

EQUALITY

EMBARGO
until
Friday, 17 May 2013
12.00 (CET)

EU LGBT survey
**European Union lesbian, gay,
bisexual and transgender survey**

Results at a glance



FRA

EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS



This report addresses matters related to human dignity (Article 1), a right to life (Article 2), a right to education (Article 14), equality before the law (Article 20), the principle of non-discrimination (Article 21), health care (Article 35) and a right to an effective remedy and to a fair trial (Article 47) falling under the Titles I 'Dignity', II 'Freedoms', III 'Equality', IV 'Solidarity' and VI 'Justice' of the Charter of Fundamental Rights of the European Union.

**Europe Direct is a service to help you find answers
to your questions about the European Union**

New freephone number (*):
00 800 6 7 8 9 10 11

(*). Certain mobile telephone operators do not allow access to 00800 numbers or these calls may be billed.
In certain cases, these calls may be chargeable from telephone boxes or hotels.

Cover image: © Shutterstock / Max Lindenthaler

More information on the European Union is available on the Internet (<http://europa.eu>).

FRA – European Union Agency for Fundamental Rights
Schwarzenbergplatz 11 – 1040 Vienna – Austria
Tel.: +43 158030-0 – Fax: +43 158030-699
Email: info@fra.europa.eu – fra.europa.eu

Cataloguing data can be found at the end of this publication.

Luxembourg: Publications Office of the European Union, 2013

ISBN 978-92-9239-173-7
doi:10.2811/37741

© European Union Agency for Fundamental Rights, 2013
Reproduction is authorised, except for commercial purposes, provided the source is acknowledged.

Printed in Belgium

PRINTED ON FSC PAPER





EU LGBT survey

European Union lesbian, gay, bisexual and transgender survey

Results at a glance

Foreword

In the past decade, a growing number of international and national developments have addressed the fundamental rights of lesbian, gay, bisexual and transgender (LGBT) persons. Standards on non-discrimination and equality for LGBT persons have been further developed or reinforced by the European Union (EU), the Council of Europe and the United Nations (UN). Sexual orientation and gender identity have increasingly been recognised as grounds of discrimination in European and national legislation. Today, the situation of LGBT persons in the EU is no longer a marginalised issue but a recognised human rights concern.

The European Union Agency for Fundamental Rights (FRA) has, since its creation, contributed to these developments by providing robust comparative analysis of the legal and social aspects of the fundamental rights situation of LGBT persons in the EU. Although this analysis identified the main obstacles, it also highlighted that the situation on the ground across the EU remained largely undocumented and that existing data were not comparable.

European institutions also recognised the lack of robust, comparable data on the respect, protection and fulfilment of the fundamental rights of LGBT persons. Following calls from the European Parliament, the European Commission, in 2010, asked FRA to collect comparable survey data on hate crime and discrimination against LGBT persons in all EU Member States and Croatia. As a result of this request, 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 very large number of respondents, 93,079, participated in the research, providing a wealth of comparable data.

In many respects, the results raise severe concerns: almost half (47 %) of all respondents said that they had felt personally discriminated against or harassed on the grounds of sexual orientation in the year preceding the survey. A majority of respondents who were attacked in the past year said that the attack or threat of violence happened partly or entirely because they were perceived to be LGBT (59 %). Respondents rarely, however, report discrimination or violence, mainly because they believe nothing would happen or change if they reported such incidents to the authorities.

The survey results provide valuable evidence of how LGBT persons in the EU have experienced discrimination, harassment and violence in different areas of life. By highlighting and analysing the survey results, this report, together with the accompanying *EU LGBT survey – European Union lesbian, gay bisexual and transgender survey: main results* report, will contribute to much needed discussions in the EU and its Member States about concrete legislative and non-legislative measures to improve the situation for LGBT persons living in the EU.

Morten Kjærum
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



Contents

FOREWORD	3
WHY IS THIS SURVEY NEEDED?	7
1 FRA OPINIONS AND KEY FINDINGS	9
1.1. Strengthening EU action and national responses to combat discrimination on the grounds of sexual orientation and gender identity	9
1.2. Ensuring equal treatment in employment	11
1.3. Improving protection against discrimination beyond employment	12
1.4. Recognising and protecting LGBT victims of hate crime	13
1.5. Improving rights awareness and reporting on discrimination and violence	14
2 WHAT DO THE RESULTS SHOW?	15
2.1. Discrimination on the grounds of sexual orientation	15
2.2. Discrimination because of being LGBT in employment	16
2.3. Discrimination because of being LGBT in areas of life outside employment	17
2.4. Rights awareness and reporting discrimination	20
2.5. Violence and harassment	21
2.6. Daily life and the social environment	24
THE SURVEY IN A NUTSHELL	27
BIBLIOGRAPHY	31

Why is this survey needed?

In 2012, almost half of all respondents to the EU survey on the perceptions and experiences of lesbian, gay, bisexual or transgender (LGBT) persons said that they had felt personally discriminated against or harassed on the grounds of sexual orientation in the year preceding the survey. Furthermore, a quarter of all EU LGBT survey respondents had been attacked or threatened with violence in the previous five years. This figure rises to 35 % for transgender respondents. Rarely did respondents report discrimination or violence to the police or other authorities, mainly because they thought nothing would happen or change if they reported such incidents.

This type of finding provides policy makers with the robust, comparable data they need to develop effective laws and policies to fight discrimination, violence and harassment, thereby ensuring equal treatment across society. FRA therefore designed and carried out the present online survey, which collected the responses from more than 93,000 LGBT persons across the EU and Croatia. The results of the large array of questions that were asked are presented and analysed in detail in the *EU LGBT survey – European Union lesbian, gay, bisexual and transgender survey – Main results* report.¹

On the basis of statistical evidence collected, FRA developed its policy-relevant advice to inform the development of legal and policy responses at EU and national levels. The aim is to ensure that the fundamental rights of LGBT people are effectively respected, protected and fulfilled. The European Parliament expressed its support for such EU-wide action in several resolutions calling on the European Commission to develop an LGBT Roadmap. Moreover, a coalition of seven EU Member States – namely Belgium, Finland, France, Latvia, the Netherlands, Sweden and the United Kingdom – has launched an appeal to the European institutions that ‘an ambitious European strategy’ should be set up in the area of fundamental rights of LGBT persons.²

Before this survey, and at the request of the European Parliament, in 2007, FRA collected data on discrimination against LGBT persons and the situation regarding homophobia in the EU. FRA published an analysis of the legal situation in a report in 2008, which was updated in 2010.³ A report analysing the social situation of LGBT persons in the EU followed in 2009.⁴ This report highlighted the lack of cross-national comparative data on the lived experience of LGBT persons in the key areas of discrimination, violence and harassment.

How can EU institutions and Member States work with the results of the survey?

This survey provides a wealth of robust, comparable data that can assist the EU institutions and Member States in identifying the fundamental rights challenges facing LGBT people living in the EU and Croatia. It can thereby support the development of effective and targeted legal and policy responses to address the needs of LGBT persons and ensure the protection of their fundamental rights. The survey findings can also be used to assess whether measures taken to comply with existing standards bring about concrete results.

As with other large-scale surveys carried out by FRA, such as the European Union minorities and discrimination survey (EU-MIDIS),⁴ the Roma pilot survey⁵ or the violence against women survey,⁶ repeating this survey would allow FRA to provide comparable evidence of progress made over time in fulfilling fundamental rights. EU Member States are encouraged to use the data collected through this survey to assess the effectiveness of national policies and strategies aimed at improving the protection of fundamental rights for LGBT people.

¹ FRA (2013).

² France, Prime Minister (2012), p. 14.

³ See FRA (2008) and FRA (2010).

⁴ See FRA (2009a).

⁵ For more information on EU-MIDIS, see: <http://fra.europa.eu/en/project/2011/eu-midis-european-union-minorities-and-discrimination-survey>; and FRA (2009b).

⁶ For more information on the Roma pilot survey, see: <http://fra.europa.eu/en/survey/2012/roma-pilot-survey>; and FRA (2012a).

⁷ For more information on the violence against women survey, see: <http://fra.europa.eu/en/survey/2012/survey-gender-based-violence-against-women>.

KEY CONCEPTS AND TERMINOLOGY

The target group of the EU LGBT survey is persons who self-identify as being gay, lesbian, bisexual or transgender. The survey examines issues of equal treatment and discrimination on two grounds, namely sexual orientation and gender identity.

The report uses the term **LGBT** as an umbrella term encompassing all survey respondents. As the analysis requires, it will also refer to the different subgroups, thereby acknowledging that the fundamental rights issues affecting lesbian, gay, bisexual and transgender persons may be profoundly different. It should also be noted that the experiences of LGBT persons are not only defined on the basis of their sexual orientation or gender identity, but are also affected by their educational or socio-economic background and other characteristics.

LGBT persons may have different levels of openness about being LGBT to family, friends or colleagues. Some are open about their LGBT identity whereas others cannot or do not want to share this with others.

The terms used are based on the Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity.⁷ International treaty bodies and other human rights mechanisms, including 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, have used these.

Sexual orientation refers to "each person's capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender".⁸ Sexual orientation refers to identity (being), conduct (behaviour) and relating to other persons (relationships). It is generally assumed that persons are heterosexual (orientation towards persons of a different gender), homosexual (gay, or lesbian, orientation towards persons of the same gender) or bisexual (oriented towards both genders).

Gender identity refers to "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".⁹ Those whose gender identity does not correspond with the sex assigned at birth are commonly referred to as transgender persons. This group includes persons who wish at some point in their life to undergo gender reassignment treatments (usually referred to as transsexual persons), as well as persons who 'cross-dress' or persons who do not, or do not want to, consider themselves as being 'men' or 'women'. Some of them refer to themselves as 'gender variant'.

Gender expression refers, then, to persons' manifestation of their gender identity, for example through 'masculine', 'feminine' or 'gender-variant' behaviour, clothing, haircut, voice or body characteristics. Since experiences of homophobia, transphobia and discrimination on the grounds of sexual orientation and gender identity often find their roots in social perceptions of gender roles, this survey has also included this element.

⁸ International Commission of Jurists (ICJ) (2007).

⁹ *Ibid.*, p. 6.

¹⁰ *Ibid.*, p. 6.

1

FRA opinions and key findings

Drawing on the survey findings and building on previous FRA work, FRA has formulated the following opinions. They aim to support EU and national policy makers to introduce and implement comprehensive and effective legislative and non-legislative measures to respect and safeguard the fundamental rights of LGBT persons. More detailed analysis of the survey findings underlying these opinions can be found in Section 2 of this report, as well as in the *EU LGBT survey: main results* report.

At EU level, the European Commission's *Strategy for the effective implementation of the Charter of Fundamental Rights by the European Union* provides for "the development of individual policies concerning specific fundamental rights on the basis of the Treaties".¹¹ In developing such individual policies to combat discrimination on grounds of sexual orientation and gender identity, the EU can draw inspiration from experience gained in setting up specific EU-wide policies, roadmaps and action plans in the fields of discrimination on grounds of disability and gender. The European Commission could consider using all available legal and policy tools to develop systematic initiatives underpinned by funding programmes and initiatives. The Commission could also find synergies with the Council of Europe's LGBT Assistance and Cooperation programme, which already includes three EU Member States – Italy, Latvia and Poland. Albania, Montenegro and Serbia are the non-EU partner countries in this programme.

At national level, policy makers can use the survey findings to further develop, implement and monitor the impact of relevant policies. Some EU Member States, including Belgium (interfederal and Flanders), France, Germany (Berlin-Brandenburg and North Rhine-Westphalia only, not at national level), Italy, the Netherlands, Portugal, Spain (Province of Barcelona, not

at national level) and the United Kingdom (lesbian, gay and bisexual, and transgender action plans separately) have adopted specific LGBT action plans or integrated these issues in national human rights action plans. These EU Member States can make use of country-specific data to further shape their actions.

1.1. Strengthening EU action and national responses to combat discrimination on the grounds of sexual orientation and gender identity

The results show important differences among countries. Fewer respondents living in Belgium, the Czech Republic, Denmark, Finland, Luxembourg, the Netherlands, Spain and Sweden, for example, said that they had been victims of violence, harassment or discrimination because of being LGBT in the 12 months preceding the survey; that they perceived widespread negative attitudes towards LGBT people; or that they avoided certain locations or behaviours for fear of being assaulted, threatened or harassed because of being LGBT.

Younger respondents were more likely than older respondents to perceive their environment as intolerant towards LGBT people. Respondents in the youngest age group (18 to 24 years), for instance, were the least likely to be open about being LGBT and the most likely to state that they had been victims of violence or discrimination in the year before the survey because they were LGBT.

Transgender respondents consistently indicated that they experience an environment that is less tolerant towards them than that experienced by lesbian, gay and

¹¹ European Commission (2010), p. 4.

bisexual respondents. Transgender respondents were, for example, the most likely of all LGBT subgroups to say that they had personally felt discriminated against in the past year because of being LGBT, particularly in the areas of employment and healthcare.

When taking into account the respondents' gender and gender expression, the results show particular trends. Lesbian and bisexual women, as well as transgender respondents, for example, were more likely than gay and bisexual men to have been discriminated against on the basis of their gender in the 12 months preceding the survey. In addition, women respondents were much more likely than men respondents to say that the last attack they experienced in the last 12 months because of being LGBT was a sexual attack.

Across all countries surveyed, respondents who were open about being LGBT to more people and in more settings were less likely to have felt personally discriminated against because of being LGBT than those who were not open or hid their LGBT identity.

The results show a relationship between respondents' perceptions about the level of offensive language about LGBT people by politicians and whether or not respondents had felt personally discriminated against or harassed on grounds of sexual orientation: in 14 out of the 17 countries in which fewer than half of the respondents said that they had been discriminated against or harassed on the grounds of sexual orientation in the year before the survey, the majority of respondents said that offensive language about LGBT people by politicians was rare.

FRA opinion

To strengthen systematic and coordinated responses to discrimination, the EU and its Member States are encouraged to develop action plans promoting respect for LGBT persons and protection of their fundamental rights and/or integrate LGBT issues in their national human rights action plans and strategies. To this end, Member States could draw on the evidence of this survey and from the experience of other Member States that already have such action plans in place. Special consideration should be given to the challenges facing transgender persons and young LGBT persons given the particular circumstances they face.

The EU Strategy for equality between women and men, which contributes to combating stereotypes and gender-based violence and discrimination, could be enhanced to include programmes to combat stereotypes and discrimination on the grounds of sexual orientation and gender identity, as well as homophobia and transphobia. EU action in the area of gender equality should explicitly cover issues linked to discrimination on the grounds of gender identity.

Open support by politicians makes LGBT persons feel more comfortable about living as LGBT persons. To strengthen this support further, the European Commission and EU agencies could encourage EU Member States to exchange promising practices that actively promote respect for LGBT persons. In addition, Member States are encouraged to promote a more balanced public opinion on LGBT issues by facilitating dialogue involving the media, political parties and religious institutions. Strong and positive political leadership is also needed to promote the fundamental rights of LGBT persons.

EU Member States should encourage more detailed and targeted research at the national level and consider integrating questions on sexual orientation and gender identity in national surveys on areas such as living conditions, wellbeing, health and employment.



1.2. Ensuring equal treatment in employment

Despite EU legislation protecting LGBT persons from discrimination in employment and occupation, one in five respondents who had been employed in the year preceding the survey had felt discriminated against at work or when looking for a job. The figure was significantly higher for transgender persons. Although around half of all respondents stated that they were aware of the prohibition by law of discrimination in this area, non-reporting rates were very high.

FRA opinion

EU law should expressly ban discrimination on grounds of gender identity, for instance in the context of the review of the Gender Equality Directive (recast). Regarding discrimination in employment on the grounds of gender identity specifically, the current legal protection accorded by EU law to those who intend, are undergoing or have undergone gender reassignment should be extended to all transgender persons.

The EU should continue to monitor the effectiveness of national complaints bodies and procedures in the context of the implementation of the Employment Equality Directive and the Gender Equality Directive (recast). FRA's report on Access to justice in cases of discrimination in the EU: steps to further equality¹¹ provides useful guidance in this respect.

EU Member States should support equality bodies and other national complaints mechanisms in their efforts to inform LGBT persons of their mandate and procedures with a view to increasing awareness of discrimination. They should also design targeted awareness-raising campaigns directed at LGBT persons and disseminate information on discrimination at the workplace and in vocational training institutions.

EU Member States are encouraged to support trade unions and employers' organisations in their efforts to adopt diversity and non-discrimination policies with a focus on LGBT persons.

EU Member States should ensure that private and public sector employers adopt and implement diversity strategies and equal treatment policies – for example through the adoption of codes of conduct, and the sharing of experiences and good practices – which include positive measures addressing the needs of LGBT persons.

EU Member States should pay special attention to setting up clear procedures and policies meeting the needs of transgender employees, in particular with regard to the right to personal autonomy and privacy. For example, it should be possible to change name and gender markers on employment-related documents in a quick, transparent and accessible way; and disclosing irrelevant personally sensitive data related to a person's gender identity should be avoided.

¹² See FRA (2012b).

1.3. Improving protection against discrimination beyond employment

A third of survey respondents stated that they had felt personally discriminated against in at least one of the following areas in the 12 months before the survey because of being LGBT: housing, healthcare, education, social services, and access to goods and services. In light of this finding, discrimination on the grounds of sexual orientation and gender identity in areas beyond employment should be effectively tackled through legislative measures at the EU and national levels.

FRA opinion

Equal protection against discrimination on the grounds of sexual orientation across all EU Member States would significantly improve if the EU-wide prohibition of such discrimination extended beyond the field of employment and occupation, as proposed by the European Commission in its Proposal for a Council Directive of 2 July 2008 on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation.

In addition, EU law should consider explicitly mentioning discrimination on the grounds of gender identity as a form of discrimination in all existing and upcoming EU legislation, such as in Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services.

EU Member States should ensure that transgender persons enjoy full legal recognition of their preferred gender identity, including the change of first name, social security number and other gender indicators on identity documents. Such procedures should be accessible, transparent and efficient and they should ensure respect for human dignity and human freedom.

1.3.1. Providing safe environment for LGBT students at schools

The survey found that more than eight in 10 of all respondents in each LGBT subgroup and in each EU Member State and Croatia had witnessed negative comments or conduct during their schooling because a schoolmate was perceived to be LGBT. A large majority of all respondents had hidden or disguised that they were LGBT while at school before the age of 18 years.

FRA opinion

To the extent that education falls within the scope of EU law, EU equality and non-discrimination principles and the EU Charter of Fundamental Rights have to be upheld. The EU should contribute to combating the bullying of LGBT persons in educational settings. The EU should encourage peer learning among EU Member States and promote existing best practices tackling homophobic and transphobic bullying. The EU should also seek synergies with UNESCO's work on improving educational responses to homophobic bullying, and with the Council of Europe, which adopted a Strategy for the Rights of the Child (2012–2015) focused on bullying.

EU Member States should ensure that schools provide a safe and supportive environment for young LGBT persons, free from bullying and exclusion. This includes combating stigmatisation and marginalisation of LGBT persons, and promoting diversity. Schools should be encouraged to adopt anti-bullying policies. Competent state agencies, such as equality bodies, national human rights institutions and children's ombudspersons, should be mandated and encouraged to explore cases of bullying and discrimination at school.

EU Member States should ensure that objective information on sexual orientation, gender identity and gender expression is part of school curricula to encourage respect and understanding among staff and students, as well as to raise awareness of the problems faced by LGBT persons. Training should be provided to educational professionals on how to approach LGBT issues in class and on how to deal with incidents of homophobic and transphobic bullying and harassment.



1.3.2. Providing the highest attainable standard of health to LGBT persons

One in 10 of the respondents who had accessed healthcare services in the year preceding the survey reported that they had felt personally discriminated against by healthcare personnel in the last year. The level of discrimination was twice as high among transgender respondents. These findings should be read in light of the low levels of openness towards healthcare personnel indicated by respondents.

FRA opinion

When encouraging cooperation between Member States in the area of public health, the EU should put emphasis on the removal of possibly discriminatory practices.

EU Member States should ensure that adequate training and awareness raising is offered to healthcare providers on the health needs of LGBT persons in order to eliminate prejudices and improve the provision of services to LGBT persons. This should include specific measures to improve access to healthcare services and targeted policies to provide high-quality healthcare to LGBT persons, irrespective of sexual orientation and gender identity.

Concerning transgender persons in particular, EU Member States should ensure that general and transgender-specific healthcare services take account of the health needs of transgender persons without discrimination and prejudice.

In their national health plans, EU Member States should include a section on LGBT healthcare clients and ensure that health surveys, training curricula and health policies also take into account LGBT persons and their needs.

1.4. Recognising and protecting LGBT victims of hate crime

Everyone is entitled to the rights to life, security and protection from violence, and these must be respected, irrespective of sexual orientation or gender identity. The survey reveals that LGBT respondents were subject to high levels of repeated victimisation and violence, which was particularly high for transgender respondents.

FRA opinion

In the Framework Decision on Racism, EU law specifically addresses offences and crimes based on “racist and xenophobic motivation”. EU Member States are obliged to “take the necessary measures to ensure that racist and xenophobic motivation is considered an aggravating circumstance, or, alternatively that such motivation may be taken into consideration by the courts in the determination of the penalties”.¹³ EU Member States should consider adopting similar legislation covering homophobic and transphobic hate speech and hate crime so that LGBT persons are equally protected, as a number of Member States have already done.

When evaluating national legislation implementing the Victims’ Rights Directive, EU institutions should pay particular attention to gender and gender identity or gender expression, as well as sexual orientation, as personal characteristics of the victims to be taken into account in the context of individual assessments.

EU Member States are also encouraged to increase recognition and protection of LGBT victims of hate crime, by including homophobic and transphobic hatred as possible motives in national legislation on bias-motivated crime.

EU Member States should provide training for law enforcement personnel as well as victim support services that would recognise and offer suitable services for LGBT persons without discrimination.

¹³ Council of the European Union (2008), Article 4.

1.5. Improving rights awareness of and reporting on discrimination and violence

The survey results show very high non-reporting rates among respondents who had felt personally discriminated against or who said that they were victims of violence or harassment. The most frequent reasons for not reporting incidents of discrimination were a belief that ‘nothing would change’, as well as a lack of knowledge about how or where to report an incident or fear of homophobic or transphobic reaction from the police.

Earlier FRA reports, such as the EU-MIDIS *Data in focus report 6* on ‘Minorities as victims of crimes’¹⁴ and *Making hate crime visible in the European Union: acknowledging victims’ rights*,¹⁵ highlighted the need to address effectively the non-reporting of incidents of discrimination and hate crime against migrants and minority ethnic groups, as well as the importance of data collection in this area. In a similar vein, it is also important to help LGBT persons to benefit fully from the protection afforded by law by reporting discrimination and hate crime incidents.

FRA opinion

Both the EU and its Member States, including local authorities, should set up or increase concrete awareness-raising activities to support LGBT persons to access, efficiently and easily, structures and procedures to report discrimination and hate-motivated violence.

EU Member States should address the non-reporting and underreporting of hate crime, for example by providing relevant training to law enforcement authorities on LGBT issues, particularly concerning victim 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 in order to improve reporting rates.

To facilitate the setting up of such policies, EU Member States should collect statistical data on at least the number of incidents pertaining to hate crime reported by the public and recorded by the authorities, the grounds on which these offences were found to be discriminatory, the number of convicted offenders and the type of sentence imposed.

¹⁴ See FRA (2012c).

¹⁵ See FRA (2012d).



2

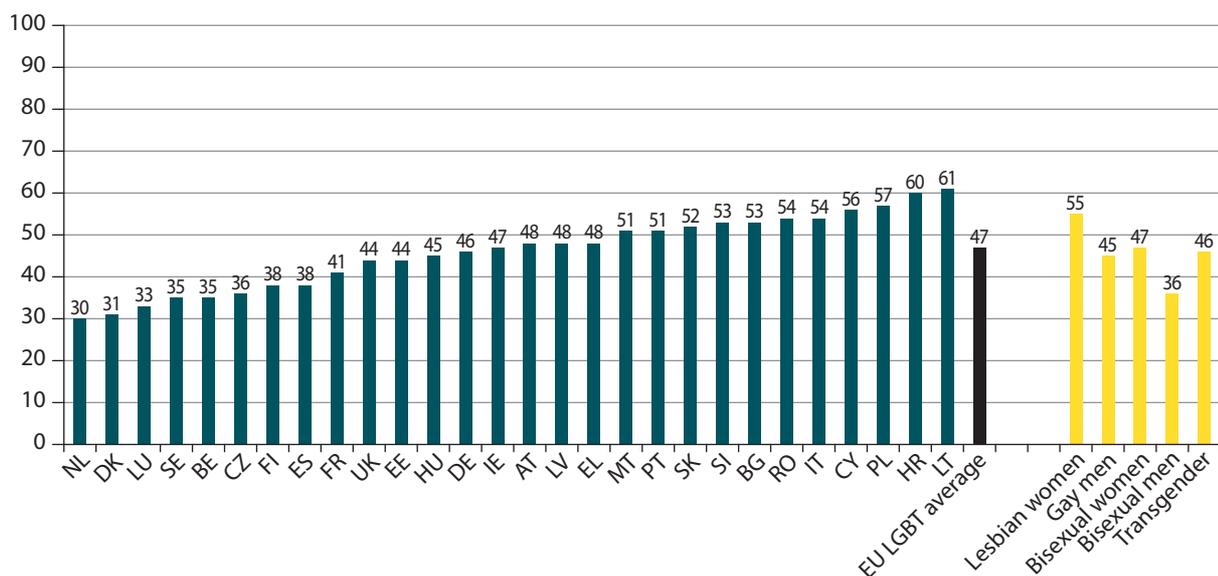
What do the results show?

This section presents data on respondents' experiences of discrimination, violence and harassment. The overall picture that can be drawn from the survey results shows that LGBT persons face obstacles to the enjoyment of their fundamental rights. A large number of respondents said they had been discriminated against in various areas of life, in particular in employment and education. Many respondents have also been victims of violence and harassment, frequently in public places. Nevertheless, they rarely report either discrimination or incidents of violence or harassment to the police or other authorities. In their daily lives, many survey respondents are not open about being LGBT with their family and a majority avoid holding hands with their same-sex partner for fear of victimisation.

2.1. Discrimination on the grounds of sexual orientation

Under EU law, the principle of equal treatment constitutes a fundamental value of the European Union which ensures both respect for human dignity and full participation 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, [...] or sexual orientation".

Figure 1: Respondents who felt discriminated against or harassed in the last 12 months on the grounds of sexual orientation, by country and by LGBT subgroup (%)



Question C2: In the last 12 months, in the country where you live, have you personally felt discriminated against or harassed on the basis of one of more of the following grounds? Answer: C. Sexual orientation. Base: All EU LGBT survey respondents.

Source: FRA, EU LGBT survey, 2012

Almost half of all respondents (47 %) said that they had personally felt discriminated against or harassed on the grounds of sexual orientation in the year preceding the survey (Figure 1). Lesbian women (55 %), respondents in the youngest age group between 18 and 24 years old (57 %) and those with the lowest incomes (52 %) were most likely to say they had personally felt discriminated against or harassed in the last 12 months on the grounds of sexual orientation.

2.2. Discrimination because of being LGBT in employment

The EU-wide protection of LGBT people against discrimination is well established in the area of employment and occupation. Discrimination on grounds of sexual orientation is prohibited by the Employment Equality Directive (Directive 2000/78/EC); and the Gender Equality Directive (recast) (Directive 2006/54/EC), as interpreted in light of the case law of the Court of Justice of the European Union (CJEU), covers discrimination on the grounds of gender identity with respect to transgender persons who underwent, are undergoing or intend to undergo gender reassignment.

One in five (20 %) of those respondents who were employed and/or looking for a job in the 12 months preceding the survey felt discriminated against in these situations in the past year. This figure rises to one in three (29 %) of the transgender respondents who were employed and/or looking for a job in the 12 months before the survey (Figure 2).

2.2.1. Discrimination because of being LGBT when looking for a job

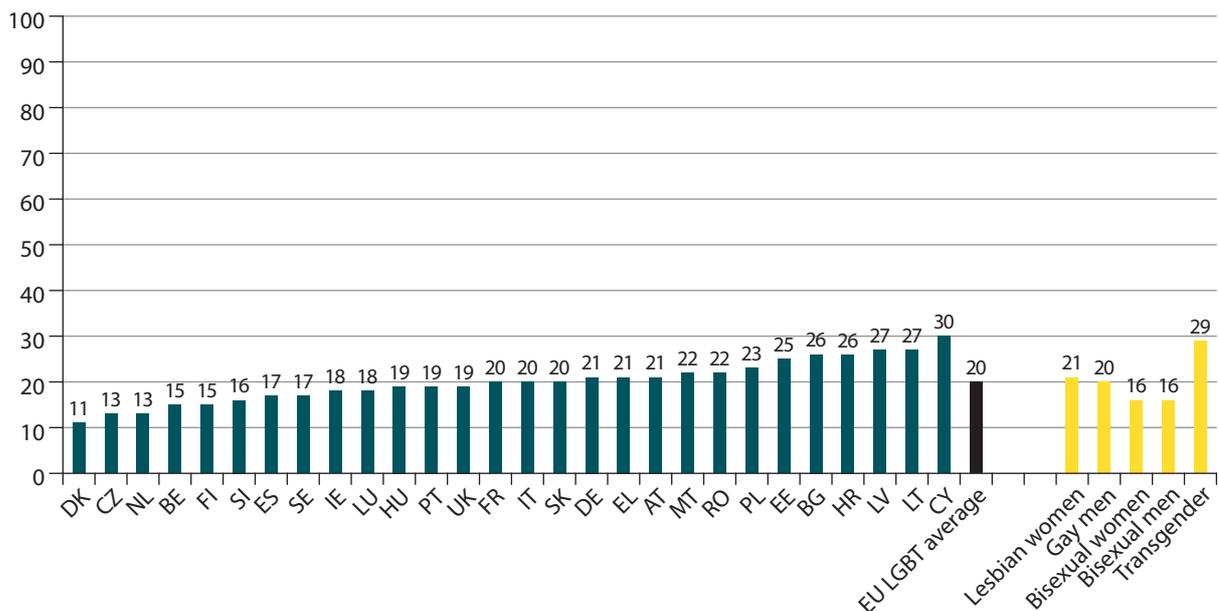
Among those respondents who had looked for a job in the year prior to the survey, one in eight (13 %) personally felt discriminated against when looking for work in the past 12 months because they were LGBT.

Almost one in three (30 %) of the transgender respondents who had looked for a job in the year before the survey said they had faced discrimination because of being LGBT when looking for a job. This was more than twice the equivalent percentage of lesbian, gay and bisexual respondents.

2.2.2. Discrimination because of being LGBT at work

One in five (19 %) of those who were employed in the 12 months preceding the survey stated that they personally felt discriminated against at work in the last year because they were LGBT.

Figure 2: Respondents who felt discriminated against in the last 12 months when looking for a job and/or at work because of being LGBT, by country and LGBT subgroup (%)



Question C4. During the last 12 months, have you personally felt discriminated against because of being [LGBT] in any of the following situations? Answer: A. When looking for a job; B. At work. Base: EU LGBT survey respondents who were looking for a job or who worked/were employed in the past 12 months.

Source: FRA, EU LGBT survey, 2012

"I had an experience at work in terms of discrimination: a colleague told me he respected me but thought I was abnormal ... in a few words, my sexual orientation was against nature in his opinion."

(Italy, lesbian, 28)

Of those respondents who had a paid job at any time during the last five years, two thirds – including a majority in every country – had heard or seen negative comments or conduct towards a colleague perceived to be LGBT (67%), or had experienced a generally negative attitude towards LGBT people (66%) during their employment in the last five years.

"My behaviour at work involves a lot of self-censorship and a certain guarded manner."

(Germany, gay, 31)

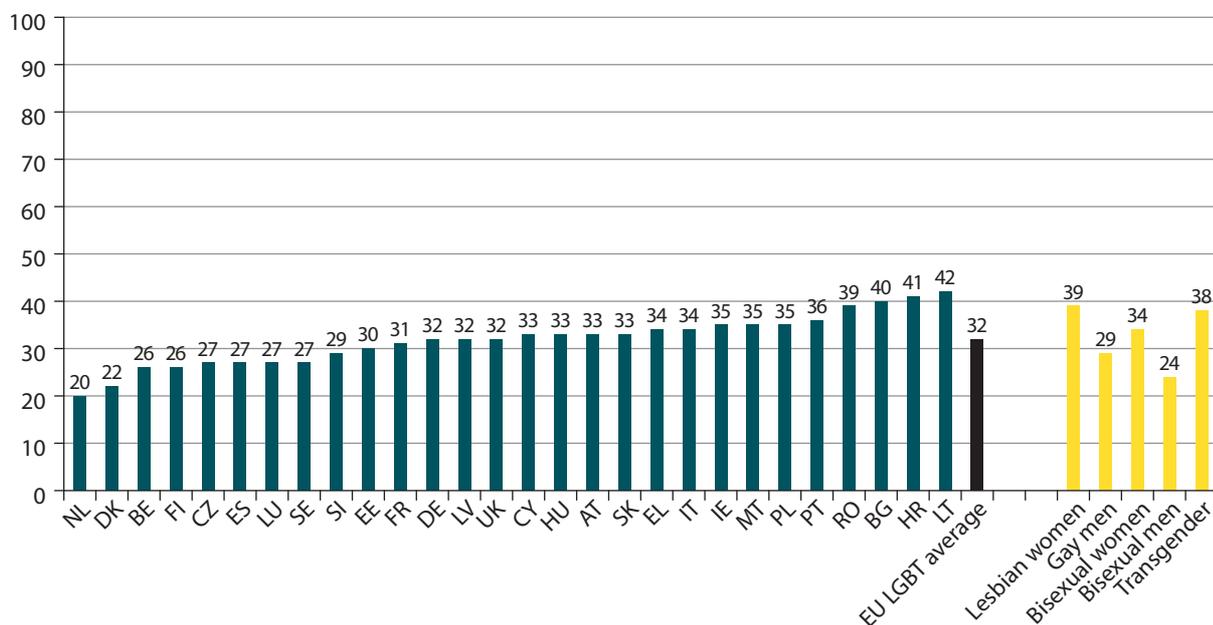
Among respondents who had a paid job at any point during the five years preceding the survey, at least seven in 10 transgender and bisexual respondents had never or rarely been open about being LGBT at work in the five years before the survey.

2.3. Discrimination because of being LGBT in areas of life outside employment

EU protection for LGBT people against discrimination beyond the employment sector – for instance in education, access to healthcare, housing and other services available to the public – is currently limited, as it does not cover the grounds of sexual orientation or gender identity.

Among those respondents who had looked for a house or apartment and/or accessed healthcare services and/or attended school or university themselves or were the parent of a child at school or university and/or visited a café, restaurant bar or nightclub and/or visited a shop and/or visited a bank or insurance company and/or exercised at a sport or fitness club in the last 12 months,

Figure 3: Respondents who felt discriminated against in the last 12 months in areas other than employment because of being LGBT, by country and by LGBT subgroup (%)



Question: C4. During the last 12 months, have you personally felt discriminated against because of being [LGBT] in any of the following situations?
 Answer: C. When looking for a house or apartment to rent or buy; D. By healthcare personnel; E. By social service personnel; F. By school/university personnel; G. At a café, restaurant, bar or nightclub; H. At a shop; I. In a bank or insurance company; J. At a sport or fitness club.

Base: EU LGBT survey respondents who accessed at least one of the services listed in the past 12 months.

Source: FRA, EU LGBT survey, 2012

a third (32 %) felt personally discriminated against in at least one of these situations in the 12 months preceding the survey because of being LGBT (Figure 3).

“The most frequent trouble I have as a gender ambiguous person is that people, especially in shops, are ready to ‘punish’ me for causing them confusion. The most popular way is to loudly ask for my ID whenever possible, and take a long time comparing me, my picture, and my gender marker. On several occasions a manager was called to help decide whether the ID document was indeed mine, while other customers had to wait and watch.”

(United Kingdom, transgender, gender variant, 33)

The proportion of respondents stating that they had been discriminated against because of being LGBT when accessing goods and services in the last 12 months differed according to gender, indicating that discrimination is exacerbated by being female. Among those who had accessed these services in the 12 months before the survey, lesbian women more often than gay men and bisexual women more often than bisexual men said that they felt personally discriminated against in the last year because of being LGBT.

Of the respondents who had visited a café, restaurant, bar or nightclub in the year preceding the survey, one in five (18 %) had felt personally discriminated against

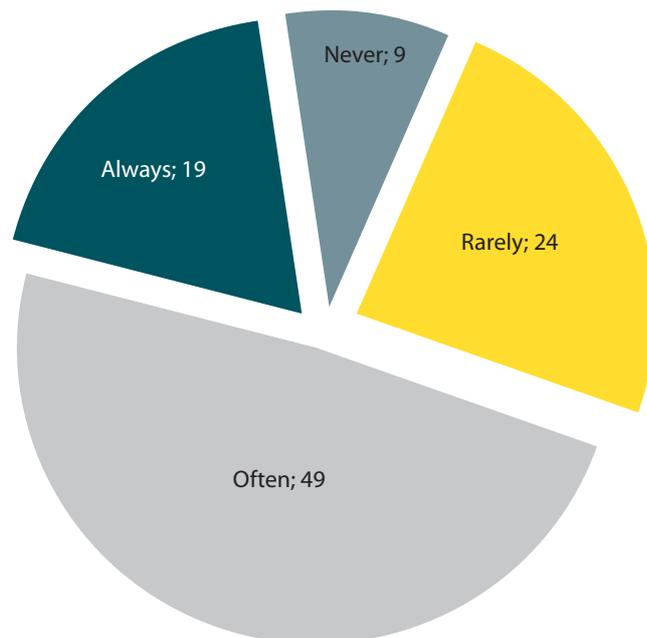
at that location in the past year because of being LGBT. One in eight (13 %) of the respondents who had looked for a house or apartment to rent or buy in the last 12 months had felt discriminated against during this process because of being LGBT.

2.3.1. Discrimination because of being LGBT in education

Despite the limited protection against discrimination granted by EU legislation to LGBT persons beyond the employment sector, individuals enjoy a substantial protection through a variety of legal instruments at national and international level. Moreover, the enjoyment of the right to education, protected by Article 14 of the EU Charter of Fundamental Rights or Article 2 of Protocol No. 1 to the European Convention on Human Rights (ECHR), can be affected by discrimination, which is prohibited by Article 21 of the EU Charter.

Of those respondents who had attended school or university, or whose child(ren) were in school or at university in the past 12 months, one in five (18%) had felt personally discriminated against in the past year by school or university personnel because of being LGBT.

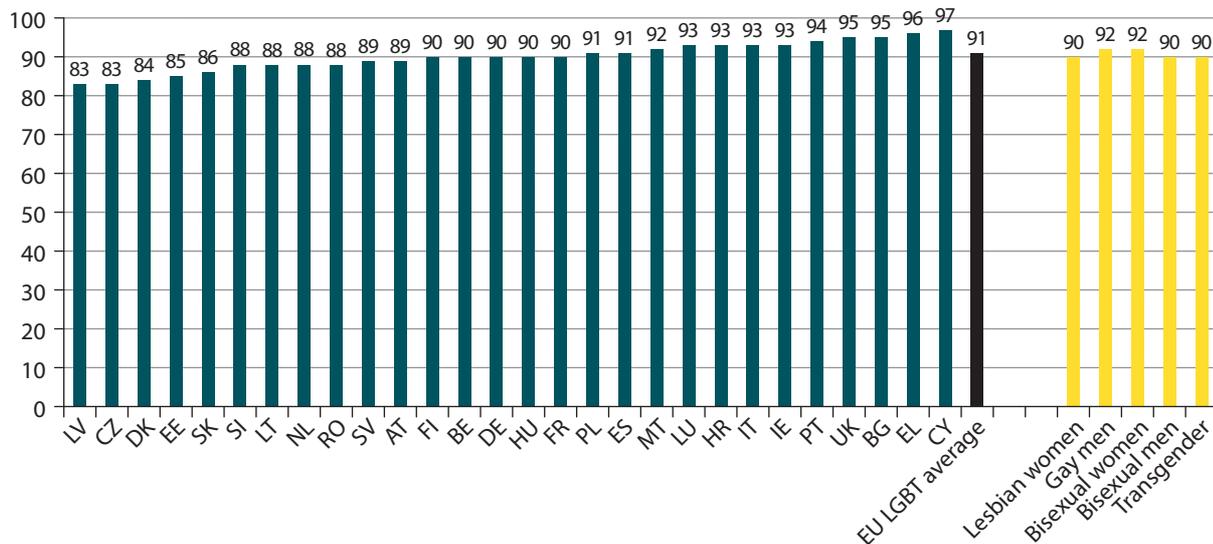
Figure 4: Respondents who had heard negative comments or seen negative conduct because a schoolmate was perceived to be LGBT during their schooling before the age of 18 (%)



Question C9. During your schooling before the age of 18, did you ... Hear or see negative comments or conduct because a schoolmate was perceived to be LGBT? Base: All EU LGBT survey respondents who felt the question applied to them.

Source: FRA, EU LGBT survey, 2012

Figure 5: Respondents who had heard negative comments or seen negative conduct because a schoolmate was perceived to be LGBT during their schooling before the age of 18, by country and by LGBT subgroup (%)



Question C9. During your schooling before the age of 18, did you ... Hear or see negative comments or conduct because a schoolmate was perceived to be LGBT? Answer: 'Rarely', 'often', 'always'. Base: All EU LGBT survey respondents who felt the question applied to them.

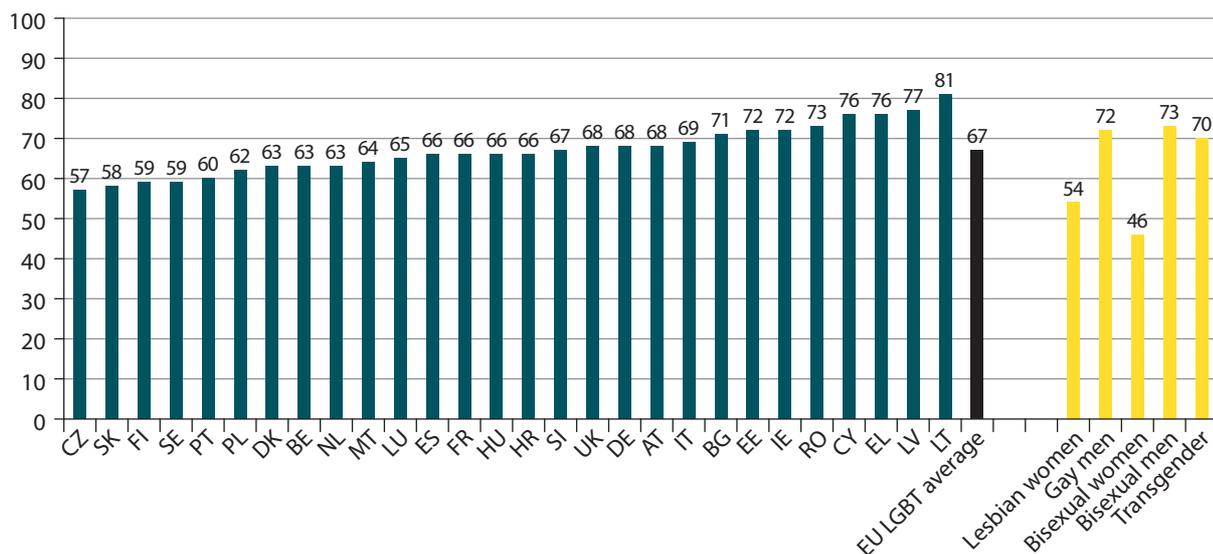
Source: FRA, EU LGBT survey, 2012

During their schooling before the age of 18, more than eight in 10 of all respondents in each LGBT subgroup and every country covered by the survey had heard or seen negative comments or conduct because a schoolmate was perceived to be LGBT. Two thirds (68 %) of all respondents who answered the question said these comments or conduct had occurred often or always during their schooling before the age of 18 (Figure 4).

“Ten years later, I still consider being bullied at school the worst form of homophobic abuse I’ve ever been subjected to. The constant insults for being effeminate (‘and therefore gay’) were unbearable at school, and not much action was taken by the teachers against the bullies! Bullying forced me to remain in the closet until I reached the age of 18.”

(Malta, gay, 25)

Figure 6: Respondents who had “always” or “often” hidden or disguised being LGBT during their schooling before the age of 18, by country and by LGBT subgroup (%)



Question C9. During your schooling before the age of 18, did you ... B. Hide or disguise that you were [LGBT] at school? Answer: 'often', 'always'.

Base: All EU LGBT survey respondents who felt the question applied to them.

Source: FRA, EU LGBT survey, 2012

Two thirds (67 %) of all respondents said they often or always hid or disguised that they were LGBT during their schooling before the age of 18 (Figure 5). Gay and bisexual men respondents were much more likely than lesbian and bisexual women respondents to have hidden or disguised that they were LGBT while at school before the age of 18.

2.3.2. Discrimination because of being LGBT in healthcare and social services

Article 35 of the EU Charter of Fundamental Rights says that individuals are entitled to access to healthcare and a high level of human health protection.

Prejudicial attitudes or ignorance about the specific needs of LGBT persons among health professionals can deter LGBT persons from accessing medical care.

One in 10 (10 %) respondents who had accessed healthcare services and one in 12 (8 %) who had accessed social services in the 12 months before the survey felt personally discriminated against by healthcare personnel or by social services personnel, respectively, in the last 12 months because of being LGBT. Among transgender respondents who had accessed healthcare or social services in the last 12 months, the level of discrimination was twice as high: around one in five said they felt discriminated against by healthcare (19 %) or social services (17 %) personnel in the year before the survey.

“For me, the most alarming discrimination experienced is in health. I feel strong enough to deal with street harassment now, but I feel upset about having to justify my lifestyle to every doctor. It is alarming that medical staff have absolutely no awareness about LGBT needs, not even gynaecologists.”

(Czech Republic, lesbian, 30)

2.4. Rights awareness and reporting discrimination

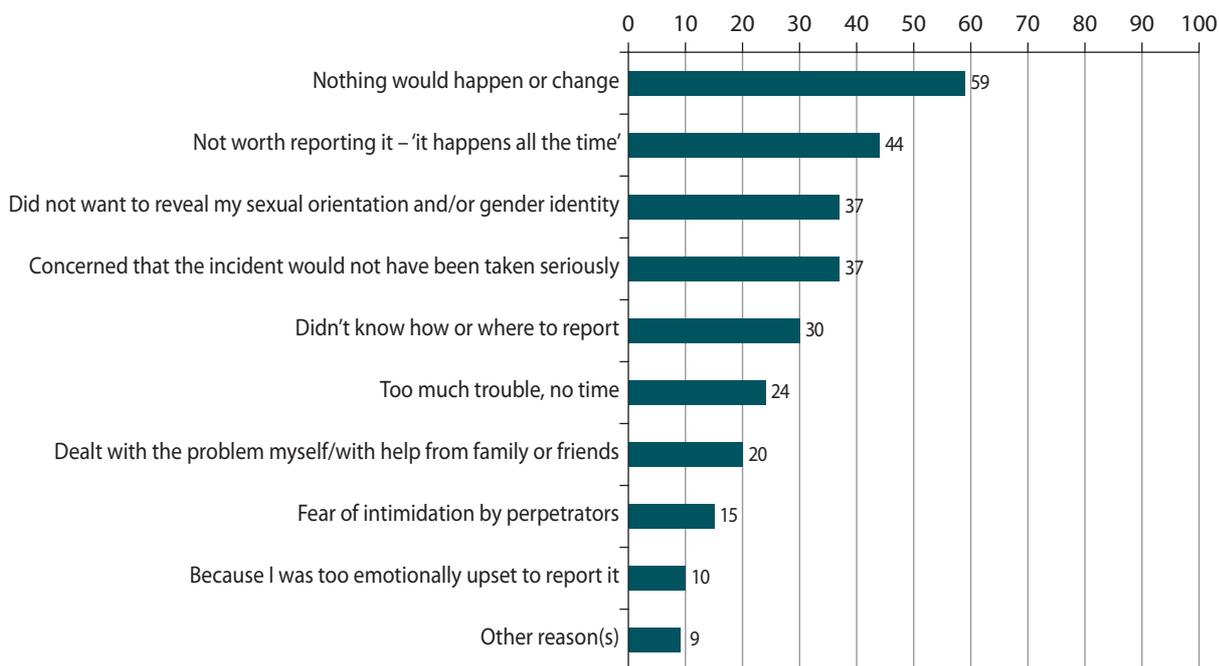
Article 21 of the EU Charter of Fundamental Rights prohibits discrimination and Article 47 guarantees the right to an effective remedy and to a fair trial. Awareness of EU and national anti-discrimination legislation is crucial for ensuring that incidents of discrimination are reported. EU equality legislation consistently regards awareness raising and the existence of available and effective remedies to report discrimination cases as key obligations of Member States for a successful and effective implementation of anti-discrimination provisions.

More than half (56 %) of all respondents said there is a law that forbids discrimination against persons because of their sexual orientation when applying for a job in the country where they live. Four in 10 (42 %) of all respondents knew of an equivalent law prohibiting discrimination against persons because of their gender identity.

Of those respondents who in the last year had felt personally discriminated against at work or when looking for a job, in education, healthcare or social services or when accessing any of the goods and services covered by the survey because of being LGBT, just one in 10 (10 %) had reported to the authorities the most recent incident of discrimination that they had experienced.



Figure 7: Reasons for not reporting the most recent incident of discrimination in the past 12 months partly or completely because they were perceived to be LGBT (%)



Question: C6. Thinking about the most recent incident, did you or anyone else report it anywhere? ‘No’. C7. Why was it not reported?
 Base: EU LGBT survey respondents who had personally felt discriminated against in one of the situations listed in C4 in the last 12 months.
 Source: FRA, EU LGBT survey, 2012

Of the respondents who had felt personally discriminated against in the past 12 months in any of these situations because of being LGBT and had not reported the most recent incident of discrimination, most said that they had not reported it because they thought nothing would happen or change as a result. A third (30 %) of these respondents said that a factor in their non-reporting was that they did not know how or where to report the incident (Figure 7).

“[I am] reluctant to report anything that might indicate that I am gay, as I know [the police] just dismiss everything.”

(France, gay, 42)

2.5. Violence and harassment

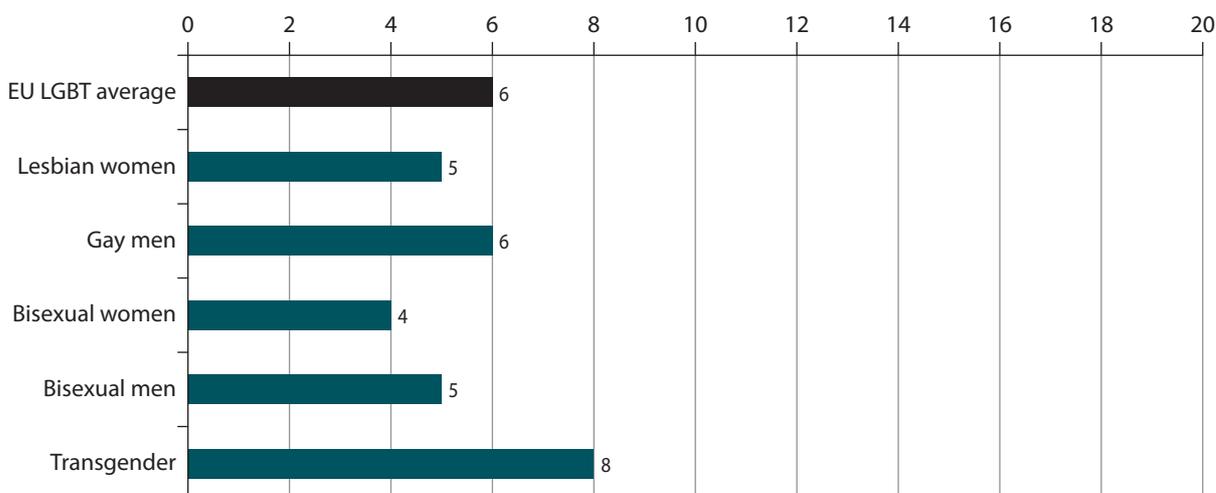
Violence and crime committed with a bias motive relating to the victims’ perceived sexual orientation or gender identity affects the enjoyment by LGBT persons of the right to human dignity (Article 1 of the EU Charter of Fundamental Rights), the right to life (Article 2 of the Charter) and the integrity of the person and protection from violence (Article 3 of the Charter).

“It’s constant name-calling or smart comments about me being gay when I’m walking down the street.”

(Ireland, gay, 39)

In the last five years, a quarter (26 %) of all respondents had been attacked or threatened with violence at home or elsewhere. This figure rises to 35 % among all transgender respondents.

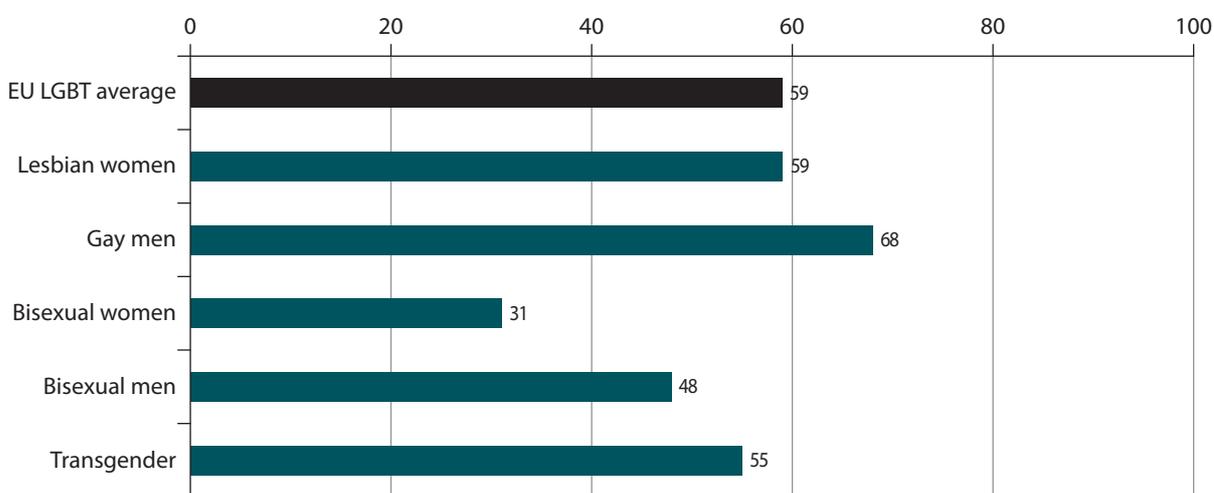
Figure 8: Respondents who said they were attacked or threatened with violence in the last 12 months partly or completely because they were perceived to be LGBT, by LGBT subgroup (%)



Question: 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 LGBT? Answer: 'Yes'. FA2_5. Do you think this physical/sexual attack or threat happened partly or completely because you were perceived to be LGBT? Answer: 'Yes'. FA1/2_4. Thinking about the LAST/MOST SERIOUS physical/sexual attack or threat of violence, what happened to you? Answer: 1. Physical attack; 2. Sexual attack; 3. Physical and sexual attack; 4. Threat of physical violence; 5. Threat of sexual violence; 6. Threat of both physical and sexual violence. Computed variable. Base: All EU LGBT survey respondents.

Source: FRA, EU LGBT survey, 2012

Figure 9: Respondents who said the last incident of violence in the last 12 months happened partly or completely because they were perceived to be LGBT, by LGBT subgroup (%)



Question: 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 [LGBT]? Answer: 'Yes'. Base: EU LGBT survey respondents who were attacked or threatened with violence in the 12 months preceding the survey.

Source: FRA, EU LGBT survey, 2012

In the year preceding the survey, 6 % of all respondents were attacked or threatened with violence which they thought happened partly or completely because they were perceived to be LGBT (Figure 8). A majority of respondents who had experienced violence (59 %) in the past year said that the last attack or threat of violence happened partly or completely because they were perceived to be LGBT (Figure 9).

"I got physically attacked by a bouncer in a nightclub who when I was leaving started talking to me. He asked me to go home with him and I told him I'm not interested, he started pulling my coat and eventually I told him 'I am not interested, I'm gay'. After this he and his colleague beat me in the head, I fainted and when I woke up my leg was broken."

(Romania, lesbian, 27)



In the year before the survey, a fifth (19 %) of all respondents were victims of harassment which they thought happened partly or completely because they were perceived to be LGBT. Lesbian women (23 %) and transgender respondents (22 %) were the most likely to have been harassed in the preceding 12 months because they were perceived to be LGBT.

Of those violent incidents which happened within the past year because the victim was perceived to be LGBT, the last incident most often took place outdoors in a public place and was perpetrated by more than one person, usually male, whom the victim did not know. However, one in 15 (7 %) of the most recent incidents of violence, which occurred within the last year because the victim was perceived to be LGBT, were committed

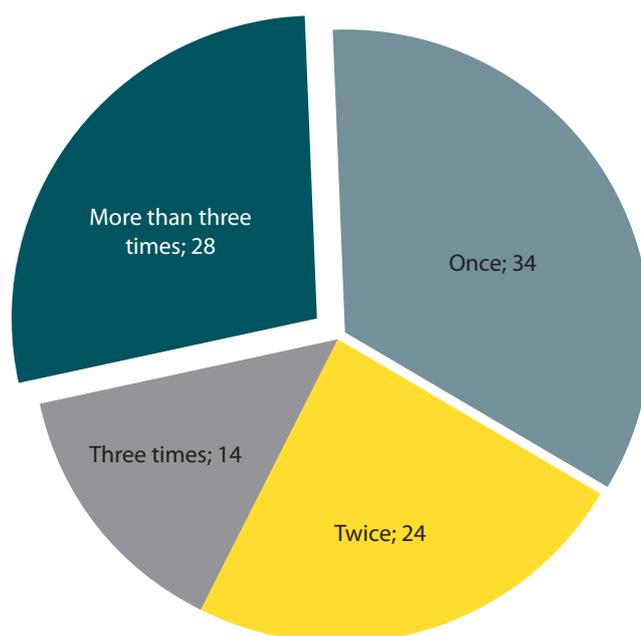
by a member of the victim’s family or household. The same characteristics marked the most recent incident of harassment to have occurred within the past year because the victim was perceived to be LGBT.

“My situations of harassment/discrimination/violence are mainly random acts of verbal aggression. They were from unknown people on the street, mostly at night, mostly youngsters, mostly of a non-native European ethnic background. The situation is worse now than it was, for example, four years ago.”

(Belgium, gay, 27)

About three in 10 (28 %) of all transgender respondents said they were victims of violence or threats of violence more than three times in the past year (Figure 10).

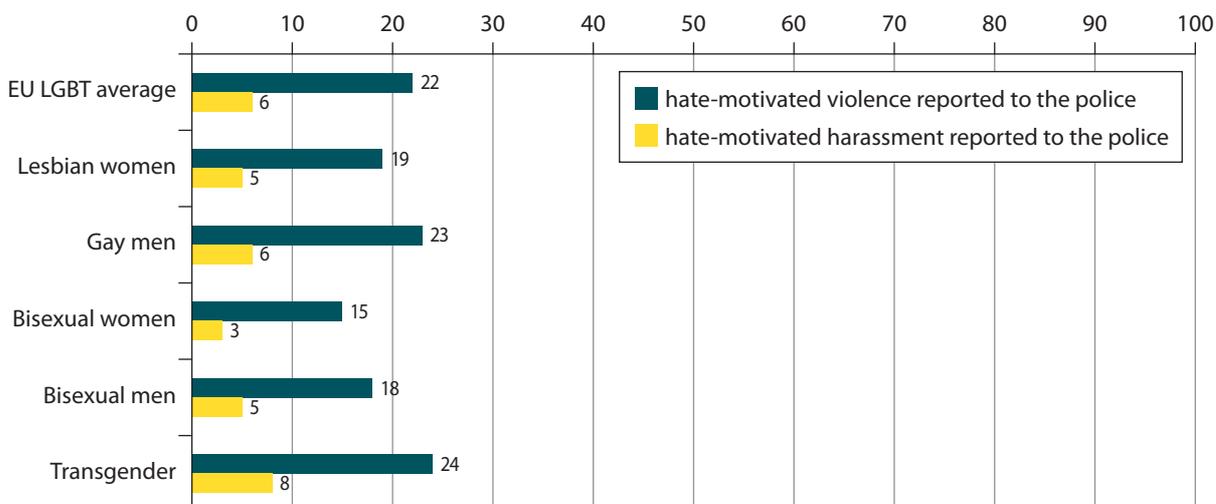
Figure 10: Transgender respondents who were attacked or threatened with violence one or more times in the last 12 months (%)



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 [the country where the last physical/sexual attack or threat or violence took place]? Base: EU LGBT survey respondents who were attacked or threatened with violence in the 12 months preceding the survey.

Source: FRA, EU LGBT survey, 2012

Figure 11: Most serious incident of violence or harassment in the last five years which happened partly or completely because they were perceived to be LGBT reported to the police, by LGBT subgroup (%)



Question: FA2_5. Do you think this physical/sexual attack or threat happened partly or completely because you were perceived to be [LGBT]? Answer: 'Yes'. Question FB2_5. Do you think this incident of harassment happened partly or completely because you were perceived to be [LGBT]? Answer: 'Yes'. FA/B2_11. Did you or anyone else report it to the police? Answer: 'Yes'. Base: EU LGBT survey respondents who were physically/sexually attacked or threatened with violence or harassed partly or completely because they were perceived to be LGBT.

Source: FRA, EU LGBT survey, 2012

One in five (22 %) of the most serious incidents of violence which had happened to respondents in the last five years because they were LGBT were brought to the attention of the police. Just 6 % of the equivalent incidents of harassment were brought to the attention of the police (Figure 11).

"I experience so much discrimination, harassment and violence that it has become my daily life."

(Lithuania, transgender, bisexual, 25)

Almost half of respondents who had not reported to the police the most serious incident of violence (43 %) or harassment (37 %) that had happened to them in the last five years because of being LGBT said that this was because they felt that the police would not do anything about their case. Almost one third (29 %) of those who did not report the most serious incident of violence which happened in the last five years because they were LGBT feared a homophobic or transphobic reaction from the police.

2.6. Daily life and the social environment

A pluralistic and inclusive social environment based on the principle of equality as enshrined in Article 20 of the EU Charter of Fundamental Rights is conducive to an environment where LGBT persons can live and express themselves openly and freely, as stipulated by Article 11 of the EU Charter on the right to freedom of expression.

"I have never dared to show 'my real self' for many reasons. It is important to me that society does not know my real self because of the fear I feel for myself."

(Bulgaria, bisexual man, 20)

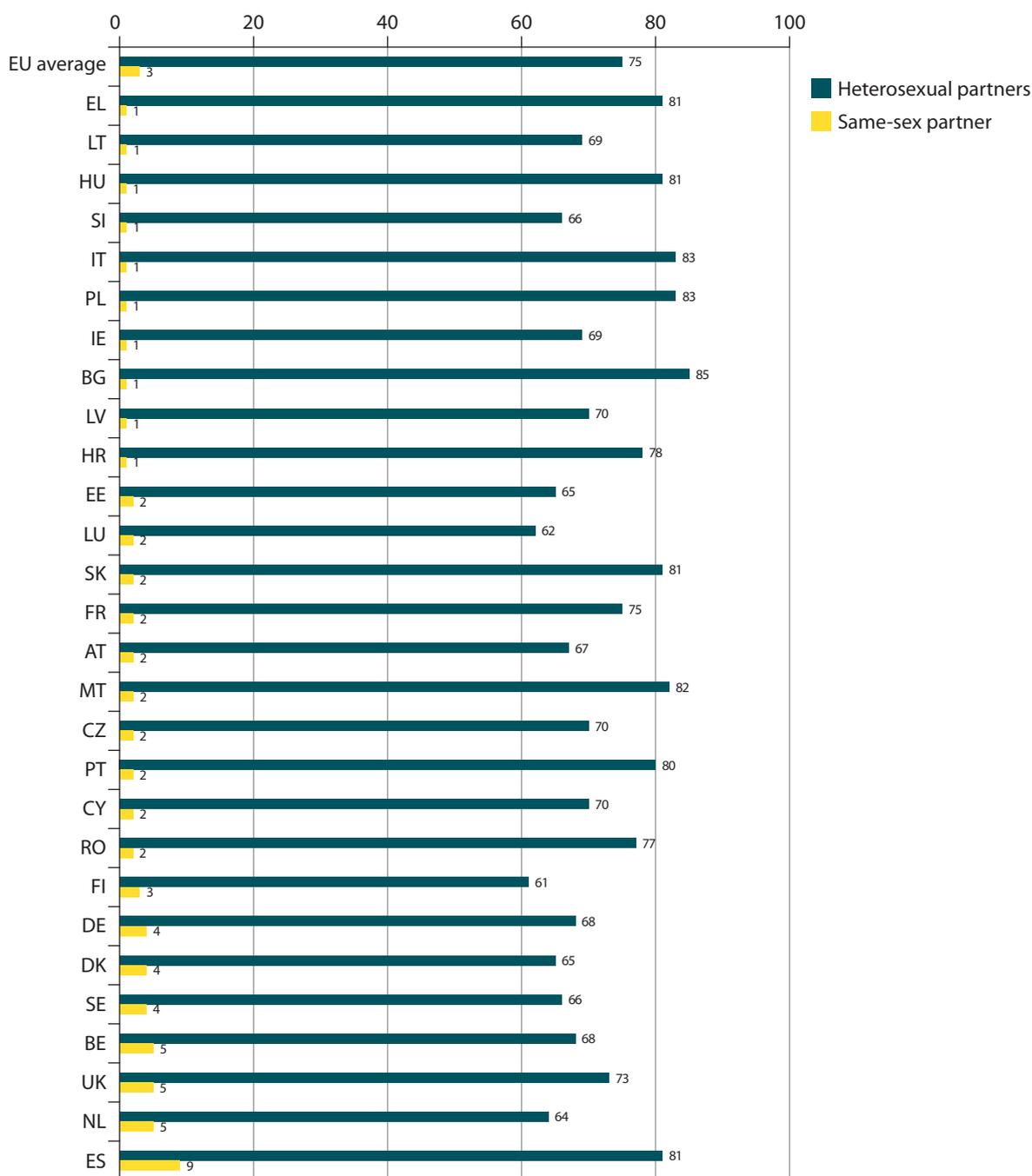
Three quarters (75 %) of all respondents thought that discrimination based on a person's sexual orientation is widespread in their country of residence. Younger respondents as well as gay men and transgender respondents were the most likely to say that discrimination on the basis of sexual orientation is widespread in their country.



Almost half (48 %) of all survey respondents were open about being LGBT to none or a few of their family members and three in 10 (28 %) were open to none or a few of their friends. Just one in five (21 %) of all respondents were open to all of their work colleagues or schoolmates. Bisexual respondents, and particularly bisexual men respondents, were consistently less likely to say they were open to all or most of their family members, friends or colleagues/schoolmates.

This is also reflected in LGBT respondents' answers when estimating the spread of holding hands of couples in public: only 3 % of all LGBT respondents said that holding hands in public of same sex couples is "very widespread" in their country, compared with 75 % of different-sex couples (Figure 12).

Figure 12: Respondents who said same-sex couples and different-sex couples holding hands in public is "very widespread", by country (%)



Question: B2. In your opinion, how widespread are the following in the country where you live? E. Same-sex partners holding hands in public. F. Heterosexual partners holding hands in public. Answer: 'Very widespread'. Order is based on same-sex partners holding hands in public is very widespread. Base: All EU LGBT survey respondents.

Source: FRA, EU LGBT survey, 2012

More than four fifths of all respondents said that casual jokes about LGBT people in everyday life were widespread, and almost half of all respondents believed that offensive language about LGBT people by politicians was widespread in their country of residence.

“Most of the collective discrimination I’ve received as bisexual came from conservative politicians or the media. In Spain, it’s very common to call someone gay (or similar) as an insult.”

(Spain, bisexual man, 21)

Two thirds (66 %) of the respondents, including at least half of the respondents in every EU Member State and Croatia, said that they avoid holding hands in public with a same-sex partner for fear of being assaulted, threatened or harassed for doing so. This figure rose to three quarters among gay (74%) and bisexual (78%) men respondents.

“It struck me that the questions asked in the survey brought back memories to me [...] about situations (being called names, avoiding certain places, not revealing your sexual orientation), which one in fact considers as ‘normal’, whereas they are not, of course.”

(Netherlands, gay, 46)

Half of all respondents (50%) avoided certain places or locations for fear of being assaulted, threatened or harassed because of being LGBT. Gay men and transgender respondents were most likely to adapt their behaviour in this way. Respondents most often avoided being open about being LGBT on public transport, on the street or in other public places, and in public premises or buildings.

“I never went to a [gay pride] parade, as I was scared of being assaulted in the street, as it usually happens at those events.”

(Romania, lesbian, 26)



The survey in a nutshell

The EU LGBT survey was conducted online in the 27 EU Member States and Croatia¹⁶ between April and July 2012. This survey is the largest of its kind to date and represents the most wide-ranging and comprehensive picture available of the lived experience of LGBT people residing in the EU and Croatia. The data are not representative of all LGBT people living in the 28 countries covered by the survey; the results presented in this report reflect the collective experiences of the very large number of individuals who completed the questionnaire. Looking across the survey as a whole, the majority of respondents were men, gay, young and highly educated.

Who took part in the survey?

The survey collected information from 93,079 persons aged 18 years or over who identified as lesbian, gay, bisexual or transgender,¹⁷ and who lived in the EU or Croatia, about their experiences of discrimination, violence and harassment and other key issues. A breakdown of the sample is available in the accompanying *EU LGBT survey – Main results* report, but the following Table offers a basic overview.

Table: Overview of survey respondents' LGBT subgroup, by age group (total numbers and percentage)

	Total	%	Lesbian women	%	Gay men	%	Bisexual women	%	Bisexual men	%	Transgender	%
Age												
18-24	28,110	30	5,625	37	14,782	26	3,359	52	2,270	32	2,074	31
25-39	39,939	43	6,759	44	25,260	44	2,547	40	2,790	39	2,583	38
40-54	20,236	22	2,399	16	14,224	25	447	7	1,597	22	1,569	23
55+	4,794	5	453	3	3,182	6	71	1	543	8	545	8
Total	93,079		15,236	16	57,448	62	6,424	7	7,200	8	6,771	7

Source: FRA, EU LGBT survey, 2012

¹⁶ Croatia was included in this survey because it participates as an observer on FRA's Management Board.

¹⁷ Within the transgender group (6,771 respondents), the largest subgroups were persons who were currently transsexual or had a transsexual past (1,813), transgender (1,066), queer (1,016) and 'other' (1,683). Two thirds (62 %) of transgender respondents said that they had been assigned a male sex at birth, whereas 38 % had been assigned a female sex.

To avoid the influence of under- or overrepresentation of any particular subgroup or nationality in the sample, the data were statistically weighted according to respondents' LGBT subgroup and country of residence for the purpose of calculating the EU LGBT average. Of the total number of survey respondents, for instance, 20,271 lived in Germany and 13,255 lived in Italy; this corresponds to about a third of all LGBT survey respondents. The weighting procedure guarantees that the opinions of the lesbian, gay, bisexual and transgender respondents from each country are represented proportionally and reliably in the survey according to the country's population. In this process, it was assumed that the relative size of the LGBT population over the age of 18 and the sizes of lesbian, gay, bisexual and transgender groups within the overall LGBT population were similar in all countries surveyed.

How was the survey conducted?

To participate in the survey, respondents filled in an anonymous online questionnaire which was accessed over the internet. The questionnaire began with screening questions to establish respondents' eligibility. Only those respondents who identified as lesbian, gay, bisexual or transgender, who said they lived in an EU Member State or Croatia, and who stated that they were over the age of 18 were able to continue with the survey. At the end of the survey, respondents were invited to write a short piece of free text giving further information about their experiences. This report includes a small selection of quotes from the 21,944 individual responses collected.

Online surveys are effective in reaching populations who cannot practicably be sampled through other means, such as door to door or over the telephone, and because they do not require respondents to reveal their identity to interviewers or telephone callers. This choice of methodology allowed the survey to access very large numbers of potential respondents, including those who are less open about their sexual orientation or gender identity, as well as people who may feel uncomfortable revealing these aspects of their private life and providing information about sensitive issues, such as their experiences of violence. Online surveys have a number of limitations; for example, the sample is not random, and unequal access to the internet may reduce the number of respondents in geographical and social contexts with lower levels of internet access. Careful steps were taken throughout the development and implementation of the survey to ensure that the data obtained were of the highest possible quality, and give a comparable picture of the situation across the EU and Croatia, based on the responses of participants in the survey. The methodology is discussed in more detail in the *EU LGBT survey – Main results* report.

FRA designed the survey, which was carried out – under contract to FRA following an open call for tenders – by Gallup Europe in partnership with ILGA-Europe, which supported the work through its national-level experts. FRA closely monitored the work of the organisations and developed the present report. The survey was publicised through a targeted awareness-raising campaign. Communication releases were published in the 27 languages in which the survey could be completed, including 22 official languages of the EU (with the exception of Irish), as well as Catalan, Croatian, Luxembourgish, Russian and Turkish.

What did the survey ask?

The EU LGBT survey was based on an extensive, detailed questionnaire consisting of 10 sections addressing different issues, such as the respondents' background and their experiences and views of discrimination, rights awareness and violence and harassment. Participants took an average of 28 minutes to complete the survey.

Respondents were asked questions about their experiences of enjoying their fundamental rights across a wide range of areas of life – notably employment, education, healthcare, social services and a number of goods and services available to the public such as cafés and restaurants, banks and shops – with a particular focus on discrimination, violence and harassment on the basis of being LGBT. Respondents who self-identified as being transgender were asked a number of additional questions. Further questions were asked to gain an insight into the social context in which discrimination, violence and harassment take place. The questions mainly reflected rights protected under EU law and mentioned in the Council of Europe Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity.

In a number of questions, the wording was adapted to reflect each respondent's self-categorisation of their sexual orientation or gender identity. For instance, lesbian respondents were asked about their personal experiences as a lesbian: "During the last 12 months, have you personally felt discriminated against because of being lesbian in any of the following situations?"

To assist respondents with answering the questions, the survey explained the meaning of key terms using a formulation that was agreed and tested during FRA's EU-MIDIS survey. Before the questions on discrimination, respondents were informed: "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. For



example, discrimination can occur when a woman is not given an equal opportunity to be promoted in her job in comparison with a man, although she is equally suitable and experienced." Similarly, questions concerning harassment were preceded with the following explanation: "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". The survey also clarified that, when it asked respondents about the 'most serious'

incidents of violence or harassment, their answers should reflect the incident that had the biggest impact on them "physically or psychologically" in the case of violence and "psychologically or emotionally" in the case of harassment. It should be noted that the instances recalled in the survey are those that the respondents experienced and identified as discrimination, violence or harassment, and were not necessarily judged as such by an administrative or judicial process.

Future work on the fundamental rights of LGBT persons

FRA continues to collect and analyse data regarding the fundamental rights of LGBT persons. Research conducted in 2013 through interviews with public authorities – civil servants, police officers, teachers and health professionals – will examine how they deal with the rights of LGBT persons in their daily work.

Bibliography

All hyperlinks were accessed on 17 April 2013.

FRA reports

FRA (2008), *Homophobia and discrimination on grounds of sexual orientation in the EU Member States Part I: legal analysis*, Luxembourg, Publications Office of the European Union (Publications Office), available at: <http://fra.europa.eu/en/publication/2010/homophobia-and-discrimination-grounds-sexual-orientation-eu-member-states-part-i>.

FRA (2009a), *Homophobia and discrimination on grounds of sexual orientation in the EU Member States Part II: the social situation*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2011/homophobia-and-discrimination-grounds-sexual-orientation-and-gender-identity-eu>.

FRA (2009b), *European Union minorities and discrimination survey (EU-MIDIS): Main results report*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2012/situation-roma-11-eu-member-states-survey-results-glance>.

FRA (2010), *Homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2012/homophobia-transphobia-and-discrimination-grounds-sexual-orientation-and-gender>.

FRA (2011), *Homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in the EU Member States. Summary of findings, trends, challenges and promising practices*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2011/homophobia-transphobia-and-discrimination-grounds-sexual-orientation-and-gender>.

FRA (2012a), *The situation of Roma in 11 EU Member States. Survey results at a glance*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2012/eu-midis-main-results-report>.

FRA (2012b), *Access to justice in cases of discrimination in the EU: steps to further equality*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2012/access-justice-cases-discrimination-eu-steps-further-equality>.

FRA (2012c), *EU-MIDIS Data in focus report 6: Minorities as victims of crime*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2012/eu-midis-data-focus-report-6-minorities-victims-crime>.

FRA (2012d), *Making hate crime visible in the European Union: acknowledging victims' rights*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2012/making-hate-crime-visible-european-union-acknowledging-victims-rights>.

FRA (2013), *EU LGBT survey – European Union lesbian, gay, bisexual and transgender survey – Main results*, Luxembourg, Publications Office, available at: <http://fra.europa.eu/en/publication/2013/eu-lgbt-survey-main-results>.

FRA (2013), *EU LGBT survey data explorer (online)*, available at: <http://fra.europa.eu/en/igbt-survey-results>.

Further references

Council of the European Union (2008), Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, OJ 2008 L 328.

European Commission (2010), *Strategy for the effective implementation of the Charter of Fundamental Rights by the European Union*, COM(2010) 573 final, Brussels, 19 October 2010.

France, Prime Minister (2012), Programme of governmental actions against violence and discrimination committed because of sexual orientation or gender identity (*Programme d'actions gouvernemental contre les violences et les discriminations commises à raison de l'orientation sexuelle ou de l'identité de genre*), 31 October 2012, available at: http://femmes.gouv.fr/wp-content/uploads/2012/11/violence_v5+_06-2011.pdf.

International Commission of Jurists (ICJ) (2007), *Yogyakarta Principles – Principles on the application of international human rights law in relation to sexual orientation and gender identity*, March 2007, available at: <http://www.refworld.org/docid/48244e602.html>.

European Union Agency for Fundamental Rights

EU LGBT survey – European Union lesbian, gay, bisexual and transgender survey

Results at a glance

2013 – 31 pp. – 21 x 29.7 cm

ISBN 978-92-9239-173-7

doi:10.2811/37741

A great deal of information on the European Union Agency for Fundamental Rights is available on the Internet. It can be accessed through the FRA website at fra.europa.eu.

HOW TO OBTAIN EU PUBLICATIONS

Free publications:

- via EU Bookshop (<http://bookshop.europa.eu>);
- at the European Union's representations or delegations. You can obtain their contact details on the Internet (<http://ec.europa.eu>) or by sending a fax to +352 2929-42758.

Priced publications:

- via EU Bookshop (<http://bookshop.europa.eu>).

Priced subscriptions (e.g. annual series of the Official Journal of the European Union and reports of cases before the Court of Justice of the European Union):

- via one of the sales agents of the Publications Office of the European Union (http://publications.europa.eu/others/agents/index_en.htm).

HELPING TO MAKE FUNDAMENTAL RIGHTS A REALITY FOR EVERYONE IN THE EUROPEAN UNION

In light of a lack of comparable data on the respect, protection and fulfilment of the fundamental rights of lesbian, gay, bisexual and transgender (LGBT) persons, the European Union Agency for Fundamental Rights (FRA) launched in 2012 its European Union (EU) online survey of LGBT persons' experiences of discrimination, violence and harassment. The survey results provide valuable evidence of how LGBT persons in the EU and Croatia experience bias-motivated discrimination, violence and harassment in different areas of life, including employment, education, healthcare, housing and other services. The findings show that many hide their identity or avoid locations because of fear. Others experience discrimination and even violence for being LGBT. Most, however, do not report such incidents to the police or any other relevant authority. By highlighting and analysing the survey results, this report, together with the accompanying *EU LGBT survey – Main results* report, will assist the EU institutions and Member States in identifying the fundamental rights challenges facing LGBT people living in the EU and Croatia. It can thereby support the development of effective and targeted European and national legal and policy responses to address the needs of LGBT persons and ensure the protection of their fundamental rights.



Publications Office

FRA – EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

Schwarzenbergplatz 11 – 1040 Vienna – Austria

Tel: +43 158030-0 – Fax: +43 158030-699

fra.europa.eu – info@fra.europa.eu

facebook.com/fundamentalrights

linkedin.com/company/eu-fundamental-rights-agency

twitter.com/EURightsAgency

ISBN 978-92-9239-173-7

