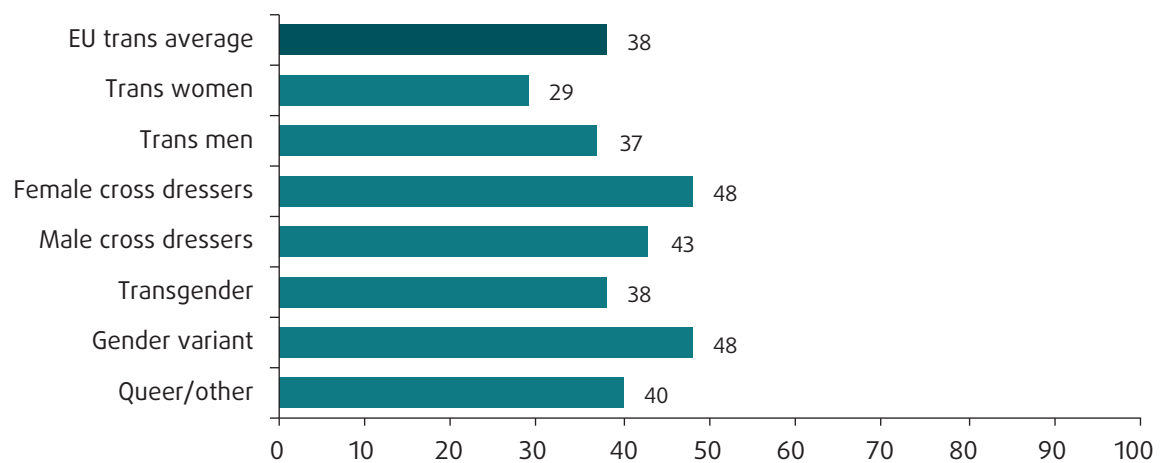
Questions: C6. Thinking about the most recent incident, did you or anyone else report it anywhere? 'No'.

C7. Why was it not reported?

Base: Trans respondents in the EU LGBT survey who were discriminated against, and did not reported the most recent discrimination incident.

Source: FRA, EU LGBT survey, 2012

**Figure 30: Respondents not reporting discrimination incidents to avoid revealing their sexual orientation and/or gender identity (%)**



Questions: C6. Thinking about the most recent incident, did you or anyone else report it anywhere? 'No'.

C7. Why was it not reported? - 2. Did not want to reveal my sexual orientation and/or gender identity.

Base: Trans respondents in the EU LGBT survey who were discriminated against, and did not reported the most recent discrimination incident.

Source: FRA, EU LGBT survey, 2012



## FRA opinions

**Discrimination in employment and access to goods and services**

*The survey results show a strikingly strong correlation between gender expression and discrimination experiences. When revising current equality legislation or adopting new legislation in that area, the EU legislator should ensure that the legislation also covers discrimination based on gender identity. The current legal protection granted by EU law to those who intend, are undergoing or have undergone gender reassignment should be extended to all trans persons.*

*The survey shows that very few trans respondents report the discrimination incidents they experience to the authorities. The EU should continue to monitor closely the effectiveness of national complaints bodies and procedures in the context of the implementation of the Gender Equality Directive (2006/54/EC) recast and Gender Equality Directive on Goods and Services (2004/113/EC). EU Member States should ensure that equality bodies and other national complaints mechanisms are adequately mandated and resourced in order to increase awareness of discrimination on the grounds of gender identity and improve reporting of incidents.*

*EU Member States should ensure that the public sector develops and implements diversity strategies and equal treatment policies in full respect of privacy, sharing experiences and good practices addressing the needs of trans persons. This may be achieved by, for example, adopting codes of conduct and facilitating changes in name and gender markers on employment-related documents. Member States should encourage efforts by trade unions and employers' organisations to improve diversity and non-discrimination policies on the grounds of gender identity at the workplace and in vocational training institutions.*

**Discrimination in education**

*The survey shows that education is an area where trans respondents experience bullying and negative reactions because of their gender expression or identity. The EU should help combating bully of trans persons in schools whether of students or parents, as part of its efforts to combat gender stereotypes through the EU Strategy for equality between women and men. The EU's Programme for Education should encourage peer learning among EU Member States and promote existing best practices tackling transphobic bullying.*

*EU Member States should ensure that schools provide a safe and supportive environment for trans persons, free from discrimination, bullying and exclusion. Schools should be encouraged to adopt general anti-bullying policies that include trans issues.*

*The competent public authorities, such as equality bodies, national human rights institutions and children's ombudspersons, should be properly mandated, resourced and encouraged to explore cases of bullying and discrimination on grounds of gender identity in education.*

*EU Member States should ensure that objective information on gender identity and gender expression is part of school curricula, to encourage respect and understanding among staff and students and to raise awareness of the problems faced by trans persons. EU Member States should provide training to educational professionals on how to approach trans issues in education and on how to deal with incidents of transphobic bullying and harassment.*

**Discrimination and access to health**

*As the survey shows, about one in five respondents who accessed healthcare services or social services in the year preceding the survey felt discriminated against by healthcare or social service personnel because of being trans. EU Member States should ensure that adequate training and awareness raising is offered to healthcare practitioners and health insurance personnel on the health needs of trans persons to eliminate prejudices and improve the provision of services to trans persons.*

*EU Member States should consider ensuring that trans-specific healthcare services are available and that trans persons can enjoy equal and respectful treatment when accessing healthcare services. Member States should consider facilitating gender confirming treatment, and, where this is unavailable, promoting access to such treatment in an EU Member State that offers it.*

*EU Member States should reference trans-specific healthcare in their national health plans and policies and ensure that health surveys, training curricula and health policies also take into account trans persons and their needs.*



# 2

## Violence and harassment



### 2.1. Research and policy context

*“The implementation of the provisions of this Convention by the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status.”*

Council of Europe (11 May 2011), Council of Europe Convention on preventing and combating violence against women and domestic violence

Acts of violence and harassment infringe the right to life, the right to respect for physical and mental integrity and therefore human dignity. These rights are protected by the EU Charter of Fundamental Rights.

In 2012, the EU adopted the Victims’ Directive (Directive 2012/29/EU), establishing minimum standards on the rights, support and protection of victims of crime. The directive aims to ensure that victims of crime receive appropriate information, support and protection and are able to participate in criminal proceedings (Article 1). The directive mentions ‘gender identity’ and ‘gender expression’ several times. In Recital 9, for instance, it establishes ‘gender identity’ and ‘gender expression’ as grounds of discrimination. Relevant authorities responsible for providing help to victims of crime should identify specific protection needs by individually assessing victims (Article 22). In this regard, they should take the victim’s gender identity or expression into account (Recital 56).

The EU Victims’ Directive should be seen in the context of previously adopted EU legislation which requires

### Main findings

- Trans respondents report a high level of violence, hate-motivated attacks and harassment. One in three trans respondents (34 %) experienced violence or was threatened with violence in the five years preceding the survey. One in eight (15 %) experienced violence or was threatened with violence in the 12 months preceding the survey. Trans respondents are the most likely of all LGBT groups to say they were attacked or threatened with violence in both the five-year and one-year time periods.
- Nearly one in ten (8 %) of all trans respondents were physically or sexually attacked or threatened with violence in a way which they think happened in part or entirely because they were perceived to be trans.
- The annual incidence rate of violence is around one incident per two trans respondents, which is twice as high as the incidence rates for lesbian, gay and bisexual respondents. About two in five (44 %) trans respondents who were victims of violence in the 12 months preceding the survey indicate that this happened three times or more in the preceding year.
- Trans women, male cross dressers and transgender respondents are the most likely to say they experienced hate-motivated violence in the 12 months preceding the survey.
- In general, physical and/or sexual attacks (assaults) happened more often than the threats of such violence.
- Two in three trans respondents (62 %) indicate that they were personally harassed by someone or a group in a way that really annoyed, offended or upset them – at work, at home, on the street, on public transport, in a shop, in an office or on the internet – in the 12 months preceding the survey.
- Socio-demographic analyses of the data on harassment indicate that respondents who are younger, not in paid work, and/or from the lowest income class are the most likely to

have experienced hate-motivated violence in the 12 months preceding the survey.

- Perpetrators of violence and harassment are in most cases unknown males acting in groups. Most incidents take place in public outdoor spaces. Of all outdoor locations, trans respondents most often cite incidents in a street, square, car park or other public place. Of all indoor locations, hate-motivated violence happens most often at home, whereas hate-motivated harassment happens most often at the workplace. One in 10 of the most recent incidents of harassment took place on the internet or by email, including Facebook, Twitter and so on.
- One in four of the most serious (24 %) violent incidents are reported to the police. Trans respondents are the most likely of all LGBT groups to report to the police. However, only 8 % of the most serious hate-motivated harassments are reported.
- The most cited reason for not going to the police is a deep mistrust of the police authorities: half of the respondents did not report the incident because they thought that the police would not do anything, and one in three because they thought they could not do anything. Additionally, over one in three respondents did not report the incident out of fear of a homophobic and/or transphobic reaction from the police. In the case of hate-motivated harassment, respondents most often say that the incident was too minor, not serious enough to be reported, or that it did not occur to them that they could report it.
- When hate-motivated violence or harassment was reported to an organisation other than the police, most trans respondents reported to an LGBT organisation (more than half), one in 10 reported to a state or national institution, such as an equality body, and/or around 7 %-15 % to a general victim support organisation.

Member States to take measures to combat certain forms and expressions of racism and xenophobia by means of criminal law (Framework Decision 2008/913/JHA). Although this framework decision is restricted to race, colour, religion, descent or national or ethnic origin, a majority of EU Member States have opted to include other grounds, such as sexual orientation or gender identity, in criminal definitions protecting against discrimination.<sup>56</sup>

The Council of Europe’s Istanbul Convention, an important standard-setting instrument, explicitly includes gender identity. The convention aims to “prevent, prosecute and eliminate violence against women and domestic violence” (Article 1.1). The convention includes a non-discrimination clause, according to which “implementation of the provisions of this Convention [...] shall be secured without discrimination on any ground such as [...] gender identity”. This is based on the understanding

<sup>56</sup> FRA (2014b), pp. 137, 219.

that violence against women is a form of gender-based violence that is committed against women because they are women. Violence against trans people could also be considered gender-based violence when that violence is committed against trans people because they are trans (or gender nonconforming). Those who fail to adhere to norms on how men and women should behave in society, known as binary gender norms, experience resentment or even violence in their social surroundings, whatever their sexual orientation or gender identity. The FRA’s LGBT Main results report found that this holds true for the entire LGBT sample, not just for trans respondents.<sup>57</sup>

The European Parliament called on Member States “to register and investigate hate crimes against LGBTI<sup>58</sup> people, and adopt criminal legislation prohibiting incitement to hatred on grounds of sexual orientation and gender identity.” Similarly, the Recommendation Rec(2010)5 encourages Council of Europe member states to “ensure effective, prompt and impartial investigations into alleged cases of crimes and other incidents, where the sexual orientation or gender identity of the victim is reasonably suspected to have constituted a motive for the perpetrator”. It also calls upon them to “ensure that [...] those responsible for such acts are effectively brought to justice and, where appropriate, punished in order to avoid impunity”.<sup>59</sup>

A study from Scotland found that a quarter of the trans respondents left their homes – often ending up homeless – because of transphobic reactions from family members, roommates or neighbours.<sup>60</sup> A European research study found that eight in 10 trans respondents experienced some form of harassment in public, with negative comments followed by verbal abuse the most common types of harassment across all countries.<sup>61</sup> In a recent violence study in Belgium, four fifths of the trans participants reported having experienced transphobic verbal harassment, one third indicated sexual violence and a quarter reported having experienced physical violence at some point before the survey.<sup>62</sup> In general, trans women are more likely to experience harassment than trans men. Those who are not recognised as trans, reflected in what is known as the level of passability, helps shield them from violent experiences.<sup>63</sup> An Irish study found that eight in 10 trans respondents avoid some public places or situations due to fear of harassment.<sup>64</sup>

<sup>57</sup> FRA (2014a).

<sup>58</sup> The acronym ‘LGBTI’ also includes ‘intersex’ persons.

<sup>59</sup> CoE, Committee of Ministers (2010), *Recommendation Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity.*

<sup>60</sup> Morton, J. (2008).

<sup>61</sup> Turner, L. et al. (2009).

<sup>62</sup> Motmans, J. et al. (2014).

<sup>63</sup> *Ibid.*

<sup>64</sup> McNeil, J. et al. (2013).



## 2.2. What did the survey ask?

*“The fear of harassment or worse makes me walk society’s lines and avoid being my real self.”* (Gender variant, 43, Germany)

While the previous sections focused on social acceptance in the general environment and the feeling of being discriminated against, this section examines the results concerning experiences of attacks, threats and harassment trans respondents encounter.<sup>65</sup> The EU LGBT survey asked respondents about their experience of violence and harassment over two time periods – the five years and the 12 months preceding the survey – employing a technique frequently used in victimisation surveys. The questionnaire captured information about incidents experienced and identified as violence or harassment by respondents. These instances were not necessarily judged as such by administrative or judicial processes.

If a respondent indicated having experienced violence or harassment in the 12-month timeframe, the survey queried the number of such incidents. In analysing these answers, researchers computed the *incidence rate of violence or harassment* experienced by survey respondents. To estimate the proportion of *hate-based violence and harassment* respondents had suffered, the survey answers first clarified whether or not victims felt that the last incident of violence or harassment in this time period was in any way related to them being a trans person. Additionally, the questionnaire collected several other *details about the last incident* of violence or harassment, such as the types, perpetrators and reporting.

Throughout this chapter, we deal both with physical or sexual attacks and with threats of violence. In addition, ‘hate-motivated violence’ and ‘hate-motivated harassment’ are used to describe incidents which respondents thought happened in part or entirely because they were perceived to be trans.

## 2.3. Violence and hate-motivated violence

*“To be a transgender in Lithuania is the hardest thing imaginable. I live with constant fear, in the end you don’t even want to live at all. [...] I experience so much discrimination, harassment and violence that this has become my daily life.”* (Transgender, 25, Lithuania)

<sup>65</sup> Acknowledging that recollecting memories and answering questions about the details of past incidences of violence could cause significant psychological discomfort for some respondents, the questionnaire offered direct links to LGBT and victim-support organisations and national helplines for distressed respondents.

*“Homophobia and transphobia are violations of human dignity. Homophobic and transphobic attitudes are incompatible with the values and principles upon which the European Union is founded – as laid out in Article 2 of the Treaty.”*

*European Commission (2013), The Commission’s actions are making LGBT rights a reality, SPEECH/13/424, The Hague, 17 May 2013*

In the five years preceding the survey, 34 % of all trans respondents experienced violence or threats of violence, and 15 % experienced violence or threats of violence in the 12 months preceding the survey. Trans respondents are the most likely of all LGBT groups to say they were attacked or threatened with violence in both the five-year and one-year time periods. A breakdown by trans identity group shows a particularly high prevalence of violent incidents for some groups in the 12 months prior to the survey (32 % for queer/other respondents and 36 % for male cross dressers, for example) (Figure 31).

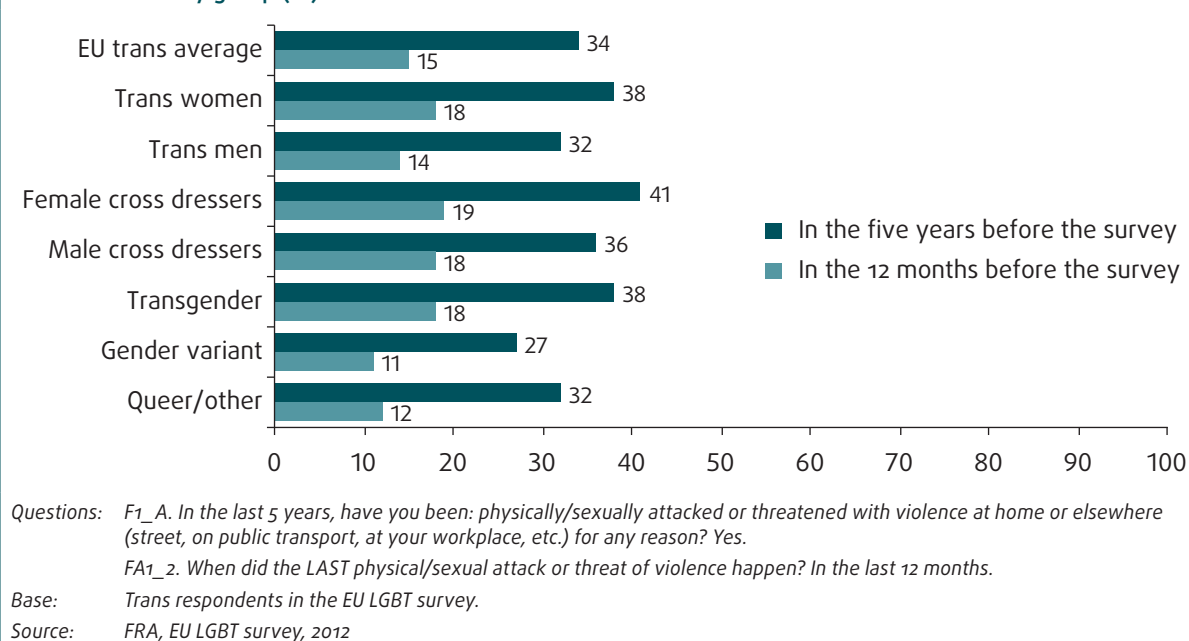
Understanding how trans persons experience violence also requires considering whether or not they are victims of repeated incidents of violence, meaning that they may have been attacked or threatened with violence multiple times within a 12-month period. Respondents who say that they experienced violence in the 12 months preceding the survey were asked how many times this occurred.<sup>66</sup> The average number of violent incidents experienced per respondent per year was then calculated by taking the data on the number of violent incidents per year for the various respondent groups and applying the survey’s weighting methodology. This process gives an annual incidence rate of violence, showing how often survey respondents were victims of attacks or threats of violence in the 12 months preceding to the survey.

The results show that the annual incidence rate of violence is around one incident per two trans respondents, which is twice as high as the incidence rates for lesbian, gay and bisexual respondents.

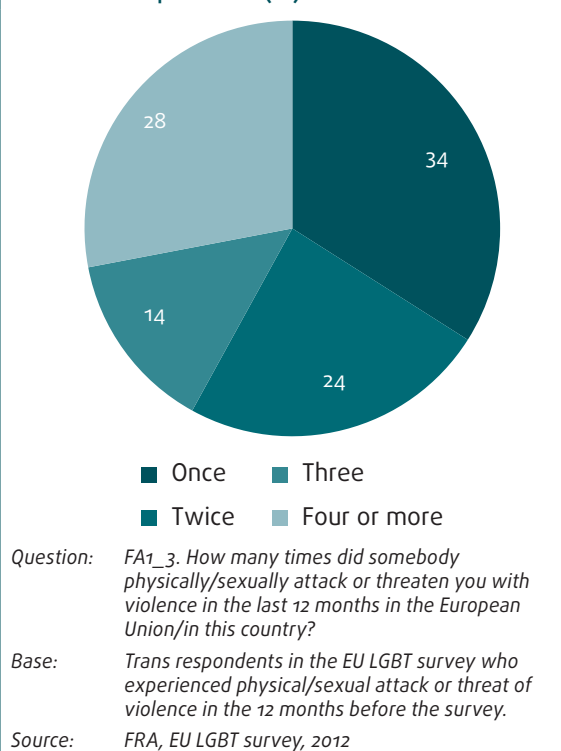
Around two in five (42 %) trans respondents who were victims of violence in the 12 months before the survey indicate that this happened three times or more in the previous year (Figure 32).

<sup>66</sup> Respondents were asked to specify whether they had been victims of violence once, twice, three times, four times, five times, six to 10 times or more than 10 times in the previous year. For this analysis, the “six to 10 times” category was assigned a fixed number of seven incidents, and the “more than 10 times” category 11. Those who did not report any experience of violence in the past year were assigned 0. This included all incidents, regardless of whether or not respondents attributed them to their being trans, and could have happened anywhere in the EU.

**Figure 31: Prevalence of violence and threats of violence in the last five years and the last 12 months, by identity group (%)**



**Figure 32: Number of incidents of violence in the last 12 months among trans respondents (%)**



A breakdown by identity group shows that female and male cross dressers are the most likely to have suffered multiple violent incidents (three times or more) in the 12 months preceding the survey (Figure 33).

### 2.3.1. Hate-motivated violence

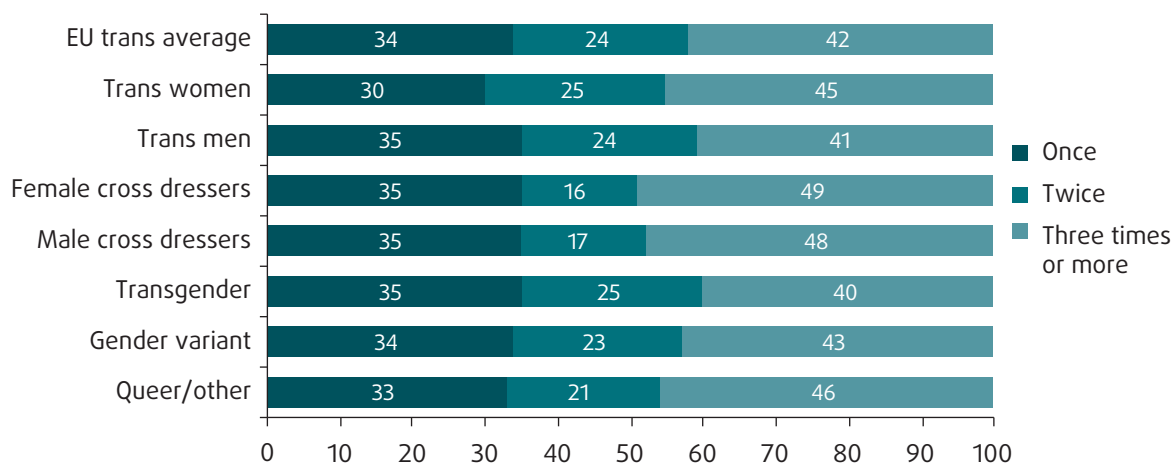
Of those trans respondents who say they experienced violence or threats of violence in the 12 months preceding the survey, the majority (56 %) think that the last such incident happened in part or entirely because they were perceived to be trans. When asked about the most serious incident in the last five years, half of all trans respondents (50 %) think this incident happened in part or entirely because they were perceived to be trans.

Combined with the data on the prevalence of violence, the data on hate-motivated incidents indicate that in the 12 months preceding the survey, 8 % of all trans respondents were physically or sexually attacked or threatened with violence which they think happened partly or entirely because they were perceived to be trans (Figure 34). This calculation takes into account both the most recent and the most serious incident, if it took place in the 12 months preceding the survey. Trans women, male cross dressers and transgender respondents are the most likely to say they experienced hate-motivated violence during that time. In general, physical and/or sexual attacks (assaults) happened more often than threats of physical and/or sexual violence (5 % assaults versus 3 % threats). This finding was true for all identity groups.

The number of respondents who experienced hate-motivated violence in the 12 months preceding the survey varies greatly by Member State (Figure 35). Respondents from Lithuania indicate the



**Figure 33: Respondents who were attacked or threatened with physical and/or sexual violence in the last 12 months, by number of incidents and identity groups (%)**



Question: FA1\_3. How many times did somebody physically/sexually attack or threaten you with violence in the last 12 months in the European Union/in this country?

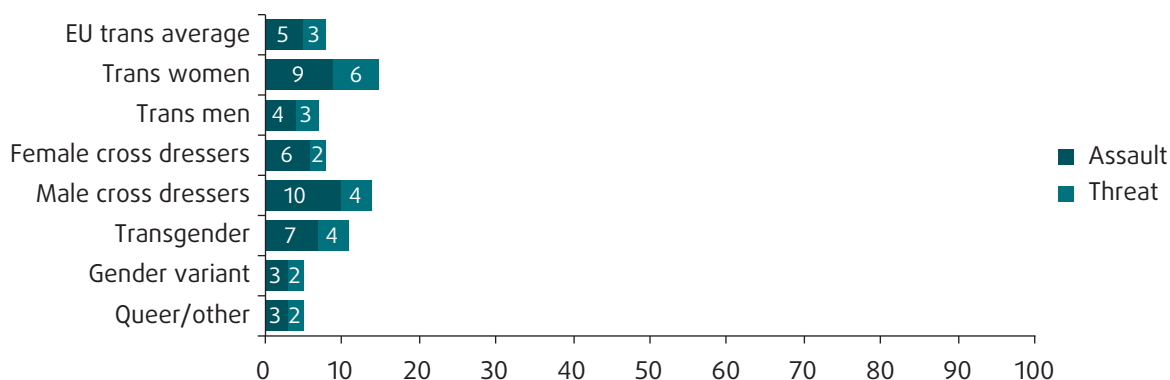
Base: Trans respondents in the EU LGBT survey who experienced physical/sexual attack or threat of violence in the 12 months before the survey.

Source: FRA, EU LGBT survey, 2012

highest percentage of hate-motivated violence (19 %). But even in countries with a robust legal apparatus against hate-motivated crimes, such as Belgium, the United Kingdom, Sweden and the Netherlands, around one in 10 respondents say they experienced hate-motivated crime in the year preceding the survey. These numbers are much higher than what police statistics show.

Socio-demographic analyses of the data indicate that respondents who are younger, not in paid work, and/or from the lowest income class are the most likely to have experienced hate-motivated violence in the 12 months preceding the survey. Respondents in paid work indicate such experiences less often (7 %) than those not in paid work (11 %). Regardless of being in paid work or not, those from the lowest income class

**Figure 34: Prevalence of hate-motivated violence in the last 12 months, by identity group (%)**



Questions: FA1\_2. When did the LAST physical/sexual attack or threat of violence happen?

FA2\_2. When did the MOST SERIOUS incident of physical/sexual attack or threat of violence you experienced in the last 5 years happen?

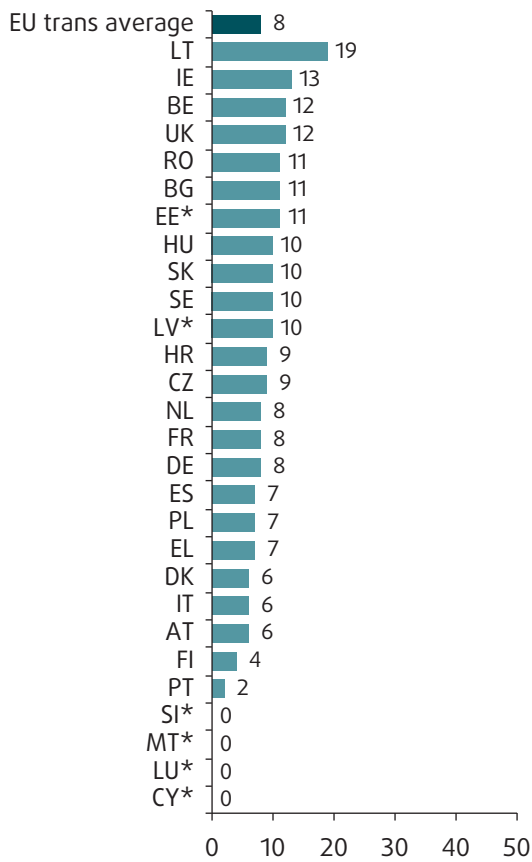
FA1\_5. Do you think the LAST incident of physical/sexual attack or threat of violence in the past 12 months happened partly or completely because you were perceived to be trans?

FA2\_5. Do you think this physical/sexual attack or threat happened partly or completely because you were perceived to be trans?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

**Figure 35: Prevalence of hate-motivated violence in the last 12 months, by EU Member State (%)**



Questions: FA1\_2. When did the LAST physical/sexual attack or threat of violence happen?

FA2\_2. When did the MOST SERIOUS incident of physical/sexual attack or threat of violence you experienced in the last 5 years happen?

FA1\_5. Do you think the LAST incident of physical/sexual attack or threat of violence in the past 12 months happened partly or completely because you were perceived to be trans?

FA2\_5. Do you think this physical/sexual attack or threat happened partly or completely because you were perceived to be trans?

Note: \*Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

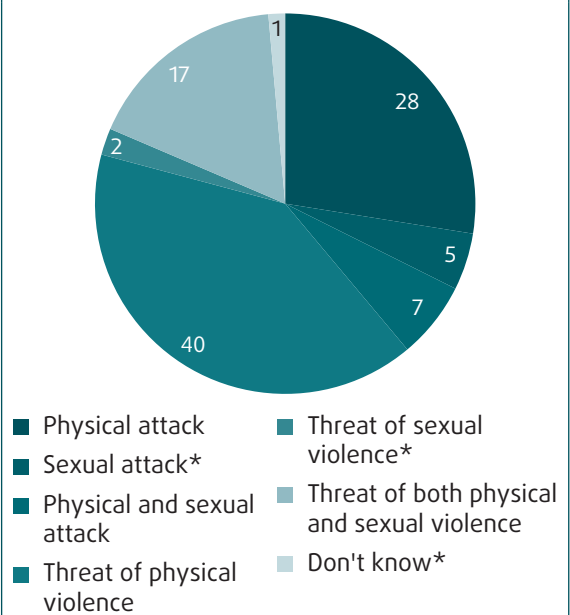
report more experiences of hate-motivated violence in the 12 months preceding the survey than those from the highest income class (12 % versus 5 %).

### 2.3.2. Type, perpetrators and place of hate-motivated violence

*"I have experienced humiliation, beatings, and insults from people I know and people I do not know, but I wanted people in my surroundings to learn that I am a human being like any other, and that my sexual orientation does not make me different from them! I am a human being – a person. I am proud of being gay; I've never lied and will never do so in the future, no matter what price [I have to pay]."*  
(Trans, Gay, 29, Bulgaria)

To gather further information on the nature of violent hate-motivated incidents, the survey asked respondents who experienced hate-based violence in the year preceding the survey about the *last* violent incident they experienced. Respondents were also asked for specific details about the most serious incident of violence experienced in the five years preceding the survey.

**Figure 36: Most recent incident of hate-motivated violence, by type of violence (%)**



Questions: FA1\_4. Thinking about the LAST physical/sexual attack or threat of violence, what happened to you?

FA1\_5. Do you think the LAST incident of physical/sexual attack or threat of violence in the past 12 months happened partly or completely because you were perceived to be trans?

Note: \*Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey who were physically/sexually attacked or threatened with violence in the 12 months before the survey partly or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012

## Type of hate-motivated violence

The most common recent incident was a threat of violence (60 %). In four out of 10 cases (40 %) the respondents reported an actual attack. This result concerns only the most recent incident suffered in the 12 months preceding the survey. Other, perhaps more serious, incidents might have taken place in the same time period.

Because of the total low numbers of trans respondents with experience of hate-motivated incidents (N=540), the different types of incidents were recoded into 'physical and/or sexual attacks' and 'physical and/or sexual threats'. A breakdown by identity group shows that female cross dressers, gender variant respondents and male cross dressers are the most likely to indicate having experienced physical and/or sexual attacks. All other identity groups indicate more threats than actual attacks (Figure 37). There is no notable difference between attacks or threats of a sexual versus of a physical nature between the different identity groups.

## Perpetrators of hate motivated violence and threats of violence

*"I find most problems I face come from strangers in public spaces. I don't think I'm very obviously trans but quite a few people - particularly teenagers - spot me."*  
(Transsexual, 39, United Kingdom)

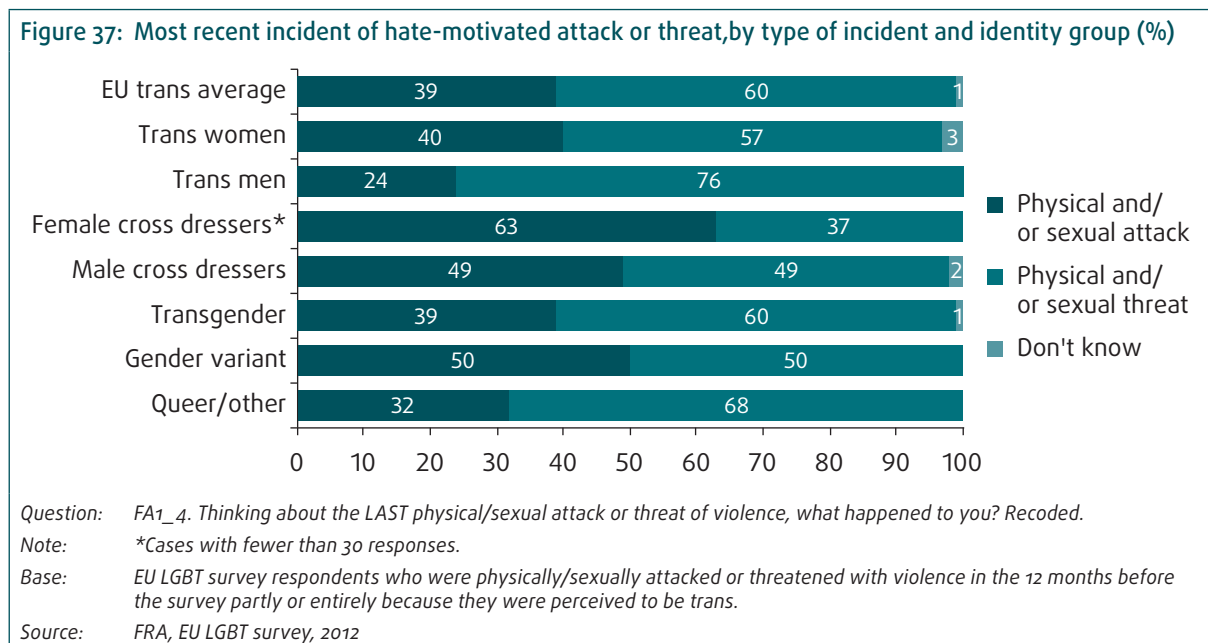
In the survey, victims of violence were asked to give information about the perpetrators, both with respect

to the most recent incident they encountered in the year preceding the survey and the one that they considered the most serious in the five years preceding the survey. The answers to both queries are strikingly similar, sketching a general profile of perpetrators as unknown, male, heterosexual and acting in groups.

As can be seen in Table 3, however, almost one in 10 trans respondent indicates that the perpetrators belong to their own household. Further data analysis shows that for hate-motivated violence that took place in the 12 months preceding the survey, the number of household-based perpetrators rises to one in four in the groups of trans men and of queer/other identified respondents. These are not (only) young people who might suffer violence from older household members: the age at which respondents are most vulnerable to hate-motivated violence perpetrated by a household members is between 40 and 54 years old.

Another striking finding is that in one in three cases the perpetrator was identified as a teenager (or a group of teenagers). This percentage climbs to 51 % for respondents aged 18-24 and to 72 % for trans men aged 18-24.

*"I am actually afraid to go to Athens Pride, because there is this awful organisation named 'Golden Dawn'. They support Hitler and admire Nazis, so they hate homosexuals and want us dead. They are powerful. All I want is to be free to be myself, but how can I do that if I'm in danger?"*  
(Transgender, 18, Greece)



**Table 3: Trans respondents’ perception of the perpetrators of hate-motivated violence and threats of violence in the last 12 months (%)**

	Last	Most serious
<b>Was the perpetrator alone?</b>		
Alone	32	37
More perpetrators	68	63
<b>What was the gender of the perpetrator(s)?</b>		
Male	77	82
Female	5	5
Both male and female	18	12
Don’t know	0	1
<b>Do you think the perpetrator(s) was/were ...?</b>		
Gay	2	3
Lesbian	1	1
Bisexual	1	2
Heterosexual/straight	63	63
Mixed sexual orientation	7	5
Don’t know	26	26
<b>Who was/were the perpetrator(s)?</b>		
Family/household member	9	9
Neighbour	10	7
Colleague at work	7	6
Someone from school, college or university	11	11
A customer, client or patient	5	4
Someone else you know	12	13
Member of an extremist/racist group	17	14
Teenager or group of teenagers	38	32
Police officer	6	6
Security officer/bouncer	5	4
Other public official (e.g. border guard, civil servant)	5	4
Someone else you didn’t know	46	41
Other person(s)	4	4

Questions: FA1\_6.; FA2\_6. Was the perpetrator alone, or was there more than one perpetrator?

FA1\_8.; FA2\_8. What was the gender of the perpetrator(s)?

FA1\_9.; FA2\_9. Do you think the perpetrator(s) was Gay, Lesbian, Bisexual, Heterosexual/straight, Mixed sexual orientation, Don’t know

FA1\_7. Thinking only about the LAST incident – who was the perpetrator(s)? (Response categories as listed in the table)

FA2\_7. Do you think the perpetrator(s) was ...?(Response categories as listed in the table)

Base: Trans respondents in the EU LGBT survey who were physically/sexually attacked or threatened with violence in the 12 months before the survey (last incident) or five years (most serious incident) partly or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012



## Location of hate-motivated violent incidents and threats of violence

Victims were also asked where they encountered the most recent and the most serious instances of violence. Again, the characteristics of the most recent and the most serious crime hardly differ by location. Nor does the type of attack substantially alter the location: the distribution of the locations of hate-based threats and actual assaults are fairly similar.

The hate-motivated incidents took place almost as often indoors as outdoors. In most cases, the most serious hate-motivated incident occurred on the street or in a square, car park or other open public space. Public places seem to be the most dangerous place for trans people to be. In addition, almost one in 10 incidents took place at the respondent's home (Table 4).

### 2.3.3. Reporting hate-motivated violence and threats of violence

#### Reporting to the police

The incidents of violence or threats of violence which the survey respondents recounted are typically

considered criminal acts. As such, they could or should be reported to the police. Of the hate-motivated incidents of violence and threats of violence against trans respondents, over one in five of the most recent (21 %) and almost one in four of the most serious violent incidents (24 %) were reported to the police (Figure 38). Trans respondents are the most likely of all LGBT groups to report to the police.

A breakdown by identity groups shows that trans men are the least likely to report incidents of violence or threats of violence to the police for both the last and the most serious incident. Female cross dressers are the most likely to report the most recent hate-motivated incident of violence or threat of violence that took place in the year preceding the survey (37 %), and trans women are the most likely to report the most serious one (32 %).

Overall, threats of violence are much less likely to be reported than attacks: 15 % of the most serious hate-motivated threats of physical and/or sexual violence in the five years preceding the survey were brought to police attention, compared to 33 % of the most serious hate-motivated physical and/or sexual attacks (Figure 39).

**Table 4: Location of incidents of hate-motivated violence and threat of violence in the last 12 months (%)**

	Last	Most serious
At my home	8	9
In some other residential building, apartment*	3	4
At school, university*	5	6
At the workplace*	3	4
In a café, restaurant, pub, club	10	8
In a car*	1	1
In public transport	9	7
In a sports club*	0	0
Elsewhere indoors*	2	3
In a street, square, car park or other public place	46	43
In a park, forest*	3	4
At an LGBT-specific venue (e.g. club, bar) or event (e.g. pride march)*	2	1
Elsewhere outdoors*	5	7
Other*	2	2

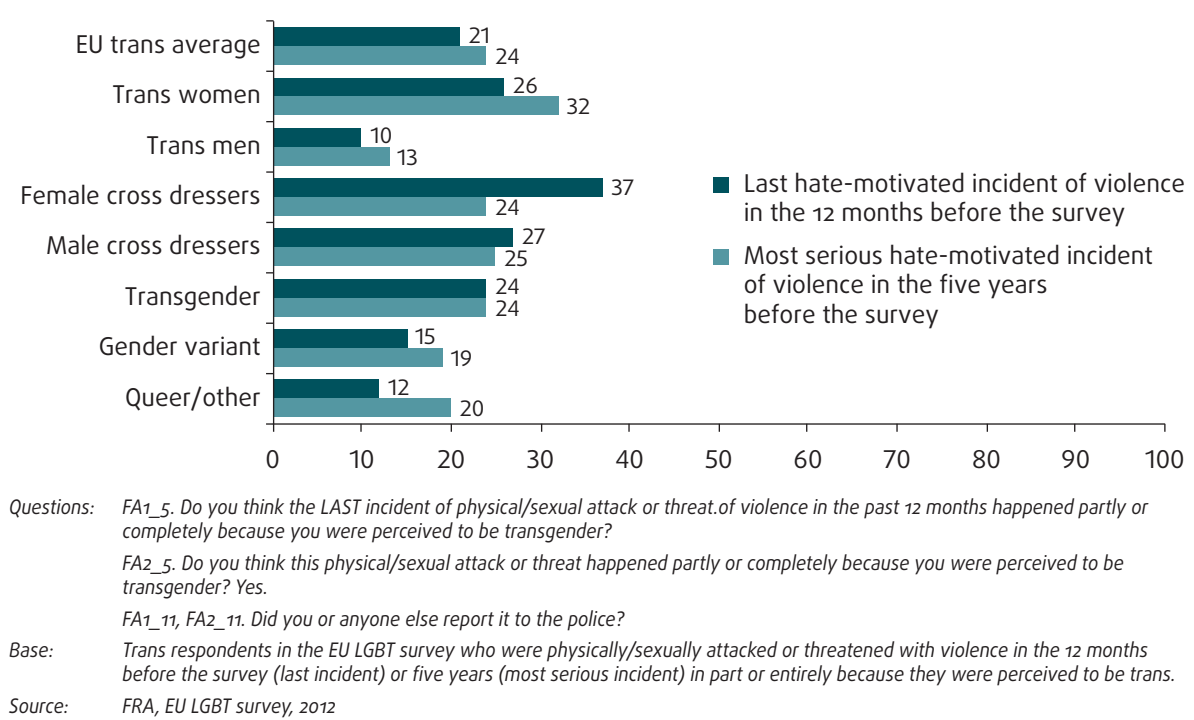
Question: FA1\_10.; FA2\_10. Where did it happen?

Note: \*Cases with fewer than 30 responses.

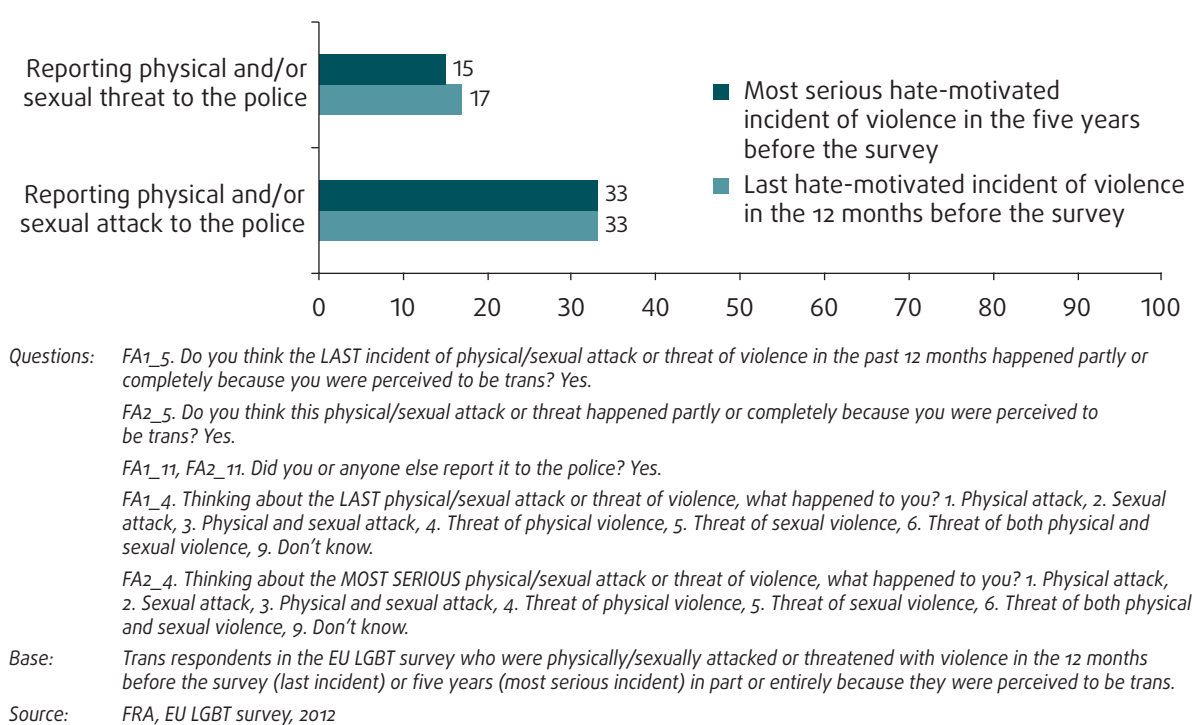
Base: Trans respondents in the EU LGBT survey who were physically/sexually attacked or threatened with violence in the 12 months preceding the survey (last incident) or five years (most serious incident) preceding the survey in part or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012

**Figure 38: Reporting to the police of the last and most serious hate-motivated incident of violence, by identity group (%)**



**Figure 39: Reporting of the last and most serious hate-motivated violence to the police, by type of crime (%)**



### Reasons for not reporting hate-motivated violence to the police

The most cited reason for not going to the police in all cases of hate-motivated violent incidents or threats

is a profound mistrust in the police authorities: half of the respondents did not report the incident because they thought that the police would not do anything, and one in three because they thought they could not do anything. Additionally, over one in three respondents

**Table 5: Reasons for not reporting hate-motivated incidents in the last 12 months to the police (%)**

	Last	Most serious
Did not think they would do anything	51	47
Fear of a homophobic and/or transphobic reaction from the police	42	36
Did not think they could do anything	38	33
Fear of offender, fear of reprisal	31	29
Shame, embarrassment, didn't want anyone to know	29	31
Too minor/not serious enough/never occurred to me	27	20
Too emotionally upset to contact the police	24	24
Would not be believed	24	22
Dealt with it myself/involved a friend/family matter	18	17
Thought it was my fault	8	10
Other reason	8	8
Went someplace else for help	7	6
Didn't want the offender arrested or to get in trouble with the police	7	6
Somebody stopped me or discouraged me	5	5
Went directly to a magistrate or judge to report the incident	0	0

Question: FA1\_12.; FA2\_12. Why did you not report it to the police? (Response categories as listed in the table)

Base: Trans respondents in the EU LGBT survey who were physically/sexually attacked or threatened with violence in the previous 12 months (last incident) or five years (most serious incident) partly or entirely because they were perceived to be trans, and who did not report the incident in question to the police.

Source: FRA, EU LGBT survey, 2012

did not report it out of fear of a homophobic and/or transphobic reaction from the police (Table 5).

Other frequently cited reasons for not reporting are of an emotional nature: one in three did not go to the police because they were ashamed or embarrassed and didn't want anyone to know, and a quarter was too emotionally upset to contact the police. One in three reported a fear of the offender or fear of reprisal. When answering this question, respondents could indicate as many categories as they wished.

## Reporting to other organisations

Victims were asked if they or anyone else reported the hate-motivated incident to organisations or institutions other than the police. A quarter of both the last hate-motivated incidents that happened in the 12 months preceding the survey, as well as of the most serious hate-motivated incidents that happened in the five years preceding it, were reported to other organisations or institutions (Table 6). This is almost the same as the percentage of hate-motivated violence and threats

**Table 6: Reporting the last and the most serious hate-motivated incidents to organisations other than the police (%)**

	Last	Most serious
Reported	26	25
No, did not report	73	73
Don't know	1	2

Question: FA1\_13.; FA2\_13. Did you or anyone else report it to any of the following organisations/institutions?

Base: Trans respondents in the EU LGBT survey who were physically/sexually attacked or threatened with violence in the 12 months preceding the survey (last incident) or five years (most serious incident) preceding the survey in part or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012

that is reported to the police. Although this overall reporting rate might seem low, trans persons report violence more frequently to other organisations than the LGBT average.

Of those respondents who reported incidents of hate-motivated violence to organisations other than the police, reporting to an LGBT organisation was the most frequently chosen answer of all listed options (more than half). Only around one in 10 reported to a state or national institution, such as an equality body, and/or around 15 % to a general victim support organisation (Table 7). It seems that these official institutions are not very attractive to trans people.

## 2.4. Harassment and hate-motivated harassment

*“[...] in the years when my gender was perceived as ambiguous I felt threatened and harassed on a daily basis. [...] the insults range from generic [scum etc] to orientation-based [faggot etc]. My family is supportive of my sex change and unaware of my orientation.” (Transsexual, Gay, 29, Poland)*

In addition to questions on experiences of violence, respondents were also asked whether they had experienced serious harassment. Before presenting the

questions, the survey clarified that: “by harassment we mean unwanted and disturbing behaviour towards you such as name calling, or ridiculing that did not involve actual violence or the threat of violence”.

Over half of all trans respondents (58 %) indicate that they were personally harassed by someone or a group of people in a way that really annoyed, offended or upset them – at work, at home, on the street, on public transport, in a shop, in an office or on the internet – in the five years preceding the survey. Over a third (35 %) of all respondents indicate that they were harassed, for whatever reason, in the 12 months before the survey (Figure 40).

The data on the prevalence of harassment show that, among the trans groups, female cross dressers are the most likely to indicate that they were harassed in the year preceding the survey. Female cross dressers and trans women are the most likely to say that they were harassed in the five years preceding the survey.

The annual incidence rate of harassment is around 1.8 incidents per trans respondent, which is high compared to the incidence rates for lesbian (1.1), gay (0.8), bisexual women (1.2) and bisexual men (0.9) respondents.

As explained in Section 2.1, the calculation of the annual incidence rate takes into account the repetitive

**Table 7: Reporting incidents of the last and most serious hate-motivated violence to organisations other than the police (%)**

	Last	Most serious
Non-governmental organisation	17	14
LGBT organisation	67	51
General victim support organisation	14*	16
State or national institution (such as an equality body)	9*	12
Hospital or other medical service	20	27
Rape crisis centre	4*	4*
Other organisation	20	20

Question: FA1\_13.; FA2\_13. Did you or anyone else report it to any of the following organisations/institutions? (Response categories as listed in the table).

Note: \*Cases with fewer than 30 responses.

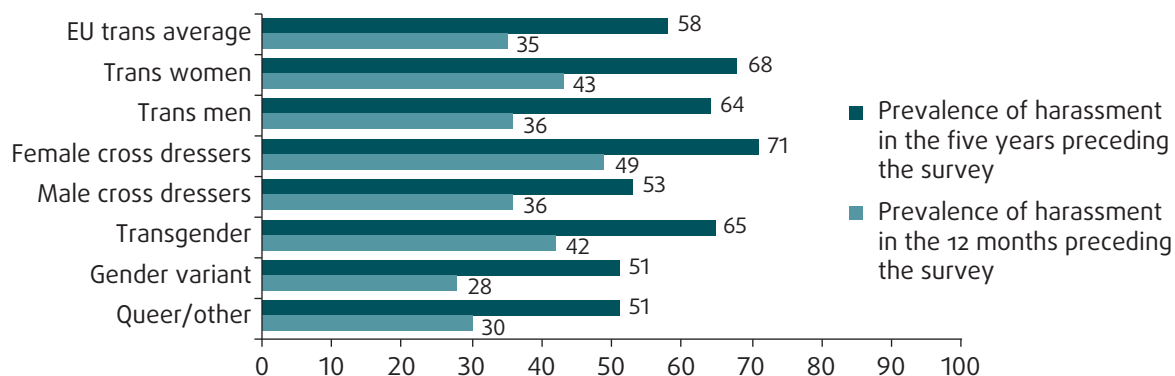
Base: Trans respondents in the EU LGBT survey who were physically/sexually attacked or threatened with violence in the 12 months preceding the survey (last incident) or five years (most serious incident) preceding the survey in part or entirely because they were perceived to be trans and who did not report this to organisations other than the police.

Source: FRA, EU LGBT survey, 2012





Figure 40: Prevalence of harassment in the last 12 months and the last five years, by identity group (%)



Questions: F1\_B. In the last five years, have you been: personally harassed by someone or a group for any reason in a way that really annoyed, offended or upset you – either at work, home, on the street, on public transport, in a shop, in an office or on the internet – or anywhere? Yes.

FB1\_2. When did the LAST incident of harassment happen? In the last 12 months.

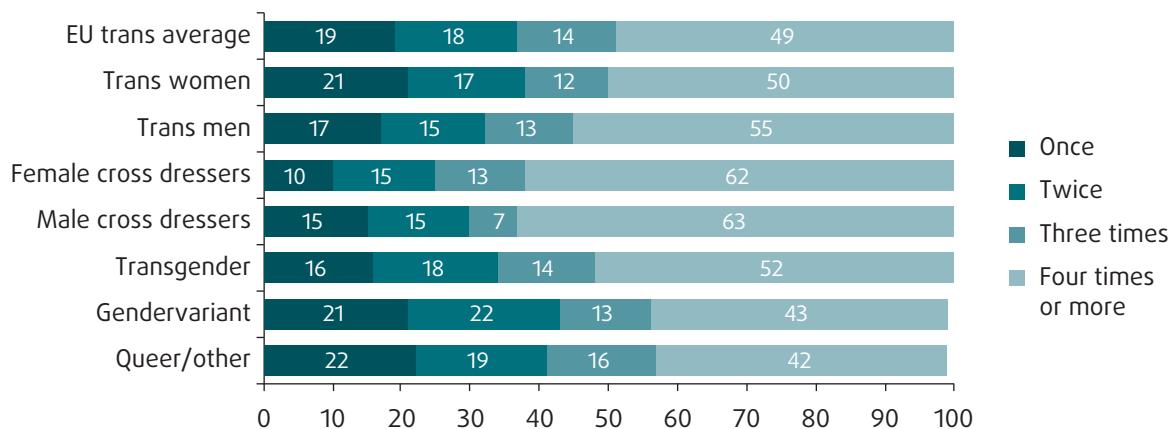
Base: All Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

incidents trans respondents suffer. Respondents who say that they experienced violence in the 12 months preceding the survey were asked how many times this had occurred.<sup>67</sup>

Three out of five (63 %) trans respondents who experienced harassment in the 12 months preceding the survey indicate that this happened three times or more in that time period (Figure 41).

Figure 41: Respondents who were harassed one or more times in the last 12 months, by number of incidents and identity groups (%)



Question: FB1\_3. How many times did somebody harass you in the last 12 months?

Base: EU trans survey transgender respondents who were harassed in the 12 months preceding the survey.

Source: FRA, EU LGBT survey, 2012

67 Respondents were asked to specify whether they had been victims of violence once, twice, three times, four times, five times, six to 10 times or more than 10 times in the previous year. For this analysis, the “six to 10 times” category was assigned a fixed number of seven incidents, and the “more than 10 times” category 11. Those who did not report any experience of violence in the past year were assigned a 0. Note that this included all incidents, regardless of whether or not respondents attributed them to their being trans, and could have happened anywhere in the EU.

### 2.4.1. Hate-motivated harassment

One in five (22 %) trans respondents experienced harassment in the 12 months preceding the survey which they think happened partly or entirely because they were perceived to be trans (Figure 42).

Of all identity groups, trans women (37 %) and transgender respondents (32 %) are the most likely to have experienced hate-motivated harassment in the 12 months preceding the survey. Queer/other respondents (12 %) and gender variant respondents (18 %) are the least likely to attribute a trans negative motive to the incident of harassment.

A breakdown by EU Member State shows great variation in the number of respondents who experienced hate-motivated harassment in the 12 months preceding the survey (Figure 43). Respondents in the United Kingdom (37 %), Ireland (31 %) and Lithuania (31 %) are twice as likely as those in Romania (19 %), Portugal (18 %), Poland (17 %), Slovenia (14 %) and Italy (10 %) to have experienced hate-motivated violence in the 12 months preceding the survey (excluding results for countries where the number of trans respondents was very low).

Socio-demographic analyses of the harassment data indicate that respondents who are younger, not in paid work, and/or from the lowest income class are the most likely to have experienced hate-motivated harassment in the 12 months preceding the survey.

Trans respondents in paid work report hate-motivated harassment less frequently in that time period than those not in paid work (26 % versus 21 %). Regardless of being in paid work or not, respondents from the two lowest income quartiles are more likely to indicate that they experienced hate-motivated harassment in the 12 months preceding the survey than those from the two highest income quartiles (27 % versus 20 %). These are the same socio-demographic respondent groups that face the most hate-motivated violence and the most discrimination because they are trans.

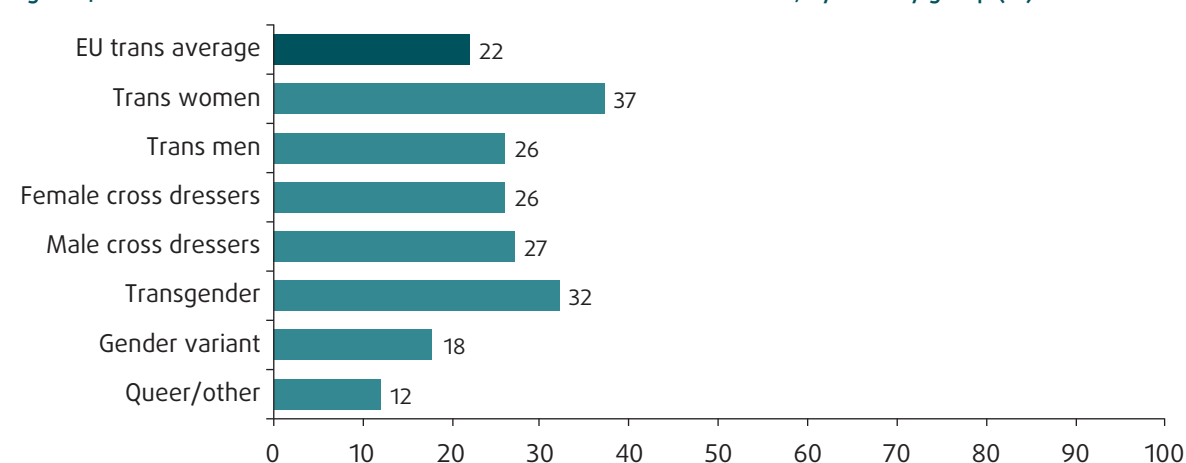
### 2.4.2. Type, perpetrators and location of hate-motivated harassment

To gather further information on the nature of hate-motivated harassment, the survey asked respondents who experienced hate-based harassment in the year preceding the survey about the *last* serious harassment incident they experienced. Respondents were also asked for specific details concerning the most serious incident of harassment experienced in the five years preceding the survey.

#### Type of hate motivated harassment

Of all hate-motivated incidents of harassment which happened in the year preceding the survey, the last incident most frequently involved ridiculing (74 %) or name calling (66 %). When looking at the types of incidents of hate-motivated harassment in the last five years, the same pattern emerges (Figure 44).

**Figure 42: Prevalence of hate-motivated harassment in the last 12 months, by identity group (%)**



Questions: FB1\_2. When did the LAST incident of harassment happen? 1. In the last 12 months, 2. More than 12 months ago.

FB2\_2. When did the MOST SERIOUS incident of harassment you experienced in the last 5 years happen? 1. In the last 12 months, 2. More than 12 months ago.

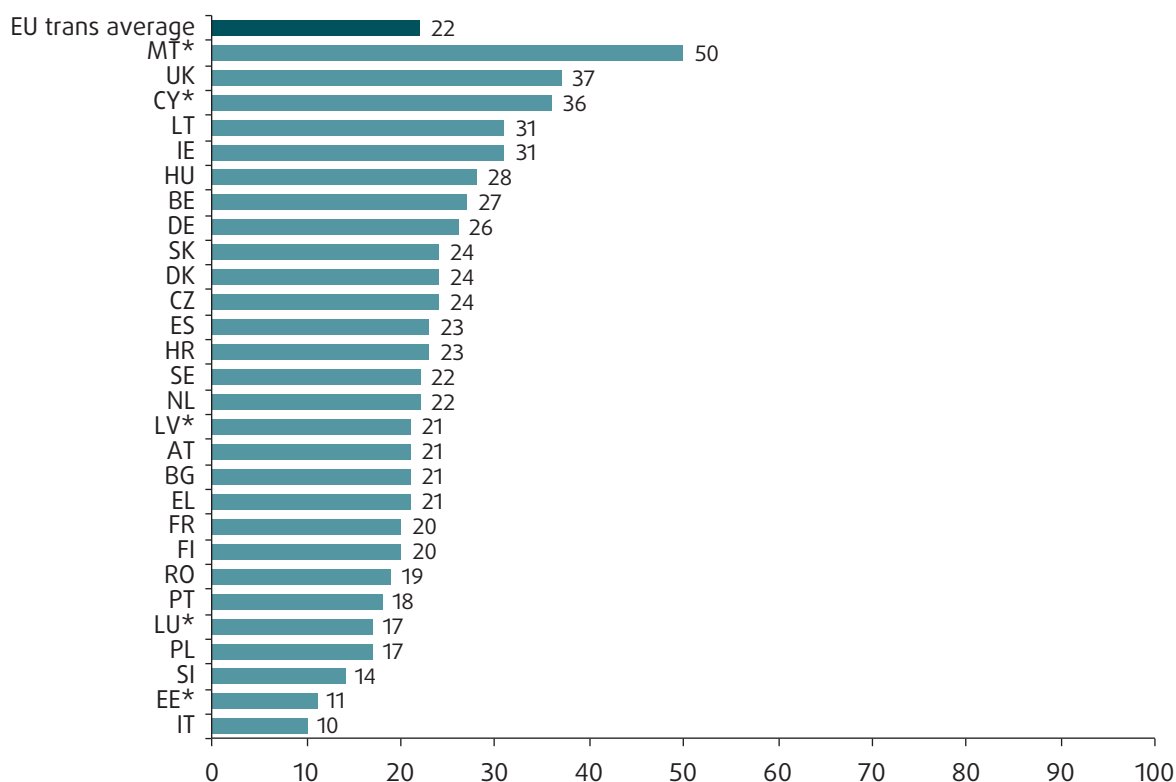
FB1\_5. Do you think the LAST incident of harassment in the past 12 months happened partly or completely because you were perceived to be trans?

FB2\_5. Do you think this incident of harassment happened partly or completely because you were perceived to be trans?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

Figure 43: Prevalence of hate-motivated harassment in the last 12 months, by EU Member State (%)



Questions: FB1\_2. When did the LAST incident of harassment happen?

FB2\_2. When did the MOST SERIOUS incident of harassment you experienced in the last 5 years happen?

FB1\_5. Do you think the LAST incident of harassment in the past 12 months happened partly or completely because you were perceived to be trans?

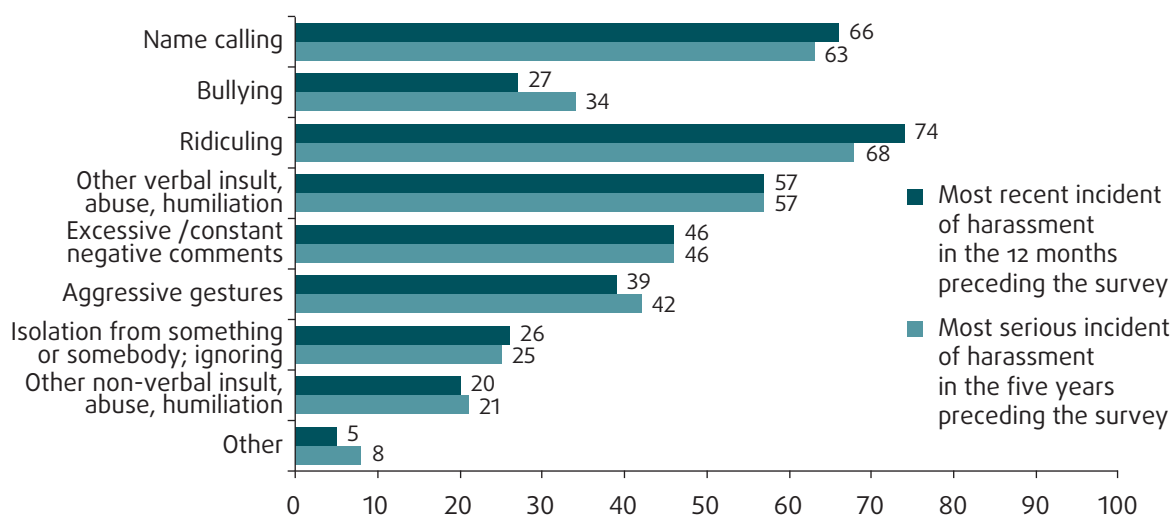
FB2\_5. Do you think this incident of harassment happened partly or completely because you were perceived to be trans?

Note: \*Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

Figure 44: Types of hate-motivated harassment (%)



Question: FB1\_4., FB2\_4. Thinking about the LAST incident of harassment, what happened to you? Response categories as listed in the figure.

Note: \*Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey who were harassed in the 12 months (last incident) or five years (most serious incident) preceding the survey in part or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012

A breakdown by identity groups reveals only minor differences between these groups when considering the last incident of harassment in the 12 months preceding the survey (Table 8). Male cross dressers report bullying and excessive/constant negative comments more often than the other groups. Female and male cross dressers reported isolation more often than the other groups. Gender variant respondents indicate other verbal insults less often, and also report less isolation. Trans women and female cross dressers report aggressive gestures more often than the other groups. The results are similar when looking at trans respondents’ experiences in the most serious incident of harassment in the five years preceding the survey.

### Perpetrators of hate-motivated harassment

Victims of harassment were asked about the perpetrators of the most recent incident and about the perpetrators of the most serious incident in the five years preceding the survey. The general picture was almost identical for both. The characteristics of the perpetrators of hate-motivated harassment mirror those of

hate-motivated violence. Perpetrators act in groups, are male and are not known to the victim (Table 9).

As for violent incidents, the data again show a high rate of teenage perpetrators (one in three). Harassment by someone in the household and from the immediate social context is also frequent: 15 % of the most recent cases involved a colleague at work and 14 % someone from school, college or university. In four out of 10 cases, women perpetrate harassment either alone (10 %) or together with men (28 %-31 %).

### Location of hate-motivated harassment incidents

Victims were also asked where the most recent and the most serious instances of hate-based harassment took place. As in the previous analysis, the characteristics of the most recent and the most serious incidents are nearly identical.

Compared to the data on hate-motivated violence, slightly more incidents of hate-motivated harassment

**Table 8: Type of last hate-motivated harassment in the last 12 months, by identity group (%)**

	Name calling	Bullying	Ridiculing	Other verbal insult, abuse, humiliation	Excessive /constant negative comments	Aggressive gestures	Isolation from something or somebody; ignoring	Other non-verbal insult, abuse, humiliation	Other
Trans women	64	26	74	63	43	43	26	17	4
Trans men	71	23	78	60	49	31	27	20	3
Female cross dressers	67	23	75	58	46	48	36	13	7
Male cross dressers	65	38	77	63	52	35	32	26	4
Transgender	62	28	72	53	47	38	22	19	5
Gender variant	70	23	77	45	43	36	19	20	5
Queer/other	67	30	71	52	48	39	28	26	6
<b>EU trans average</b>	<b>66</b>	<b>27</b>	<b>74</b>	<b>57</b>	<b>46</b>	<b>39</b>	<b>26</b>	<b>20</b>	<b>5</b>

Question: FB1\_4. Thinking about the LAST incident of harassment, what happened to you?

Base: Trans respondents in the EU LGBT survey who were harassed in the 12 months preceding the survey in part or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012



Table 9: Perpetrators of incidents of hate-motivated harassment (%)

	Most recent incident	Most serious incident
<b>Was the perpetrator alone?</b>		
Alone	27	29
More perpetrators	70	69
Don't know	3	2
<b>What was the gender of the perpetrator(s)?</b>		
Male	57	60
Female	10	10
Both male and female	31	28
Don't know	2	2
<b>Do you think the perpetrator(s) was/were ...?</b>		
Gay	2	2
Lesbian	1	1
Bisexual	1	1
Heterosexual/straight	61	61
Mixed sexual orientation	6	5
Don't know	29	29
<b>Who was/were the perpetrator(s)?</b>		
Family/household member	9	8
Neighbour	8	7
Colleague at work	15	13
Someone from school, college or university	14	16
A customer, client or patient	5	4
Someone else you know	15	15
Member of an extremist/racist group	10	8
Teenager or group of teenagers	36	31
Police officer	5	3
Security officer/bouncer	4	3
Other public official (e.g. border guard, civil servant)	6	5
Someone else you didn't know	45	42
Other person(s)	5	5

Questions: FB1\_6.; FB2\_6. Was the perpetrator alone, or was there more than one perpetrator?

FB1\_8.; FB2\_8. What was the gender of the perpetrator(s)?

FB1\_9.; FB2\_9. Do you think the perpetrator(s) was ...? 1. Gay, 2. Lesbian, 3. Bisexual, 4. Heterosexual/straight, 5. Mixed sexual orientation, 9. Don't know.

FB1\_7. Thinking only about the LAST incident – who was the perpetrator(s)? (Response categories as listed in the table)

FB2\_7. Do you think the perpetrator(s) was ...? (Response categories as listed in the table).

Base: Trans respondents in the EU LGBT survey who were harassed in the 12 months (last incident) or five years (most serious incident) before the survey in part or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012

took place in closed public spaces. Almost half of the last (47 %) and the most serious (48 %) incidents of hate-motivated harassment occurred indoors. Of indoor locations, the workplace was

most frequently mentioned. One in 10 of the most recent incidents of harassment (11 %) took place on the internet or by email, such as on Facebook or Twitter (Table 10).

**Table 10: Location of incidents of hate-motivated harassment (%)**

	Last incident	Most serious incident
At my home	6	6
In some other residential building, apartment	2	2
At school, university	7	10
At the workplace	12	11
In a café, restaurant, pub, club	7	8
In a car	1	0
In public transport	8	6
In a sports club	1	0
Elsewhere indoors	4	5
In a street, square, car park or other public place	31	32
In a park, forest	1	1
At an LGBT-specific venue (e.g. club, bar) or event (e.g. pride march)	1	2
Elsewhere outdoors	5	5
On the internet/email	11	7
Other	3	3

Question: FB1\_10.; FB2\_10. Where did it happen? (Response categories as listed in the table).

Base: Trans respondents in the EU LGBT survey who were harassed in the 12 months (last incident) or five years (most serious incident) preceding the survey in part or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012

### 2.4.3. Reporting of hate-motivated harassment

#### Reporting to the police

*“Once, I received an email from someone I know, writing that I am a cripple and I have to be fucked by real men, then I would remember who I must be; and I turned to the police. They said that they could not do anything and it was not a crime. Since that time, I have not turned to police, it does not make sense. I fear that the police will blame me.”* (Queer, 40, Latvia)

Some of the incidents of harassment respondents describe could be considered criminal acts punishable by law. Most activities that typically characterise harassment incidents, however, such as ridiculing, name calling and aggressive gestures, often do not qualify as criminal activities, although they may frighten or upset the victims.

Only 6 % of the most recent hate-motivated harassments and 8 % of the most serious hate-motivated harassments were reported to the police.

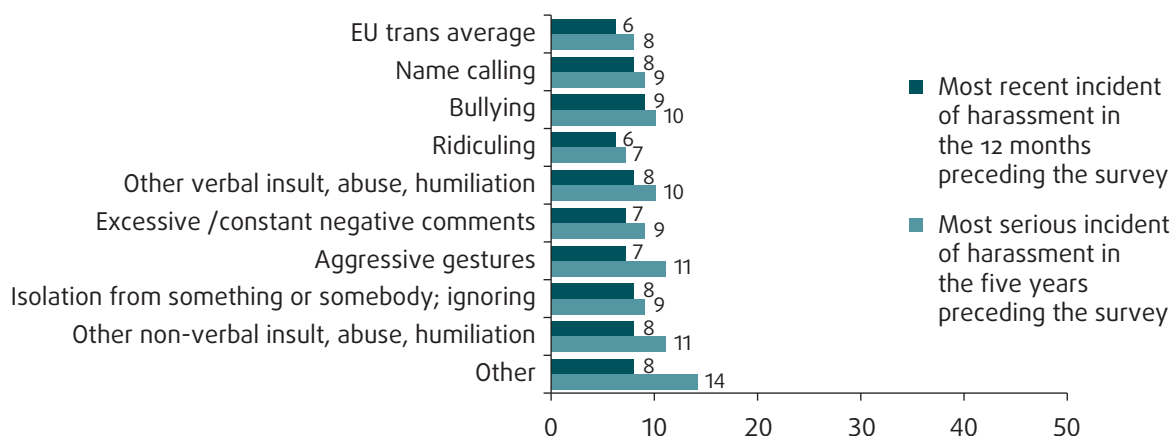
#### Reasons for not reporting hate-motivated harassment to the police

*“The most serious incident of harassment was not reported to the police because I wanted to forget about it ASAP.”* (Trans woman, 31, United Kingdom)

Respondents’ reasons for not reporting hate-motivated harassment to the police differ slightly from their reasons for not reporting hate-motivated violence. In the case of hate-motivated harassment, respondents most often say that the incident was too minor, not serious enough to be reported, or that it did not occur to them that they could report it (50 % for the last and 39 % for the most serious incidents) (Table 11). This is only half as often as for hate-motivated violence. On the other hand, fear of the offender or fear of reprisal is less often a reason for not reporting hate-motivated harassment than for not reporting hate-motivated violence.

For hate-motivated violence, around a third of respondents felt that the police either would not or could not do anything about either the last or the most serious incident of hate-motivated harassment, whereas almost

**Figure 45: Reporting incidents of the last and most serious hate-motivated harassment to the police, by type of incident (%)**



Questions: FB1\_5. Do you think the LAST incident of harassment in the past 12 months happened partly or completely because you were perceived to be transgender? Yes.

FB2\_5. Do you think this incident of harassment happened partly or completely because you were perceived to be [category on the basis of A3 or A4]? 'Yes'.

FB1\_11, FB2\_11. Did you or anyone else report it to the police? Yes.

FB1\_4, FB2\_4. Thinking about the LAST incident of harassment, what happened to you?

Base: Trans respondents in the EU LGBT survey who were harassed in the 12 months (last incident) or five years (most serious incident) preceding the survey in part or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012

one in four feared a homophobic or transphobic reaction from the police.

Again, emotional reasons are important to understand non-reporting: over one in five (last incident) and almost one in four (most serious incident) was ashamed, embarrassed and/or didn't want anyone to know. One in 10 was too emotionally upset to contact the police.

### Reporting to other organisations

Victims were asked if they or anyone else reported the hate-motivated incident to other organisations or institutions, namely an NGO, an LGBT organisation, a general victim support organisation, a state or national institution such as an equality body, a hospital or other medical service, a rape crisis centre, an internet provider or another organisation.

As regards both the last hate-motivated incidents and the most serious hate-motivated incidents, only 16 % were reported to one of these organisations or institutions (Table 12). This is lower than the percentage of respondents who reported hate-motivated attacks or threats to other organisations, but still higher than the reporting rate of hate-motivated harassment to the police.

When respondents did report incidents of hate-motivated harassment to organisations other than the police, this most often involved an LGBT organisation (56 % for

the most recent and 53 % for the most serious incident). Around one in 10 reported to a state or national institution, such as an equality body, and/or to general victim support organisation, and/or a hospital or other medical service and/or an internet provider. Almost one in five went to a NGO and almost one in four to another organisation. The respondents could have reported the incidents to multiple organisations, and therefore in the survey they were able to select multiple options from the list of organisations (Table 13).

### 2.4.4. Avoidance behaviour

*"Repeatedly I experience when I am traveling with my partner, vulgarities, suggestive remarks, threats, not only when we hold hands sometimes, but even when we 'only' walk side by side. We do dress inconspicuously. Sometimes we are forced to change out intended path to avoid certain streets or squares. The latent fear, to become 'the neighbourhood fagots', forces us to avoid physical closeness in public. This denial of our feelings burdens me greatly."* (Trans man, 39, Germany)

In addition to general safety concerns experienced by many members of the LGBT community, trans people may fear assault, threat or harassment specifically because of their trans identity. One third of all trans respondents (32 %) avoid expressing their gender (or their desired gender) through physical appearance and clothing because of such fears. In addition, half of the respondents (50 %) indicate that these fears also lead them to avoid certain places or locations (Figure 46).

**Table 11: Reasons for not reporting hate-motivated harassment to the police (%)**

	Last incident	Most serious incident
Too minor / not serious enough / never occurred to me	50	39
Did not think they would do anything	43	41
Did not think they could do anything	35	32
Fear of a homophobic and/or transphobic reaction from the police	25	22
Shame, embarrassment, didn't want anyone to know	21	24
Dealt with it myself/involved a friend/family member	21	21
Would not be believed	15	13
Fear of offender, fear of reprisal	14	16
Too emotionally upset to contact the police	10	13
Other reason	8	8
Didn't want the offender arrested or to get in trouble with the police	6	5
Went someplace else for help	5	5
Thought it was my fault	5	5
Somebody stopped me or discouraged me	3	4
Went directly to a magistrate or judge to report the incident	0	0

Question: FB1\_12.; FB2\_12. Why did you not report it to the police?

Base: Trans respondents in the EU LGBT survey who were harassed in the 12 months preceding the survey (last incidence) or five years (most serious incident) in part or entirely because they were perceived to be trans and who did not report the incident to the police.

Source: FRA, EU LGBT survey, 2012

**Table 12: Reporting incidents of the last and most serious hate-motivated harassment to organisations other than the police (%)**

	Last incident	Most serious incident
Reported	16	16
No, did not report	82	82
Don't know	2	2

Question: FB1\_13.; FB2\_13. Did you or anyone else report it to any of the following organisations/institutions?

Base: Trans respondents in the EU LGBT survey who were harassed in the 12 months preceding the survey (last incidence) or five years (most serious incident) preceding the survey in part or entirely because they were perceived to be trans.

Source: FRA, EU LGBT survey, 2012

Across all identity groups, respondents assigned a male sex at birth are more likely to avoid expressing their gender than those assigned a female sex (38 %

versus 21 %). They are also more likely to avoid certain places (55 % versus 41 %).





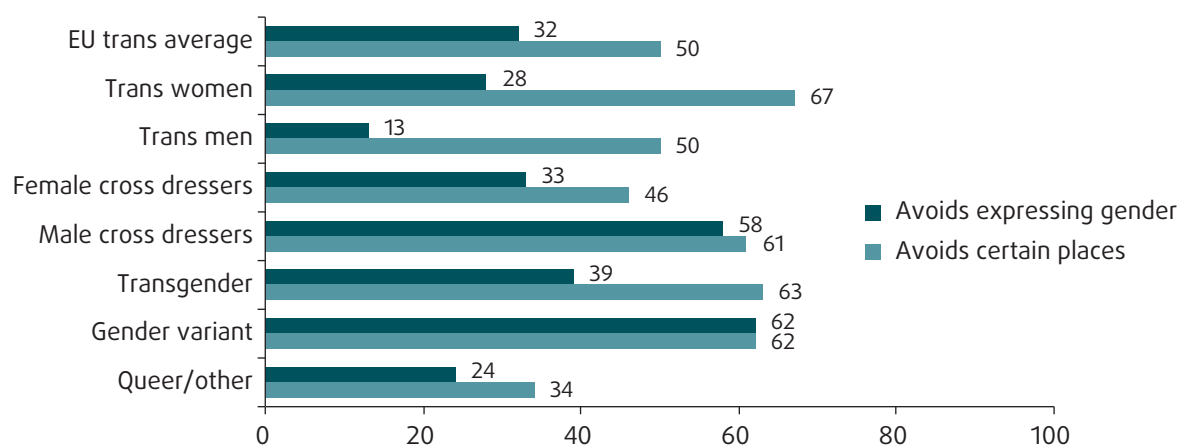
**Table 13: Reporting incidents of the last and most serious hate-motivated harassment to organisations other than the police (%)**

	Last incident	Most serious incident
Non-governmental organisation	18	17
LGBT organisation	56	53
General victim support organisation	7	9
State or national institution (such as an equality body)	11	12
Hospital or other medical service	10	12
Rape crisis centre	1	1
Internet service provider	12	8
Other organisation	24	23

Question: FB1\_13.; FB2\_13. Did you or anyone else report it to any of the following organisations/institutions? (Response categories as listed in the table).

Base: Trans respondents in the EU LGBT survey who were physically/sexually attacked or threatened with violence in the 12 months (last incident) or five years (most serious incident) preceding the survey in part or entirely because they were perceived to be trans and who reported this to organisations other than the police.

Source: FRA, EU LGBT survey, 2012

**Figure 46: Avoiding gender expression or certain places for fear of assault, threat or harassment, by identity group (%)**

Questions: TR9. Do you avoid expressing your gender (or your desired gender) through your physical appearance and clothing for fear of being assaulted, threatened or harassed? Yes.  
E2. Do you avoid certain places or locations for fear of being assaulted, threatened or harassed because you are trans? Yes.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

'Age' represented the only other marked difference the analysis detected by socio-demographic background variable regarding avoiding gender expression or locations. In general, young trans respondents are more likely than older ones to avoid expressing their gender (or their desired gender) through physical appearance and clothing for fear of assault, threat or harassment. Older respondents in contrast are more

likely to avoid certain places or locations because of these fears.

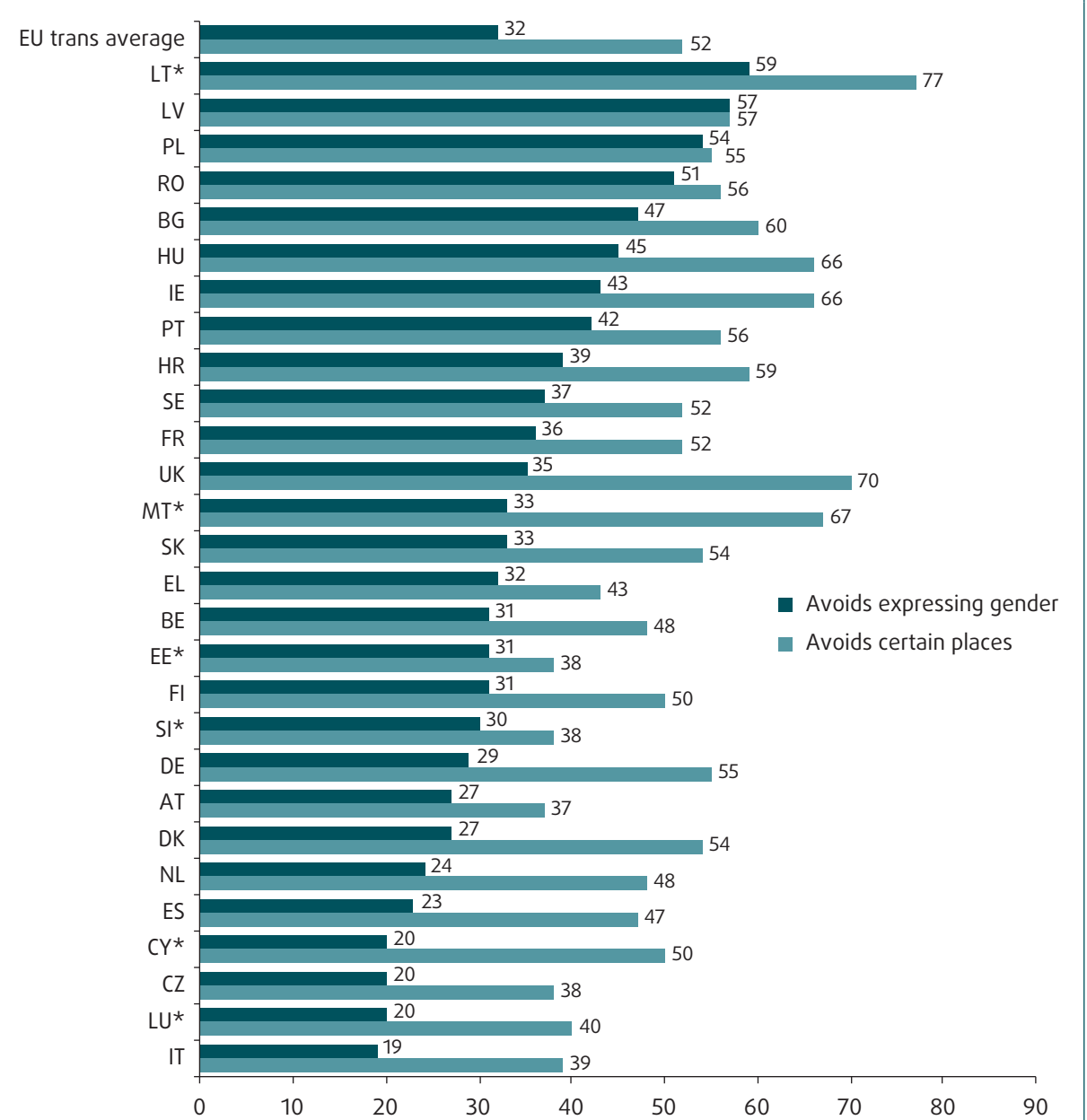
The Figure 47 breakdown by EU Member State is limited to the 25–54-year-old age groups. This makes it possible to avoid the age effect at country level and to remove from the equation both the overrepresentation of respondents aged 18–24 and the underrepresentation

of those aged 55 and above. The analysis shows that avoiding gender expression ranges from 19 % in Italy to 57 % in Latvia, and avoiding certain places varies from 37 % in Austria to 70 % in the United Kingdom (Figure 47).

Almost two in three trans respondents (60 %) avoid being open about themselves as a trans

person in public transport, while one in five avoid it even in their own homes for fear of assault, threat or harassment by others (18 %). This is more likely to be more the case for female and male cross dressers and for gender variant respondents, of whom a quarter avoids being open about being trans at home and nearly three quarters in public transport (Table 14).

**Figure 47: Avoiding gender expression or certain places for fear of assault, threat or harassment, by EU Member State (%) (age group 25-54)**



Questions: TR9. Do you avoid expressing your gender (or your desired gender) through your physical appearance and clothing for fear of being assaulted, threatened or harassed? Yes.

E2. Do you avoid certain places or locations for fear of being assaulted, threatened or harassed because you are trans? Yes.

Note: \*Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey aged 25-54.

Source: FRA, EU LGBT survey, 2012

Table 14: Avoiding being open about being trans at certain places for fear of assault, threat or harassment (%)

	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
My home	18	11	17	24	26	19	24	17
School	30	18	30	39	42	29	40	32
Workplace	48	34	35	53	65	49	67	48
A café, restaurant, pub, club	46	44	44	38	57	46	54	44
Public transport	60	58	57	68	64	59	70	57
A sports club	44	36	47	41	54	45	60	40
A street, square, car parking lot or other public place	54	54	51	67	65	49	57	53
A park	43	41	40	46	54	40	48	44
Public premises or buildings	50	41	44	61	66	46	63	53
Other	21	24	26	23	20	22	14	20

Question: E3. Where do you avoid being open about yourself as transgender for fear of being assaulted, threatened or harassed by others?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

For those aged 25 and above, respondents who are not in paid work are the most likely to avoid being open at home; in a café, restaurant, pub, club; in a street, square, car parking lot or other public place; and in public premises or buildings.

### Perception of public attitudes and avoidance behaviour

The more widespread the trans respondents perceive expressions of hatred and aversion towards LGBT persons in public to be, the more likely they are to avoid expressing their gender *and* to avoid certain places or locations for fear of being assaulted or harassed for being trans. Similarly, the more widespread trans respondents think assaults and harassment against LGBT persons are, the more likely they

are to avoid expressing their gender and avoid certain places. Those respondents who say that expressions of hatred and aversion, as well as assault and harassment, are rare, are the most likely to say they neither avoid expressing their gender nor avoid certain places or locations for fear of being assaulted or harassed for being LGBT (Tables 15 and 16). These differences remain regardless of the respondents' personal experiences with discrimination or harassment in the year preceding the survey because they were perceived as trans. This finding underlines the effect of general social views and reactions towards LGBT persons on the daily life of trans people and their ability to enjoy the right to respect for private life – the right to express one's identity in all areas of life including public areas of social life without being discriminated against on any grounds.

**Table 15: Perceptions of hatred and aversion by respondents who avoid expressing their (desired) gender (%)**

		Avoid expressing the (desired) gender for fear of being assaulted, threatened or harassed in public		
	No. of respondents	Yes	No	Don't know
<b>Expressions of hatred and aversion towards LGBT persons in public</b>				
Very rare	362	19	72	10
Fairly rare	1,746	23	69	8
Fairly widespread	2,844	33	59	8
Very widespread	1,454	45	48	7
Don't know	173	34	54	12
<b>Total</b>	<b>6,579</b>	<b>32</b>	<b>60</b>	<b>8</b>
<b>Assaults and harassment against LGBT persons</b>				
Very rare	362	18	74	8
Fairly rare	1,746	26	66	8
Fairly widespread	2,844	35	57	9
Very widespread	1,454	46	48	6
Don't know	173	32	56	12
<b>Total</b>	<b>6,579</b>	<b>32</b>	<b>60</b>	<b>8</b>

Questions: B1. In your opinion, how widespread are the following in the country where you live? C. Expressions of hatred and aversion towards lesbian, gay, bisexual and/or transgender in public; D. Assaults and harassment against lesbian, gay, bisexual and/or transgender people.

E2. Do you avoid certain places or locations for fear of being assaulted, threatened or harassed because you are trans?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012



Table 16: Perceptions of hatred and aversion by respondents who avoid certain places (%)

	Number of respondents	Avoid certain places or locations for fear of being assaulted, threatened or harassed in public		
		Yes	No	Don't know
<b>Expressions of hatred and aversion towards LGBT persons in public</b>				
Very rare	362	30	50	20
Fairly rare	1,746	43	39	18
Fairly widespread	2,844	53	30	17
Very widespread	1,454	59	24	16
Don't know	173	43	36	21
<b>Total</b>	<b>6,579</b>	<b>50</b>	<b>32</b>	<b>17</b>
<b>Assaults and harassment against LGBT persons</b>				
Very rare	409	27	55	18
Fairly rare	2,274	46	37	17
Fairly widespread	2,542	55	27	18
Very widespread	904	64	21	14
Don't know	450	41	39	20
<b>Total</b>	<b>6,579</b>	<b>50</b>	<b>32</b>	<b>17</b>

Questions: B1. In your opinion, how widespread are the following in the country where you live? C. Expressions of hatred and aversion towards lesbian, gay, bisexual and/or transgender in public; D. Assaults and harassment against lesbian, gay, bisexual and/or transgender people.

E2. Do you avoid certain places or locations for fear of being assaulted, threatened or harassed because you are trans?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

## FRA opinions

*When assessing national legislation transposing Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime (the EU Victims' Directive), the European Commission should pay particular attention as to whether gender identity or gender expression are adequately included as personal characteristics of victims in individual assessments.*

*When implementing the EU Victims' Directive, EU Member States should pay attention to the protection needs of victims of crimes committed because of the victim's gender identity (in accordance with the Recitals 9, 17 and 56 of the Directive). EU Member States should ensure that throughout the criminal proceedings, in accordance with the Article 21 of the EU Victims' Directive, the right to protection of privacy of transgender persons, including previous names and gender, is fully respected.*

*EU Member States should consider enacting criminal law provisions which afford protection against transphobic crimes and ensure that law enforcement authorities are trained to tackle transphobic crime effectively, which includes raising awareness on trans issues.*

*EU Member States should address the underreporting of hate crime, including crimes against trans persons, as underlined by the December 2013 Justice and Home Affairs Council Conclusions on combating hate crime which reflected the conclusions of the 2013 Vilnius FRA Fundamental Rights Conference. Member States are called upon to take appropriate measures to facilitate hate crime reporting by victims and as far as possible also through associations that support them. This should include measures to build trust in police and other state institutions. Law enforcement authorities should therefore be trained on how to handle cases reported by trans persons, particularly concerning victims' support and the systematic recording of incidents. Practices such as 'third party reporting', engaging civil society organisations through multi-agency partnerships, could also be considered to improve reporting rates.*

*EU Member States should ensure that law enforcement authorities properly record, investigate and prosecute hate-motivated crimes based on gender identity and gender expression in line with ongoing efforts to improve and approximate data collection on crime (such as the Eurostat Working Group on Statistics on Crime and Criminal Justice Statistics in the framework of the EU Statistics Action Plan 2011–2015). To develop evidence-based legal and policy measures, Member States should collect statistics on numbers and types of crime and gender identity of victims (in accordance with Article 28 and Recitals 56 and 64 of the Directive 2012/29/EU) as well as on the number of convicted offenders and the type of sentence imposed.*



# 3

## Daily life as a trans person



### 3.1. Research and policy context

Trans people are largely invisible in society and public opinion about them is often negative and ill-informed. These negative social attitudes can affect their daily life, influencing their overall openness and leading to forms of 'avoidance behaviour'.

Recent public attitude studies in Belgium, the Netherlands and Sweden show general public acceptance of publicly-funded sex reassignment surgery. In these studies, the public also generally supports the right of transsexuals to marry and adopt children and to work with children. They say they are willing to have transsexuals as co-workers.<sup>68</sup> Negative attitudes are more frequent when trans persons come 'too close', for instance, the possibility of having one as a partner or a neighbour.<sup>69</sup> In general, studies measuring attitudes show that women are more tolerant than men in accepting people who cross gender norms,<sup>70</sup> and that gender variance is less favoured in men than in women.<sup>71</sup> Knowing someone who is trans plays a positive part in influencing the comfort level of respondents.<sup>72</sup>

Many trans persons are at high risk of poor physical and mental health. Several studies have shown that many trans persons experience suicidal thoughts, suffer from depression, anxiety, and self-harm, even attempting suicide.<sup>73</sup>

68 Dierckx, M. *et al.* (2014); Kuyper, L. (2012); Landén, M., and Innala, S. (2000).

69 Landén, M., and Innala, S. (2000).

70 Dierckx, M., *et al.* (2014); Herek, G. M., *et al.* (2002).

71 Winter, S., *et al.* (2008).

72 Dierckx, M., *et al.* (2014); European Commission (2012).

73 Dhejne, C., *et al.* (2011); Heylens, G., *et al.* (2013); Keuzenkamp, S. (2012); Motmans, J. *et al.* (2010); Whittle, S. *et al.* (2007).

### Main findings

- The recognition of their gender identity is of critical importance for trans people, affecting their level of openness. The results show notable differences in the daily life experiences among trans respondents in the EU.

### Psychological and medical help:

- Two in five trans respondents (39 %), especially those from lower income classes and those without a job, have sought medical or psychological help related to their gender identity needs.
- Experiences when seeking help are very diverse: seven out of 10 (71 %) report positive experiences with psychologists, psychiatrists or other specialist or care providers. The satisfaction rate drops to below half (45 %) however, where general practitioners are concerned. One in five (20 %) indicate that their general practitioner did not seem to want to help, and one in 10 (11 %) say that he or she simply refused to help.
- Half of those (52 %) who have not sought psychological or medical help simply do not want or need help. The groups of male and female cross dressers, gender variant, and queer/other respondents in particular are the most likely to not want/need care. A third of trans men (33 %) and trans women (37 %) also indicate that they do not want psychological or medical help for being trans.
- Those respondents who do want or need psychological or medical care, but who have not sought it so far, report many reasons for not seeking help, such as not daring, not knowing where to go or being afraid of care providers' prejudice.
- Almost four in five (79 %) trans respondents state that more medical treatment options would help them to live a more comfortable life as a trans person.

Some, not all, trans persons undertake a gender reassignment process, often referred to as 'a transition', to

### Legal gender recognition:

- One in three trans respondents (30 %) felt discriminated against in the 12 months preceding the survey where they had to show their identification or any official document that identifies their sex. The prevalence of this type of discrimination is twice as high among trans respondents under 40 years of age, respondents who are not in paid work and those who are less educated.
- Almost nine in 10 (87 %) say that easier legal procedures for gender recognition in the preferred gender would help them live a more comfortable life as a trans person.

### Openness:

- Most of the time trans respondents do not openly indicate that they are trans.
- Among all trans respondents, trans women and trans men are the most open about their identity, whereas gender variant respondents are the most closed.
- Openness increases with age and with income.
- Trans respondents with a higher educational level are in general less open than those with lower educational levels, regardless of their age.
- The openness in different spheres of life also differs significantly across Member States. The more widespread the existence of positive measures promoting respect for the human rights of trans people (such as equality plans, public campaigns and specialised services) are in a country, the more respondents tend to be generally open and the less they are generally closed about their trans identity.

adapt the body to the gender identity. Over the last 40 years, hormonal and surgical gender reassignment procedures have been increasingly refined and accepted medically as standard procedures for the treatment of trans adults.<sup>74</sup> A group that has only recently been the focus of attention for psychological care are (very) young children and adolescents.<sup>75</sup> The World Professional Association for Transgender Health<sup>76</sup> published the *Standards of Care for the Health of Transsexual, Transgender, and Gender-Nonconforming People*, in which they describe evidence-based treatment protocols for children, young people and adults.<sup>77</sup>

Access to specialised gender identity care providers is not always possible or easy. According to the

74 Gooren, L. J. (2011); Green, R. (2010).

75 Bandini, E. *et al.* (2011); de Vries, A. L. *et al.* (2011); Platero, R. (2014); Sills, I. N. (2014).

76 The WPATH is an international multidisciplinary professional association whose mission is to promote evidence-based care, education, research, advocacy, public policy and respect in transgender health. See [www.wpath.org](http://www.wpath.org) for more information. In 2014, a European branch was established, see [www.epath.eu](http://www.epath.eu).

77 Coleman, E. *et al.* (2012).

Transgender Eurostudy, a quarter of the respondents indicated that they were refused treatment because a practitioner did not approve of gender reassignment.<sup>78</sup> The high cost of gender reassignment treatment can also be a substantial obstacle.<sup>79</sup> The Transgender Eurostudy showed that the majority of respondents were refused state funding for hormones and more than 82 % of respondents were refused state funding for the acceptable baseline surgeries (the minimum required for trans persons to live in their acquired gender).<sup>80</sup> This is especially worrisome when taking into account that studies show a positive impact of gender reassignment care on the health-related quality of trans persons' lives. Self-harm and suicidal thoughts decrease after transitioning.<sup>81</sup> Persons receiving gender reassignment care such as cross-sex hormone therapy,<sup>82</sup> facial feminisation and genital surgery have an overall better quality of life than trans persons who have not received these therapies, but who would want to receive them.<sup>83</sup> Furthermore, trans persons with affective and anxiety disorders show a marked reduction in psychiatric problems after the process of gender reassignment care, especially after the initiation of hormone therapy.<sup>84</sup> Even when the social circumstances in society are unfavourable, trans persons demonstrate stable mental, social and professional functioning after gender reassignment care.<sup>85</sup>

## 3.2. What did the survey ask?

The EU LGBT survey devoted a section to respondents' opinions of public attitudes and behaviour towards LGBT persons in general. This section focuses on personal experiences with maltreatment and reactions to behaving in 'too feminine' or 'too masculine' a way, and in particular on whether or not respondents avoid certain behaviours or locations for fear of being assaulted, threatened or harassed for being trans. The chapter then analyses data on the possibility for trans respondents to live their lives according to their gender identity feelings. Is psychological or medical care available to those who wish for it? And can respondents change their gender markers in official documents? It then presents findings on other people's awareness of the participants' trans background and the participants' responses about how open they are about being trans in their private and professional lives. These findings are to be read against information – from sources other than

78 Whittle, S., *et al.* (2008).

79 De Cuypere, G., *et al.* (2007).

80 Whittle, S., *et al.* (2008).

81 McNeil, J., *et al.* (2013).

82 Gómez-Gil, E., *et al.* (2013); Gorin-Lazard, A., *et al.* (2012); Newfield, E., *et al.* (2006); Wierckx, K., *et al.* (in review).

83 Ainsworth, T. A., and Spiegel, J. H. (2010); Motmans, J., *et al.* (2012).

84 Heylens, G., *et al.* (2014).

85 Jokic-Begic, N., *et al.* (2014).



the survey – concerning the background of public perceptions, and the medical and legal possibilities available in their country of residence. The final section of this chapter describes possible measures to improve the situation as seen by the respondents.

### 3.3. Living a trans life

Living a life according to the gender identity personally felt might include access to psychological or medical help, as well as to legal gender recognition procedures. These two are frequently intertwined, for instance when legal gender recognition procedures demand certain medical criteria such as psychiatric diagnosis and/or surgical body modifications. Not receiving or not wanting to receive psychological or medical help to go through the gender recognition procedures function as a barrier to the enjoyment of trans persons' fundamental rights. Ultimately, they are not allowed to have their gender identity legally recognised and freely expressed in society.

#### 3.3.1. Legal gender recognition procedures

*Recommendation CM/Rec(2010)5 of the Council of Europe stresses that member states should take appropriate measures to guarantee the full legal recognition of a person's gender reassignment in all areas of life, in particular by making possible the change of name and gender in official documents in a quick, transparent and accessible way. It also states that "prior requirements, including changes of a physical nature, for legal recognition of a gender reassignment, should be regularly reviewed in order to remove abusive requirements."*

It is important for trans persons to know if they are able to legally change their gender marker according to their gender identity, and what criteria authorities require. Not being able to have identity documents that match their gender identity and the way they present themselves in social life might contribute to discrimination and/or violence, as the results show. As indicated by relevant research, without a set of matching documents such as a passport, identification card, social security number or bank card, participation in society becomes very difficult.<sup>86</sup>

Gender recognition procedures are in ongoing development. The EU does not yet have a unified standard. As the FRA Annual report 2013 shows, there is a trend among EU Member States to adopt laws regulating requirements for and procedures of legal gender

recognition,<sup>87</sup> but there is huge variety across the EU as to what these requirements should be. In Denmark, for example, the requirements for legal gender recognition are minimal. Some other countries, however, impose requirements which must be fulfilled prior to legal gender recognition, including divorce. Moreover, there are 12 EU Member States which require sterilisation prior to legal gender recognition.<sup>88</sup>

Regarding the latter requirement, six United Nations entities recently expressed their concern that "sterilization requirements run counter to respect for bodily integrity, self-determination and human dignity, and can cause and perpetuate discrimination against transgender and intersex persons".<sup>89</sup>

#### Awareness of legal gender recognition procedures

*"Despite overwhelming political support for change and courts declaring it a crime against Swedish law there is still the clause in the law stating that all transsexuals have to have their reproductive abilities completely removed in order to be recognised."* (Trans, Bisexual, 23, Sweden)

Almost one in 10 trans respondents indicate in the EU LGBT survey that in their country of residence a person cannot change their official documents to match their preferred gender. Almost three quarters of trans respondents say that it is possible to do so in their country, albeit sometimes upon fulfilment of certain criteria (Figure 48).

Almost one in five of all trans respondents does not know if a person can change their official documents to match their preferred gender in the country where they live. Queer/other respondents, gender variant and female and male cross dressers are the most likely not to know whether such changes are possible. These groups might also be less likely to need these procedures, which could explain their lack of knowledge. Looking only at the groups of trans men and trans women, who by definition are those who might want to access these procedures the most, percentages of those unaware of existing procedures drop to 4 % of trans women and 3 % of trans men.

The lack of awareness about legal gender recognition procedures in one's country hints at gaps in Member States' fulfilment of their duty to implement quick, transparent and accessible procedures as stated in Recommendation CM/Rec(2010)5. A breakdown by country shows the differences in the percentages of trans respondents who are unaware of the possibility for a person to change their official documents to match

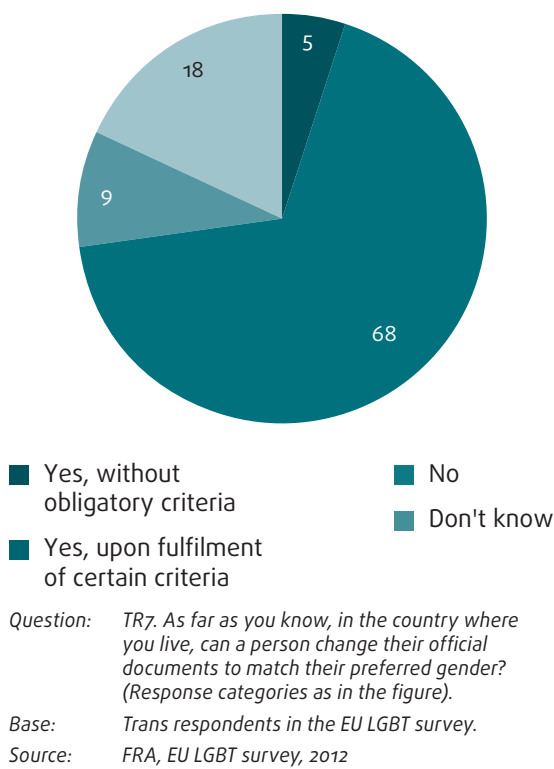
<sup>87</sup> FRA (2014b), p. 137.

<sup>88</sup> TGEU (2014).

<sup>89</sup> World Health Organisation (2014), p 7.

<sup>86</sup> Köhler, R., et al. (2013).

**Figure 48: Awareness of the possibility to change official documents to match the preferred gender (%)**



their preferred gender. This ranges from only 10 % in the Netherlands to 49 % in Greece (Figure 49).

### Requirements for legal gender recognition

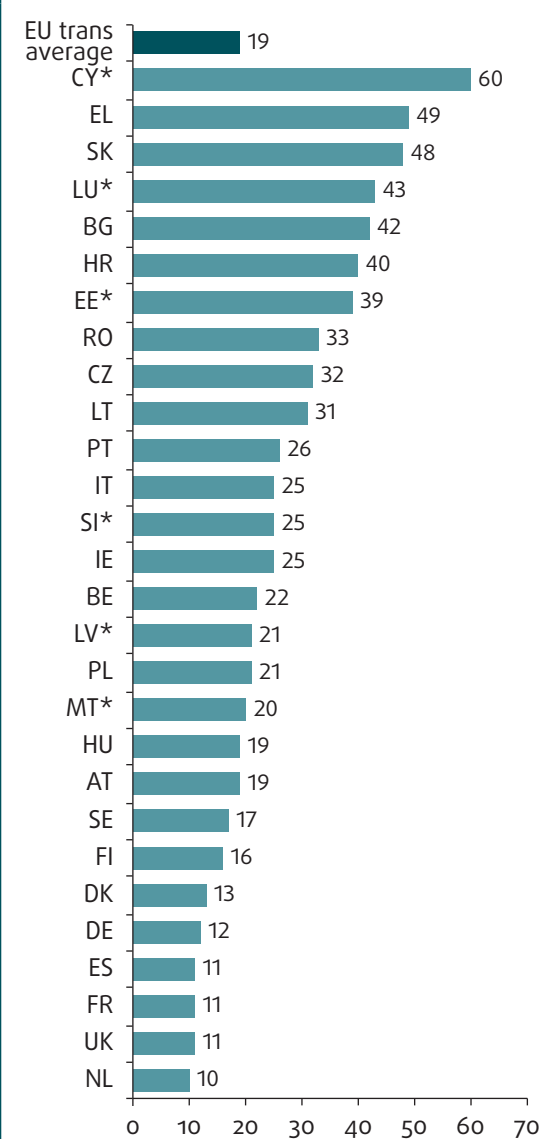
*“Only 35 countries in Europe have legal provisions to recognize a trans person’s gender identity. Trans people’s existence is de facto illegal in 14 countries as these provide for no recognition. 21 countries in Europe require by law that trans people undergo sterilization before their gender identity is recognized. Other requirements may include diagnosis of a mental disorder, medical treatment and invasive surgery, assessment of time lived in new gender identity, being single or divorced. Such requirements violate a person’s dignity, physical integrity, right to form a family and to be free from degrading and inhuman treatment.”*

Transgender Europe (TGEU) (2014). *Trans Rights Europe Map & Index 2014*, [www.tgeu.org/Trans\\_Rights\\_Europe\\_Map](http://www.tgeu.org/Trans_Rights_Europe_Map)

Four in five trans respondents (78 %) say that, as far as they are aware, in the country where they live they have to prove a medical/psychological diagnosis of transsexuality/gender dysphoria<sup>90</sup>/transgenderism or similar to change their official documents to match their preferred gender. Three in five trans respond-

<sup>90</sup> Gender dysphoria is defined as the discomfort or distress that is caused by a discrepancy between a person’s gender identity and that person’s sex assigned at birth.

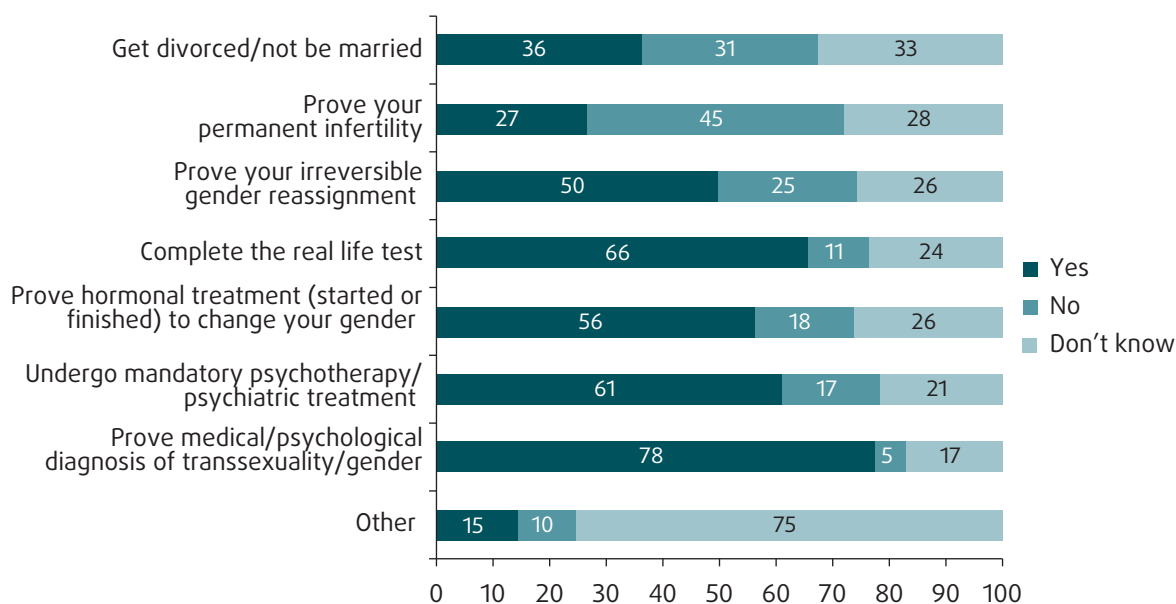
**Figure 49: Trans respondents who don’t know whether it is possible to change official documents to match preferred gender, by EU Member State (%)**



ents (61 %) are of the view that applicants need to undergo mandatory psychotherapy/psychiatric treatment. Half of all trans respondents (50 %) believe that irreversible gender reassignment has to be proven to change one’s official documents (Figure 50).

The requirement of diagnosis, treatment and surgery conflicts with the Yogyakarta Principles, which underline that: “Each person’s self-defined sexual orientation and gender identity is integral to their

**Figure 50: Trans respondents' perceptions concerning requirements for changing official documents to match the preferred gender in their country of residence (%)**



**Question:** TR8. As far as you know, what would you have to do in order to change your official documents to match your preferred gender in the country where you live?

**Base:** Trans respondents in the EU LGBT survey who thought it is possible to change official documents to match the preferred gender in their country of residence only upon fulfilment of certain criteria (n= 4,459).

**Source:** FRA, EU LGBT survey, 2012

personality and is one of the most basic aspects of self-determination, dignity and freedom. No one shall be forced to undergo medical procedures, including sex reassignment surgery, sterilisation or hormonal therapy, as a requirement for legal recognition of their gender identity.<sup>91</sup> The Council of Europe Commissioner for Human Rights has also called upon member states to abolish sterilisation and other compulsory medical treatments as a necessary legal requirement to recognise a person's gender identity in laws regulating the process for name and sex change.<sup>92</sup> The Board of Directors of the World Professional Association for Transgender Health (WPATH) have issued an *Identity Recognition Statement*,<sup>93</sup> as well as a *De-psychopathologisation Statement*,<sup>94</sup> in which they argue that no person should have to undergo surgery or accept sterilisation as a condition of identity recognition, and that nonconforming gender expressions or gender identities are not inherently pathological or negative.

The European Parliament, in Article 16 of its *Resolution of 28 September 2011 on human rights, sexual orientation and gender identity at the United Nations*, called on

the European Commission and the World Health Organisation to withdraw gender identity disorders from the list of mental and behavioural disorders, and to ensure a non-pathologising reclassification in the negotiations on the 11<sup>th</sup> version of the International Classification of Diseases (ICD-11).

*"I hate myself and I want to die, partly because there is no way in which I can afford hormone therapy and [sex reassignment surgery] SRS before I'm over 30 years old, in which case the effect of the therapy will be highly unsatisfying and unconvincing."* (Transsexual, 23, Poland)

### Discrimination because of non-matching identity documents

*"Whenever I have to indicate my gender there is the female and the male option, and neither of those applies to me."* (Gender variant, 21, Slovenia)

*"The most stressful thing I find about being transsexual and having not changed my name to a female name yet – as I am waiting for the right time to come out at work – is not having any documents with a female identity. I spend around a third of my life living as a woman yet have to constantly show ID with male credentials which is uncomfortable and embarrassing."* (Transsexual, 37, United Kingdom)

Nearly one in three trans respondents felt discriminated against in the 12 months preceding the survey in a situation where they had to show their ID or an

<sup>91</sup> International Commission of Jurists (2007).

<sup>92</sup> Hammarberg, T. (2009).

<sup>93</sup> World Professional Association for Transgender Health (WPATH) (2010a).

<sup>94</sup> WPATH (2010b).

official document that identifies their sex (Figure 51). Trans men, trans women and transgender respondents are the most likely to indicate having felt discriminated against in this way, because the exhibited document did not visibly match or correspond to their experienced gender or they were harassed. The prevalence of feeling discriminated against is twice as high among trans respondents under 40 years of age), respondents who are not in paid work and those with less education.

### 3.3.2. Psychological or medical help

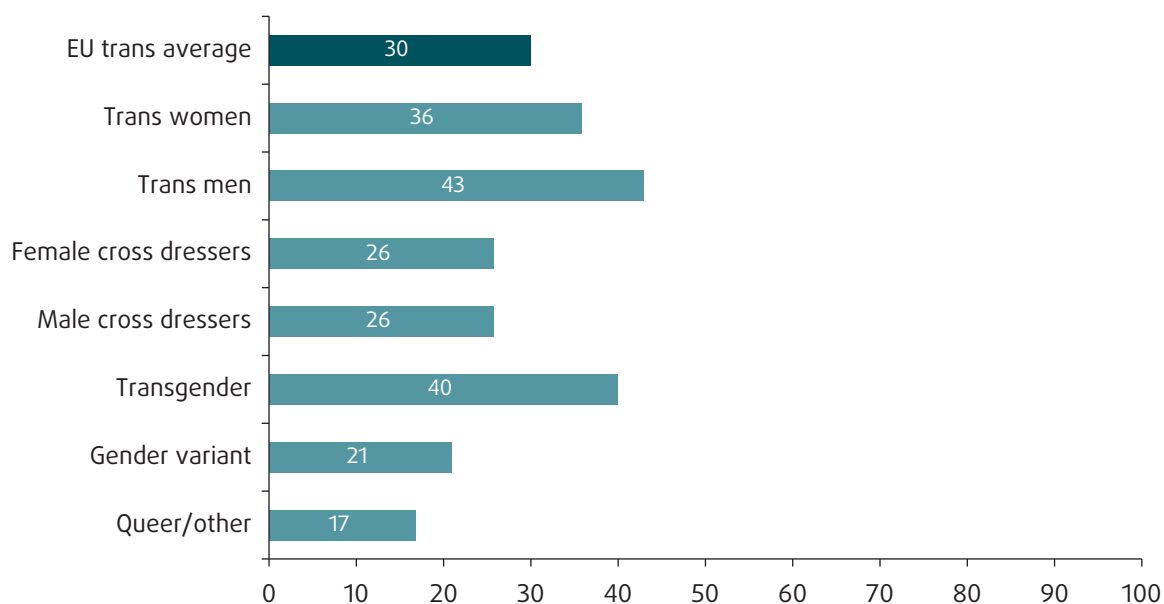
More than four in five trans respondents (83 %) say that, in the country where they live, it is possible for a person to alter his/her physical appearance through procedures including gender reassignment treatment; self-treatment such as hormonal treatment or genital surgery. One out of 10 is not able to say whether or not such treatment is possible and/or available in their country. (Figure 52).

*“I’m a Swedish 21-year-old genderqueer person. I was born a female, but I don’t feel happy with my body. I don’t want to go through gender reassignment because I don’t want to become a man. In my daily life everybody defines me as a woman, and although I’m very happy with my life in general this makes me very sad. Sometimes I think about death because that would take away the pain of living in a body that doesn’t feel like my own. I wish there was a possibility for genderqueer/nongender persons to get plastic surgery and a possibility to change your official gender to x, like in Australia.” (Queer, 21, Sweden)*

### Looking for psychological or medical help

In total, two in five respondents (39 %) have sought trans specific medical or psychological help (Table 17). Respondents who have sought such treatment are on average four years older than those who have never sought medical or psychological assistance, and they are more often to be found in the lowest income quartiles (72 %, compared to 62 % of respondents

**Figure 51: Feeling discriminated against in the last 12 months in a situation where it was necessary to show an official document stating the owner’s sex, by identity group (%)**

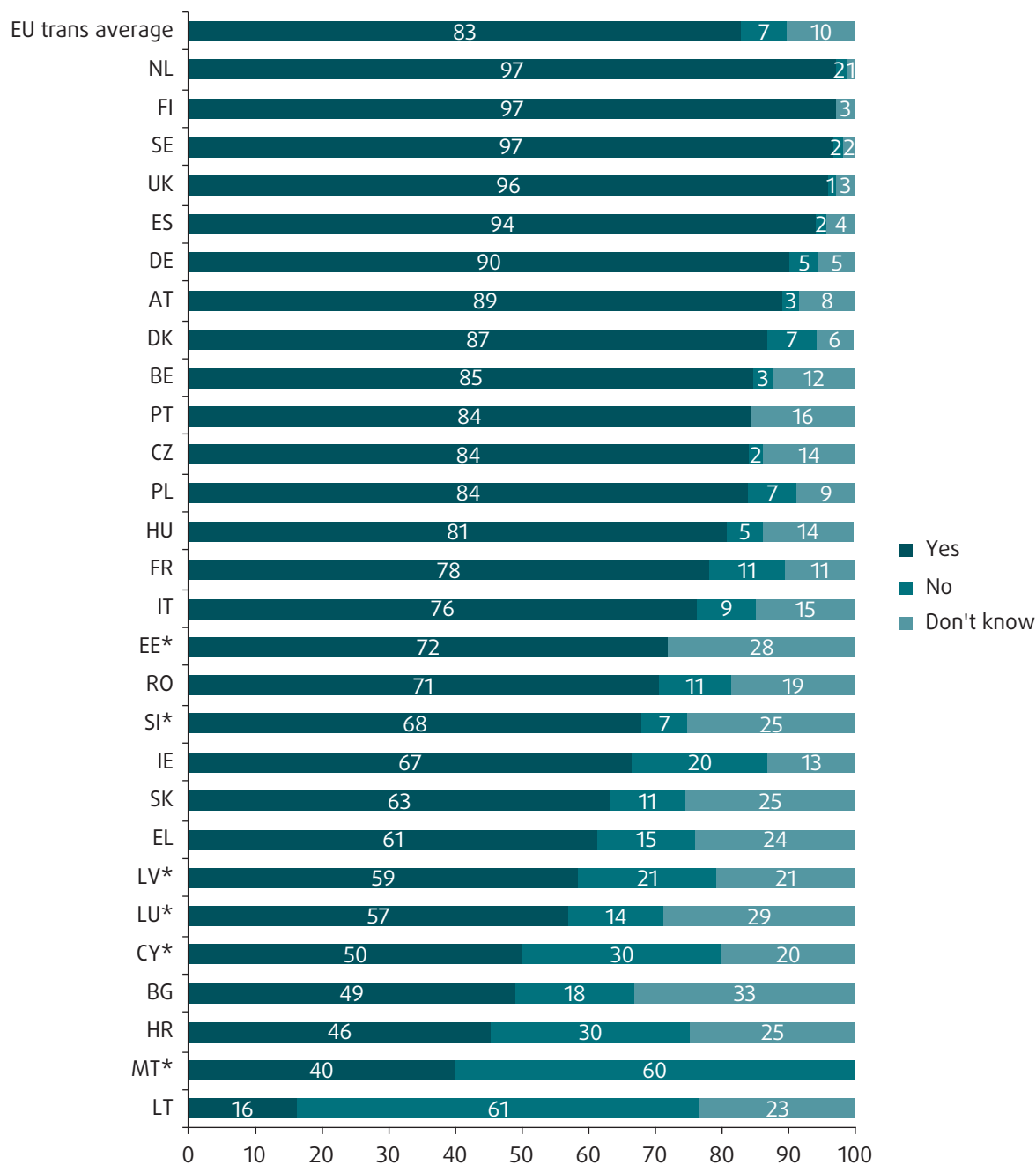


**Question:** C4. During the last 12 months, have you personally felt discriminated against because of being trans in any of the following situations: - K. When showing your ID or any official document that identifies your sex.

**Base:** Trans respondents in the EU LGBT survey who had to show an official document stating the owner’s sex in the 12 months preceding the survey.

**Source:** FRA, EU LGBT survey, 2012

Figure 52: Respondents' perceptions concerning the possibility to have gender reassignment treatment or self-treatment, by EU Member State (%)



Question: TR4. As far as you know, can a person alter his/her physical appearance through gender reassignment treatment or self-treatment (e.g. hormonal treatment) genital surgery, etc. in the country where you live?

Note: \*Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

who have not sought medical or psychological help). They are also more often (40 %) not in paid work than those who have not looked for psychological or medical help (30 %). The survey data alone do not provide a clear answer about causal relationships between unemployment, income and seeking medical help, as different factors may be both cause and effect at the

same time. A lower income level and a higher unemployment rate may be an effect of going through a transition and therefore needing medical care. Those who are employed and have higher incomes and a higher life satisfaction may, on the other hand, feel the need to seek medical care and psychological support less frequently.

**Table 17: Seeking psychological or medical help for being a trans person (%)**

	Yes	No	Don't know	Sample (n/N)
Trans women	84	15	1	1,122
Trans men	88	12	0	576
Female cross dressers	27	68	5	255
Male cross dressers	23	71	6	300
Transgender	56	43	1	1,048
Gender variant	16	82	2	707
Queer/other	11	70	19	2,571
<b>EU trans average</b>	<b>39</b>	<b>52</b>	<b>9</b>	<b>6,579</b>

Question: TR1. Have you ever sought psychological or medical help for being a trans (transgender) person?

Note: N = total trans respondents sample; n = subgroup sample.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

### Reasons for not looking for psychological or medical help

Half of those respondents who have not sought psychological or medical help indicate that they do not want or need help. Male and female cross dressers, gender variant, and queer/other respondents are the most likely not to want/need care. But one third of trans men and trans women also report not wanting psychological or medical help (Figure 53).

*“So I consider myself as a man with feminine tendencies in a female body. When I talk to others about this, they think I am mad. You are either male or female, basta! Well, so I am nothing.”* (Female cross dresser, 32, Denmark)

Earlier in this report it was found that four in five trans respondents perceive that in the country where they live they have to prove a medical/psychological diagnosis of transsexuality/gender dysphoria/transgenderism or similar to change their official documents to match their preferred gender. One third (32 %) of all trans respondents said they did not want or need psychological or medical help. This implies that they are de facto excluded from the right to change their legal gender marker if they wish to do so. In other words, based on the survey respondents’ perceptions, one in

three trans persons has no access to legal gender recognition due to the legal requirement for a medical/psychological diagnosis.

Trans respondents indicate a number of other reasons for not seeking psychological or medical help besides not *needing* it. Prominent among these are not daring, not knowing where to go and fearing prejudice on behalf of care providers (Figure 54).

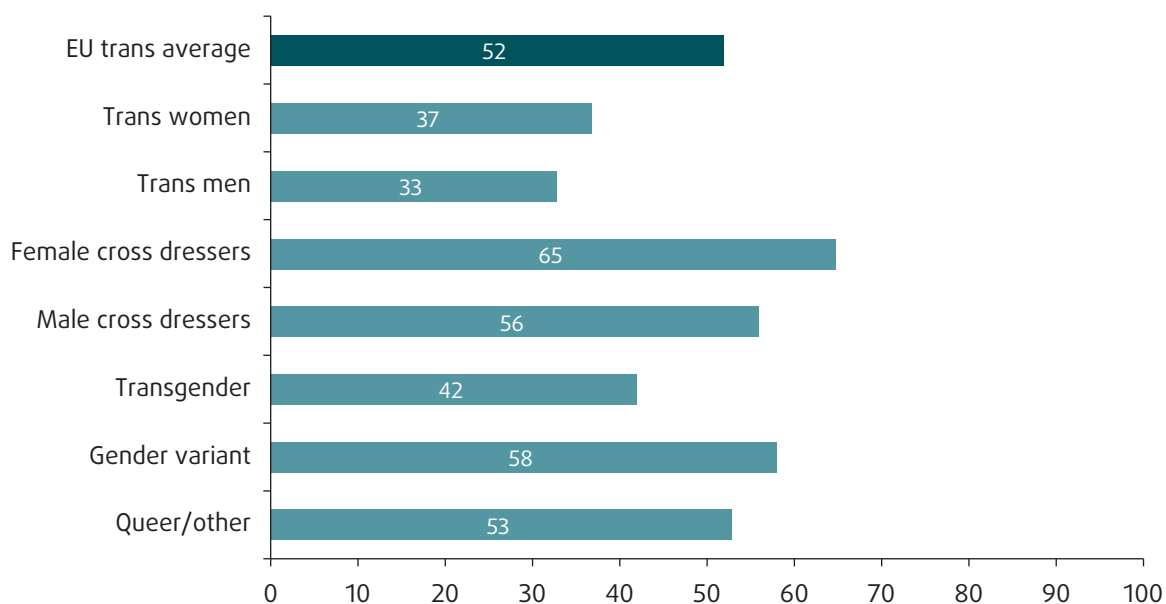
### Experiences with care providers

The experiences of trans respondents with care providers are in most cases rather positive, with the exception of general medical practitioners. General practitioners are often the first care provider a trans person would contact and/or have a longer care relationship with. According to the survey one in five respondents has experience of general practitioners who did not seem to want to help or outrightly refused to help the respondents (Figure 55).

In total, 18 % of trans respondents would consider going or have already gone abroad for medical treatment to alter their physical appearance. This includes buying hormones from other countries over the internet (Figure 56).



**Figure 53: Trans respondents who did not seek psychological or medical help because they think they do not need it, by identity group (%)**

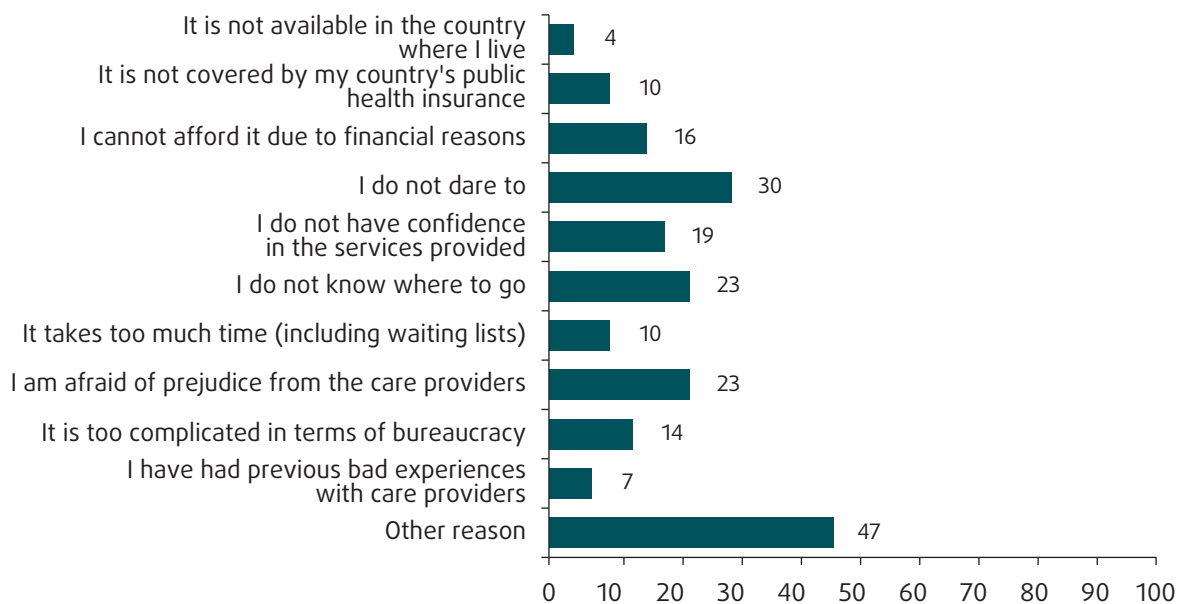


Questions: TR1. Have you ever sought psychological or medical help for being a trans (transgender) person? No.  
 TR2. Why not? – 3. I do not want/need help.

Base: Trans respondents in the EU LGBT survey who have not sought psychological or medical help for being trans.

Source: FRA, EU LGBT survey, 2012

**Figure 54: Reasons for not seeking psychological or medical help for being trans (% of cases)**



Questions: TR1. Have you ever sought psychological or medical help for being a trans (transgender) person? No.  
 TR2. Why not? (Response categories as listed in the figure above, category 'I do not want / need help' excluded).

Base: Trans respondents in the EU LGBT survey who had not sought psychological or medical help for being trans (excluding respondents who indicated that they do not want/need help).

Source: FRA, EU LGBT survey, 2012

Figure 55: Trans respondents' experiences when seeking help for being trans (% of cases)

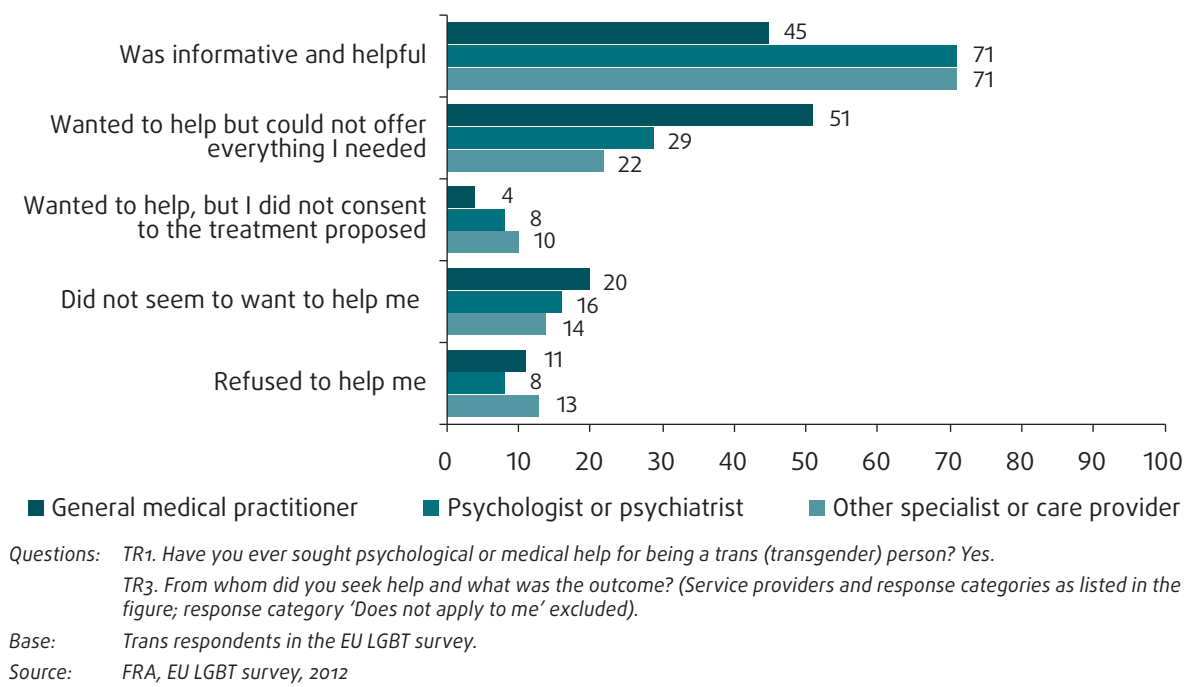
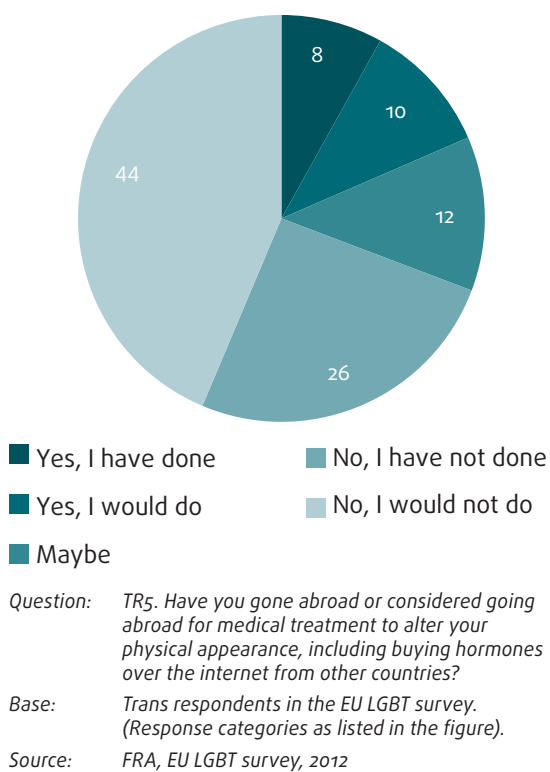


Figure 56: Trans respondents on going abroad for medical treatment (%)



### 3.4. Awareness and openness about trans background

#### 3.4.1. Awareness of respondents' trans identity in their social environment

*"The discrimination I have experienced has been principally in my family. [...] The topic of bisexuality/transgender/homosexuality does not come up often, but every time it does come up it is invariably treated as something dirty and depraved. Also, when my father sees homosexuals publicly displaying affection, he makes (light) jokes about them. [...] I think my parents would be shocked and dismayed if I told them that I was bisexual and a cross dresser. For this reason I have not come out to them, or to my brother who is probably more open."* (Transgender (cross dresser), 33, Germany)

A trans-negative environment can lead to many years of hiding ones identity feelings. Respondents were asked to what extent their partner(s), family members, friends, neighbours and/or work colleagues/schoolmates know about the respondent's trans identity or background.<sup>95</sup>

Almost nine out of 10 trans respondents report that their partner is aware that they are trans, but there are significant differences between the identity groups.

<sup>95</sup> Respondents who indicated that a particular social circle did not apply to them, for example because they did not have multiple partners or work colleagues, are excluded from the analysis. The proportion of "does not apply" answers was systematically higher among cross dressers and queer/other respondents.



Almost a quarter of the queer/other, and one out of three male cross dressers and gender variant respondents state that their partner is not aware of it (Table 18).

Examining respondents' social networks more generally, the awareness of respondents' trans identity is much lower than the percentage of partner(s) who are aware of it. Over half of the respondents (54 %) indicate that none or only a few family members are aware of their trans identity. Almost half (46 %) of all trans respondents say that none or only a few of their friends are aware of it. Awareness among neighbours, work colleagues and schoolmates is even lower. Four in five (81 %) trans respondents indicate that none or only a few neighbours are aware of their trans identity, while seven out of 10 (71 %) say that their work colleagues/schoolmates are not aware of it. Female and male cross dressers and gender variant respondents indicate the highest levels of non-awareness in their social circles, whereas trans women and trans men indicate the highest levels of awareness (Table 19).

### 3.4.2. Openness about being trans

*"Life being Transgendered is scary, I am always on the lookout for negative reactions, and feel the need for "Stealth" when in most public situations such as using Public transport etc, this involves wearing heavier and baggier clothes than I would prefer to."*  
(Transsexual, 39, United Kingdom)

The survey asked respondents about the degree to which they *themselves* are open about being trans in their various social circles, such as with family members, friends, neighbours, colleagues at work, schoolmates, immediate superiors or heads of departments, customers/clients at work, and medical staff/healthcare providers. There are notable differences between the different types of identity groups: whereas trans women and trans men are the most likely to be open to all in their social circles, gender variant respondents are the least likely to be. For each and every social category, more than half of the respondents in the queer and other identity group indicate that these questions about being open to others about their gender identity do not apply to them.

In general, when awareness by others and openness toward others are compared, it appears that trans respondents are known by more people in their social environment as being a trans person than they themselves are open to. This difference is most clear for family members.

*"I'm sure that I would have suffered more discrimination and harassment if I had been open about being trans. When I had to mention this in legal contexts, I did so, but besides my family, healthcare personnel and ex-partners, no one knows that I wasn't born male. So it was relatively easy for me, but that I need to keep this strictly a secret to have it easy is of course a bad situation."* (Trans man, 38, Netherlands)

Table 18: Partner's awareness of respondents' trans identity or background

	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
Yes	85	93	97	91	70	94	69	77
No	15	7	3	9	30	6	31	23

Question: G1\_A. Does your current partner know that you are transgender?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

**Table 19: Awareness of respondents' trans identity or background in the social environment of the respondents (%)**

	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
<b>Family members</b>								
None	29	8	8	49	45	27	61	37
A few	25	16	24	27	34	31	23	28
Most	16	21	22	11	12	17	9	15
All	29	55	46	13	10	25	7	20
<b>Friends</b>								
None	12	6	5	11	20	9	33	11
A few	34	20	27	45	50	37	46	38
Most	24	25	30	27	15	26	14	24
All	29	48	38	16	14	28	7	26
<b>Neighbours</b>								
None	62	35	60	83	75	64	82	68
A few	19	23	24	11	14	18	13	18
Most	9	17	9	3	6	9	3	6
All	11	24	7	4	6	9	2	8
<b>Work colleagues/schoolmates</b>								
None	44	27	38	49	62	43	73	40
A few	27	23	25	34	22	30	17	32
Most	13	17	21	9	6	12	5	15
All	16	33	16	8	10	14	5	13

Question: G2. In your opinion, how many people know that you are transgender?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

To be able to distinguish between the openness of respondents in different spheres of life, three different scales of openness were created.<sup>96</sup> The first, 'openness in the private sphere', was created on the basis

of responses to the questions on openness towards family members, friends and neighbours. The second, 'openness in the work environment', was created on the basis of responses to the questions on openness towards work colleagues/schoolmates, immediate superior/head of department and customers/clients. The last, 'openness in health care settings', was based on the responses to a question on openness towards

<sup>96</sup> The computation of the statistical distribution of the EU LGBT survey respondents according to different levels of openness was explained in detail in the EU LGBT survey technical report. The same method was applied to the trans sample.

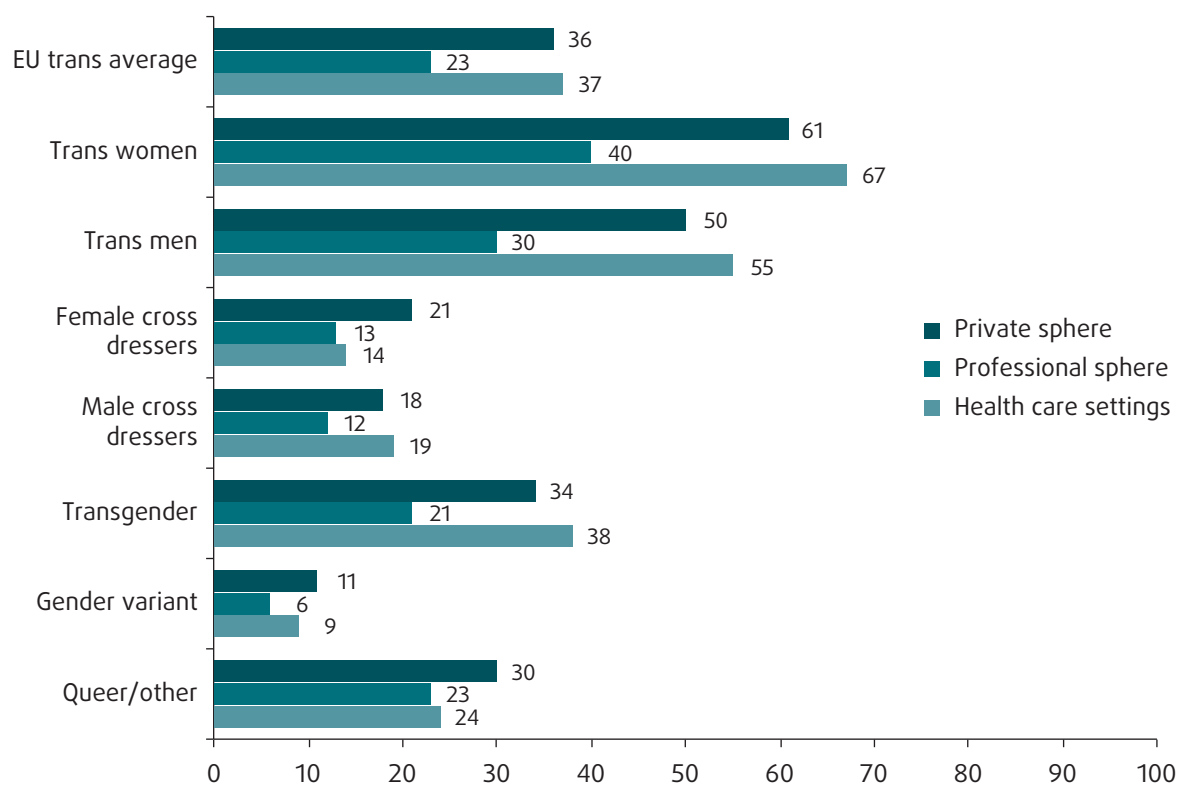
medical staff/healthcare providers. General openness was based on respondents' answers 'open to most' and 'open to all'.

These indicators show that in general only 36 % of the trans respondents are open to most or all in their private life sphere, a quarter (23 %) are open in the professional sphere and over one third (37 %) in healthcare settings (Figure 57). Figure 57 makes clear that there is generally less openness in professional life than in private or healthcare settings. General openness differs widely according to the different identity groups. It is higher for trans women and trans men, especially in healthcare settings. Gender variant respondents are the most closed.

General openness increases with age and with income level. Strikingly though, respondents with a higher educational level are in general *less* open than those with lower educational levels, even when controlled for age.

The openness in the different life spheres also differs significantly across EU Member States. Only one in 10 is open in the *private sphere* in Latvia, Portugal, Poland and Lithuania. In Belgium and the Netherlands more than half of the respondents are open in the private sphere. For the *professional sphere* the percentages are much lower: the highest levels of openness in the professional sphere are found in Spain, the United Kingdom, Belgium and the Netherlands. Even in these Member States, however, only around one in three trans persons is open (Figure 58).

**Figure 57: General openness in the private, professional and healthcare sphere, by identity group (%) open to most and open to all**

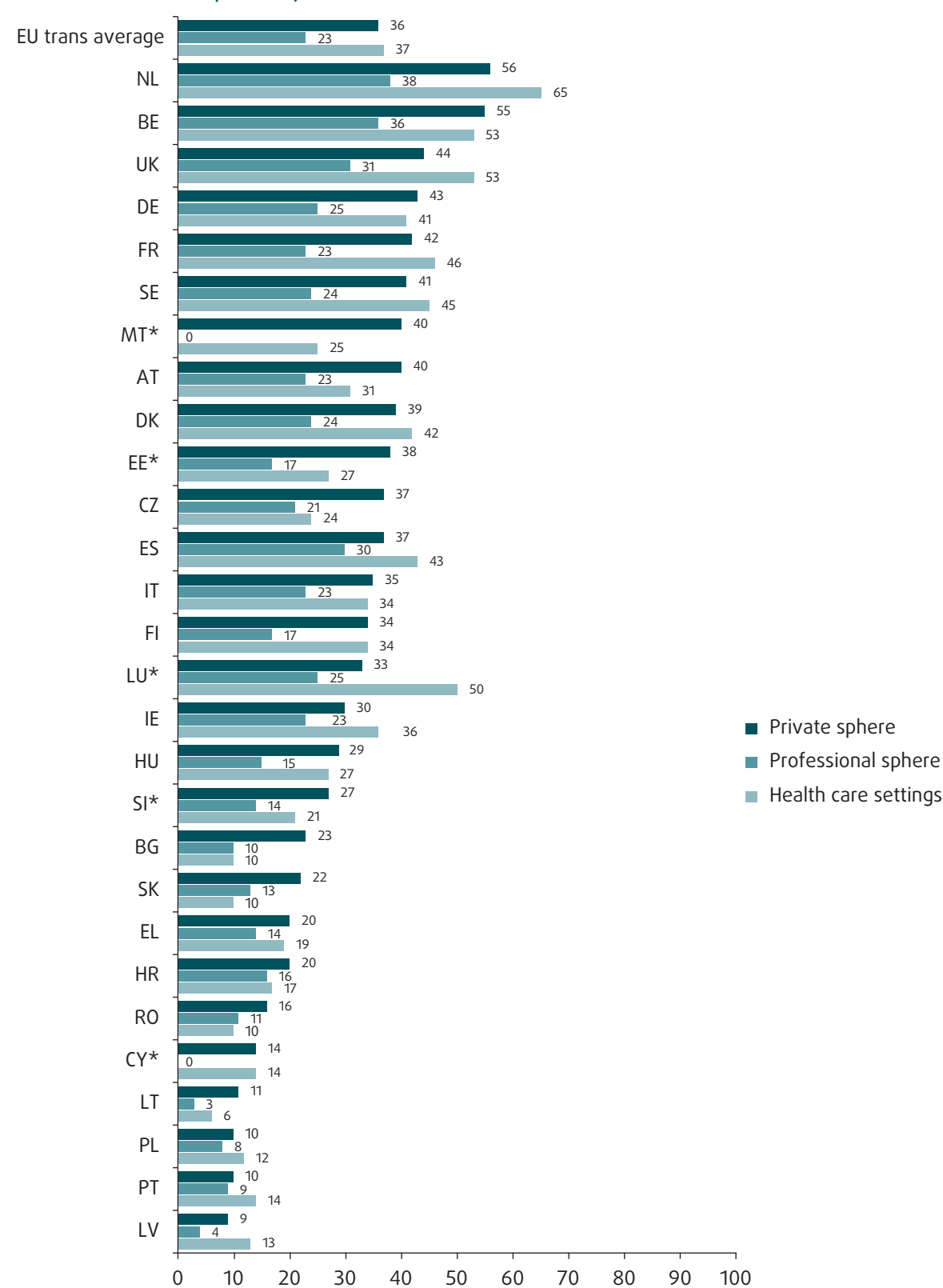


**Question:** G3. To how many people among the following groups are you open about yourself being transgender? Private sphere: family members, friends, neighbours; Professional sphere: work colleagues/schoolmates, immediate superior/head of department, and customers/clients; Healthcare settings: medical staff/healthcare providers. General openness was calculated as a percentage of answers 'open to most' and 'open to all'.

**Base:** Trans respondents in the EU LGBT survey (excluding respondents who felt that the question does not apply to them).

**Source:** FRA, EU LGBT survey, 2012

**Figure 58: General openness in the private, professional and health care sphere, by EU Member State (% open to most and open to all)**



**Question:** G3. To how many people among the following groups are you open about yourself being transgender? A. Family members B. Friends C. Neighbours D. Work colleagues/schoolmates E. Immediate superior/head of department F. Customers, clients, etc. at work G. Medical staff/healthcare provide.

**Base:** Trans respondents in the EU LGBT survey (excluding respondents who felt that the question does not apply to them).

**Source:** FRA, EU LGBT survey, 2012

## 3.5. Perceived public attitudes, negative reactions and life satisfaction

### 3.5.1. Perceived public attitudes

*“The biggest question I have as a cross-dresser is the following: if a woman adopts men’s clothing, behaviour, expressions, and a general male attitude towards life, she is not criticised in the least. It’s accepted behaviour. If they wear feminine clothes one day, but typically male costumes the next day, nobody will even raise an eyebrow. That’s the result of years of feminist movements: the right to wear and behave as they like. Men, by contrast, desiring to wear feminine clothes and exhibit a feminine behaviour, are unable to do so. Why? Why is our European society so tolerant of women aspiring to behave and dress like men, but so discriminating towards men who enjoy (or are driven to) feminine behaviour? This goes beyond the ‘rights’ of transgender persons; it should give us pause for reflection why women and men don’t enjoy the same freedom of expression through their clothes and behaviour.”* (Cross dresser, 42, Portugal)

The survey asked respondents their views on the extent to which politicians use offensive language or

others make casual jokes about LGBT people in their country. To gather information about the role of gender expression in the reactions respondents experienced from other people, the survey also asked participants whether or not they had received negative reactions because they had behaved in ‘too’ feminine or masculine a way.

According to 86 % of the respondents, casual jokes in everyday life about LGBT persons are fairly to very widespread in their country. More than half perceive assaults and harassment against LGBT persons to be fairly to very widespread, in the country in general, going beyond their own experiences. Furthermore, around half of the respondents also perceive offensive language about LGBT people by politicians to be fairly to very widespread. On the other hand, four in five trans respondents indicate that positive measures to promote the respect for the human rights of transgender people (for instance equality plans, public campaigns, specialised services) are very or fairly rare in the country in which they live. Three quarter of respondents believe that it is very to fairly rare that public figures in politics, business, sports, etc. are open about being lesbian, gay, bisexual and/or transgender (Table 20).

**Table 20: Trans respondents’ perceptions on whether or not a described course of conduct or situation is widespread in their country (%)**

	Very or fairly rare	Fairly or very widespread	Don’t know
Offensive language about lesbian, gay, bisexual and/or transgender people by politicians	43	49	8
Casual jokes in everyday life about lesbian, gay, bisexual and/or transgender people	13	86	1
Expressions of hatred and aversion towards lesbian, gay, bisexual and/or transgender in public	33	65	2
Assaults and harassment against lesbian, gay, bisexual and/or transgender people	39	53	8
Public figures in politics, business, sports, etc. are open about themselves being lesbian, gay, bisexual and/or transgender	75	21	4
Positive measures to promote respect for the human rights of transgender people (for instance equality plans, public campaigns and specialised services)	80	13	7

**Question:** B1. In your opinion, how widespread are the following in the country where you live? (courses of conduct/situations as listed on table rows above – selected items from question B1; response categories: very rare, fairly rare, fairly widespread, very widespread, don’t know).

**Base:** Trans respondents in the EU LGBT survey.

**Source:** FRA, EU LGBT survey, 2012

### 3.5.2. Experiences of maltreatment

*“By now I don’t get randomly harassed for having a history of transsexualism because it’s simply not visible when I’m clothed. However, in the years when my gender was perceived as ambiguous I felt threatened and harassed on a daily basis.”* (Trans man, 29, Poland)

Trans respondents were asked if they were treated in a negative or disrespectful way in the six months preceding the survey in a variety of day-to-day settings.

In that period, around four in 10 of all trans respondents dealt at least once with people who – due to the respondent being perceived as LGBT – acted as if they considered themselves better (44 %), and were treated at least once with less respect (41 %) or less courtesy (38 %) than other people. In the same time period, one in three respondents met people who acted as if they were afraid of them due to perceiving them as LGBT. A quarter of all trans respondents perceived people acting as if they thought they were not clever. One out of five trans respondents received poorer

services than others (e.g. in restaurants, shops), was followed around by people in public places, or encountered people who acted as if they thought the respondent was dishonest due to perceiving the respondent as LGBT. In all but one example, trans women are the most likely to indicate that this happened to them at least once. Transgender respondents are the most likely to report that people have acted as if they thought they were dishonest (Table 21).

One in eight trans respondents indicate that they often or almost always receive negative reactions because they behave in too feminine or too masculine a way. Cross dressers who are female at birth report much higher incidences of regularly negative reactions for behaving in too masculine a way (40 %), than male cross dressers do for behaving in too feminine a way (26 %). One in three trans men (female at birth) (34 %) receive negative reactions for behaving in too masculine a way, while the same happened somewhat less to trans women (male at birth) (24 %) (Table 22).

**Table 21: Trans respondents who have experienced selected situations at least once in the last six months due to being perceived as LGBT, by identity group (%)**

	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
You have been treated with less courtesy than other people	38	48	40	46	34	45	30	32
You have been treated with less respect than other people	41	50	44	48	38	47	32	36
You have received poorer services than others (e.g. in restaurants, shops)	19	26	17	22	21	22	14	17
People have acted as if they thought you were not clever	24	28	26	27	26	24	17	22
People have acted as if they were afraid of you	30	36	30	35	27	33	24	28
People have acted as if they thought you were dishonest	22	24	25	24	24	27	16	19
People have acted as if they were better than you	44	51	46	54	41	45	35	41
You have been followed around by people in public places, such as a shop	19	30	14	20	20	22	16	14

**Question:** G4. In the last six months, in your day-to-day life, how often have any of the following things happened to you because you are or are assumed to be transgender? (situations as listed on the table rows above; sum of response categories ‘happened only once in the last six months’, ‘2-5 times in the last six months’ and ‘6 times or more in the last six months’.

**Base:** Trans respondents in the EU LGBT survey.

**Source:** FRA, EU LGBT survey, 2012



**Table 22: Receiving negative reactions because of being perceived to behave often or almost always in too feminine or too masculine a way, by identity group (%)**

	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
Too feminine	15	24	8	4	26	17	16	12
Too masculine	17	6	34	40	9	17	13	17

*Question: A6. Have you ever received negative reactions because you behave or have behaved in a too feminine or too masculine way? (sum of response categories 'Often' and 'Almost always').*

*Base: Trans respondents in the EU LGBT survey.*

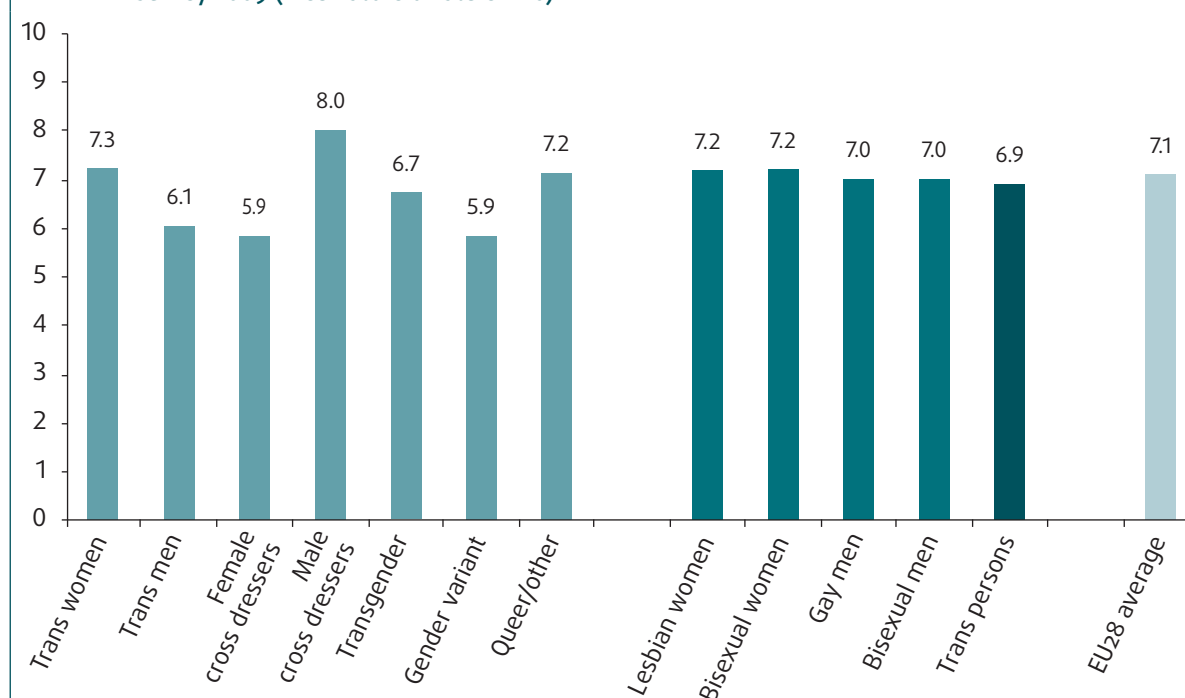
*Source: FRA, EU LGBT survey, 2012*

### 3.5.3. Life satisfaction

Respondents were asked how satisfied they were with their life nowadays. As this came at the end of the questionnaire, the results may be influenced by respondents having recalled various negative experiences from the recent past when answering the earlier questions.

The average rating for life satisfaction for trans respondents in the EU-28 on a scale of 1–10 is 6.9, which is not much lower than the rating for life satisfaction in the EU-28 among the general population (7.1).<sup>97</sup> At the same time, the life satisfaction score of trans respondents is lower than the life satisfaction of other LGB groups surveyed by FRA (Figure 59).

**Figure 59: Life satisfaction in the EU LGBT survey, by identity group, and in the European Working Conditions Survey 2009 (mean score on scale 1-10)**



*Question: G5. All things considered, how satisfied would you say you are with your life these days? Please answer using a scale, where 1 means very dissatisfied and 10 means very satisfied.*

*Base: EU LGBT survey respondents.*

*Source: FRA, EU LGBT survey, 2012*

<sup>97</sup> European Foundation for the Improvement of Living and Working Conditions (Eurofound) (2009).

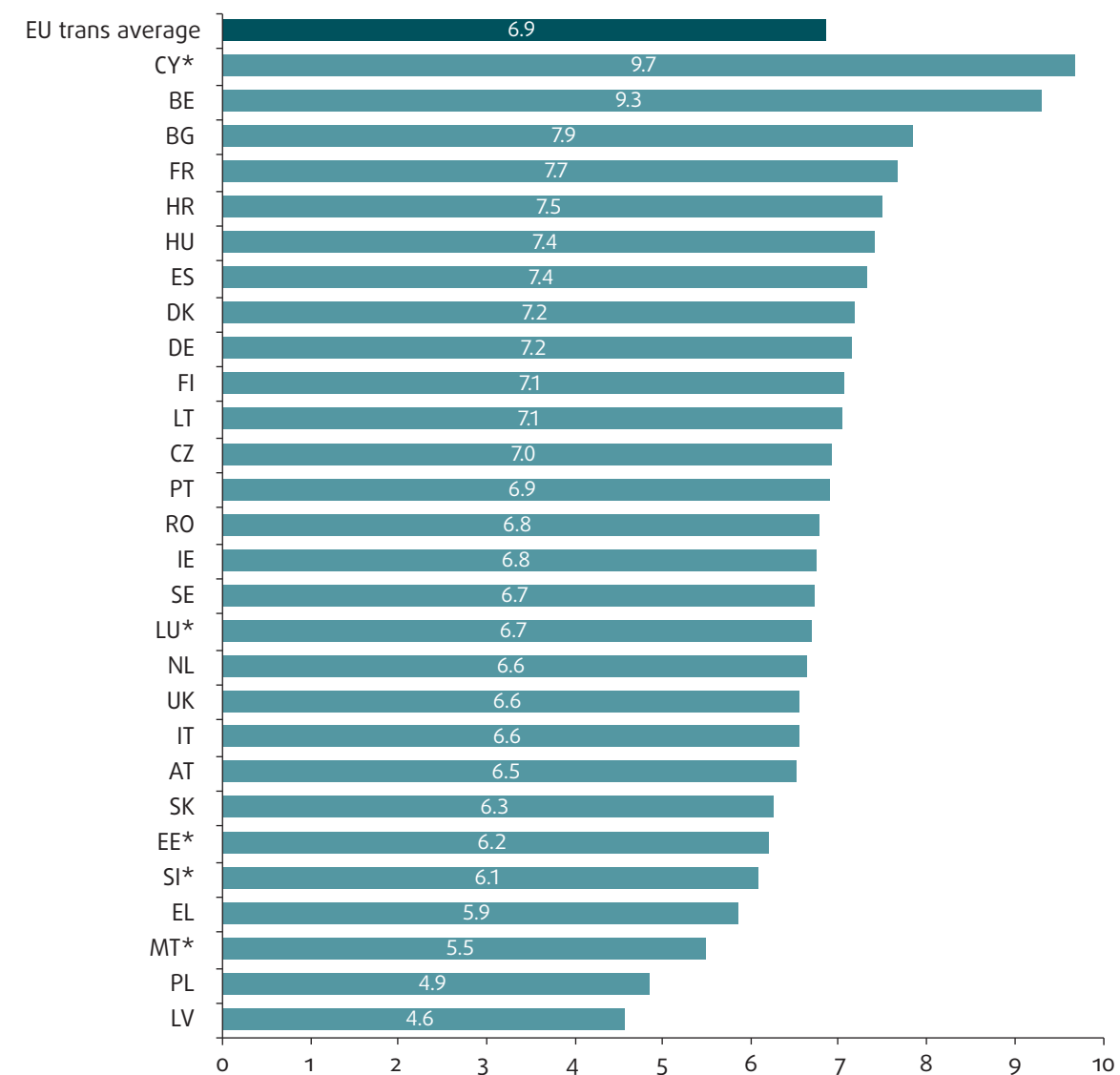
In the EU LGBT survey, the results differ significantly by trans identity group, even when controlled for age. Female cross dressers and gender variant respondents show the lowest life satisfaction, followed by trans men. Male cross dressers are the most satisfied of all trans groups.

*“I am and have been fortunate to live in an area and work for companies where discrimination and harassment are minimal, so have been able to transition and live openly as myself. There were no issues getting my paperwork changed, and apart from delays in getting surgery everything has gone smoothly. A positive note in what can be a difficult situation.” (Trans woman, 37, United Kingdom)*

The results differ largely by country, with the lowest satisfaction scores among trans respondents in Latvia (4.6) and Poland (4.9), and the highest in Belgium (9.3) (Figure 60).

Life satisfaction is strongly correlated with openness in private and in professional life: the more open respondents are about being trans, the more satisfied they are with life.

Figure 60: Life satisfaction by EU Member State (mean score on the scale from 1-10)



Question: G5. All things considered, how satisfied would you say you are with your life these days? Please answer using a scale, where 1 means very dissatisfied and 10 means very satisfied.

Note: \* Cases where the number of applicable responses was fewer than 30.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012



As is known from the literature on quality of life studies, overall life satisfaction is strongly influenced by socio-demographic characteristics such as gender, age, health and so on.<sup>98</sup> The data from the EU LGBT survey on trans respondents confirms previous literature showing the positive influence of older age: the older the respondents, the more satisfied they are with their quality of life. Life satisfaction tends to correlate positively with having children, employment and higher income. The trans respondents in the highest income quartile are more satisfied (7.8) than those from the lowest income quartile (6.6). Trans respondents in paid work are more satisfied (7.3) than students (6.9) and other non-working respondents (6.0). No notable differences, however, are found for respondents living with children (6.9) or not (6.4). The survey did not ask all respondents if they had children of their own. Only those with children under the age of 18 in their current household were asked if they were a parent or legal guardian of a child (or children). Respondents with a lower educational level are less satisfied with their life (6.5) than those with a higher educational level (7.3) (controlled for age).

*"I was surprised at how little negative reaction I received during my 'coming out' and medical treatment. I don't speak openly about my past because I just want a 'normal' life."*  
(Trans woman, 27, Austria)

### 3.5.4. How do trans respondents think their life can be improved?

*Recommendation CM/Rec(2010)5 underlines that member states should raise awareness among public authorities and public institutions at all levels of their responsibility to refrain from statements, in particular to the media, which may reasonably be understood as legitimising such hatred or discrimination.*

*"Member states should also install positive measures to promote respect for trans people (for instance equality plans, public campaigns, specialised services, etc.). The information and insights gathered by diverse equality authorities and other specialised bodies can inform policy makers and civil servants who wish to take initiatives in setting up policy action plans to enhance the emancipation of trans citizens in their country."*

*European Network of Equality Bodies (Equinet) (2010), Making equality legislation work for trans people, Brussels, Equinet*

The EU LGBT survey focused on measuring the problems of trans persons in daily life, and their experiences with discrimination, harassment and violence. The survey also asked respondents their opinion about ways to improve their living conditions. One such question was:

*"What would allow you to be more comfortable living as a transgender person in the country where you live?"*

Over nine in 10 respondents agree with the statement that if national authorities promote the rights of trans persons, this would allow them a more comfortable living as a trans person. Nine out of 10 say that their life would improve if: public figures in politics, business, sports, etc. would speak out openly in support of trans persons; if measures to respect trans persons were implemented at schools; and if religious leaders showed better acceptance of differences in gender identities. Almost nine in 10 say that easier legal procedures for gender recognition in the preferred gender would help them to live a more comfortable life. Over three quarters of respondents think that workplace anti-discrimination policies referring to gender identity would enhance their lives as trans persons (Table 23).

The only occasion where differences between the identity groups emerge is as regards the item 'more options for medical treatment'. Transgender (80 %), trans women and trans men (both 85 %) were more likely than the other groups (79 %) to agree or strongly agree that more such options would help them live more comfortably as trans persons.

The importance of having positive measures, such as equality plans, public campaigns and specialised services, promoting respect for the human rights of trans persons becomes clear when their existence is correlated with trans respondents' avoidance behaviour. The more common it is in their country to have such positive measures, the less trans respondents report avoiding certain places or locations for fear of assault, threat or harassment because of being trans (Table 24).

*"It would simply be nice if everybody in the EU received the education that being LGB or T was as much a choice as being left handed. I do hope that people will look back on this decade and the treatment of LGBT children with the same regret as we now look back on the treatment of left-handed children (forcing them to conform with the majority) which took place in the early 20th century."*  
(Transsexual, 55, United Kingdom)

<sup>98</sup> Eurofound (2009).

**Table 23: Respondents’ opinions on ways to enhance a comfortable life as trans person (%)**

	Agrees or strongly agrees	Current situation is fine	Strongly disagrees or disagrees
More options for medical treatment	79	12	9
Easier legal procedures for gender recognition in the preferred gender	87	7	6
Workplace anti-discrimination policies referring to gender identity	77	5	4
Measures implemented at school to respect transgender people	93	2	5
Public figures in politics, business, sports, etc. speaking openly in support of transgender people	92	3	5
National authorities who promote the rights of transgender people	94	2	4
Better acceptance of differences in gender identities by religious leaders	92	2	6

Question: TR6. What would allow you to be more comfortable living as a transgender person in the country where you live? (Selected items as listed in the table; column ‘Disagree’ presents the sum of response categories ‘Disagree’ and ‘Strongly disagree’; column ‘Agree’ presents the sum of response categories ‘Agree’ and ‘Strongly agree’).

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

**Table 24: Respondents who avoid certain places for fear of assault, threat or harassment because of being trans, by measures to promote respect for the human rights of trans persons (%)**

Positive measures	Avoid certain places or locations for fear of being assaulted, threatened or harassed			
	Yes	No	Don’t know	No. of respondents
Very rare	53	28	19	2,646
Fairly rare	51	33	15	2,546
Fairly widespread	47	39	14	776
Very widespread	38	44	18	130
Don’t know	38	38	24	481
<b>Total</b>	<b>50</b>	<b>32</b>	<b>17</b>	<b>6,579</b>

Questions: B1\_1. In your opinion, how widespread are the following in the country where you live? Positive measures to promote respect for the human rights of transgender people (for instance equality plans, public campaigns, specialised services, etc.) - In your opinion, how widespread are the following in the country where you live?

E2. Do you avoid certain places or locations for fear of being assaulted, threatened or harassed because you are trans?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012



**Table 25: Respondents who avoid expressing their gender or desired gender for fear of assault, threat or harassed, by measures to promote respect for the human rights of trans persons (%)**

Positive measures	No. of respondents	Avoid expressing (desired) gender for fear of being assaulted, threatened or harassed		
		Yes	No	Don't know
Very rare	2,646	35	56	8
Fairly rare	2,546	32	61	7
Fairly widespread	776	25	67	8
Very widespread	130	28	66	5
Don't know	481	29	60	11
<b>Total</b>	<b>6,579</b>	<b>32</b>	<b>60</b>	<b>8</b>

Questions: *B1\_1. In your opinion, how widespread are the following in the country where you live? Positive measures to promote respect for the human rights of transgender people (for instance equality plans, public campaigns, specialised services, etc.).*

*TR9. Do you avoid expressing your gender (or your desired gender) through your physical appearance and clothing for fear of being assaulted, threatened or harassed?*

Base: *Trans respondents in the EU LGBT survey.*

Source: *FRA, EU LGBT survey, 2012*

#### FRA opinion

*As the survey has shown, obtaining identity documents matching their gender identity and expression is a problem that hinders normal social life for many trans respondents. EU Member States should ensure the full legal recognition of a person's preferred gender, including the change of first name, social security number and other gender indicators on identity documents.*

*Gender recognition procedures should be accessible, transparent and efficient, ensuring respect for human dignity and freedom. In particular, divorce and medical interventions, such as sterilisation, should not be required in legal gender recognition processes.*

*EU Member States should fully recognise documents and decisions issued by other EU Member States in the area of legal gender recognition, to facilitate the enjoyment of trans persons' right to freedom of movement in the EU.*

# Conclusions

The EU LGBT survey results provide for the first time robust and comparable data revealing an alarming reality for trans persons in the EU, who experience discrimination, harassment and violence in all spheres of life due to their trans identity. In an effort to escape these experiences, trans persons avoid expressing their gender identity and stay away from places where they fear assault, threat or harassment simply because they are trans. This reality deprives them of their right to participate equally in society and of several fundamental rights, such as the rights to dignity, to privacy, to respect for private life and to freedom of expression. The use of avoidance strategies increases their social invisibility and reinforces negative public stereotypes and attitudes, fuelling the phenomena of exclusion and marginalisation.

The analysis shows that some groups are particularly vulnerable: those who are young, those not in paid work (among them many young trans persons), and those from the lowest income strata. They are more likely to report experiences of discrimination, harassment and violence. One third of all trans respondents avoid expressing their gender (or their desired gender) through their physical appearance and clothing for fear of being assaulted, threatened or harassed because of it. Almost one out of five avoid being open about being trans even at home. Half of the trans respondents indicate that they avoid certain places or locations, notably public transport, for fear of assault, threat or harassment.

The more widespread respondents perceive such expressions of hatred and aversion to be, the more likely they are to avoid both expressing their gender

and going to places for fear of being assaulted or harassed. The openness of respondents is affected by their perception of the prevailing social attitudes towards trans persons in their society even for those who do not have personal experiences of discrimination, violence or harassment. In the few EU countries where there are positive measures to promote respect for the human rights of trans persons, respondents tend to be generally more open in different spheres of life and less likely to report that they avoid certain places. Overall in the EU four out of five trans respondents report positive measures promoting the rights of trans persons as very or fairly rare. Over nine in 10 respondents say that if authorities would promote the rights of trans persons, it would empower them to lead a more dignified and comfortable life.

Hate crime and the repeat victimisation of trans persons forces many to adopt survival strategies that effectively strip them of their fundamental rights, as they hide or disguise their gender identity or background. This also means that society remains largely unaware of the challenges and rights' violations that trans persons face in their daily life. Lack of acknowledgement of this disquieting truth provides fertile ground in turn for discrimination and further victimisation of trans persons.

The evidence and opinions provided in this report are intended to support EU institutions and Member States in taking more effective legal and policy measures to improve this situation. Measures promoting equality can contribute to fighting discrimination and hate crime against trans persons, ensuring that as members of an inclusive society they can achieve their full human potential.



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# Annex 1: Approach and research methodology

The EU LGBT survey collected information from LGBT persons living in the EU. A total of 93,079 persons who identified themselves as lesbian, gay, bisexual and transgender participated in this survey. Among these, 6,771 self-identified as transgender. After data cleaning<sup>99</sup> the responses of 6,579 survey respondents were used in the analysis for this report. Note that the main results report includes the total group of 6,771 trans respondents and compares them to the other groups of respondents – lesbian women, gay men, bisexual women and bisexual men. Trans persons' responses, with very few exceptions, indicate the highest levels of discrimination, harassment and violence of all LGBT respondents. This report analyses the trans respondents in more detail, to uncover differences within this very diverse group of respondents. FRA wishes to thank Joz Motmans, University of Antwerp, for his valuable contribution in the data analysis.

## Survey method

The survey was conducted through an anonymous online questionnaire, primarily promoted in LGBT-related online media and social media. This methodology generated by far the largest collection of empirical information about LGBT persons available in Europe or worldwide.

The bulk of the questionnaire was composed of closed questions, with respondents given a range of possible responses among which they were asked to select the one or several response categories which best reflected their opinions and experiences. Where relevant, to accommodate respondents who felt unable to answer the question or who felt that the question did not apply to them, one option was to answer 'don't know'. At the end of the questionnaire was an open section where respondents could provide additional information. A non-representative selection of these responses is quoted verbatim in this report.

The main advantage of the online methodology is the complete anonymity of respondents, allowing the survey to reach LGBT persons who may not be open about their sexual orientation or gender identity, as well as to obtain data about negative experiences that people do not normally talk about. The main limitation of the online methodology is that the sample thus obtained is not statistically representative of the total LGBT population, which, as a 'hard to reach' population, cannot

be identified in population registers. Nevertheless, the results can be considered robust because the number of survey respondents is very large and the survey managed to reach out to heterogeneous populations within the target groups in each country. This was possible due to the country-level awareness-raising campaigns, as well as by survey organisers' social media activities during data collection.

The content of the questionnaire, the research process and the details of the technical aspects of the survey implementation can be found in the Annex of the EU LGBT Main results report as well as in the separate technical report.<sup>100</sup>

Some important aspects to mention briefly here are:

- **Statistical representativeness:** the absence of a statistical consensus on the measurement of gender identity and the lack of available data on the proportion of trans people within the general population, combined with the difficulties in approaching people to take part in a survey on the basis of their gender identity, meant that selecting respondents through random sampling was not feasible. In statistical terms, the EU LGBT survey therefore represents the opinions of 6,771 people who identified themselves as transgender, who were internet users, who were informed about the survey and who decided to participate in it. Nevertheless, the very large sample size means it is plausible that the tendencies found in the results reflect to a large extent those of the trans population in the EU. As mentioned in the first chapter of this report, feelings of gender incongruence are much more widespread than self-identifications as trans persons. The propensity of trans persons to identify their gender identity in terms of given categories may vary across countries, social strata, age, social and cultural contexts or other variables, as well as over time. These factors may also influence the extent to which trans people are open about their identity, even in the case of an anonymous online questionnaire. Unequal access to the internet may also have influenced the sample, especially in the Member States with lower levels of internet access.
- **Data quality and consistency:** respondents' eligibility was established at the beginning of the questionnaire. Only those who self-identified as transgender, who lived in one of the 28 EU Member States – regardless of legal circumstances (residence status) or citizenship – and who were

<sup>99</sup> In this particular case, data cleaning involved detecting and removing from the survey data set responses that seemed to inaccurately self-identify as transgender. For more details see the section on survey method in this annex.

<sup>100</sup> For more details on the EU LGBT survey and its methodology, see the Technical Report: FRA (2013c).

aged at least 18 were allowed to complete the full questionnaire. Throughout the questionnaire, the wording of questions was adapted to the respondents' particular group. For example, trans respondents were asked about their personal experiences as a trans person rather than as an 'LGBT' person. Certain questions were asked only of trans respondents, for example those related to gender reassignment.

- **Weighting of data:** to avoid the influence of under- or overrepresentation of any nationality in the sample, data weighting was applied to the EU-level results. This procedure guarantees that the opinions of the trans respondents from each country are represented proportionally in the survey according to the country's total population size. In the absence of reliable statistics on the size of the trans population in the EU, this weighting was based on the assumption that the relative size of the trans population over the age of 18 is the same in each EU Member State; country weights are computed based on Eurostat data. In this report, the base number (*N*) of responses to each question is presented as an unweighted count, whereas the percentages of respondents selecting a particular answer are presented in weighted form.

## Data cleaning

To fully understand the diversity within the sample, secondary in-depth analysis was conducted. In the EU LGBT survey, respondents were asked 'Are/were you a transgender person' (Question A3), and those who answered 'yes' were offered a list of categories to define in more detail how they identify themselves. This list of categories included also the category 'other', and respondents who selected that category could provide more information in an open text field.

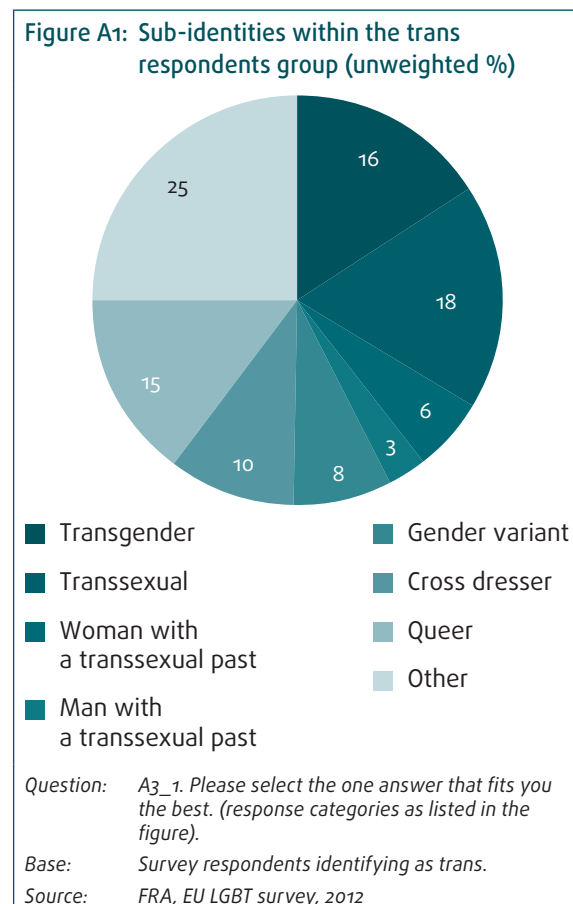
First, the open answers of the group of trans respondents who identified as 'other' (*n* = 1,683) were analysed in detail. Second, the open text answers of those respondents whose sex at birth was not in line with their chosen gender identity were analysed in detail (*n* = 118). This analysis resulted in the recoding of 192 respondents as non-trans respondents. Excluding these respondents from the subsequent analysis was necessary to ensure that the results truly reflect the opinions and experiences of trans persons. Furthermore, the number of excluded cases is relatively small compared to the total number of trans respondents – in total, 6,579 trans respondents remained for the analysis carried out in this report. This data-cleaning process is described in more detail in what follows.

## Analysis of the 'other' sub-identity

One in twelve (8 %) respondents identified themselves as a trans person according to the analyses of the FRA survey results presented in the main results report.<sup>101</sup> In the survey, following an initial question concerning gender identity, the respondents identifying as trans were able to further self-identify as part of a trans subgroup. Transgender, transsexual, queer and 'other' were the most common identification categories selected (Figure A1).

Table A1 presents the distributions of these subgroups within the EU Member States covered.

Examining the results presented in Table A1, the large number of trans respondents who chose the option 'other' is striking (*n*=1,683 or 25 % of all trans respondents). Respondents who chose this response category could explain in an open text answer field in more detail and in their own words how they identify



<sup>101</sup> FRA (2014a).

**Table A1: Description and numbers of trans respondents, by EU Member State (unweighted N)**

	AT	BE	BG	CY	CZ	DE	DK	EE	EL	ES	FI	FR	HR	HU
<i>N</i>	167	165	106	25*	170	1329	143	24*	264	214	481	435	108	134
Transgender	16	38	13	6	15	200	35	1	55	20	70	105	14	14
Transsexual	33	21	3	0	30	260	25	3	15	39	92	71	9	40
Woman with a transsexual past	10	12	2	0	14	100	5	1	1	4	24	26	3	7
Man with a transsexual past	6	4	0	1	5	65	2	0	1	3	25	8	1	7
Gender variant	10	12	16	0	14	101	9	3	23	15	54	15	18	6
Cross-dresser	27	10	3	0	8	170	26	2	12	14	64	40	13	9
Queer	39	17	25	4	56	210	11	9	41	30	70	57	29	12
Other	26	51	44	14	28	223	30	5	116	89	82	113	21	39
	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK
<i>N</i>	139	650	40	38	46	18*	251	259	87	147	374	29*	115	813
Transgender	35	65	5	8	6	5	58	19	4	11	48	7	15	178
Transsexual	23	90	8	3	8	2	64	62	10	6	87	2	10	201
Woman with a transsexual past	7	15	3	4	3	0	22	2	2	1	18	0	0	111
Man with a transsexual past	1	9	0	1	1	1	12	5	2	3	21	0	1	14
Gender variant	12	32	9	3	0	1	9	35	6	15	19	1	35	66
Cross-dresser	19	21	7	6	8	0	18	59	6	9	47	2	3	51
Queer	18	88	3	4	8	6	20	37	10	23	63	5	37	84
Other	24	330	5	9	12	3	48	40	47	79	71	12	14	108

Question: A3\_1. PLEASE SELECT THE ONE ANSWER THAT FITS YOU THE BEST.

Notes: *N* = trans sample per country.

\* Cases with fewer than 30 responses.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

themselves. Furthermore, at the end of the questionnaire, the survey gave all respondents the opportunity to voice anything they considered important or worth mentioning, in addition to the questions already asked. The answers to these two open text questions were further analysed.

Overall, 1,683 respondents answered 'other' in the question concerning self-identification with different trans groups. The answers given by these respondents to the survey's final open text question ('J1: Feel

free to tell us about anything you consider important or worth mentioning') were further analysed in view of respondents' trans identity. Based on the analysis of these open text answers, 189 respondents were recoded as non-trans as their open text replies noted that they were not/never trans or gender nonconforming. This recoding was done carefully: if there was any doubt about the interpretation of the statement of a respondent, the respondent continued to be categorised as trans. The framing of the question (A3) 'Are / were you a transgender person?' was inclusive

of those respondents who had experienced a period of cross-gender identification that had since passed. Therefore, some of the trans respondents who currently identify with their birth sex are included in the total trans sample.

Second, the open description fields that respondents could use when they chose the 'other' sub identity (question a3\_1\_oth) were carefully analysed case by case. The same data-cleaning method was applied: only when the respondents described themselves in a very clear way as non-trans were they recoded as such. In the end, only one respondent was recoded in this way. The reviewing of the open answer field also led to recoding those respondents who fitted one of the offered sub-identities (they wrote 'queer', for example, when 'queer' was one of the listed options, used slightly different terminology, or gave more details concerning their situation). The following list gives the full overview of these answers, and makes it clear to which sub-identity category they were recoded.

Answers recoded into transgender:

- likely to be transgender, but not yet diagnosed (n=1)
- Trans (n=13)
- Transgender (n=23)
- Transgender, I'm male and female through life (n=1)

Answers recoded into transsexual:

- When other = FTM or MTF:<sup>102</sup> (n=12)
- When other = a man in a woman body (or vice versa) (woman)
- In opposite-sex body (n=1)
- Male, FTM. (Transsexual background type) (n=1) (birth sex = female)
- Male, Transsexual past (n=1) (birth sex = female)
- Male, Transsexual, Intergender (n=1) (birth sex = female)
- Post-op (n=1)
- Technically transsexual, do not use term (n=1)
- Trans man (n=19)
- Trans woman (n=7)
- Transgender or Transsexual (n=3)
- Transgender woman to man (n=1)
- Transgender, chosen to live like transsexual woman (n=1)
- Transgender, transsexual (n=6)
- Transgender, Woman (n=1)
- Transmale, transman, man, transgender (n=1)
- Transsexual (n=12)
- Transsexual man (n=3)
- Transsexual woman (n=7)

<sup>102</sup> FTM = a person who identifies on the male spectrum but who was assigned a female sex at birth, MTF = a person who identifies on the female spectrum but who was assigned a male sex at birth.

- Transsexual, Female to Male (n=1)
- Woman in a man's body (n=1)

Answers recoded into gender variant:

- Agender (n=4)
- Bigender (n=8)
- Dual gender (n=1)
- Fluid gender (n=4)
- Gender neutral (n=8)
- Gender fluid (n=4)
- Gender non-conformist (n=1)
- Genderless (n=1)
- Genderqueer (n=28)
- I feel the 2 (n=1)
- Intergender (n=15)
- Intergender, Queer (n=2)
- Male, Genderqueer (n=1) (birth sex = male)
- Neuter (n=5)
- No label (n=2)
- Non-gender (n=4)
- Pangender or pansexual (n=6)
- Polygender (n=2)
- Third gender? (n=1)
- Transgender, dual role (n=1)
- Transgender, trans,queer, intergender, agénero, bigénero (n=1)

Answers recoded into cross dresser:

- cross dresser (n=17)
- Male, Crossdresser (n=1)
- Male, Transvestite, Bisexual (n=1) (birth sex = male)
- Transvestite (n=7)
- Transvestite, Crossdresser (n=1)

Answers recoded into queer:

- queer (n=10)

In a second stage, cross dressers were divided into female and male cross dressers, since the initial data-analysis revealed major differences in the experiences of these two groups.

## Contradiction between birth sex and trans sub identity

The EU LGBT survey report mentioned 58 respondents with a female birth sex who identified as 'a woman with a transsexual past', and 60 respondents with a male birth sex who identified as 'a man with a transsexual past', which seems contradictory. Therefore, the answers of these 118 respondents to the open feedback question (J1) at the end of the survey were translated and analysed.

Reading the open feedback question of these respondents, one realised that individual personal stories do not always fit in a predetermined normative or statistical



categorisation. Some respondents described a period of cross-gender identification that had passed, that they had grown out of, but that still remained significant enough to tick the box ‘yes, I am/was transgender person’. The wording of the question in both present and past tense allowed them to mention their experiences within that given period.

Based on this analysis, the following recoding took place:

- three respondents with a female birth sex and identifying as ‘a woman with transsexual past’ were recoded as having a *male* birth sex;
- two respondents with a male birth sex and identifying as ‘a man with transsexual past’ were recoded as having a *female* birth sex;
- one respondent with a male birth sex and identifying as ‘a man with transsexual past’ was recoded as ‘a woman with transsexual past’;
- two respondents with a female birth sex and identifying as ‘a woman with a transsexual past’ were recoded as non-trans.

For the others, information was lacking on how to interpret their situation. It became clear that five respondents had mistakenly selected the ‘wrong’ birth sex, but this might be true for others as well. It is also possible that some respondents thought that they should state their current or legal sex, which may represent their experience more accurately. As before, during the data-cleaning process only those answers where there could be no doubt were recoded.

## Results after data cleaning

After the data cleaning, 192 respondents were recoded as non-trans respondents. In total, the answers of 6,579 trans respondents were used in the analysis presented in this report (Table A3).

The data-cleaning of the trans respondents in the EU LGBT survey does not lead to any major differences in the proportions in the sub-identity groups (Table A2).

**Table A2: Description of trans respondents, before and after data cleaning, within country (unweighted %)**

	Before data cleaning			After data cleaning	
	n	%		n	%
Transgender	1,066	15.7		1104	16.8
Transsexual	1,217	18.0		1295	19.7
Woman with a transsexual past	397	5.9		342	5.2
Man with a transsexual past	199	2.9		141	2.1
Gender variant	539	8.0		573	8.7
Cross dresser	654	9.7		753	11.4
Queer	1,016	15.0		1,026	15.6
Other	1,683	24.9		1,345	20.4
<b>Total</b>	<b>6,771</b>	<b>100</b>		<b>6,579</b>	<b>100</b>

Question: A3. Are/were you a transgender person? – Yes/No. If YES: A3\_1. PLEASE SELECT ONE ANSWER THAT FITS YOU BEST – Transgender/Transsexual/Woman with a transsexual past/Man with a transsexual past/Gender Variant/Cross dresser/Queer/Other.

Note: n = trans subgroup sample.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

**Table A3: Number of trans respondents before and after data cleaning, by EU Member State (unweighted)**

	Before data cleaning	After data cleaning	
	N	N	Recoded as non-trans
AT	167	166	1
BE	165	160	5
BG	106	105	1
CY	25	25	0
CZ	170	166	4
DE	1,329	1,318	11
DK	143	143	0
EE	24	23	1
EL	264	262	2
ES	214	203	11
FI	481	463	18
FR	435	425	10
HU	134	125	9
HR	108	105	3
IE	139	139	0
IT	650	587	63
LT	40	38	2
LU	38	36	2
LV	46	46	0
MT	18	18	0
NL	251	244	7
PL	259	257	2
PT	87	84	3
RO	147	129	18
SE	374	370	4
SK	115	111	4
SI	29	29	0
UK	813	802	11
<b>Total</b>	<b>6,771</b>	<b>6,579</b>	<b>192</b>

Question: A3. Are / were you a transgender person? – Yes.

Note: N = trans sample per country.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012. Population 18+:Eurostat 2012



## Annex 2: Trans respondents sample

After data cleaning, 6,579 trans respondents who completed the FRA EU LGBT survey remained. Table A4 shows the sample size by EU Member State (country the respondents currently live in), its total population over the age of 18 and the proportion of responses relative to the total adult population. It also shows the number of responses according to the weighting methodology described earlier.

The largest number of responses, a fifth of the total sample, came from persons residing in Germany – the most populous of the 28 EU Member States – with a further 12 % coming from the United Kingdom and almost 9 % from Italy. Participation rates ranged widely, with the highest value recorded in Finland and the lowest in Spain. In the EU-level analysis all responses were considered in proportion to the relative population size of the different EU Member States.

### Sample composition

As the number of trans persons in the population with respect to the total population of each country is not known, it is impossible to assess any possible selection bias in terms of key socio-demographic characteristics of the respondents. However, participation in online surveys varies between countries and depends very much on local networks and stakeholders, especially in the case of the EU LGBT survey, which was promoted by LGBT associations, in publications and websites and through social media.

A precondition for participation was unobstructed and continuous access to the internet for the amount of time it took to complete the questionnaire (typically from 30 minutes to one hour). Thus, unequal access to and differences in the capacity to use internet due to age, education, income and local infrastructure will be reflected in the survey results. Women and older persons do show lower internet usage rates throughout the EU, but this alone will not sufficiently explain some apparent imbalances in the sample structure. Further research is needed to reveal the social dynamics behind different participation rates between respondent groups. Different experiences of discrimination can lead to a higher motivation, or reluctance, to participate in a survey on discrimination. The results could also, however, reflect different levels of self-declaration or organisation among trans persons within a country. Not all trans persons are lesbian, gay or bisexual, and communities of LGB and trans persons might be, but are not always, closely linked to each other. When a trans organisation is not available in a certain EU Member State to promote and support the survey, this might influence the participation of trans persons in that country.

As explained above, it is not possible to say that the trans sample of the EU LGBT survey is statistically representative of the total EU trans population, which is unknown. Nevertheless, the 6,579 respondents represent the largest dataset ever collected within the EU, representing a wide range of opinions, behaviours and attitudes that are present in the statistical universe of the survey – *i.e.* all trans people aged 18 and above, living in the EU.

The trans universe includes persons with a wide range of possible gender identities and expressions as well as possible medical interventions that trans persons have undergone to express that gender. The survey asked respondents who self-identified as being (or having been) a trans person, to further categorise themselves as gender variant, cross-dressers, transgender, transsexual, men or women with a transsexual past, queer or 'other'. Transgender, transsexual, queer and 'other' were the most common identifications. Given the large number of categories, and to facilitate the analysis of the data with respect to gender differences, a less detailed categorisation was adopted for the analysis of survey data. Based on the terms that trans respondents identified with as well as (for transsexuals and cross dressers) their sex assigned at birth, seven identity group categories were created:

1. trans women: transsexual, and women with a transsexual past (male at birth)
2. trans men: transsexual, and men with a transsexual past (female at birth)
3. female cross dressers
4. male cross dressers
5. transgender
6. gender variant
7. queer/other

The respondents who self-identified as 'transgender' have not been regrouped into trans women or trans men, because the term 'transgender' might be used in multiple ways: some trans men and trans women prefer this term over the term transsexual, but others use it more in the sense of gender variant. Respondents with a male sex assigned at birth and a self-chosen identity as 'men with a transsexual past', as well as those with a female sex assigned at birth and a self-chosen identity as 'woman with a transsexual past' were recoded into the category 'other'.

These identity groups, though limited, provide a framework through which to analyse the respondents' living situation and experiences in life. Since 'transgender' is one of the sub identity groups within the total sample, the expressions 'trans respondents/persons/people' are used to refer to the total sample to avoid confusion.

Table A4: Sample size, by EU Member State (N) and their population aged 18 and above, the proportion of the number of cases in the sample relative to the total population aged 18 and above and weighted count

Country (of residence)	N	Population aged 18 and above	N relative to the total population aged 18 and above (%)	Weighted count
AT	166	6,872,033	0.0024	110
BE	160	8,617,292	0.0019	139
BG	105	6,241,121	0.0017	100
CY	25	633,359	0.0039	10
CZ	166	8,665,038	0.0019	139
DE	1,318	68,326,165	0.0019	1,098
DK	143	4,351,661	0.0033	70
EE	23	1,089,752	0.0021	18
EL	262	9,344,922	0.0028	150
ES	203	37,862,752	0.0005	609
FI	463	4,288,349	0.0108	69
FR	425	49,250,217	0.0009	792
HR	105	3,584,162	0.0029	58
HU	125	8,175,111	0.0015	131
IE	139	3,341,967	0.0042	54
IT	587	50,352,450	0.0012	809
LT	38	2,622,861	0.0014	42
LU	36	403,566	0.0089	6
LV	46	1,845,068	0.0025	30
MT	18	337,694	0.0053	5
NL	244	13,144,678	0.0019	211
PL	257	30,990,692	0.0008	498
PT	84	8,694,435	0.0010	140
RO	129	17,451,843	0.0007	281
SE	370	7,479,448	0.0049	120
SI	29	1,697,820	0.0017	27
SK	111	4,394,588	0.0025	71
UK	802	49,249,383	0.0016	792
<b>Total</b>	<b>6,579</b>	<b>409,308,427</b>		<b>6,579</b>

Note: N = trans sample per country.

Base: Trans respondents in the EU LGBT survey.

Sources: FRA, EU LGBT survey, 2012; Eurostat

## Sample typology by subgroup

Only respondents who identified as a trans person were routed to complete the survey as a trans person. Of this trans person total, 17 % were classified as transgender,

17 % as trans woman, 10 % as trans men, 4 % as female cross dresser, 4 % as male cross dresser, 17 % as transgender, 11 % as gender variant and 36 % as queer/ other (Table A5).



Table A5: Trans typology used in this report, by EU Member State (number of respondents), and percentage of all respondents within country (unweighted %)

	EU total	AT	BE	BG	CY	CZ	DE	DK	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK
Trans women	1,147	28	28	1	0	30	258	20	3	13	24	64	89	6	29	21	58	6	4	5	2	67	35	5	6	72	1	5	267
Trans men	631	17	9	3	0	12	159	15	1	4	21	83	17	3	22	12	51	2	2	5	2	28	32	10	1	52	2	5	61
Female cross dresser	286	1	8	9	0	9	46	6	2	6	6	38	4	13	4	12	15	4	1	0	1	6	20	2	5	11	0	14	43
Male cross dresser	287	9	4	7	0	6	58	4	1	20	11	16	11	5	4	4	17	5	2	0	0	6	16	13	10	11	2	21	24
Transgender	1,104	17	39	13	6	15	209	38	1	56	21	77	109	14	15	35	67	5	8	6	5	61	19	4	11	50	7	15	181
Gender variant	753	29	12	3	0	8	181	27	2	14	19	74	43	13	11	22	22	7	6	9	0	21	64	7	9	70	2	4	74
Queer/other	2,371	65	60	69	19	86	407	33	13	149	101	111	152	51	40	33	357	9	13	21	8	55	71	43	87	104	15	47	152
<b>Total N</b>	<b>6,579</b>	<b>166</b>	<b>160</b>	<b>105</b>	<b>25</b>	<b>166</b>	<b>1,318</b>	<b>143</b>	<b>23</b>	<b>262</b>	<b>203</b>	<b>463</b>	<b>425</b>	<b>105</b>	<b>125</b>	<b>139</b>	<b>587</b>	<b>38</b>	<b>36</b>	<b>46</b>	<b>18</b>	<b>244</b>	<b>257</b>	<b>84</b>	<b>129</b>	<b>370</b>	<b>29</b>	<b>111</b>	<b>802</b>
Trans women %	17	17	18	1		18	20	14	13	5	12	14	21	6	23	15	10	16	11	11	11	27	14	6	5	19	3	5	33
Trans men %	10	10	6	3		7	12	10	4	2	10	18	4	3	18	9	9	5	6	11	11	11	12	12	1	14	7	5	8
Female cross dressers %	4	1	5	9		5	3	4	9	2	3	8	1	12	3	9	3	11	3		6	2	8	2	4	3		13	5
Male cross dressers %	4	5	3	7		4	4	3	4	8	5	3	3	5	3	3	3	13	6			2	6	15	8	3	7	19	3
Transgender %	17	10	24	12	24	9	16	27	4	21	10	17	26	13	12	25	11	13	22	13	28	25	7	5	9	14	24	14	23
Gender variant %	11	17	8	3		5	14	19	9	5	9	16	10	12	9	16	4	18	17	20		9	25	8	7	19	7	4	9
Queer/other %	36	39	38	66	76	52	31	23	57	57	50	24	36	49	32	24	61	24	36	46	44	23	28	51	67	28	52	42	19
<b>Total %</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Note: N = trans sample per country.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

To mitigate the effects of the overrepresentation of some countries in the total sample, a weighting methodology was applied to the data, as described above. Following the application of the weighting, 17 % of the

sample identified as trans women, 9 % as trans men, 4 % as female cross dresser, 5 % as male cross dresser, 16 % as transgender, 11 % as gender variant, and 39 % as queer/other (Table A6).

**Table A6: Trans typology used in this report, by EU Member State (weighted %)**

	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other	Total
AT	17	10	1	5	10	17	39	100
BE	17	6	5	2	25	7	38	100
BG	1	3	9	7	12	3	65	100
CY					20		80	100
CZ	18	7	6	4	9	5	51	100
DE	20	12	3	4	16	14	31	100
DK	14	10	4	3	27	19	23	100
EE	11	5	11	5	5	11	53	100
EL	5	1	2	7	22	5	57	100
ES	12	10	3	5	10	9	50	100
FI	14	17	9	3	16	16	25	100
FR	21	4	1	3	26	10	36	100
HR	5	3	12	5	14	12	48	100
HU	23	18	3	3	12	9	32	100
IE	14	9	9	4	25	16	23	100
IT	10	9	3	3	11	4	61	100
LT	16	5	9	14	14	19	23	100
LU	20				20	20	40	100
LV	10	10			13	20	47	100
MT	17	17			33		33	100
NL	27	11	2	2	25	9	23	100
PL	14	12	8	6	7	25	28	100
PT	6	12	2	16	5	9	51	100
RO	5	1	4	8	9	7	67	100
SE	19	14	3	3	13	19	28	100
SI	4	7		7	25	7	50	100
SK	4	4	13	18	14	4	42	100
UK	33	8	5	3	23	9	19	100
<b>EU trans average</b>	<b>17</b>	<b>9</b>	<b>4</b>	<b>5</b>	<b>16</b>	<b>11</b>	<b>39</b>	<b>100</b>

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012



## Sample typology by birth sex

Overall, the majority of the trans sample involved respondents who were assigned a male sex at birth (65 %). It should be noted that, for many trans persons, the 'sex assigned at birth' is not a relevant category, as they do not identify with it.

Almost twice as many respondents were trans women as were trans men. The large number of female cross dressers is striking, since they are often difficult to reach for research purposes. The queer/other and gender variant categories have a majority of respondents who were assigned a male sex at birth (Table A7).

## Sample typology by gender feelings, gender expression and gender wishes

The following tables provide more detail, drawing on trans respondents' feeling feminine and/or masculine, looking feminine and/or masculine, and wishing to be more feminine and/or masculine, as indicated in the survey.

### Gender feelings

Trans respondents were asked whether they agree or disagree with the statements 'I feel feminine/I feel masculine'. Those who answered that they agree or strongly with the statements were grouped under the

categories: feeling feminine/feeling masculine. Those who agreed with both statements were grouped under the category 'feeling both masculine or feminine' and those who disagreed with both, in the category 'No feeling of being feminine or masculine'.

Table A8 shows that 89 % of trans women describe themselves as feeling feminine, and 85 % of trans men describe themselves as feeling masculine. Of the cross dressers assigned male at birth, a third feel feminine, a third masculine and a third feel both masculine and feminine. Cross dressers assigned a female sex at birth show a different distribution of gender feelings with more respondents having no feelings of being feminine or masculine.

The feelings of being feminine and/or masculine of the transgender subgroup are similar to the transsexual subgroup: those assigned a male sex at birth feel feminine (70 %), those assigned a female sex at birth feel masculine (72 %). Respondents in this survey who choose the option 'transgender' are obviously using the term more in the sense of belonging to the other gender as opposed to the sex which they were assigned at birth.

Gender variant respondents are the most likely among all groups of respondents to feel both feminine and masculine (42 %), followed by cross dressers (32 %). In the queer/other group there are again major differences according to the sex assigned at birth. Three quarters of those assigned a male sex at birth feel masculine, whereas two in five of those assigned a female sex at birth feel feminine (42 %).

Table A7: Birth sex, by identity group (unweighted n, weighted %)

		Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other	EU trans average
Female	n	0	631	286	0	463	154	987	2,521
	%		100	100		39	17	37	35
Male	n	1,147	0	0	287	641	599	1,384	4,058
	%	100			100	61	83	63	65
<b>Total</b>	<b>N</b>	<b>1,147</b>	<b>631</b>	<b>286</b>	<b>287</b>	<b>1,104</b>	<b>753</b>	<b>2,371</b>	<b>6,579</b>

Question: Az.rc: What sex were you assigned at birth? -Female/Male.

Note: n = trans subgroup sample.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

**Table A8: Respondent typology, by identity group, sex assigned at birth, and gender belonging (how much they feel feminine and/or masculine) (%)**

	EU trans average		Trans women			Trans men		
Feeling feminine	36		89			6		
Feeling masculine	39		3			85		
No feeling of being feminine or masculine	5		2			1		
Feeling both feminine or masculine	19		6			7		
Don't know	2		0			1		
<b>N/n</b>	<b>6,579</b>		<b>1,147</b>			<b>631</b>		

	Transgender			Gender variant			Queer/ Other		
	Total	Female	Male	Total	Female	Male	Total	Female	Male
Feeling feminine	45	5	70	31	8	36	20	42	7
Feeling masculine	33	72	9	18	38	14	53	19	73
No feeling of being feminine or masculine	4	8	2	5	12	4	6	10	3
Feeling both feminine or masculine	16	13	17	42	38	44	19	26	15
Don't know	2	2	2	3	5	3	2	3	2
<b>n</b>	<b>1,104</b>	<b>463</b>	<b>641</b>	<b>753</b>	<b>154</b>	<b>599</b>	<b>2,371</b>	<b>987</b>	<b>1,384</b>

	Cross dresser		
	Total	Female	Male
Feeling feminine	23	17	28
Feeling masculine	33	36	30
No feeling of being feminine or masculine	9	14	5
Feeling both feminine and masculine	32	30	33
Don't know	3	3	4
<b>n</b>	<b>573</b>	<b>286</b>	<b>287</b>

Questions: A2. What sex were you assigned at birth? Female – Male.

A5. Do you agree or disagree with the following statements? I feel feminine/masculine. – Strongly disagree, disagree, agree, strongly agree.

Note: N = total trans sample; n = trans subgroup sample.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

## Gender expression

Around half of the cross dressers say that their appearance follows their sex assigned at birth. One out of five cross dressers say that they look both masculine and feminine, and another one out of five say that their looks are opposed to their sex

assigned at birth. Around 70 % of the transsexual respondents have a look in line with their gender identity (Table A9).

Turning to the transgender, gender variant and queer subgroups, there are differences between them according to the sex assigned at birth. In the



**Table A9: Respondent typology, by identity group, sex assigned at birth and gender expression (how much they feel feminine and/or masculine) (%)**

	EU trans average	Trans women	Trans men
Feeling feminine	31	69	13
Feeling masculine	48	16	74
No feeling of being feminine or masculine	5	4	4
Feeling both feminine or masculine	13	8	7
Don't know	3	3	2
<b>N/n</b>	<b>6,579</b>	<b>1,147</b>	<b>631</b>

	Transgender			Gender variant			Queer/ Other		
	Total	Female	Male	Total	Female	Male	Total	Female	Male
Feeling feminine	32	21	39	20	25	19	21	50	4
Feeling masculine	40	48	35	53	39	56	59	18	82
No feeling of being feminine or masculine	6	7	5	6	7	6	6	8	5
Feeling both feminine or masculine	18	19	17	19	25	17	12	21	7
Don't know	4	5	3	3	5	2	2	3	2
<b>n</b>	<b>1,104</b>	<b>463</b>	<b>641</b>	<b>753</b>	<b>154</b>	<b>599</b>	<b>2,371</b>	<b>987</b>	<b>1,384</b>

	Cross dresser		
	Total	Female	Male
Feeling feminine	29	44	16
Feeling masculine	41	23	57
No feeling of being feminine or masculine	6	8	4
Feeling both feminine or masculine	20	21	20
Don't know	3	4	3
<b>n</b>	<b>573</b>	<b>286</b>	<b>287</b>

Questions: A2.rc: What sex were you assigned at birth?

A5. Do you agree or disagree with the following statements? I look feminine/masculine – Strongly disagree, disagree, agree, strongly agree.

Note : N = total trans sample; n = trans subgroup sample.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

transgender subgroup, almost half of the respondents assigned a female sex at birth have a male look, one out of five a female look and one out of five look both masculine and feminine. Those transgender respondents assigned a male sex at birth indicate more often that their look matches their birth sex (35 %), and 39 % indicate having a feminine look.

In the gender variant subgroup the same trend can be found, with more respondents assigned a female sex at birth having a masculine look than those assigned a male sex at birth having a feminine look. In the queer/other subgroup, the same trend as within the gender belonging question described earlier can be found: four out of five assigned a male sex at birth

look masculine, whereas those assigned a female sex at birth look feminine (50 %) or look both feminine and masculine (21 %).

### Gender wishes

A third question respondents could answer dealt with their wish to be more masculine and/or feminine.

Queer/other respondents are those who least wish to be more masculine or feminine (46 %).

In the cross dresser subgroup, over four out of 10 wish a greater distance to their sex assigned at birth. In the transsexual group, 84 % of trans women wish to be more feminine and 73 % of trans men wish to be more masculine (Table A10).

**Table A10: Respondent typology, by identity group, sex assigned at birth, and gender wishes (how much they would like to be more feminine and/or masculine)**

	EU trans average		Trans women		Trans men	
Wishing to be more feminine	37		84		5	
Wishing to be more masculine	29		2		73	
Not wishing to be more feminine or more masculine	28		12		19	
Wishing to be more feminine AND more masculine	3		1		1	
Don't know	3		0		1	
<b>N/n</b>	<b>6,579</b>		<b>1,147</b>		<b>631</b>	

	Transgender			Gender variant			Queer/ Other		
	Total	Female	Male	Total	Female	Male	Total	Female	Male
Wishing to be more feminine	49	2	78	64	11	76	13	21	9
Wishing to be more masculine	31	71	6	10	45	3	34	21	41
Not wishing to be more feminine or more masculine	15	21	12	13	29	10	46	49	44
Wishing to be more feminine AND more masculine	2	2	3	7	4	8	4	4	4
Don't know	2	3	1	5	12	4	3	4	2
<b>n</b>	<b>1,104</b>	<b>463</b>	<b>641</b>	<b>753</b>	<b>154</b>	<b>599</b>	<b>2,371</b>	<b>987</b>	<b>1,384</b>

	Cross dresser		
	Total	Female	Male
Wishing to be more feminine	30	11	46
Wishing to be more masculine	36	49	24
Not wishing to be more feminine or more masculine	24	31	18
Wishing to be more feminine AND more masculine	6	5	7
Don't know	5	5	5
<b>n</b>	<b>573</b>	<b>286</b>	<b>287</b>

Questions: A2.rc: What sex were you assigned at birth?

A5: Do you agree or disagree with the following statements? I wish I was more feminine/masculine.

Note: N = total trans sample; n = trans subgroup sample.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012



## Sexual orientation

The questionnaire asked respondents several questions about their sexual orientation: how they would describe their sexuality (self-identification), types of sexual partners in the last five years (sexual behaviour) and to whom – males, females, both males and females, or neither – they feel attracted (sexual attraction).

### Self-identification

Trans respondents are most likely to describe their sexual orientation as bisexual or gay (both 27 %). One in 10 cannot classify their sexual orientation in any of the categories offered and indicate as their sexual

orientation 'other'. These respondents were given the possibility to further specify their answers in an open text field. Among these open answers, many list terms such as pansexual, asexual, queer and so on. Female cross dressers and transgender respondents are more likely to choose 'other' or to say that they cannot answer this question (Table A11).

### Sexual behaviour

Respondents were asked to describe the type(s) of partners they had sex within the last five years. In all sub-groups except the queer/other group which is largely composed of respondents assigned a male sex at birth, the respondents most often had sex with women only (Table A12).

**Table A11: Sexual orientation, by identity group (%)**

	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
Lesbian	18	30	5	34	1	14	9	21
Gay	27	5	17	4	36	16	13	49
Bisexual	27	30	27	31	41	29	45	18
Heterosexual/Straight	14	22	38	5	9	18	22	3
Other	10	7	10	20	8	15	8	8
Don't know	4	6	3	5	5	8	4	2

Question: A4. Would you say you are... (Response categories as listed in the table).

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

**Table A12: Sexual partners in the last five years, by identity group (%)**

	EU trans average	Transgender	Trans women	Trans men	Female cross dressers	Male cross dressers	Gender variant	Queer/Other
Only women (or with one woman)	24	30	27	36	32	10	31	17
Mainly women	9	10	9	9	11	9	12	7
Both men and women	15	15	14	15	16	22	26	12
Mainly men	10	9	7	7	10	15	8	12
Only men (or with one man)	29	19	20	15	11	35	13	45
No one	12	16	23	17	18	9	10	5
Don't know	1	1	1	1	2		1	1

Question: A7. In the last five years, you have had sex with... (Response categories as listed in the table).

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

## Sexual attraction

The sexual attraction of trans respondents is very diverse. Around a third are attracted to males, a third to females and another third to both females and males. Cross dressers and gender variant respondents are more attracted to both males and females than the other trans groups (Table A13). Cross dressers most often feel attracted either only to men or only to women.

## Socio-economic status

Respondents were asked a series of questions about their age, education, occupation, income, place of residence, household composition, sexual orientation, civil status, children and migrant background, as contextual information for the analysis of the survey results.

## Age

In the survey the average age of the trans respondents is 34 years old: the youngest respondent was 18 and the oldest 81 years old. Respondents were categorised into four categories by age. The largest age group represented in the sample are respondents aged 25–39 and the smallest are those over 55 (Table A14). The age distribution of trans respondents follows the pattern of age distribution among all EU LGBT survey respondents. The only difference is that there are slightly more trans respondents aged 25–39 (by three percentage points), as well as slightly more respondents aged over 55 (again by three percentage points).

The groups of female cross dressers and trans men in particular tend to be young, with 47 % and 43 % of respondents under the age of 25 (Figure A2).

Table A13: Sexual attraction, by identity group (%)

	EU trans average	Transgender	Trans women	Trans men	Female cross dressers	Male cross dressers	Gender variant	Queer/ Other
Males	35	24	28	20	4	46	17	53
Females	31	34	33	44	44	14	39	24
Both males and females	29	34	30	31	42	38	42	21
I am not sexually attracted to anyone	3	5	7	2	7	1	2	1
Don't know	2	3	3	3	3	1	1	2

Question: A8. Whom are you sexually attracted to? (Response categories as listed in the table).

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

Table A14: Age of respondents

Age distribution (years)	Frequency	%
18–24	1,961	30
25–39	2,576	39
40–54	1,535	23
55+	506	8
<b>Total</b>	<b>6,578</b>	<b>100</b>

Question: A1. How old are you?

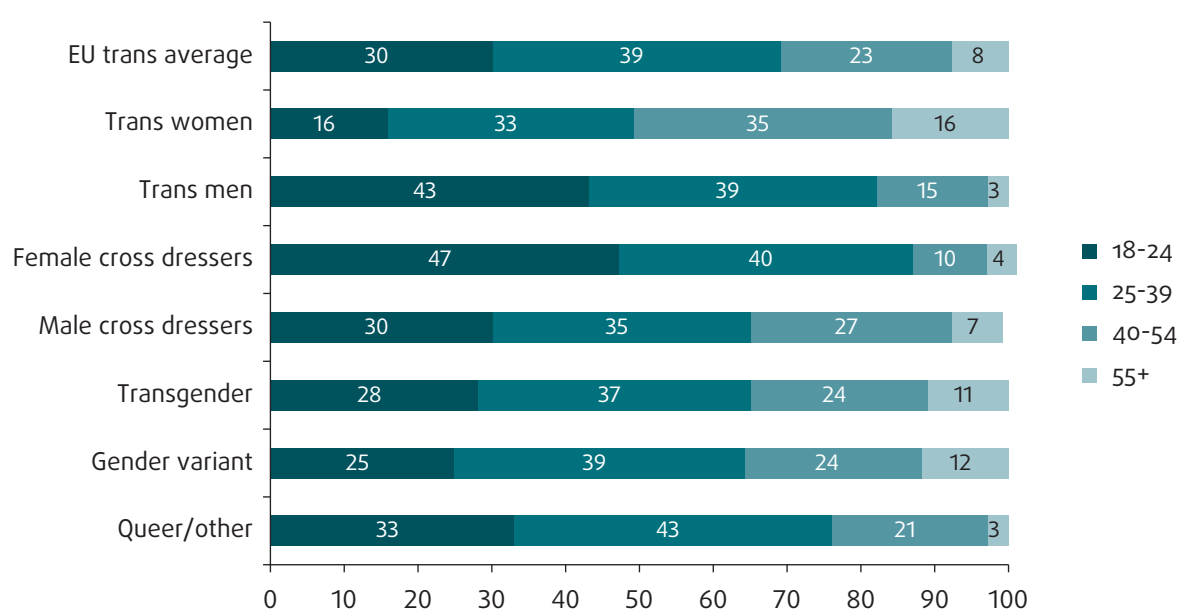
Base: Trans respondents in the EU LGBT survey (except one respondent who indicated s/he was 129. For all analyses, this answer was recoded as missing).

Source: FRA, EU LGBT survey, 2012





Figure A2: Age distribution, by identity group (%)



Question: A1. How old are you?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

## Education

Half of the respondents (49 %) have college, university or higher academic degrees. This is true for each trans group, with only minor variations. In addition, 16 % indicate a post-secondary education other than college or university, and 30 % of respondents have secondary education. There are virtually no respondents who

report primary education as the highest completed level of education (Table A15).

For analytical purposes, respondents were grouped into those who have completed college, university or have higher degrees (49 %), and a second group including all other respondents (51 %).

Table A15: Education type, by identity group

	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
No formal education	0	0	0	0	0	0	1	1
Primary education	3	4	4	1	4	3	3	2
Secondary education	30	31	36	29	31	28	33	27
Post-secondary education other than college/university	16	16	15	10	16	14	16	16
College/university/ higher academic education	49	45	43	55	45	53	45	50
Other	3	3	3	5	3	2	2	3

Question: H5. What is the highest level of education you have achieved?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

The age differences between the trans respondent subgroups mean that an overall smaller number of those having achieved higher education – young people who may not yet have completed their education are overrepresented in the sample. To partly overcome this effect, only respondents aged 25 and above were selected for this particular analysis. The results show that gender variant respondents and trans women (both 48 %) are the least likely to have a higher education among the subgroups (Figure A3).

### Occupation

Half of the trans respondents (51 %) indicate that they are in paid work (including those on temporary leave) and a further one in four are students (trans respondents between 18–24 account for 64 % of the students). One in eight respondents (14 %) are unemployed, and small segments of the sample are doing unpaid or voluntary work, are retired or otherwise not working (Table A16).

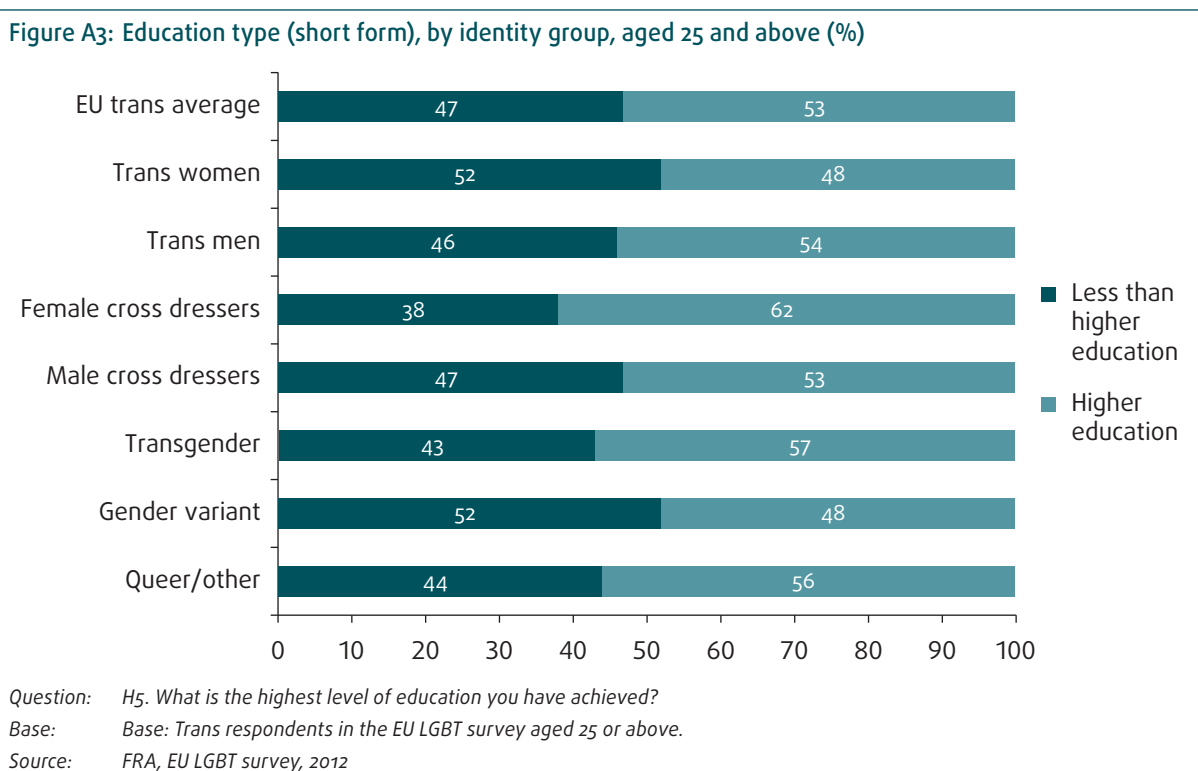
To simplify the analysis, respondents were grouped into three categories according to their economic activity: those in paid work (51 %), students (24 %) and ‘other not-employed’ (25 %), which combined all the remaining categories (in unpaid or voluntary work, retired, otherwise not working (e.g. taking care of the home)). Again, because the age differences between the subgroups of

trans respondents would influence these results, only respondents aged 25 or above were selected. This analysis shows notable differences between trans women and the other subgroups of respondents. Trans women are clearly best represented in the group of non-working respondents (38 %), are least likely to be in paid work (50 %), and only a small sample are still students (11 %) (Figure A4).

The distribution of trans respondents by work status does not show much variation across Member States – although at the same time it must be noted that the number of trans respondents is quite low for some Member States. In all but one country, the proportions of the three categories are the same: the highest numbers concern those in paid work, followed by students and then those who are not working. The only exception is the Netherlands, where the proportion of those not in paid work exceeds the proportion of students (Table A17).

### Income

The EU LGBT survey asked respondents about their monthly net household income. Income levels were recorded in four broad categories, derived from the European Social Survey (ESS) income distribution results.<sup>103</sup> The four categories were tailored to income levels in each country surveyed, so that about 25 % of the general population had a household income corresponding to each category.



<sup>103</sup> For more information on the European Social Survey, see [www.europeansocialsurvey.org/](http://www.europeansocialsurvey.org/).

Table A16: Economic activity status, by identity group (%)

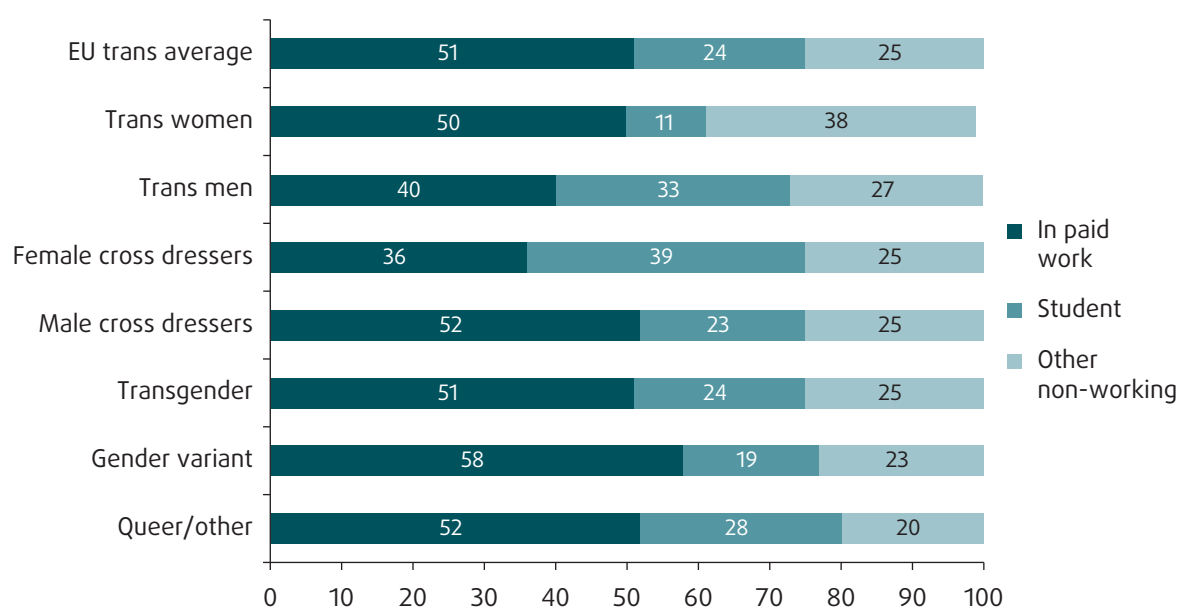
	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
In paid work (including on paternity or other temporary leave)	65	57	60	54	68	65	70	68
In unpaid or voluntary work	3	4	2	6	3	4	2	4
Unemployed	14	19	17	9	13	13	10	13
Student	7	3	13	15	6	7	5	8
Retired	5	7	1	4	6	7	7	3
Otherwise not working (e.g. taking care of home, on a long sick leave, disabled)	6	10	6	13	5	4	6	5

Question: H6. Which of the following best describes your status? (Response categories as listed in the table).

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

Figure A4: Economic activity status (short form), by identity group aged 25 and above (%)



Question: H6. Which of the following best describes your status?

Base: Trans respondents in the EU LGBT survey aged 25 and above.

Source: FRA, EU LGBT survey, 2012

Overall, the income distribution of the all LGBT survey respondents did correspond to that of the general population: about a quarter of all Survey respondents belong to each category. In contrast, compared with the overall

results for LGBT respondents, trans respondents are more likely to report a household income in the bottom quartile (36 %) and less likely to report incomes in the top income quartile (19 %) (Table A18).

Table A17: Employment, by EU Member State (%)

	AT	BE	BG	CY	CZ	DE	DK	EE	EL	ES	FI	FR	HR	HU
In paid work	70	53	57	50	51	55	33	65	39	47	32	50	43	50
Student	17	20	26	30	36	21	26	18	27	26	39	20	33	27
Other non-working	13	27	17	20	13	24	41	18	33	27	29	30	24	23
<b>No. of respondents</b>	<b>166</b>	<b>160</b>	<b>105</b>	<b>25</b>	<b>166</b>	<b>1,318</b>	<b>143</b>	<b>23</b>	<b>262</b>	<b>203</b>	<b>463</b>	<b>425</b>	<b>105</b>	<b>125</b>

	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK
In paid work	36	48	45	71	66	33	55	48	46	55	45	64	55	51
Student	32	24	29	14	17	33	11	33	34	28	29	18	34	21
Other non-working	32	27	26	14	17	33	33	19	20	17	26	18	11	28
<b>No. of respondents</b>	<b>139</b>	<b>587</b>	<b>38</b>	<b>36</b>	<b>46</b>	<b>18</b>	<b>244</b>	<b>257</b>	<b>84</b>	<b>129</b>	<b>370</b>	<b>29</b>	<b>111</b>	<b>802</b>

Question: H6. Which of the following best describes your status?

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

Table A18: Household income (%)

	EU trans average
Under lowest quartile	<b>36</b>
Between lowest quartile and median	<b>25</b>
Between median and highest quartile	<b>20</b>
Above highest quartile	<b>19</b>

Question: H17. Could you please indicate what your household's net combined monthly income is – that is, after deductions for tax, social insurance, etc.? [According to country of residence, a list of country-specific income bands was presented.]

Note: The national income quartiles used in the table are derived from the European Social Survey household income results.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

Looking only at those aged 25 and above, trans men are more likely than other subgroups to report a household income in the bottom quartile (45 %) and less likely to report incomes in the top income quartile (10 %) (Figure A5).

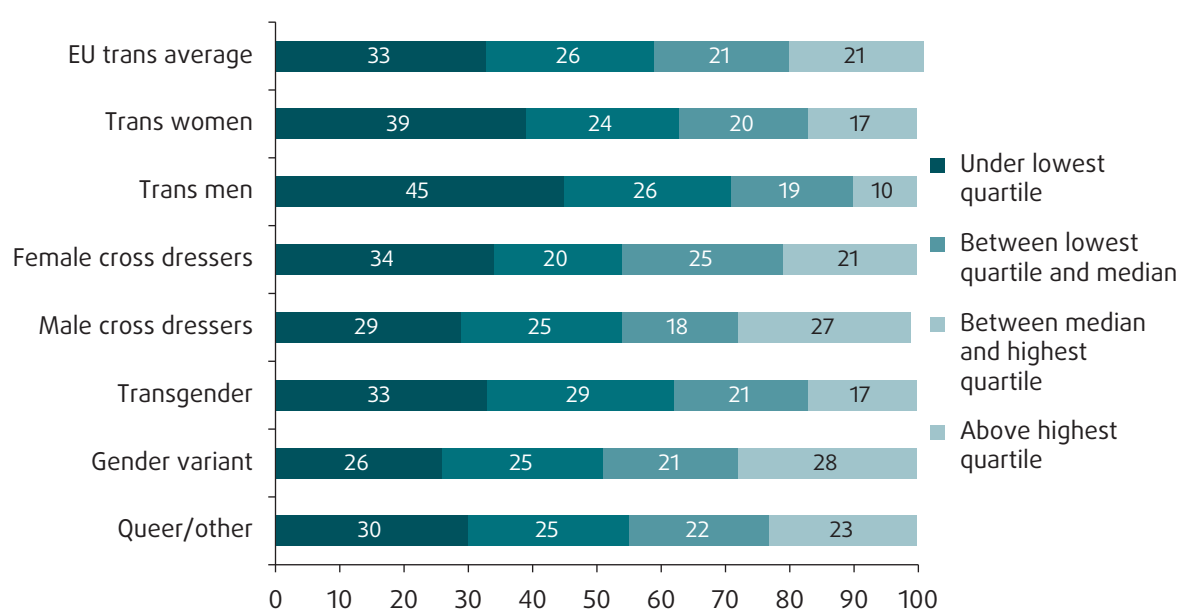
In most countries covered by the survey, the distribution of the trans sample does not align with the expected distribution based on ESS income quartiles, in contrast with the overall LGBT results. Some EU Member States have a higher than average percentage of trans respondents in the lowest income quartile, such as Austria, Belgium, Denmark, Finland, Germany, Greece, Hungary,

the Netherlands, Spain and Sweden. In countries such as Bulgaria, Cyprus, Latvia, Lithuania, Malta, Portugal and Romania the survey attracted large numbers of respondents from higher income levels (Table A19).

## Place of residence

The survey respondents were asked to characterise their place of residence in terms of categories, which ranged from living in a city to living on a farm or elsewhere in the countryside – based on the respondents perception and understanding of the different categories. The majority of respondents say they live in an

Figure A5: Household income, by identity group aged 25 and above (%)



Question: H17. Could you please indicate what your household's net combined monthly income is - that is, after deductions for tax, social insurance, etc.? [According to country of residence, a list of country-specific income bands was presented].

Note: The national income quartiles used in the table are derived from the European Social Survey household income results.

Base: Trans respondents in the EU LGBT survey aged 25 and above.

Source: FRA, EU LGBT survey, 2012

Table A19: Income distribution of the trans sample, by EU Member State (%)

Country	1 <sup>st</sup> quartile	2 <sup>nd</sup> quartile	3 <sup>rd</sup> quartile	4 <sup>th</sup> quartile
AT	37	28	15	19
BE	37	23	24	16
BG	9	15	16	60
CY	10	30	20	40
CZ	32	22	22	24
DE	50	24	15	11
DK	41	29	19	11
EE	12	29	41	18
EL	49	25	14	12
ES	39	21	22	19
FI	55	22	14	9
FR	32	28	20	20
HR	24	26	29	21
HU	45	27	13	14
IE	35	24	26	15
IT	36	30	21	13
LT	29	29	19	24
LU	17	17	17	50
LV	17	28	21	34

**Table A19: (continued)**

<b>MT</b>	17	17	17	50
<b>NL</b>	39	29	23	9
<b>PL</b>	31	21	23	25
<b>PT</b>	32	12	18	38
<b>RO</b>	18	19	25	38
<b>SE</b>	43	25	18	14
<b>SI</b>	29	32	29	11
<b>SK</b>	15	35	24	25
<b>UK</b>	29	26	27	19

**Question:** H17. Could you please indicate what your household's net combined monthly income is – that is, after deductions for tax, social insurance, etc.? [According to country of residence, a list of country-specific income bands was presented.]

**Note:** The national quartiles used in the table are defined by empirical household income distribution in the general population in the particular country, reference data: European Social Survey, 2010.

**Base:** Trans respondents in the EU LGBT survey.

**Source:** FRA, EU LGBT survey, 2012

urban area: a city (52 %), a town (21 %) or the suburbs or outskirts of a city (11 %). Urban residents dominate each individual trans group (Table A20).

To analyse results according to urbanisation level, all respondents who live outside cities or towns were put together in a single category ('rural'), while city or suburbs dwellers as well as town residents were put under 'urban'. In general, trans respondents are more likely to live in urban environments (86 %) than elsewhere (14 %). Trans men and trans women are somewhat more likely to live

in smaller settlements, whereas queer/other respondents report high percentages (60 %) of city dwellers.

### Relationship status

The majority of respondents in all trans groups indicate that at the time of the survey they did not have a partner or other relationship (48 %). The trans subgroups most likely not to have a current partner or a relationship are trans women (53 %) and trans men (50 %). Gender variant respondents are the most likely to have

**Table A20: Place of residence, by identity group (%)**

	<b>EU trans average</b>	<b>Trans women</b>	<b>Trans men</b>	<b>Female cross dressers</b>	<b>Male cross dressers</b>	<b>Transgender</b>	<b>Gender variant</b>	<b>Queer/other</b>
City	<b>52</b>	41	45	56	52	49	53	60
The suburbs or outskirts of a city	<b>11</b>	14	13	10	15	14	12	8
A town	<b>23</b>	27	26	23	22	22	22	21
A country village	<b>12</b>	16	11	10	9	13	11	10
A farm or home in the countryside	<b>2</b>	3	4	2	2	2	2	1

**Question:** H7. Where do you currently live? (Response categories as listed in the table).

**Base:** Trans respondents in the EU LGBT survey.

**Source:** FRA, EU LGBT survey, 2012

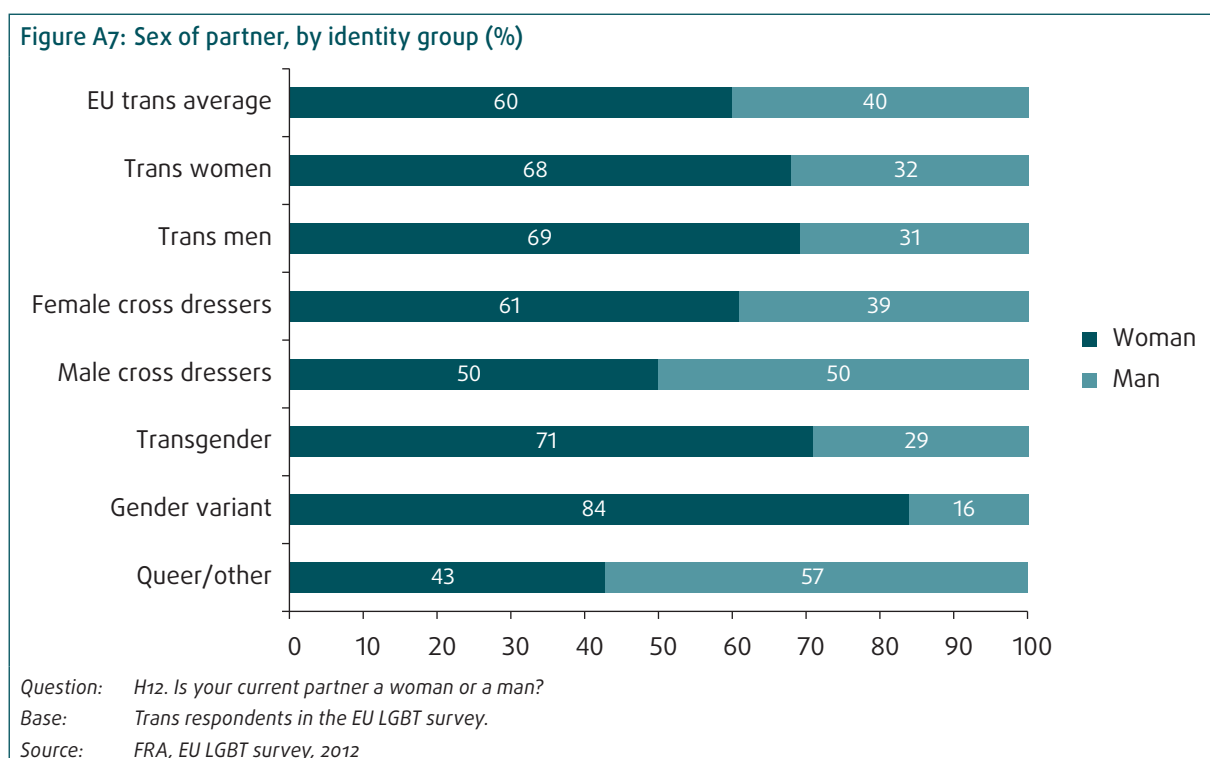
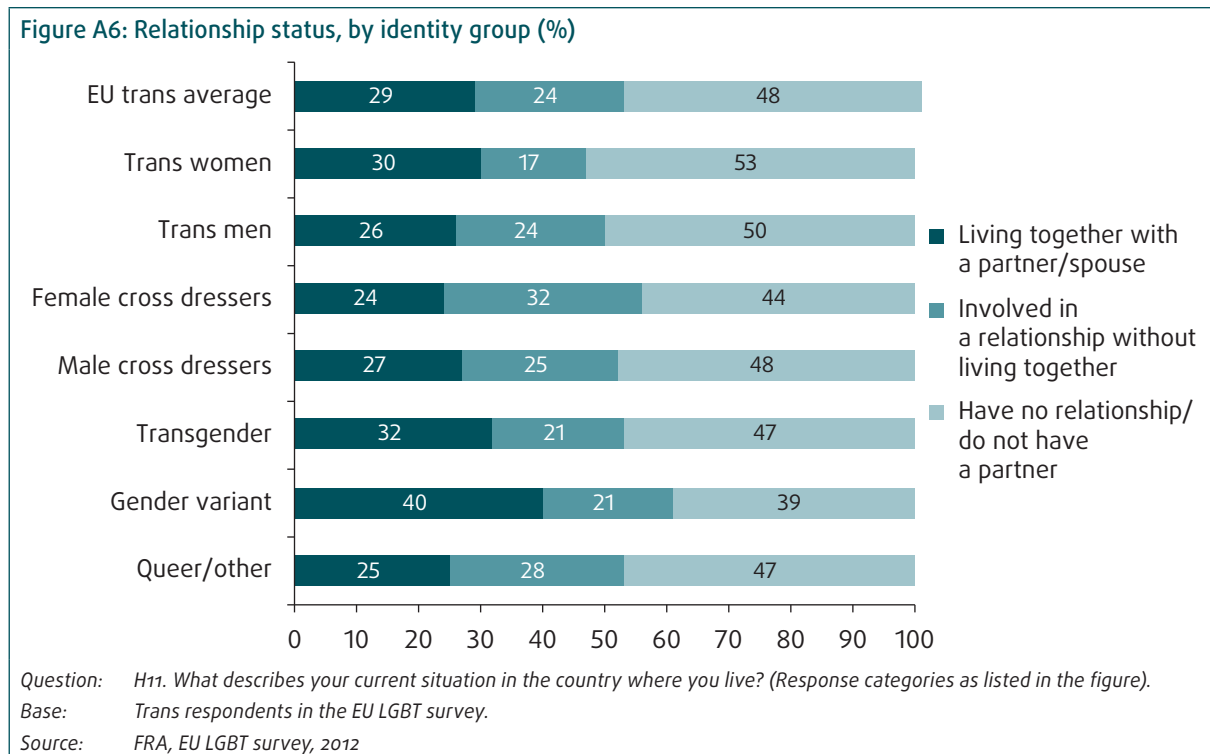


a partner (61 %, total of gender variant respondents living together with a partner and involved in a relationship without living together) (Figure A6).

The partner of the trans respondents is in six out of 10 cases a woman. In the group of gender variant respondents in particular (80 % of whom were assigned

a male sex at birth), the partner is more likely to be a woman (Figure A7).

Female cross dressers are more likely than male cross dressers to have a same-sex partner (61 % versus 50 %). Trans women have a female partner more often than trans men have a male partner (68 % versus 31 %).



## Civil status

The vast majority of trans respondents indicate that their civil status is single (75 %). One in seven respondents is married or living in a registered partnership (15 %) (Table A21).

Gender variant (28 %) respondents are the most likely to be married or in a registered partnership, and female cross dressers the least likely (8 %). Trans women are the most likely to indicate that they are divorced or separated (17 %).

Table A21: Civil status, by identity group (%)

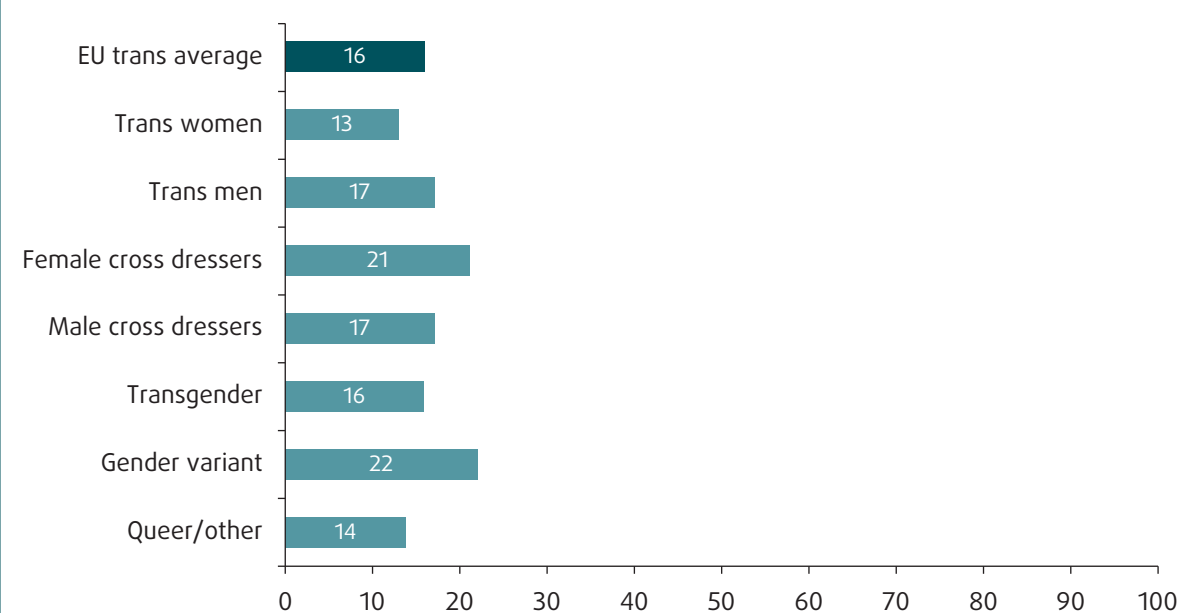
	EU trans average	Trans women	Trans men	Female cross dressers	Male cross dressers	Transgender	Gender variant	Queer/other
Single	75	60	83	86	70	70	62	84
Married/in a registered partnership	15	18	12	8	20	19	28	10
Divorced	7	17	4	3	8	7	8	4
Separated	2	4	1	2	2	3	2	2
Widowed	1	1	0	1		1	1	0

Question: H10. In terms of civil status in the country where you live, are you ... (Response categories as listed in the table).

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

Figure A8: Proportion of respondents who have at least one child under the age of 18 living in the household, by identity group (%)



Question: H9. Do you have any children (under the age of 18) live in your household? Yes.

Base: Trans respondents in the EU LGBT survey.

Source: FRA, EU LGBT survey, 2012

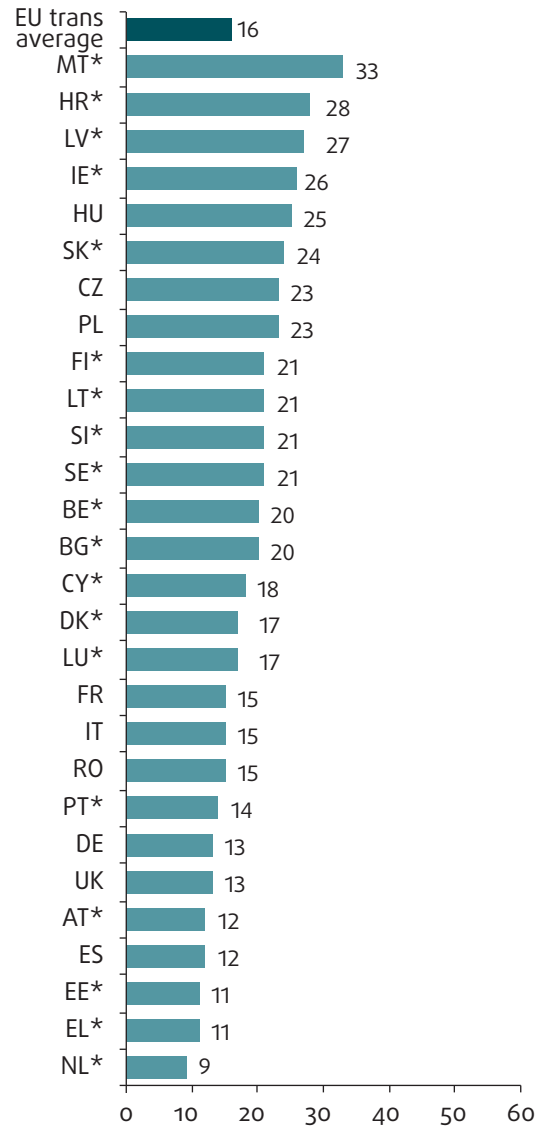


## Living with children

Overall, only 16 % of respondents live with at least one child under the age of 18 in their household (N=1,073). Female cross dressers (21 %) and gender variant respondents (22 %) are the most likely to have at least one child under the age of 18 in their household (Figure A8).

The proportion of survey participants living in a household with at least one child under 18 ranges from 25 % in Hungary to 12 % in Spain (Figure A9).

**Figure A9: Proportion of respondents who have at least one child under the age of 18 living in the household, by EU Member State (%)**



**Question:** H9. Do you have any children (under the age of 18) live in your household? Yes.

**Note:** \* Cases with fewer than 30 responses.

**Base:** Trans respondents in the EU LGBT survey.

**Source:** FRA, EU LGBT survey, 2012



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## HELPING TO MAKE FUNDAMENTAL RIGHTS A REALITY FOR EVERYONE IN THE EUROPEAN UNION

Trans persons, or those whose gender identity and/or gender expression differs from the sex assigned them at birth, face frequent discrimination, harassment and violence across the European Union (EU) today. This reality triggers fears that persuade many to hide or disguise their true selves. This report examines issues of equal treatment and discrimination on two grounds, namely sexual orientation and gender identity. It analyses data on the experiences of 6,579 trans respondents from the EU Lesbian, gay, bisexual and transgender (LGBT) survey, the largest body of empirical evidence of its kind to date. The European Union Agency for Fundamental Rights (FRA) has published two related survey reports: *EU LGBT survey – European Union lesbian, gay, bisexual and transgender survey – Results at a glance* (2013) and the *EU LGBT survey – European Union lesbian, gay, bisexual and transgender survey. Main results* (2014). In this current analysis, FRA found that, with few exceptions, trans respondents indicate the highest levels of discrimination, harassment and violence amongst LGBT subgroups.

Equal and full social participation of all without discrimination is a precondition for inclusive and cohesive societies. In this regard, the survey results depict a disturbing reality. They show that the equality of trans persons is, as yet, a hard-to-reach goal. Still, this report comes at a time when a growing number of EU Member States are taking steps to promote and protect the fundamental rights of trans persons. The evidence collected and analysed from this survey should serve politicians and policy makers as they strive to craft legislation, policies and strategies that better safeguard those rights.

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