Colourful Childhoods

EMPOWERING LGBTIQ CHILDREN
IN VULNERABLE CONTEXTS TO COMBAT
GENDER-BASED VIOLENCE ACROSS EUROPE

Project number: 101049251

National Reports and Integrative Analytical Report on LGBTIQ+ children in vulnerable contexts

ces Centre for Social Studies University of Coimbra

Universitat de Girona

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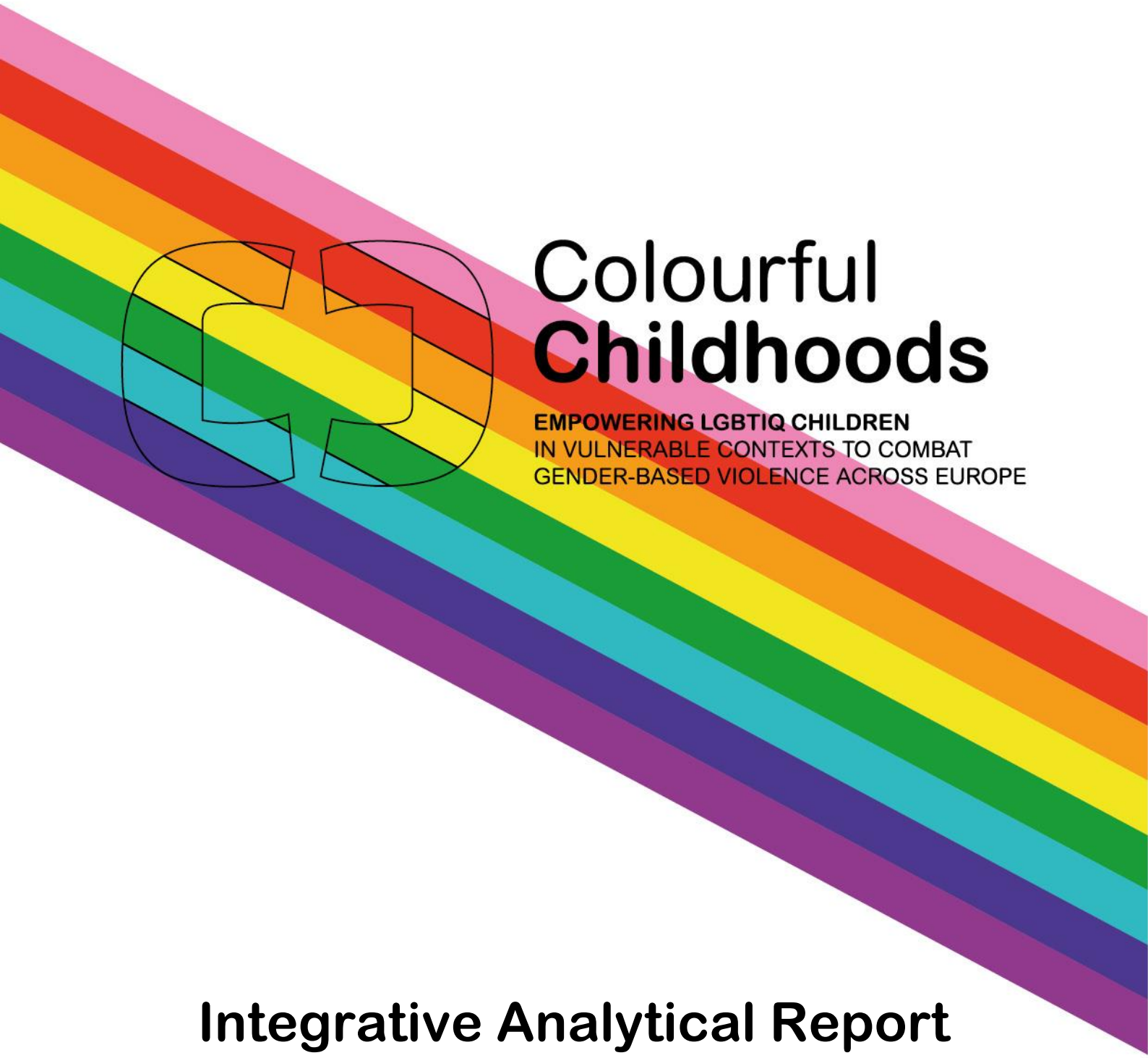

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Integrative Analytical Report

Research Team: Ana-Cristina Santos, Mafalda Esteves, Núria Sadurní Balcells, José Antonio Langarita

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Authors

Center for Social Studies: Ana-Cristina Santos, Mafalda Esteves.

Universitat de Girona: Núria Sadurní Balcells, José Antonio Langarita

Project Information

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Summary

In the context of the Colourful Childhoods (C-Child) research project, country-based reports have been produced by the research team in each country involved. Built upon these reports, the current Integrative Analytical Report was designed to provide a brief overview of the legal and sociocultural situation of LGBTIQ people in Europe, with a particular focus on countries included in the C-Child study.

It has the following structure:

Introduction – Research Design and Sample

Colourful Childhoods (C-Child): *Empowering LGBTIQ children in vulnerable contexts to combat gender-based violence across Europe* gathered six countries, Bulgaria, Hungary, Italy Lithuania, Portugal and Spain to combat violence based on gender identity, gender expression and sexual orientation and sex characteristics suffered by children1 from vulnerable contexts who do not conform to gender roles and gender norms during covid-19 pandemic. Based on a child-centred perspective and from an interdisciplinary approach, each country involved conducted an online national survey with LGBTIQ children from 15 to 17 years old, interviews with stakeholders in the area of childhood, and focus groups with LGBTIQ children from the 6–17-year-old age range. Due to legal constraints, the fieldwork with children took place exclusively in Italy, Spain, and Portugal.

Ethical procedures were granted at every step of the research design and further implementation, (e.g., ethical committee approval, informed consent from the participants and in some countries legal consent from their legal tutors). Also, each partner followed the C-Child Child Protection Policy. The CES-UC team with the support of UdG were in charge of leading the process.

Online Survey and Sample

The Online Survey for Colourful Childhoods was designed by the C-Child research team at UdG, led by Dr. Jose Antonio Langarita, Dr. Carme Montserrat, Dr. Pilar Albertin and Núria Sadurní. After being shared and discussed by all partners in the consortium, the survey was translated into all relevant languages, adapted to national contexts, and uploaded to the online statistical software LimeSurvey. A pre-test was carried out in each local context in order to make some minor changes, which were added to LimeSurvey before implementation.

The survey was aimed at teenagers between 15 and 17 years old. To obtain the data, partners distributed the survey link with a variety of strategies, specifically: sharing it in the organisation's social media accounts; making TikTok videos advertising the survey; hiring influencers to advertise the survey in their accounts; sharing it in the partners' personal accounts; sharing it with professionals who work with children so they could share it with the target participants; and sharing it with target participants so they could answer and then share it with others.

The online survey received 4086 responses, although 931 of them were blank answers (mostly) or troll/fake answers (some). Once we eliminated these, we were left with 3155 responses. For this analysis, we only used those answers that fell into our target – eliminating all answers from cisgendered heterosexual teens. Finally, 82 responses were analysed in the case of Portugal, 480 for Hungary, 192 for Bulgaria, 190 for Italy, 606 for Lithuania, and 976 for Spain, with a grand total of 2526 analysed survey responses.

[1]. Following the definition established by the United Nations Convention on the Rights of the Child, the notion of child refers to every human being below the age of eighteen years.

Focus Groups

Due to national laws, some countries were exempt from the focus group implementation (Bulgaria, Hungary and Lithuania). For that reason, the focus groups with LGBTIQ children were only carried out in Italy, Portugal and Spain.

The script for the focus group was proposed by the CES team and two versions were created to be applied according to the age group of children (6–11 years old and 12–17 years old). The main dimensions to explore through the focus group were: knowledge about the subject (I); experiences of violence and resistance during the pandemic (II); and beliefs and assessments (adultism, professional practices/services) (III).

In contexts such as Portugal, Spain and Italy, finding LGBTIQ children who met the inclusion criteria and attended the focus group was a big challenge for the team but recruitment challenges were different for each partner involved. Despite that, motivation and proactive involvement of local partners (e.g., LGBTIQ NGOs) in each country were crucial for a successful implementation.

Different strategies were applied for the recruitment process and outreach materials were created and disseminated through social media (TikTok, Instagram), social platforms which LGBTIQ children frequented. Also, countries like Spain involved relevant national LGBTQI children's influencers as a strategy for focus group recruitment and to disseminate the project.

In order to achieve LGBTQI children's participation in the focus group outside of the main urban areas, some partners conducted them both online and offline. Each partner decided on the best strategy according to the local context. Even in countries where there are LGBTIQ policies like in Spain or Portugal, one of the common challenges was access to schools with higher restrictions in carrying out LGBTIQ-related activities. Another challenge was the mandatory parent's consent to participate in academic projects (e.g. Italy). Consequently, children who are not 'out' or have problems with their families could not join the focus groups.

In all countries, participants were from the range of age 12 to 17 years old and a total of eight focus groups: Italy (2), Spain (4) and Portugal (2) were implemented and the participation in each group varied from four to 10 children. With some exception, all focus group were conducted face-to-face. The average duration of each session was 90 minutes.

Interviews with Services/Professionals

As a consortium, all partners agreed on the main characteristics of the participants in the study (age range, vulnerable context definition, etc.), the recruitment process and information analysis following the methodological guide previously constructed by CES-UC and approved by all the C-Child consortium.

Interview scripts were created bearing in mind stakeholders in different public services and NGOs who work with children, and each partner made some adaptations according to the local context. The main topics to explore during the interviews were: knowledge

about the topic, practices and experiences, and beliefs and opinions with a particular focus on adultism.

Across the consortium, the main concerns regarding the profile of prospective interviewees were job relevance, type of service (public/private) and work experience with LGBTIQ children and youth, and people who had participated in good practices regarding LGBTIQ children, as well as the gender dimension. Some interviewees were also part of LGBTQI NGOs and/or were themselves self-defined LGBTIQ: from psychologists to public servants, youth workers, sociologists and other children-related services.

Fieldwork started in May and lasted until November 2022. The recruitment strategies included several contacts through personal and professional networks, sending letters of invitation, using a process of referencing from other stakeholders and relevant contacts in the field.

Overall, 83 interviews were conducted. Most participants identified as cisgender, despite our best efforts to introduce gender diversity, making it noticeable that it is still cisgender people who are perceived as experts, work with and are the stakeholders on transgender, gender non-conforming children and youth issues. Most participants identified as women and heterosexual despite some non-heterosexual participants.

Interviews gathered participants from different job positions, scopes and organisation type, making it possible to include different perspectives in the fields of the study. Also, it was very important to include activists and people working in LGBTIQ NGOs to amplify the overview in the field.

1 – Legal and Political Context Regarding LGBTIQ Rights

1.1. Legal and Political Context in C-Child Countries

The status of LGBTIQ rights in Europe is complex and varied, with each country experiencing its own history of progress and backlash. As a result, there is a diverse landscape of attitudes towards these rights across the continent. Unfortunately, in recent times, there has been a sharp increase in anti-LGBTIQ rhetoric from politicians and leaders, leading to a surge in hate crimes targeting the LGBTIQ community across Europe. The pandemic has worsened this situation, as it has amplified far-right populist discourses and anti-gender discourse. It has also deepened socio-economic inequalities and further worsened the already vulnerable living conditions of groups such as LGBTIQ children.

Despite this rise in hate, there has also been a wave of allyship and determination among many European countries and the European Union to address and combat discrimination and exclusion of LGBTIQ communities. While legislation that regulates the rights of LGBTIQ children in Europe is very recent and generally absent in most C-Child countries, significant progress has been made in several European countries in the past decades, including the possibility of same-sex marriage and parenthood, as well as the recognition of gender self-determination that includes children for the first time in history.

However, there is still a striking contrast between countries with formal recognition and protection of SOGIESC (sexual orientation, gender identity and expression, and sex characteristics) rights and those without. In countries without a legal framework to address violence and discrimination based on SOGIESC, adults and children with diverse sexual orientation and gender identities face unique challenges.

Particularly during the covid-19 pandemic, the majority of pan-European states failed to respond adequately to the needs of LGBTQI communities (ILGA Europe, 2022). As a result, civil society organisations have played a crucial role in providing psychosocial support, including mental health support.

The role of social movements and progressive political parties in enacting social and legal change has been crucial, even in contexts where decades of fascist regimes and the influence of the Catholic Church have traditionally blocked the advancement of LGBTIQ rights. This was the case in Portugal (Santos, 2013) and Spain (Trujillo, 2009). Despite a similar political and religious legacy, Italy remains a paradigmatic case of resistance to legal change that would advance equality and non-discrimination.

Other countries struggle with powerful actors that are strikingly different, ranging from former communist regimes to the most recent anti-gender backlash. Hungary and Lithuania are examples where radicalisation and polarisation in society around the topic of children's rights is a challenge.

In other countries, the rise of far-right movements that oppose gender equality has had a significant impact. Although this affects many countries included in our research project, particular attention must be paid to Hungary or Bulgaria, where no public research on LGBTIQ status and discrimination has ever been conducted, resulting in the absence of a solid basis for legal reforms.

Drawing on the context-based knowledge produced by Colourful Childhoods in each country involved in the study, Portugal and Spain stand out for having a broader and more inclusive legal framework. Recently, Spain approved a new national LGBTIQ law that grants new rights for LGBTIQ children, such as the right to modify their name and sex in all documents without requiring a medical diagnosis of gender dysphoria or parental permission in cases where children are 16 years old or older (between 14 and 16 years old with parental permission). The law does not include non-binary children’s rights. This legal advance also considers LGBTIQ children with no Spanish nationality, representing an intersectional view of LGBTIQ childhoods rights by the Spanish state.

However, it is important to note that legal recognition does not always translate into effective social measures that would prevent and combat discrimination. For example, in the C-Child countries, professionals lack knowledge on LGBTIQ issues to properly support children, and adult-centred discourses regarding childhood dominate. The instability of teams and uncertainty about the sustainability of social intervention projects in the third sector are also identified as difficulties that directly affect the well-being of all children, including LGBTQI children.

The C-Child project revealed that LGBTIQ children across all countries in the consortium are facing a lack of respect for their self-determination and rights. Shockingly, with the recent exception coming from Spain, so-called "conversion therapies" are still not banned in the countries involved. Our data indicates that prejudice and social discrimination based on SOGIESC are still prevalent, with high levels of LGBTIQ-phobic

violence and resulting mental health issues, which are even on the rise in countries such as Spain and Portugal, despite the existence of protocols to address social discrimination. In Spain, for instance, there is only partial prohibition of medical intervention for intersex individuals, and it is not applicable in all regions. Similarly, Portugal lacks recognition of trans parenthood, and there is no policy in place to address hatred based on sexual orientation and/or gender identity.

Recognising the presence of issues and gaps in countries with high levels of formal recognition of LGBTIQ rights is crucial to challenge the homonationalist narrative and urge policymakers to take effective anti-discrimination measures that encompass formal and informal education. It is important to note that the decriminalisation of homosexuality does not necessarily lead to corresponding legal and social changes consistent with decriminalisation. For example, despite Italy, Hungary, and Bulgaria having decriminalised homosexuality much earlier than many C-Child countries (1889, 1951, and 1968, respectively), the pace and extent of LGBTIQ recognition in these countries demonstrate that there are no linear outcomes from a single legal breakthrough. Therefore, legal change aimed at recognising LGBTIQ rights is just the beginning, the most fundamental common ground on which we stand. However, it is not enough to bring about social and cultural change without sustained and consistent efforts.

Understandably, countries with a historically hostile legal and political context towards LGBTIQ rights are a cause for more extensive concern today, particularly regarding violence, safety, and well-being. In these contexts, both children and professionals often feel unsupported and discouraged, in contrast to other contexts where the state endorses locally based initiatives implemented in schools, health centres, or public spaces.

The role of social movements and the European Union (EU) has been significant. Social movements mobilise support and create visibility, which, in turn, leads to further mobilisation, actively contributing to the development of an LGBTIQ agenda. Over the past decade, equality marches and LGBTIQ prides have been celebrated in all countries, even when they have been targeted by attacks and backlash (e.g., Hungary and Bulgaria). In many countries, activists have played a key role in lobbying and consultation processes with decision-makers, especially local and national MPs. They have also filled significant gaps by providing training and promoting social awareness in schools and other settings, organising workshops (both face-to-face and online), gathering statistical and qualitative data to inform the national contexts, and serving as care providers in the absence of an efficient and inclusive welfare state – this aspect was particularly critical during the covid-19 pandemic.

The EU has established minimal standards for accession, which in the country-based history of LGBTIQ rights and politics has had an impact. Some countries have had to eliminate discriminatory legal provisions in order to meet these criteria and be considered suitable for EU membership. Lithuania is one such country, which despite meeting the criteria, remains one of the few European countries that does not recognise any form of LGBTIQ partnering. Similarly, and according to the Rainbow Europe Map (Ilga Europe, 2022), Bulgaria has only achieved 18% of LGBTIQ human rights. On a more symbolic level, being part of the EU expands the "equal-by-comparison" effect (adding pressure to rank better) and provides a platform for local demands for greater inclusion and diversity. Additionally, in some contexts, the European Court of Human Rights has played a significant role in promoting respect for LGBTIQ rights.

Formal recognition of same-sex parenthood and gender diversity have arrived later, if at all, in Europe. Hungary, Lithuania, and Bulgaria have restrictions on same-sex parenthood, while Italy only allows assisted reproduction techniques (ART), specifically IVF for cis women, for married or cohabiting heterosexual couples. Gender diversity, including intersex rights, is still absent in Lithuania, Bulgaria, Italy, and Hungary, which passed a bill prohibiting gender recognition of trans people in 2020. Few countries have formally recognised the rights of LGBTIQ children and youth, and even when they have, it is often a recent and controversial change. Portugal and Spain are among the few countries that have made more progress in this area.

The most pressing concern regarding LGBTIQ rights in Europe today is the backlash resulting from the rise of far-right populism and the expansion of ultra-conservative, anti-gender agendas. This, coupled with the vulnerability of LGBTIQ children's rights across the EU, is cause for alarm and should be a priority for intervention at the supranational level.

The EU has taken an important step towards promoting the project of Europe with the creation of the LGBTIQ Equality Strategy (2020–2025)2 and the EU Strategy on the Rights of the Child (2022–2027)3 but it is not sufficient. It is time to dismantle adult-centric views and practices and put the best interests of children at the heart of human rights and equality agendas – all children, including the rights of LGBTIQ children and young people.

1.2. Timeline of LGBTIQ Rights in C-Child Countries

Decriminalisation of homosexuality

BU	IT	HU	SP	PT	LT
1968	1889	1961	1978	1982	1993

Criminalisation of LGBTIQ discrimination

Most countries have adopted legislation against discrimination in different areas such as labour, education and public space through hate speech legislation, mostly regarding sexual orientation. But few have legislation that include gender identity and expression and also protection of sexual characteristics.

Some countries, like Bulgaria, do not have sanctions against anti-LGBTIQ hate crimes and hate speech in the Penal Code. Others like Spain in 2003, Portugal in 2004 and

[2] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0698

[3] https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en#the-eu-strategy-on-the-rights-of-the-child

Lithuania in 2009 have adjusted their legal framework in relation to sexual orientation discrimination. Since 2003 that Hungary, have a specific legislation against discrimination specifically based on sexual orientation or gender identity. When it comes to discrimination based on gender identity only, it has been formally addressed in Portugal since 2011 and Spain since 2013. Although "change of sex" (an ambiguous phrase which provides some protection from discrimination for trans people who have changed their legal documents) was included in the Protection from Discrimination Act in Bulgaria, there is still an absence of clear procedure for legal gender recognition of trans and intersex people. Also, in 2020 Hungary passed legislation that prohibits the legal gender recognition of transgender people.

Consent Legislation

In many countries, legislation on consent has historically included different ages for heterosexuals and homosexual people. Therefore, equal ages of consent are much more recent in some of the C-Child countries.

IT	HU	LT	BU	PT	SP
1889	2002	2004	2006	2007	2009

Same-Sex Marriage

Legislation around same-sex marriage is still controversial in almost all C-Child countries. This is the case of Bulgaria, Hungary, Italy and Lithuania, where same-sex couples do not have access to any regulation on same-sex marriage. Both Spain and Portugal have access to same-sex marriage although with slightly different regulations on parenting, adoption and reproductive rights.

SP	PT
2005	2010

Homoparenting, Adoption, Procreation Rights

In most C-Child countries, LGBTIQ families have little to no rights when it comes to having children and having their families recognised. In Lithuania and Italy there is no

legislation. In Bulgaria, it is still taboo and only since 2004 it has been extended assisted reproduction techniques (ART) to single women, which since then may be used by women in relationships with women. In Hungary, women in relationship with women cannot take part in reproduction procedures (unless they lie about their relationship, which can lead to legal repercussions), and even adoption by single parents is heavily regulated, needing ministerial consent. None of the C-Child countries recognises trans parenthood.

Adoption and co-parenting

SP	PT
2005	**2016**

Fostering and co-parenting

SP	PT
2005 co-parenting	**2016**

IVF for CIS women

HU	BU	SP	IT	PT
2005**	**2004**	**2006**	**2004***	**2016**

** Partial recognition: only married or cohabiting heterosexual couples.*

*** Assisted reproduction procedures extended to single women.*

Gender recognition laws

Gender recognition laws are the latest to be available and are only available in a few countries. This is the case in Portugal, with a first law dating from 2011 until a more progressive law that includes protection of sex characteristics in 2018. In Spain trans

people have been allowed to modify their gender marker and name in the Civil Registry since 2007, provided that certain requirements have been met (being Spanish and an adult, pursue two-year hormone treatment and obtaining a certification of gender dysphoria). Later in 2019, the Constitutional Court decision allowed the modification of the name and gender identity in the official documents of children and in 2022, LGBTIQ children achieved the right to modify their name and sex in all documents with no requirement of medical records of gender dysphoria or parental permission if they are 16 years old (between 14 and 16 with parental support). In Italy since 1982 there have been measures regarding legal gender recognition; however, it was only in 2015 that no compulsory surgical intervention was required. Bulgaria, Hungary and Lithuania do not have legal gender recognition (though legal gender recognition practice starting at least in 2003 in Hungary used to be considered quite progressive, until the explicit ban in 2020).

PT	SP	IT
- 2011 (Law no. 7/2011) - 2018 (Law no. 38/2018)	- 2007 (BOE no. 65) - 2019 (BOE no. 10) - 2022 (Law no. 4/2023 of 1 March 2023)	- 1982 (Law no. 164 of 14 April 1982)

1.3. Relevant Statistical Data about LGBTIQ Children's Situation in Europe

In recent years, violence against children has become a serious concern in Europe, as it is mismatched with what is proclaimed in the United Convention of Children's Rights4.

The covid-19 pandemic left us with a legacy of tremendous negative effects on people's access to social rights, affecting all areas of life, while exacerbating existing social vulnerabilities and inequalities, particularly for many of those in precarious living conditions (ETUI, 2021). Children as well as women were the groups facing the greatest levels of social exclusion during this period and beyond. Thus, difficulties in making ends meet increased significantly among those already in a precarious situation (Eurofund, 2021).

A report by the European Union Agency for Fundamental Rights (FRA, 2020) shows that child poverty and social exclusion still continue to be major issues in the European Union. In 2019, approximately 23 million children, representing nearly 18% of all children in the EU, were at risk of poverty or social exclusion. Despite previous studies showing that one in five children live in poverty in the EU, the paradoxical reality of child poverty in the

[4] https://www.unicef.org/child-rights-convention/convention-text

developed world has worsened due to growing income inequality. This phenomenon is also observed in C-Child countries such as Italy, where child relative income poverty rates are high compared to the OECD average (OCDE, 2017). Many children in those countries also live in overcrowded households, leading to lower self-reported life satisfaction among teenagers.

The covid-19 pandemic has also had a significant impact on children's mental health. Suicide is the second leading cause of death among young people in Europe, with over nine million adolescents aged 10 to 19 living with mental health disorders (UNICEF, 2021). Anxiety and depression account for more than half of these cases, with prevalence rates varying across countries: Spain, Portugal, Italy, Bulgaria, and Hungary are amongst the countries with the highest prevalence rates of mental disorders in children from 10 to 19 years old. For instance in Spain, the Changing Childhood Project found that 11% of the population between 15 and 24 years old often felt depressed or lacked interest in daily activities (Moira Herbst, 2021). In Bulgaria a recent report shows that over 3.500 reports of violence against children are received each year and around 1.000 actual cases are opened after investigation. Besides, over 4.200 incidents of violence against children happen every year in schools and, on the other hand, 68% of Bulgarian parents accept the use of "reasonable violence" as a means of discipline (UNICEF Bulgaria, N.d).

Tendencies are similar in Hungary, where recent data shows that around 38% of Hungarians think that a slap will not hurt their child. The isolation, fear and insecurity caused by the covid-19 pandemic have made the world an even more dangerous place for children by 2020, with estimates of child abuse cases increasing by up to 30% during the pandemic according to UNICEF Hungary (2021). In Portugal, data gathered by the Commissions for the Protection of Children and Young People in 2020 showed 42 098 new communications of danger. Domestic violence (13 782 children) and neglect (12 946 children) were the most frequent causes and with greater weight in the groups of 11-to-14-year-olds and 15-to-17-year-olds, both in boys and girls (CNPCJ, 2021). In Italy, according to the Italian Ministry of Labour and Social Policies, in 2020 there were 161.716 children in child protection. In Spain, according to the Childhood Observatory in 2020, the number of minors under the public child protection system fell from 50.272 to 49.171 between 2019 and 2021. Guardianships also decreased, from 33.208 in 2019 to 31.738 in 2020. As for the figures for residential foster care, there is a considerable decrease from 23.209 in 2019 to 16.991 in 2020. Foster care with families adds 18.892 in 2020, down from 19.320 in 2018.

Despite these challenges, the United Nations Children's Fund Office of Research found evidence of positive coping and resilience among children (Sharma et. al., 2021). Their study of more than 130.000 children from 22 countries revealed the presence of increased stress, anxiety, and depressive symptoms, as well as alcohol and substance use, and externalising behavioural problems. However, the study also showed that many children are finding ways to cope and adapt to these challenges, highlighting the importance of providing support and resources to help children build resilience and overcome adversity.

Despite the concerning state of affairs, the EU remains committed to safeguarding the protection, care, and well-being of children, as underscored in Article 24 of the EU Charter of Fundamental Rights. This commitment is further strengthened by the EU

Strategy on the Rights of the Child, which places a special emphasis on protecting vulnerable children.

The prevalence of discursive trends surrounding childhood has made it a fertile ground for disputes related to LGBTIQ children (United Nations, 2021; FRA, 2020). The Rainbow Europe Map (2022), which compares the human rights situation for LGBTIQ individuals across 49 European countries, reveals significant differences in the position of C-Child countries. For instance, Portugal and Spain are ranked 9th and 10th, respectively, while Hungary, Italy, Lithuania, and Bulgaria are relatively poorly positioned (30th, 33rd, 35th and 40th respectively).

As mentioned before, numerous studies conducted in Europe have provided insights into the current state of equality and social discrimination in recent years. According to the Eurobarometer survey (2019), there is greater recognition of the widespread nature of discrimination based on sexual orientation among civil society at the European level. Moreover, compared to 2015 data, there has been a five-percentage-point increase in the general population's acceptance of LGBTIQ individuals as colleagues or as high-ranking political figures in their country. The highest social acceptance is mainly found among women aged 15–24, with higher education, living in urban areas, and leaning towards the left side of the political spectrum. Additionally, these individuals are the most likely to believe that LGBTIQ individuals should enjoy/have the same rights as heterosexual individuals. Data shows that between countries there are significant discrepancies in social beliefs and attitudes towards equality and non-discrimination based on SOGIESC across different countries (Eurobarometer, 2019; OECD, 2019). For example, Spain reports the highest level of agreement that LGBTIQ people should have the same rights as heterosexuals (91%), followed by Portugal (78%), Italy (68%), Lithuania (53%), Hungary (48%), and Bulgaria (38%).

Encouragingly, statistics from Spain reveal high levels of LGBTIQ+ friendliness, with the vast majority of people responding positively to accepting LGBTIQ+ individuals. For instance, 81% of the population would feel comfortable with a gay, lesbian, or bisexual person holding the highest elected political position in the country, while 74% and 72% would be comfortable with a transgender or intersex person, respectively. Moreover, 89% agree or tend to agree that there is nothing wrong with same-sex couples. However, some data continues to reveal some concerns in Europe: in Bulgaria, only 20% agree that there is nothing wrong with a sexual relationship between two people of the same sex (Eurobarometer, 2019).

A large-scale survey conducted by Medián Polling Agency (2019) and representative of the general population on LGBTIQ issues reveals that in Hungary, 59% of 1.000 respondents support marriage equality, 69% agree that same-sex couples can be good parents, and 66% believe that students should learn about sexual minorities as part of their school curriculum. Also, this study found that Hungarians are rather divided on LGBTIQ issues, with 78% of respondents having never heard the term “LGBT” and over half of the population not knowing a word to describe transgender people. A survey conducted in Italy in 2021 found that 58% of Italians support the legalisation of same-sex marriage, while 36% oppose it (Ipsos, 2021). In contrast, in Lithuania, only 8% of 529 respondents agreed that the legal definition of family should include same-sex relationships (ILGA Europe, 2020). Additionally, a poll launched by the Lithuanian

president revealed that almost half of the population was against the Istanbul Convention, which pertains to LGBTIQ issues.

The findings of FRA surveys, the Special Eurobarometer on Discrimination in the EU, and national studies based on discrimination testing published in 2019 confirm that discrimination and inequalities on the grounds of sexual orientation and gender identity is still a reality.

Regarding LGBTIQ young people aged 15 to 17, the findings of an LGBTIQ survey in 2019 found that they still experienced discrimination in eight areas of life (FRA, 2020): among the so-called C-Child countries, Bulgaria had the highest expression of discrimination at 67%, followed by Hungary and Portugal at 64%. Spain and Italy had the lowest expressions of discrimination at 46% and 50%, respectively. Some LGBTIQ children in C-Child countries also reported experiencing housing difficulties and having to temporarily stay with friends or relatives. This was most prevalent in Italy (34%) and Portugal (31%), and least prevalent in Lithuania (22%). When the housing difficulties were motivated by gender identity or expression, the numbers varied slightly: 15% in Bulgaria, 14% in Lithuania, 10% in Portugal, 6% in Spain, 5% in Hungary, and 0% in Italy.

Other contexts that are part of the LGBTIQ children's lives, like educational settings, seem to be highlighted as one of the most mentioned contexts where LGBTIQ discrimination against children takes place. FRA (2020) shows that Bulgaria (28%) and Spain (23%) had the highest percentages of participants who reported always hearing or seeing negative comments or conduct during school hours because a peer was perceived to be LGBTIQ, followed by Portugal (21%), Lithuania (16%), and Italy (16%). However, when the response was "often," the ranking changed with Bulgaria (27%), Spain (26%), and Portugal (26%) still in the lead, followed by Hungary (21%), Italy (19%), and Lithuania (19%).

In 2014 the report entitled "Being Trans in the European Union: Comparative analysis of EU LGBT survey data" highlights the challenges faced by young trans people who are often misunderstood and neglected by their parents. Many trans youth run away from home to escape physical, emotional, and psychological violence, or are kicked out by their own parents. The report found that 5% of trans children in the survey reported experiencing homelessness in some form, which is particularly concerning as it makes them even more vulnerable to violence of any kind. This is particularly alarming for trans and non-binary people, especially young people, who often resort to sleeping in emergency or temporary accommodation or shelters, as they have limited access to basic procedures such as legal gender recognition and trans-specific healthcare, which can affect their life satisfaction levels (Shelon, Stakelum & Dodd, 2020).

When the focus is on LGBTIQ children between the ages of 15 and 17 who reported that their last experience of discrimination occurred in a school or university setting, Portugal had the highest score with 86% of responses, followed by Hungary (82%), Lithuania (78%), Bulgaria (73%), Italy (72%), and Spain (67%). For instance, the largest survey conducted in Portugal (N = 663) regarding the situation of LGBTIQ youth to date found that around two in five students felt unsafe due to their sexual orientation, and nearly one-third of the sample felt unsafe because of their gender expression in school (Gato et al., 2020).

In terms of openness about being LGBTIQ and coming out experiences among friends, there were greater numbers of children who reported not being open to their friends in Bulgaria (12%), Lithuania (11%), Hungary (8%), Portugal (6%), Italy (6%), and Spain (6%).

This data can suggest that the lack of supportive contexts poses a challenge for LGBTIQ children, especially during a time of development where friendships play a significant role in psychological, emotional, and physical well-being.

A Transgender Europe (TGEU) analysis of the FRA LGBTI Survey 2019 showed that young trans and non-binary respondents were less happy and less open about their gender identity in comparison with others: 38% of all trans respondents reported the lowest score in the openness scale, suggesting that around one in three trans respondents are not open about their gender identity. This is worse for young trans people, with nearly every second trans person in the 15–17 age group not being out to anyone. Both groups have lower access to basic procedures such as legal gender recognition and trans-specific healthcare, which are related to the level of life satisfaction (Calderon-Cifuentes, 2021).

Although professionals who work in the field of childhood in several areas play an important role in dismantling discrimination against LGTBQI people, more action is required. The prevalence of perceived discrimination by school/university personnel within the past 12 months varied across countries when respondents were asked about their experiences in an educational context.

The highest rates were reported in Lithuania (39%) and Hungary (30%), followed by Bulgaria (24%), Italy (23%), Spain (20%), and Portugal (15%). On the other hand, schools that actively addressed LGBTIQ issues remain a minority. When LGBTIQ children were asked if their schools had ever addressed LGBTIQ issues, the rates of "yes" responses across C-Child countries were as follows: 24% in Spain, 20% in Portugal, 13% in Italy, 6% in Hungary, 3% in Bulgaria, and only 1% in Lithuania. When participants were asked whether they felt discriminated against in the last year due to their LGBTIQ identity by school or university staff, the results for different C-Child countries above the European average were: 62% in Bulgaria, 61% in Portugal, 60% in Hungary, and 58% in Lithuania. Italy (43%) and Spain (38%) were below the European average, with young people reporting less discrimination against them in the last year in one of the eight areas of their life (FRA, 2020).

About LGBTIQ children's perceptions of public space, data from the LGBTIQ Survey 2019 reveals that young people between 15 and 17 years old still avoid holding hands in public with a same-sex partner for fear of assault, threats, or harassment (FRA, 2020). The percentage varies from 31% of respondents in Lithuania to 13% in Spain. Additionally, LGBTIQ children avoid certain places or locations due to their fear of being assaulted, threatened, or harassed because of their identity, with 9% of answers in Hungary, Spain, and Portugal, 11% in Bulgaria, and 13% in Lithuania.

When asked why they did not report discrimination, victims' most frequent answer is that they think nothing would change if they reported it. Lack of trust in authorities was one of the main reasons identified by LGBTIQ children for not reporting when an incident of discrimination due to being LGBTIQ occurred. Percentages are slightly different between C-Child countries: 32% in Bulgaria, 26% in Lithuania, 17% in Italy, 16% in Hungary, 14%

in Spain and 10% in Portugal. Other reasons given were that they feel they can deal with the problem themselves or because of fear of intimidation by perpetrators. Bulgaria was the country were children scored highest (27%) and Spain the lowest (11%).

It is worth noting that results show significant differences between EU Member States. On the other hand, several studies show that people who experience discrimination seldom report it to any authority (FRA 2020; 2015) although all EU Member States have equality bodies and several directives on gender equality mandate. Only a minority think the efforts their country makes in fighting discrimination is effective. Just over one quarter (26%) thinks efforts are effective, which is very similar to the results obtained in 2015. These data should concern us.

One of the core tasks of these equality bodies is to provide independent assistance to victims of discrimination in pursuing their complaints. Therefore, EU Member States are encouraged to continue adopting and implementing specific measures to ensure that lesbian, gay, bisexual, trans and intersex children can fully enjoy their fundamental rights under EU and national law (FRA, 2019). Some challenges can be observed in terms of effectiveness, independence and adequacy of human, financial and technical resources of equality bodies. It is important to say that only a small proportion of European respondents have taken personal action to tackle discrimination and only 7% joined an association or campaign that defends people against discrimination.

National studies in some C-Child countries have indicated that LGBTIQ children's mental health during the covid-19 pandemic has been quite challenged (López-Sáez and Platero, 2022; Gato et al., 2021; Platero & López-Sáez, 2020; Miscioscia et al., 2022). Additionally, the Diversity and Childhood project found that between 2019 and 2021, the lack of access to workplace resources to support LGBTIQ children and young people remained a reality (Santos, Esteves & Santos, 2020). At the same time the LGBTIQ Youth Homelessness in Europe Survey revealed that most organisations do not provide specialised services for LGBTIQ youth, although many recognise the potential benefits of support and guidance to better serve this population. These findings suggest an openness to strengthening mechanisms and procedures for supporting and protecting LGBTIQ children (2019).

In summary, although the EU boasts some of the world's most comprehensive anti-discrimination laws and EU Strategy on the Rights of the Child it still upholds a cis-heteronormative and adult-centric framework. Furthermore, the effectiveness of these laws is largely dependent on individual countries and their ability to ensure their implementation. It is crucial to prioritise community-level efforts to support all children, including those who identify as LGBTIQ.

2 – Findings: Children and Professionals in and against LGBTIQ -Based Violence

2.1. Children's needs

Although legal and social contexts differ significantly in all the participant countries, children's needs are of a very similar kind across participant countries. Nevertheless, there are important differences in the way these needs are expressed or what strategies are used to cover them depending on the country where they live, and thus on the social and legal situation in relation to LGBTIQ matters. This shows us two things: 1) LGBTIQ policies are still not focused enough on children, and even in those countries where there is legal support for LGBTIQ people, children are still not taken sufficiently into consideration; and 2) LGBTIQ legal provisions highly affect the coverage of LGBTIQ children's needs.

One of the most important needs that we identified, which is common in all the participant countries, is the need for a safe space. This means a place where children and teenagers can define themselves, where they can feel protected, supported, and represented, and build their identification, define themselves. Also, this place should be safe for socialisation as LGBTIQ people and could work towards making personal connections. Only a few teenage participants have a place where they can feel safe and comfortable with their sexual orientation, gender identity, gender expression, and sex characteristics . These spaces could be related to LGBTIQ identifications or could be labelled something else, since some participants stated that the category LGBTIQ can be useful but it can also be a cage. However, the need for a safe space was expressed throughout all participants. The idea of a safe space could entail a peer-group space or even a group between children and adults. Participating children explained that they can barely rely on any adult LGBTIQ models (besides famous people or people they find in social networks), and that they would like to have LGBTIQ people close by. These models are scarcer in some countries than others, particularly in Hungary, Lithuania, and Bulgaria.

On the same lines, participants shared a desire to be heard, and to be heard without being judged, since they believe that their opinions, expressions, and perspectives are often not taken into consideration. This need was explained not only by children and teenagers themselves, but also by many of the professionals interviewed. The need to be heard is also expressed with the negative of many adults in their lives to talk to them with their chosen name and pronouns. Sometimes this is done because adults around them dismiss it as a phase that will be overcome or as a behavioural problem (in which they indicate that the child is a liar because they even lie about their name). Other times, the negative attitudes to using someone's chosen name and pronouns has to do with an LGBTIQphobic stance on behalf of the adult.

We identified adultism as one of the main issues affecting the lives of LGBTIQ children. All participant children explained that their opinions and experiences are often disregarded and that adults often do not ask or listen to them. Because their voices are often dismissed in almost all of their spheres of life, many participant children expressed scepticism and distrust of both institutions and adults in their lives, including family members and teachers. In some occasions, particularly in contexts where there is harsh contextual LGBTIQphobia, this fosters a feeling that they can only count on themselves in relation to LGBTI issues and violence.

The idea of adultist perspectives towards children's needs and opinions was not only expressed in relation to adults close to children. Participant children and professionals

also expressed that the way policies are thought and designed also overlook children's opinions, and they are carried out without consulting children. Some participant children consider age as an obstacle to achieving more direct participation in the decisions that concern them, including key decisions in their lives related to gender and sexuality.

Participant children and teenagers also point out at the fact that adults around them make decisions about them without having properly trained themselves on LGBTIQ matters. In this sense, they point out that one of their needs is for adults around them to be trained in LGBTIQ issues so they can have more knowledge and awareness about the experiences that affect them, as well as more openness to listening and more space to talk about LGBTIQ issues.

Another important need that we identified is related to children's and teenager's mental health. Building from both the quantitative and the qualitative sides of fieldwork, we can assert that there is a generalised high prevalence of mental health problems with LGBTIQ children and teenagers, particularly during and after the covid-19 pandemic. In the survey, 48.2% of respondents expressed that they have a mental health issue, and this information is reinforced by both participant professionals and children. Matters of mental health can be explained by the fact that most LGBTIQ children and teenagers have to endure discrimination and cisheterosexism in different areas of their life – mainly school and home, but also health centres or in public spaces.

During the lockdowns of the covid-19 pandemic, and school and public space took a much more secondary place in children's lives and, according to many participants, many critical issues emerged during this period. There is a general agreement that LGBTIQ children suffered isolation and, in some cases, they were obliged by imposed lockdowns to share spaces with unwelcoming families (in fact, data shows that peers and family members carry out the majority of LGBTIQphobic attacks).

In relation to mental health, families play a crucial role. If they can create a climate of respect and understanding at home, they can become the support system that their children need to properly develop as a person, and children can rely on them if they suffer LGBTIQphobia outside of home. Because of this, some participant children explained that during the covid-19 lockdowns they were able to express themselves 100% of the time because they were only relating to friends and siblings. In some cases, this even allowed some teenagers to start a process of gender transitioning, and they could go back to class a bit into their transition. In these cases where parents are support figures, participant children appear more empowered when explaining situations of violence that they experienced elsewhere.

However, not all lockdown experiences were supportive. Some other children were forced to come out of the closet during lockdown, since they started spending significantly more time with their families than before. These situations were not always positive, and for some children not being able to leave home made them endure a context of full-time, gender-based violence. All in all, fieldwork data show that families are the second most violent context for LGBTIQ children, just after schools, and some participant children even feared that their parents would kick them out of home if they learnt that they are LGBTIQ. Situations like this one not only contribute to discomfort and/or violence at home, but also to invisibility of the child's sexual orientation or gender identity within their own family.

When children were asked how to tackle this situation, there was a generalised agreement that they need their families to receive training of some sort, to learn more about sexual and gender diversity, so that adults can be more open to listening to them and so they could have more space to talk about LGBTIQ issues.

Another space where adult-centrism is significant is schools. As mentioned earlier, schools are the place where most violence takes place. Across all participant countries, almost all children shared situations of violence that they experienced in their schools (including physical and psychological violence and death threats), across all participant countries. However, although we identified a generalised context of LGBTIQphobia and cisheteronormativity in the schools of all participant countries, some countries have a much harsher context of LGBTIQphobia than others. For this reason, the effects for children and teenagers are much more pronounced in contexts where LGBTIQphobia is legitimised to the point where some teachers participate in it (as is the case in Lithuania), and can be tackled differently in contexts where students can attend free public services that support LGBTIQ people (as is the case in Spain).

In schools all across participant countries, bullying on the basis of SOGIESC is quite common, making school a place many of the participant children hate or abhor. Neutral language is used by peers as a cause for bullying, and sometimes teachers do not protect the victim in situations of violence (including times when the victim is a co-worker). In many cases teachers even refuse to use the children's social name and chosen pronouns. In fact, our fieldwork data show that teachers are the adults in their lives that support LGBTIQ children the least, and hence teachers are not usually regarded as support figures by them. Although this is the general climate, we found that some teachers actually desire to support LGBTIQ children. However, even when they are sensitised, in many cases teachers do not have the tools to act properly, which is one of the reasons why children need their educators to be trained. A few teachers actually have the knowledge and expertise to support LGBTIQ children, and they make a big difference for the students, even becoming an adult LGBTIQ role mode. There is a consensus that the presence of LGBTIQ teachers is an advantage, as this provides support in their different experiences. One of the most paradigmatic cases of this is Hungary, where anti-LGBTIQ propaganda has made it to schools. Currently, only those teachers who are more legally conscious still discuss LGBTIQ matters, since others are afraid they might get fired.

Participant children also stated other needs in relation to their schools, mostly related to the school premises or the gendered organisation of education. For example, participant children from Italy, Portugal, and Spain argued the need for non-gendered toilets in schools (something which is being tested in a few Spanish schools), the need for counselling that might help with LGBTIQ issues, the will to have qualified personnel at school that have training on bullying on the grounds of the fact that binarism structures all education in school, or that some Physical Education activities are highly gendered.

Another issue that participants discussed a lot is the need to receive proper sex education. Even though high school students are mostly having sexual education to some extent, this is mostly limited to risk prevention in cisheterosexual relationships (sexually transmitted infections and unwanted pregnancies). This means that teenagers find most of the relevant information on the Internet, and because of this there is a lot of misinformation. In the case of Spain, sexual education is starting to change in some

contexts, although it is usually because NGOs provide schools with more LGBTIQ-friendly sexual education workshops, not because schools are changing their views. Nevertheless, the opportunities for teenagers are higher than in other of the analysed contexts. For example, in the case of Hungary, LGBTIQ-friendly sexual education is only carried out in the contexts of NGOs (who are banned from schools at the moment), and in the case of Lithuania, the law prohibits talking to minors about LGBTIQ matters.

However, sexual education is not the only learning need that children have. In our survey with teenagers from 15 to 17 years old, it was found that while over 93% of respondents understand what sexual orientation is, gender identity is less understood. When asked about the concept, only 69.2% of respondents knew what it was, a similar number to understanding what intersexuality means (61.5%). Another important datum is a tendency to give wrong answers in countries where the legal and social context is less favourable for LGBTIQ people. This is the case in Lithuania, where laws against LGBTIQphobia are the harshest, and where only 38% of respondents got the question about gender identity right. In the same questions, answers in Bulgaria are also relatively wrong (only 66.5% correct answers), whereas Italy, Spain and Hungary had about 80% of correct answers. The survey also shows the need to learn about the legal situation of their own countries. When asked about the legal provisions in their countries towards same-sex marriage or laws that protect LGBTIQ people, responses showed weaknesses in all countries. In the case of Hungary, where many teenagers incorrectly answered that the state has laws to protect LGBTIQ people, it is an indicator that the current anti-LGBTIQ propaganda is not reaching teenagers as much as expected, which also highlights anti-LGBTIQ propaganda as adult-centred discourse.

When asked in the focus groups, participant children explained that they gain most of their knowledge either from peers or from the Internet. In fact, for teenagers the Internet is one of their main ways of learning about LGBTIQ issues as well as a means for communicating with friends and creating relationships with people they only know online. On the Internet, many teenagers also follow some LGBTIQ models, which is key for children that do not have many LGBTIQ references in their everyday life, or who live in a very LGBTIQphobic context.

The Internet is also a place where teenagers can create LGBTIQ communities to share information and support each other. Nevertheless, many of the respondents in Italy explained that they do not participate in online communities because they are afraid that they will receive LGBTIQphobia in there as well. This fact illustrates the need for children and teenagers to also learn strategies to stay safe when surfing the Internet.

One area in children's lives that was not thoroughly discussed during the fieldwork is health. However, when the matter of health was raised, some discriminations were brought to light. For instance, participants pointed to the hospital environment and health centres as places where transgender and non-binary children experience LGBTIQphobic violence, including disrespectful treatment and using trans children's deadnames and wrong pronouns. This situation was completely the opposite when children had the chance to attend LGBTIQ-friendly professionals (including psychologists at NGOs) or trans-specific services (only available in some parts of Catalonia), in which children feel understood and accompanied. Since the health system is the responsibility of public administration, some participants pointed to the state as a perpetrator of gender-based violence instead of carrying out its role to protect them.

One of the relevant issues that was highlighted in this integrative analysis is that we could gather much more information about schools than any other sphere of children's lives (as is the case with health). This stresses the centrality of education when discussing children's well-being. In the case of transgender children, where the media is putting lots of attention to their hormone treatments, it is relevant that, when we ask children and professionals, the salience of education shadows all of the others spheres of life.

Example Quotes

'The covid-19 pandemic had an effect on a lot of things – it created a crisis in everyone's life and stirred up a lot of things, (...) and everyone had to deal with a situation they were not prepared for. (...) LGBTIQ youth had an especially hard time (...) and the disruption of personal relationships might have been the main factor here'. Social worker, Hungary

'I would like to receive a 'How are you?' from my family'. Teenage girl, Italy

'LGBT+ kids need to know that even when they do not feel safe at home or cannot speak about their identity to their parents, they still can come to us – the teachers and the school staff. That's why we as professionals have to be more educated on the subject and to be prepared to support them'. Teacher, Bulgaria

'LGBT children need inclusive education at schools, safe spaces, and youth groups. They need inclusive services and emotional support tailored to their specific needs'. Child psychologist, Lithuania

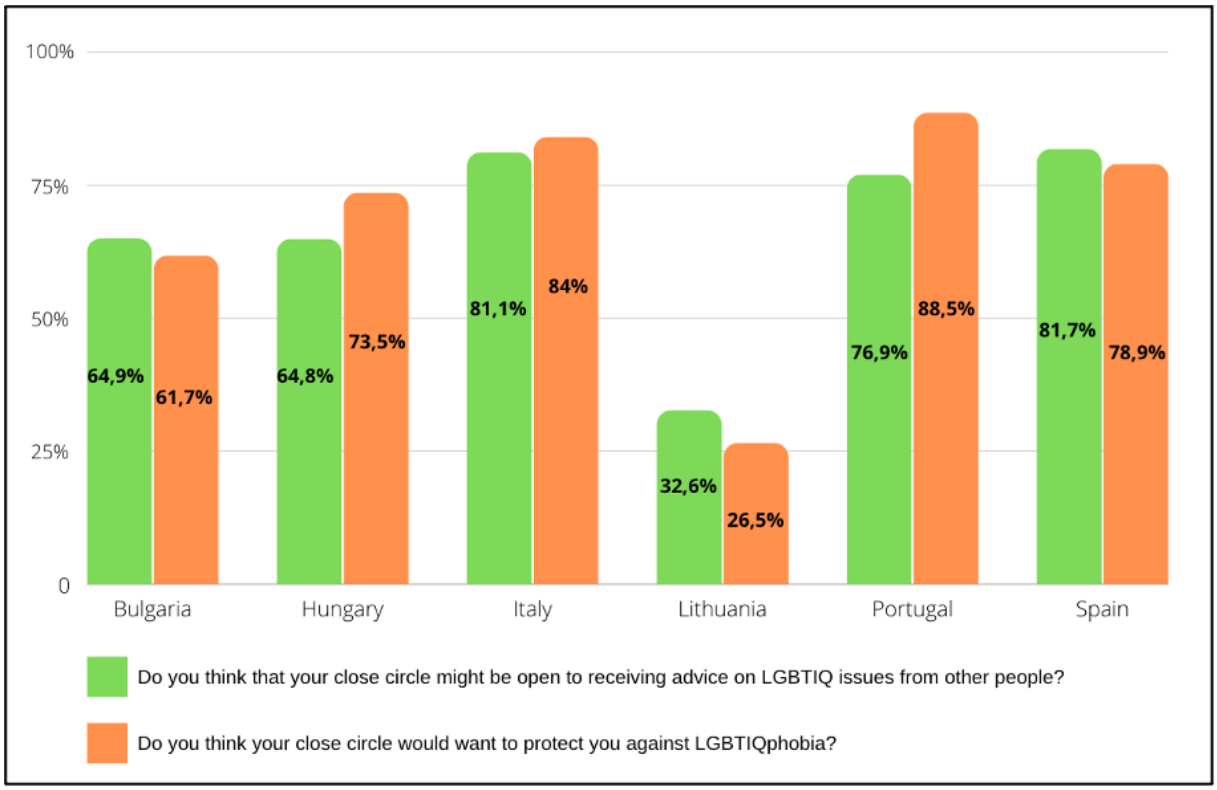
'I just ask for more representation, that occasionally we just say: 'Oh, do you know that trans people exist?' 14-year-old trans boy, Spain

2.2. Children's Strategies of Resistance

Across all participant countries, it could be determined that children and teenagers carry out strategies of resistance vis-à-vis LGBTIQphobia. Strategies are contingent to the context and the options which children have to react and reach out to other people, so a generalised social context of LGBTIQphobia or a context where institutions are compromised against LGBTIQphobia gives place to different possibilities of resistance to LGBTIQphobic violence. In this sense, although the fieldwork shows that all children have the capacity to resist violence, we have a great contrast between a country like Lithuania, where survey participants portray a feeling that they can only count on themselves – and their own strategies – to resist LGBTIQphobic violence, and a country like Italy or Spain, where institutional programmes, even if they are flawed, allow for more strategies of resistance, or rather, for more support for children suffering LGBTIQphobia.

In all participant countries, children tend to rely more on their friends than on any other people or resource. In fact, when surveyed about who supported them the most during the covid-19 pandemic lockdowns and restrictions (3.88 points out of 5), friends were at the top of the ranking – except for Portugal, where partners had a slightly better score (by 0.09 points out of 5). From the fieldwork data, we can assert that young LGBTIQ people's resilience processes mainly revolve around their close circle, their friends. In Hungary, Italy, and Spain, the idea that the peer group is the main support was particularly stressed, including the fact that, when it comes to insults and name calling, LGBTIQphobic messages and comments from their environment, they tend to reach out to their friends. This is particularly the case when their friends are also LGBTIQ.

However, the fact that friends are the main support group does not mean that friends are always supportive on LGBTIQ issues. When we surveyed teenagers and asked them about their friends' willingness to receive advice or protect them against LGBTIQphobia, the numbers drop a little in the case of Spain, Italy, and Portugal (although the numbers are quite optimistic), and they drop significantly in the case of Bulgaria and somewhat in Hungary, and they drop to a very low mark in the case of Lithuania, as can be seen in Graphic 1.



Graphic 1

These results highlight the importance which children place on being connected, reducing social isolation and maintaining relationships with people that can support them. However, these results also state that friends are not always supportive enough, and in the case of Lithuania, this means that most LGBTIQ young people remain isolated and have no sense of belonging.

The survey results also help understand that turning to friends as a strategy of resistance is highly context dependent. In the case of Lithuania in particular, where the legal and social context is heavily LGBTIQphobic, this is reflected in a more limited capacity for resistance to LGBTIQphobia by children and teenagers. However, as previously indicated, teenagers still turn to friends as a primary point of support in all participant countries. Because of this, it is apparent that the pandemic has been a significant factor in hindering these strategies, as interpersonal relationships were affected in many cases.

Another key issue for interpersonal relationships was turning to the Internet. Besides being one of the places where children can socialise with their friends (particularly during the covid-19 pandemic lockdowns), the Internet was used as a place to socialise with other people, learn, and play. Hence, this was used also as a place to elude LGBTIQphobia along with entertaining themselves. But, most importantly, the Internet is the main place where children and teenagers learn about LGBTIQ issues, including Instagram and TikTok. They gather information by following influencers, by looking at the online information and social networks of LGBTIQ organisations, and by looking up famous people and LGBTIQ idols. As an example, one of the participants, from Spain, shared that he first heard the acronym “LGBTI” when he was listening to an interview with Lady Gaga. On the same lines, some interviewees actively pursue education via the Internet, aimed mainly at adults.

These data highlight the essential role of the Internet as a strategy of resistance that children and teenagers turn to. In the previous section, we explained that some teenagers were afraid that they would receive LGBTIQphobia online. Because of this, we believe that the Internet can be a double-edged sword, simultaneously being a site of violence and a site of resistance. Because of this, it is key that children and teenagers can have other places to turn to in their lives where they can be sure that they will not suffer violence. Also, since the information children gather on the Internet is not always contrasted, this reinforces the need – explained in the previous section – to reinforce sex education, specifically of a kind that challenges cisheterosexual views and practices.

On these lines, we must stress the great change that institutional intervention has towards children’s strategies of resistance. In the region of Catalonia, Spain, there is a specific service called CAS (Comprehensive Assistance Service to LGBTI+ people), at a rate of minimum one per county. In the cases where this service has enough strength and well-thought-out community interventions, children and teenagers easily turn to these services as a strategy of resistance when they receive LGBTIQphobia.

Example Quotes

’I have decided to give a bit of a shit about others and present myself as no longer feminine because that is how I feel internally’. Teenage girl, Italy

‘In the third grade of secondary education, during Halloween, during the first year I was out at school as a trans person, and some people started using my deadname. And I hit one of them. And since then, no one has ever messed up with me’. 14-year-old transgender girl, Spain

'I told myself: 'There is no time for shame''. Teenage girl, Italy

2.3. Professionals' Good Practices

The matter of professionals' good practices also portrays a diverse picture in the different participant countries. The legal and social situation for LGBTIQ people (including children) in each country has a strong impact also on the good practices that can be applied. In this line, the professionals interviewed in Bulgaria could not share any good practice and demonstrated a lack of awareness of such practices. Also, none of the professionals interviewed could mention any specific challenges that LGBTIQ children might face , and were also not aware of any additional challenges resulting from covid-19. They were also not able to identify any specific policies related to SOGIESC.

The fieldwork in the rest of the participant countries could identify several good practices, which also show differences and nuances depending on the social and legal national context in relation to LGBTIQ people. Out of these countries, those with a more restrictive legal situation, Lithuania and Hungary, with no actions from the public institutions or almost none, recognise all good practices either within individuals or else from NGOs. On the other hand, Italy, Portugal, and Spain, with some or quite a lot of governmental implication on LGBTIQ issues, have a more balanced display of good practices between public institutions and NGOs. In the specific case of Spain, the situation differs quite a lot depending on the region, because some regions have more extensive public policies on LGBTIQ matters than others.

Since some of the participant countries have specific legal frameworks to support LGBTIQ people and others, on the contrary, have restrictive legal frameworks, it could seem that good practices are also unequally spread throughout the countries. Nevertheless, except for the case of Bulgaria, there are very good practices being carried out in the rest of the countries. Also, even in the countries with specific services, policies, and trainings for professionals, the fieldwork showed that many professionals are not conscious of the need for either being trained or carrying out specific activities. Some of the professionals interviewed stressed the importance of having a legal framework that helps LGBTIQ children, which corresponds with our findings. However, since we also identified some professional resistance in contexts with a supporting legal framework, we conclude that legal changes per se are not enough. In the same line, we identified a strong permanence of a cisheterocentric stance from professionals across the participant countries that highly affects the capacity to help LGBTIQ children and develop good practices.

Another important element that we want to stress is that specific good practices vary depending on the field and the area in children's lives. We identified the most good practices in the field of education – and within education, mainly in schools. We also identified some good practices in the area of health, and then a few related to other spaces, such as families and institutions.

2.3.1. Good Practices in Education

In the area of education, we identified tensions in all participant countries between the will of some teachers to carry out activities on LGBTIQ matters with their students, and the resistance from some families. These tensions are more important in countries where there is strong propaganda against LGBTIQ matters, such as Hungary and Lithuania. Conversely, this tension can be better managed in countries with a more supportive legal and social context, such as Spain.

Education is the area in children's lives where we identified the highest number of good practices. We understand that this is because education has been historically privileged as a site of importance for children's lives, giving less importance to other areas (such as health, families, or the public space) which are also highly relevant.

Good practices in the area of education can be specifically tagged as LGBTIQ or not, like actions of trust or empowerment that allow children to blossom in their best version. We split the good practices in three groups: 1) small good practices; 2) specific, middle-sized LGBTIQ good practices, and 3) big projects.

1) Small good practices

Small good practices that we identified include: using the pupils' chosen pronouns; eliminating dress codes that penalise girls; creating trust relationships with students; openly discussing LGBTIQ matters in class tutorials; listening carefully to what children say as a rule; turning to professionals from outside the school when you do not know what to do; working on children's empowerment; introducing LGBTIQ issues transversally (for instance when giving examples); networking with families; being supportive with children's problems; and creating and identifying the children's safe network so they have people that they can trust.

The potential of these small good practices is that many of them can be carried out regardless of the legal and social context for LGBTIQ matters. And, also, that they contribute to empowering and guiding children and teenagers in a comprehensive manner, which can help not only with their gender and sexuality, but with all of their features in life.

2) Specific, middle-sized LGBTIQ good practices

There are a few specific, middle-sized good practices, which are more specific for LGBTIQ matters. A key example is the existence of protocols or guidelines against anti-LGBTIQ discrimination, which exist in some schools in Spain and Portugal. These protocols are key for raising attention on SOGIESC matters with all school staff. Nevertheless, this good practice needs to be considered with caution. Some of the existing protocols against anti-LGBTIQ discrimination can contribute to secondary victimisation as they might entail having the student explain their story several times to several people, without any guarantee on the support they will receive, if any

Another specific, middle-sized good practice is the case of an LGBTIQ social club in a high school in Spain, made up of two teachers and several students. Even though this club can be the target of LGBTIQphobia, this space fosters trust between the participant teachers and students. Hence, students feel that they can have a place where they can talk about their problems and be understood.

Also in Spain, there is one primary school in a small village that is implementing a comprehensive co-education project in their education centre.

Finally, a growing number of schools in Spain are creating a gender commission, which is a tool that helps implement gender equality in schools. Some of these commissions are also taking up matters of SOGIESC, which means that they actively work against LGBTIQphobia in their high schools.

3) Big projects

Finally, there are some bigger projects that constitute very good practices. In Italy, the Alias Careers programme is active at a university level. In Hungary there are several bigger good practices: the Diversity Education Working Group, formed by organisations running education programmes, which organises the School Diversity Week; the "Getting to Know LGBTIQ People" programme which offers workshops for schools; and the Hintalovon Foundation's Yelon programme, which offers an LGBTIQ inclusive sexual education programme.

In general, we have gathered many more small, everyday good practices in the context of education. This shows us that although there are some bigger projects that tackle LGBTIQphobia in education, the majority of the good practices are in fact small gestures or approaches by professionals, rather than bigger institutional or organisational efforts to tackle LGBTIQphobia. Thus, working with professionals is key to improving the lives of LGBTIQ children and teenagers.

2.3.2. Good practices in health services

The other area in children's life where we identified several good practices is health services. In this area we have also gathered small good practices that constitute an everyday action for professionals, such as being welcoming towards children, and actively listening to them when they are at a medical consultation.

In some mental health services, the staff have taken the opportunity to get training. For example, in Lithuania, where the law explicitly prohibits teaching LGBTIQ matters to minors, a psychologist participant explained that everyone at their organisation, including volunteers, is trained to approach every child as equal despite sexual orientation, gender identity or other grounds.

In Hungary, also in the mental health field, and partly in disagreement with the government –which has stated directly LGBTIQphobic comments – and with anti-LGBTIQ propaganda, the Hungarian Psychological Association has translated and published the APA guidelines on psychological work with LGBTIQ clients and they publicly stand against conversion therapy. The Hungarian Psychological Association has also had an LGBTIQ section since 2013.

Another good practice from a medical association can be found in Italy, where the Italian Society of Endocrinologists has activated courses throughout the country aimed at updating and informing doctors on issues related to LGBTIQ matters, with specific attention to transgender children and teenagers.

2.3.3. Good practices in other areas

We identified other good practices that are not located either in the education or in the health sector. A good practice that can be carried out by any kind of professional is involving the children's family in any process, so that a team effort can be carried out

with the aim of helping the child. Other good practices that can be found include: in Hungary, the youth hotline *Kék Vonal – Child Crisis Foundation*, which provides inclusive help line as well as online counselling services to young people, including LGBTIQ+ matters; in Lithuania, a social worker created an LGBTIQ exclusive group for children, as a safe space; and in Spain, the existence of SAI services[5] has been providing inclusive phone and online counselling services to young people who are in need, regardless of gender identity, sexual orientation or sex characteristics, and they implemented the importance of LGBTIQ inclusion in their training for the operators.

Example Quotes

'At my workplace there is an intention to create materials and environments that are less heteronormative. If I speak with a young person and I don't yet know their gender identity or sexual orientation, I try to speak with them without preconceptions. If I hear a voice that sounds like a boy, I don't ask them if they have a girlfriend'. Psychologist and helpline operator, Hungary

'We try to reduce the invisibility of these people since they often come from contexts where they are judged and labelled as wrong for how they feel they are. Therefore, we try not to impose ourselves with definitions or words, but to listen. I believe, both from my personal and professional experience, that gender and sexual orientation can be considered not as a person's limitation, but as an aspect that should be valued and that makes the world more diverse and colourful'. Social worker, Italy

'When the school has LGBT policies, students have much more, and they feel much more comfortable and much less ostracised. And it's not because anything special happened. It's really just the feeling you have when the school doesn't have an LGBT policy and that's it; they have much more of a feeling that they're in danger, that they can't go down that hallway alone, or they can't be somewhere. That is why security is often not about having a person guarding the corridor and security; it is once again the structure, it is the policies, it is the issue of visibility, it is the issue of policies, it is the issue of raising people's awareness and training people… And also about the contents, the materials, everything that is transmitted in schools should also be revised, the whole part of the manuals can be revised either in terms of gender, or in terms of LGBT themes'. Psychologist and NGO coordinator, Portugal

'*In class, I try to offer the maximum amount of possible representations of families and all kinds of realities'.* High school teacher, Spain

[5] SAI are public services that are only present in Catalonia. SAI services assist LGBTIQ+ people in any SOGIESC-related matter that they need -for instance, reporting a hate crime, getting information about medical services for transgender people, informing families of LGBTIQ+ children, or having a chat about their needs or experiences. Some SAI also promote sensitisation activities. There is one SAI service in every town of over 20.000 inhabitants, one service per county for smaller towns and villages of the area.

2.4. Professionals' Needs

The fieldwork from all participant countries highlights a generalised lack of knowledge about the needs of LGBTIQ children in vulnerable contexts, including tools and strategies to tackle such a need. As mentioned earlier, some of the countries studied have provisions to protect LGBTIQ children. In some cases, services or schools might have a protocol in case a child suffers anti-LGBTIQ violence and discrimination. However, the generalised lack of knowledge about LGBTIQ children and their needs is also highly present in such cases. Also, the need for funding and sustainability to improve this situation a very important barrier towards changing the situation.

Beyond the scope of LGBTIQ, we identified that many professionals hold an adult-centrist stance towards children. For example, a participant schoolteacher explained how it was quite difficult for many teachers to give more protagonism to children in class and remain quiet. In the same line, a school psychologist explained how children's claims are often dismissed as behavioural problems, including their expressed wish to change their name to affirm their gender. The intersection between adultism and a lack of LGBTIQ knowledge by professionals worsens the situation for LGBTIQ children in vulnerable contexts, and should be tackled when carrying out training for professionals.

In spite of this, in several countries we identified a growing openness to learning more about LGBTIQ issues among professionals, as is the case in Hungary and Spain. At the same time, we also identified that many other professionals do not see the need to incorporate a specific LGBTIQ approach when working with children.

The fieldwork across countries has helped identify a need for specific and constant training in relation to LGBTIQ matters for professionals who work with children, in particular (but not exclusively) professionals that work in the fields of education, health, and social welfare, as well as families and professionals that work with them. Even in the case of professionals who are already sensitised to the need to learn about LGBTIQ issues, they claim that they do not have enough practical tools to help the children they work with. Following our fieldwork and analysis, the main professional needs we identified and that should be covered in training for professionals are the following:

1) Awareness raising on LGBTIQ children and the related violence and discrimination. In this item, we believe there is a need for information about LGBTIQ people in general, and children in particular. Some terminology should be covered, but most specifically, cisheteronormativity as a system and source of violence for LGBTIQ children should be explained and discussed. In all of the countries, LGBTIQ people suffer some kind of stigma, but in some of them the stigma is particularly high and is a taboo topic, particularly because it is treated as a matter of sexuality. Also, there is a generalised need to understand transgenderism in childhood, which means that this topic should be thoroughly covered.

2) Discussing and sharing existing resources, both global ones (books, webpages, videos from the Internet, etc.) and local ones (what services or NGOs, if any, are available in the professional's town, region, or country). This includes teaching about legal provisions and protocols that might already be in place and that are not well known by many professionals in different fields.

3) Specific techniques and tools to create a safe environment for LGBTIQ children. This means teaching practical skills using hands on exercises. One option is using critical pedagogies, such as Theatre of the Oppressed, as shared by one of the participants.

These techniques can be used both towards professionals as end users, and also as trainers, since the same exercises can be used by professionals to create knowledge exchange between peers.

4) Working with families. Interventions are often focused on the child, but these rarely include the child's family. Families are powerful agents that can trigger a support process, since they are part of the child's support system, and they might not know how to help their child even if they have good intentions. Also, it may happen that the family is a source of violence towards a child because of being LGBTIQ. In any case, liaising with the family is key to providing good support to children.

5) Working towards children's empowerment. We identified that children are highly used to adult-centrist narratives and professional practices, but they are often not listened to. This includes disrespect for privacy or lack of flexibility in institutions for children at risk. In this sense, working towards children's empowerment, giving them tools to have their voice and emotions heard, is a process that can help children not only in relation to their SOGIESC, but also in all the spheres of their lives.

6) Dealing with children's mental health. Our fieldwork shows that over half of the LGBTIQ population have mental health issues, some of them as a direct result of the covid-19 pandemic (including an increase in suicide attempts). Such mental health problems are often overlooked by professionals and other adults around children, partly because adults do not give it enough importance. In fact, in our fieldwork we found that there is a big discrepancy between the importance that children and teenagers give to metal health (data from the survey and focus groups) in comparison to the importance that professionals give to it (data from interviews).

Example Quotes

'Everyone should have a systematic knowledge of these subjects, because now it is up to the individual how informed they are, and how up to date their information is about the mental health of LGBTQI children'. School psychologist, Hungary

'The system is still not ready. We need more training. I mean, paediatricians should be the most experienced people to take on board the needs of these children, but it is not part of their education. Both doctors in training during medical school and during their specialisation in hospital. Both paediatricians and general practitioners should have more interest in these topics since they are often the first contact with the health world for children and their families'. Endocrinologist, Italy

'Training, training that reaches people, deconstruction type of training, it's not repeating information and contents – it's really going deep into beliefs and unbalancing these beliefs to generate a new structure, a new acquisition. This really has to be done. With a lot of time to be able to debate, to discuss the issues, to be able to be there in the relationship with people, so that they see things in a different way and, of course, that this has to be done slowly too…'. Psychologist and NGO coordinator , Portugal

'What I would do is to train all members of the staff, not only about gender equality, but on the social construction of gender, and this would go so far'. Social educator, Spain

3. Overall Evaluation

The analysis of the six country-based reports produced by C-Child enabled the identification of several shared features. Some of these features are signs of hope and are a result of progress in diversity and anti-discrimination, such as the recognition that gender and sexuality are part of children's lives. Others raise concerns and demand urgent actions. Collectively, these elements form the foundation for evidence-based knowledge production that can inform reflexive and inclusive policymaking at both national and supra-national levels. In light of this, we urge the adoption of immediate measures to promote legal, policy, and social change, creating a more inclusive environment for LGBTIQ children throughout Europe.

Encouraging Features:

1. National and regional NGOs in the field of childhood that are more sensitive to LGBTIQ issues and LGBTQI associations are present at a community level.
2. The number of specialised services and other resources to protect LGBTIQ children is increasing in some countries (e.g., access to medical and hormone therapies for children in transition).
3. There is a growing number of professionals working with children who are interested in improving knowledge about LGBTIQ children and act as allies. A growing number of professionals working in several settings (schools, families services, healthcare services) are eager to learn for themselves how to provide better support.
4. There is higher visibility of LGBTIQ issues, including the needs of LGBTIQ children.
5. The adult-centred paradigm has started to be questioned by professionals who work in the childhood field.
6. A European legal framework exists that recognises LGBTIQ children as a vulnerable group, as do instruments to tackle social discrimination against LGBTIQ children in Europe (recognising that gender and sexuality are part of children's lives and that LGBTIQ children need protection against LGBTIQphobia).
7. The Internet and social media are becoming perceived as a safe space and a way of building communities in hostile contexts as well as improving knowledge, recognition and self-determination regarding gender and sexuality.
8. LGBTIQ teenagers are making diversity more visible.
9. There is increasing recognition that emotional and psychological support is necessary when there is a lack of recognition and support for LGBTIQ children.

10. The existence of discriminatory professional practices against LGBTIQ children is more acknowledged.

Alarming Features:

1. In most countries there are no specific services for trans children. Therefore, the role of LGBTIQ associations and NGOs is crucial in supporting those children.
2. Public investment in ensuring commitment with LGBTIQ children is poor (with a lack of sufficient funding for the “third sector” in general and LGBTIQ associations in particular).
3. Many professionals who work in the childhood field undergo burnout, which reduces the availability to receive additional training in order to improve knowledge on LGBTIQ issues in order to better intervene with LGBTI children.
4. In some countries, more than others, radicalisation and polarisation in society around the topic of children's rights is growing. The presence of trans-exclusionary radical feminists, professionals advocating for the biological frame of sexuality, and far-right associations that try to hinder rights and protection for LGBTIQ children, both at the local and national level (e.g., pro-life and Catholic associations) are impoverishing social awareness around the need for protection for LGBTIQ children.
5. In some countries, there is a lack of social awareness and recognition from professionals and services that LGBTQI children are part of a vulnerable group.
6. Most professionals lack specific training in LGBTIQ issues.
7. Existing legislation on protecting LGBTIQ children lacks efficient implementation and monitoring. In countries where there are LGBTIQ public policies, some professionals are not aware of the laws, regulations and available resources.
8. The paradigm guiding professional practice in monitoring children undervalues children's opinions and experiences on issues such as gender and sexuality that affect their lives.
9. In some countries, politicians promote LGBTIQ phobic discourses and heterosexist “family values”.
10. In most countries, there is a lack of anti-bullying protocols in school settings and other areas of children’s participation.
11. The distribution of existing resources to support LGBTIQ children is unequal (urban vs peripheral or rural areas). Services tend to be in large cities, making access in rural areas difficult.
12. In most countries, LGBTI+ issues are not included in the national education curriculum. Therefore, children do not have any accurate information on LGBTIQ issues and rely on the Internet and social media.
13. Internet and social media as free spaces have a lack of monitoring and adequate protection against sexual and gender prejudice and discrimination.
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15. In most countries, LGBTIQ issues are not included in the national education curriculum. Therefore, children do not have any accurate information on LGBTIQ issues and rely on the Internet and social media.
16. On occasions, due the presence of an adult-cis-hetero normative view, children do not see adults as support figures in preventing LGBTIQphobia.
17. There is instability of social intervention programmes with LGBTIQ children guided by local NGOs or are depending on the political will
18. In all countries, intersex issues do not show up as often as other LGBTIQ issues, lacking sufficient support and resources
19. Sex education is still insufficiently implemented or absent in schools.

Urgent Measures:

1. Coherent State Children's public policies are needed at a national level that recognise LGBTIQ children as a vulnerable group and efficient implementation and monitoring.
2. Adultism as a cultural trait that impacts negatively on the quality of services provided to children and also on the parent–child relationship is a reality and should be dismantled. A child-centric perspective should be more incorporated in professional practices, including children's involvement in the design and implementation of the social intervention programmes.
3. More public investment (economic, human resources) should be made to allow sustainability in social intervention programmes as well as professional practices with LGBTIQ children.
4. LGBTQI issues need to be included in the curricula of any professional who will work with children in the future (doctors, psychologists, teachers, nurses, sports association technicians, etc.).
5. Guidelines and protocols should be implemented within childhood services as a measure for the state to better face the needs of LGBTIQ children transversally.
6. Social responses need to be reinforced at a community level and coordination improved between services and NGOs.
7. The Internet and social media are spaces of socialisation. There is a need to better understand dynamics of exclusion in social media and identify ways of promoting supportive online spaces for LGBTIQ children. Also, social media should be integrated into anti-discrimination campaigns.
8. Schools should reinforce their mechanism of protection for LGBTIQ children whether there is a legal framework or not, so that the universal right to education is not put at risk.
9. Promoting youth public participation and collective organisation both in general and regarding LGBTQI issues could be a way to empower LGBTIQ children and support gender and sexuality determination.

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Colourful Childhoods

EMPOWERING LGBTIQ CHILDREN IN VULNERABLE CONTEXTS TO COMBAT GENDER-BASED VIOLENCE ACROSS EUROPE

National Report

Italy

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Author

Cirus Rinaldi and Marco Bacio, University of Palermo, Italy.

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Contents

Introduction – Research Design and Sample

The Italian national fieldwork was carried out in September-November 2022 by the University of Palermo (UNIPA) team. The total number of interviews with professionals working with children is 15, with 2 focus group with teenagers (in both cases, the age group was 16-19 years old). The survey dissemination started in early September and lasted until November.

In preparation for the national fieldwork, we translated the methodological guide and related consent forms provided by CES. We also started mapping potential candidates for the interviews at national level, beyond the local and regional areas of Palermo and Sicily. For this reason, most of the interviews were carried out online. All the professionals were recruited through Italian LGBTIQ associations. We found no difficulties in recruiting candidates for the interviews, and the response rate was exceptionally high. The interviews followed the scheme provided (available in the methodological guide), and averaged 60 minutes (90 minutes in a couple of cases).

Conversely / On the other hand, finding children and teenagers for the focus groups was more challenging. In Italy, according to law, minors must have at least one parent's consent in order to be able to participate in academic projects. Consequently, children who are not 'out' or who have problems with their families were not able to join the focus groups. Moreover, we decided to have the focus group in-person, in a dedicated room inside our department, which means that only teenagers living in Palermo and the surrounding areas would be able to part. Participants were recruited through word of mouth by two PhD students of our department: they asked first year undergraduate students if they knew younger people who could potentially be interested in the study, and these young university students spread the word among their group of friends. In recruiting teenagers, we observed how embarrassment and concealment were pivotal for their decision to join this project or not. In both focus groups, we recruited 8 participants, but only 5 teenagers showed up each time (the total number of teenagers participating in the focus group part is 10). Like the interviews with professionals, even the two focus groups followed the scheme provided (also available in the methodological guide), and they both reached 90 minutes in length.

Finally, a total of 199 answers were collected, which accounts to 51 less than the target. This was primarily due to the lack of youth groups among national LGBTIQ associations. To reach a more significant number of responses, we thus decided to purchase advertising on different social networks (Instagram, Facebook, and TikTok). Moreover, we got in contact with young Italian influencers and you-tubers, who shared information on the survey through their pages and stories. As a result, participants from all over Italy answered our questions, allowing to extract valuable information from the data collected.

Demographic data

A total of 15 professionals were interviewed. The youngest professional we met was 27 years old (an ONG local volunteer), the oldest was 71 (an ONG local and regional

president). The mean age is 51 years old. This means that we covered a huge range of cohorts, cutting across different generations of LGBTIQ Italians. With regard to their sexual orientations, the majority (9) identified as heterosexuals, while 2 self-defined as bisexuals, 2 lesbians, and 2 pansexuals. Their gender identities are a bit more diverse: 11 identifies as women, but 6 of them added they were 'cis-gender' too; 2 stated to be men; 1 self-defined as transgender (FTM); and, finally, 1 described themselves as non-binary. Since recruiting passed through Italian LGBTIQ associations, the large number of the interviewees were volunteers in these organisations (7). We also met 4 psychologist/psychotherapist, 1 social worker, 1 counsellor, 1 educator, and 1 endocrinologist.

For the focus group, we met with 10 teenagers. The youngest was 16 years old (we got both the consent signed from one of his parents and himself) and the oldest was 19 years old. The mean age was 18 years old. This means that the age gap among the interviewees was only 4 years. Their sexual orientations are as follows: the large category was bisexual with 4 teenagers; then, 3 choose pansexual; 2 self-described as gay; finally, 1 labelled as 'bisexual-pansexual-polyamorous'. No self-identifies heterosexuals were interviewed. Just like the professionals, the gender identities chosen by the teenagers were more diverse: the large category was girls (3), followed by boys (3, but 1 of them added 'cis-gender'), 2 were non-binary, 1 transgender (FTM), and 1 gender-fluid.

Finally, we present the numbers coming from the survey, which got 199 respondents. The age mean is equal to 16.87 and the standard deviation (SD) is just above 1. The educational credentials are low. Indeed, 67.7% of the respondents (or 127 teenagers) did not go beyond primary school. Unfortunately, Italy is well known for its general low educational qualifications among the countries of the Western world. Not surprisingly, almost 80% of the respondents were living with their parents. At the same time, more than 94% of the teenagers that live in Italy have Italian citizenship. Other useful data for our analysis are gender identity, sexual orientation, transgender status, and religion. We observed that the majority (53.7%) said to be women, followed by men (22.1%), and non-binary (15.8%). It is possible to note that sexual orientation is more diverse: 41.3% self-described as bisexual, 23.8% adopted the 'other' category definition, 19% is gay or lesbian, 5.3% is heterosexual, and 10.6% prefer not to declare their orientation. Another important aspect to highlight is that 34.4% of the respondents (equal to 65 teenagers) identified as= transgender. This is the highest percentage among the countries involved in the project. Finally, it is also very interesting to highlight that 75.3% of the teenagers declared to not have a religion. This is an astonishing feature, considering the influence of the Catholic church in Italy as well as the presence of the Vatican.

1. Legal and political context regarding LGBTIQ rights

1.1. Context

LGBTIQ' rights and expectation of protection today have found a much greater space in terms of public sensibility and policies focusses on these issues. However, basic

human rights of LGBTIQ people in Italy are often undermined due to **incomplete legislation**. During the last decade, under the European Union direction, legislation prohibiting discrimination based on sexual orientation and – to some extent – gender identity in both public and private employment has been introduced. Indeed, according to the ILGA-Europe report for 2022, if we compare Italy to the right's protection offered to LGBTIQ people by other Western European countries, we find that our country has higher levels of discrimination (ILGA Europe, 2022). At present, Italy does not allow same sex marriage, does not have a proper law against discrimination and homo-transphobic attacks, and lacks a specific law protecting parents, adoptions, and IVF.

An analysis of Italian public opinion about LGBTIQ issues, based on surveys results collected between 2019 and 2021 (Equaldex, 2023) shows that **same sex marriage** is seen as largely positive from Italians with only 10% of respondents declaring to be against it, whereas an overwhelmingly 83% of people is supportive. **Adoption** rights are still seen as more problematic: 36% disagree, while 59% agree. **Same-sex couples as parents** is a divisiveness topic for Italians. Indeed, the majority (42.2%) disagree on their abilities to be good parents, while only 26.9% are supportive. Finally, according to Eurobarometer (2019) the prevalence of discrimination against sexual orientation in the European Union and Italy is widespread, with almost 70% who agree, and only 26% who consider it uncommon; on the other hand, 42% of Europeans and Italians is not supportive of **transgender** people changing their legal gender, while only 43% are supportive.

According to **Osservatorio dei Diritti** (2019), 'Italian institutions have been issuing some regulations in the past decade in order to act against violence, bullying and discrimination in schools but they do not explicitly address homophobia and transphobia. Few measures have been undertaken against homophobia in school but none of them is structural and transphobia is constantly neglected. The national research entitled "Be Proud! Speak Out!" shows a hostile environment for LGBTIQ youth in schools: among derogatory terms, offenses, verbal, and physical harassment, it does not seem to be a priority of Italian schools to welcome and to respect diversity'.

Failure to accept LGBTIQ people puts them at high risk of discrimination, verbal, and physical abuse. International data reveal that LGBTIQ people are penalised with respect to employment status and remuneration. OECD data about Italy confirms that this penalty reflects labour market discriminations: with the same curriculum vitae, homosexual Italian applicants are about 30% less likely to be invited to a job interview than their heterosexual counterparts (OECD, 2019).

Paradoxically, in Italy, homosexuality was **decriminalized** earlier than other Western countries (as early as in 1889, with the promulgation of a new penal code). Yet, although Italy was one of the first countries to decriminalize homosexuality, same sex relationships have not to cross the limit between private and public sphere, and have thus remained a private affair, something hidden from society.

A similar paradox can be observer with regard to **transgender people rights**. Italy approved its Gender Recognition Law already in 1982 (law n. 164 of 14 April 1982).

The process starts with an application to the local courthouse asking for the authorisation for sex reassignment surgery, and/or legal name change, and gender marker update. At the same time, a person needs to start a 'gender-affirming pathway': both psychological and medical documentation certifying the irreversible will to change one's own gender. Indeed, the process almost entirely depends on medical reports. If the application succeeds, sex reassignment surgeries are provided for free by the Servizio Sanitario Nazionale (Italian National Health System), and legal name change and gender marker updates follow accordingly. Moreover, at this point, the person can also marry and file an adoption application (that in Italy is possible for legally married couples only). But from the early '80s, no further specific legislation to regulate personal data for intersex individuals whose gender identity may not correspond to their medically assigned sex has been implemented. Finally, gender identity is a source of discrimination in the country, in that transgender people still face problems in employment, access to goods and services, housing, education, and health care.

Until 1986, 'sexual deviance' was a reason for exclusion from the military. At the time, some men claimed to be homosexual just to avoid the draft. Lesbians have never been banned from the Italian army, but only because women were first allowed to serve in 2000. In 2010, discrimination against gays and lesbians in the military was officially banned, whereas for transgender people the situation remains unclear. It has been estimated that 5-10% of Italians in the military or the police identify as LGBT. Discrimination is not uncommon for these people, in spite of the legislation. The differences in sexual development (dsd/intersex) are still considered health issues, instead possible natural variations in human sexual development.

Freedom of association is expressly provided for and regulated by Article 18 of the Italian Constitution. There is no form of formal or substantial discrimination against LGBTIQ organizations within this context.

Adoption and foster care are regulated by Law n. 184 of 1983. Adoption is permitted to married couples of the opposite sex. According to Italian law, there are no restrictions on foster care for homosexual couples. In a limited number of situations, the law allows for 'adoption in particular cases', that is, by a single parent. Some Italian courts have interpreted this law – including on the appeal court level –, to extend the right of **stepchild adoption** to unmarried (opposite-sex and same-sex) couples.

According to the Italian civil code, children of same-sex parents are denied the right to be maintained, cared for, educated, and instructed by the non-legal parent; to have guaranteed affective continuity in the event of separation of the same-sex couple or the death of the legal parent; to acquire the kinship (grandparents, aunts and uncles, cousins, etc.) of the non-legal parent; to be the heir of the non-legal parent and the non-legal parent's relatives, except when this is indicated in a will and it lasts the amount available but with different tax treatment than applied to legally recognized children. In addition, the non-legal parent is not recognized as the child's parent in the performance of daily activities, such as taking them to school and back, taking them to the doctor, etc.

On 21 July 2015, the **European Court of Human Rights** ruled that by not recognising any form of civil union or same-sex marriage Italy was violating international human rights. Italy then promulgated Law 76 of 2016 which introduced **civil union** / partnerships between same sex and cohabiting couples. In October of the same year, after the implementing decrees were also approved, the law was effective. A number of civil unions were celebrated across the country. It is interesting to note that this law is limited to same-sex couples: heterosexual couples may choose to marry. Anyway, this legislation provides for equality in matters of tax, social security, and inheritance. It is important to highlight that the Civil Unions Act does not erase discrimination: even if improvements have been made, LGBTIQ families are still discriminated against, since they are not considered 'real' families, which is still a privilege only heterosexual couples can enjoy. Civil unions are not the same as marriages. LGBTIQ families are still stigmatised, and, somewhat paradoxically, this discrimination is institutionalised as part of The Civil Union Act.

Gay and bisexual men have been allowed to **donate blood** since 2001. Discrimination regarding sexual orientation in employment has been banned since **2003.**

As far as **discrimination and health** is concerned, in 2020, Campania, in southern Italy, adopted a 'PEP & PrEP' protocol to scale up the fight against HIV. In 2018, the Italian Guarantor of Private Data decided that a dentist who refused to provide care to an HIV+ patient, and who shared this information with them in the waiting room, was actually violating the patient's privacy. The dentist was fined 20.000 euro. Moreover, due to the covid-19 pandemic, some LGBTIQ organisations raised concerns about asking trans people for the vaccine certificate and ID documents that were not matching their gender identity.

As stated above, Italy does not have a proper LGBTIQ antidiscrimination law; however, over the last twenty years, there have been many instances where Italy was confronted politically with this theme. An interesting episode was the '**DDL Zan',** an antidiscrimination law proposed in 2018, which was approved by Parliament in 2020 and then rejected by the Senate in 2021. The proposal was drafted by Alessandro Zan, a young Italian politician and member of the Italian Democratic Party (a centre-left party), with strong opposition from Lega, Fratelli d'Italia, and even by the powerful CEI [Italian bishops' conference]. The public debate on the long-awaited changes to the Italian penal code continued for years, but the bill was finally 'killed' by a procedural vote in the Senate after the senators from both left and right parties failed to reach a compromise. The DDL Zan would have introduced a specific article in the penal code aimed at giving physical offenders a proper sentence, as well as other norms, which would lead to broader cultural changes in Italian society in the long term.

Timeline:

- **1889**
  - Homosexuality decriminalization and legalization of same sex sexual activity.
- **1982**
  - Transgender people allowed to legally change their gender.
- **1986**
  - 'Sexual deviance' is not a reason anymore for exclusion from the military service.
- **2001**
  - Gay and bisexual men are allowed to donate blood.
- **2003**
  - Discrimination for sexual orientation in employment is banned.
- **2015**
  - The European Court of Human Rights ruled that Italy in not recognizing any form of civil union or same-sex marriage, was violating international human rights.
- **2016**
  - Approval of a law (number 76) regulating civil partnership and cohabitation among non-heterosexual people.
- **2018**
  - DDL Zan bill proposed in the lower house.
- **2020**
  - DDL Zan approved by the lower house.
- **2021**
  - DDL Zan rejected by the Senate.

1.2. Relevant statistical data about LGBTIQ situation in your country

According to Eurobarometer (2019) data, the agreement that gay, lesbian, or bisexual people should have the same rights as heterosexual people change significantly between the European states: if in Sweden and Norway the percentage is nearly 100 and in countries as Bulgaria, Romania, and Slovakia the number is well under 40%, Italy has an agreement of 68%. The European average about the perception that there is nothing wrong in a sexual relationship between two person of the same sex is 72%.

In spite of the data, which describe a general increase of acceptance during the last five years, 61% of LGBT people in Europe often or always avoid holding hands in public with their same-sex partner. In Italy, this situation reflects the general trend described previously, with 62% of people who confirm these data. Moreover, 30% of LGBT Italians often or always avoid certain locations for fear of being assaulted. In the EU-28, is the percentage is 33% (FRA, 2020),although there is a lack of recognition of the issues related to hate crimes and incidents motivated by sexual orientation and gender identity. Research carried out by Italian NGO Arcigay shows that roughly 20% of gay men and lesbians interviewed have been insulted or harassed because of their sexual orientation. The percentage reaches 30% amongst gay men under 25. The Italian agency UNAR, an anti-discrimination national agency, shows that almost 10% of the cases of discrimination openly denounced concerns LGBTIQ people. This percentage does not take into account the fact that, in most cases, victims do not feel safe in denouncing the nature of the aggression or the discrimination (Arcigay, 2006).

If we take into account standard daily activities in Italy, like going to a café, restaurant, hospital or to a shop, 40% of LGBT people felt discriminated at least once in the year preceding the survey. In this case, the European average is similar, with 42% of EU-28 (FRA, 2020).

An analysis of harassment and violence statistics by FRA.Europa (2020) shows that 32% of LGBT people in Italy say they were harassed the year preceding the survey, whereas the EU-28 stands at 38%. 8% of them had been attacked in the 5 years before the survey, the EU-28 is 11%.

There are no significantly differences between Italy and the others European countries with regards to discrimination in the workplace (23% of Italians compared to the average 21% in Europe; FRA, 2020).

Moreover, 67% of Italian LGBTIQ teenager respondents (15-17 years old) say their peers or teachers have often or always supported LGBTIQ people, in the EU-28 this was 60%. In 2019, Among young people (18-24), less people (41%) hide being LGBTIQ at school. In 2012, it was 47%. According to an ISTAT survey (2011) 24% of the homosexual populations have revealed that they have been discriminated during high school and university, versus the 14% of the heterosexual population.

There are no available data on the discrimination of transexual people for these generations (Save the Children, 2019). Save the Children (2019) found out that, among the students who claimed to have witnessed discriminatory behaviour towards their peers, 16% said that this was due to their sexual orientation.

Only 8% of Italians believe their national government effectively combats prejudice and intolerance against LGBTIQ people. In this case, the data vary significantly: for the EU-28, it is 33% (OECD, 2019). These data were collected by the OECD (2019) as part of a study on perceptions of social well-being within each country, with particular attention to policies that can improve LGBTIQ inclusivity. Despite improvements in the legislation, as shown by FRA.Europa, acceptance of homosexuality remains limited; acceptance of homosexuality is measured on a scale from 1 to 10, where 1 means that homosexuality is never justifiable and 10 means that it is always justifiable. Italy has a rating of nearly 3.

As far as trans people are concerned, 24.8% of Italians would refuse to condemn discriminating behaviour against a trans person; 30.5% do not want a trans person as neighbour (Istat, 2012).

2. Children's rights and LGBTIQ diversity in childhood – brief overview

2.1. Context

Italy is traditionally a very religious country. Although the process of secularisation is also affecting our country, the level of influence of the Catholic Church on both the society and politics is still very high. This means that the in the contexts of children, childhood, school, sexuality, and so on, great attention is devoted to what the Vatican and its apparatuses consider the 'right thing to do'. For example, children are merely seen as weak individuals in need of protection, and this protection should come from the family, that it, from their mothers and fathers. That children are not able to decide what they are and how to behave in society, and that their parents have the right to decide for them, has huge implications in the sphere of sexuality, gender identity and expression, and sexual orientation.

Just like all European Union countries, Italy has adopted all the international conventions for the rights of children and childhood. The Laws aimed at protecting children are numerous and well established. For example, if we take the Italian constitution as a benchmark, it is possible to find four different references to 'child/children'. The first comes in Article 30, first paragraph, under the second title 'Ethical and Social Rights and Duties', saying that: 'It is the duty and right of parents to support, raise and educate their children, even if born out of wedlock'. The second quotation, Article 30, third paragraph also highlights the rights of children born out of

the wedlock to be entitled to the same rights as those born in a marriage. At the same time, the following article, number 31, highlights the role of the family: 'The Republic assists the formation of the family and the fulfilment of its duties, with particular consideration for large families, through economic measures and other benefits. The Republic protects mothers, children and the young by adopting necessary provisions'. Like children, women, as mothers, are considered weak and in need of protection. The same kind of comparison in made in the fourth and last articles: Article 37, under the third title of the Italian Constitution, titled 'Economic Rights and Duties' declares that: 'Working women are entitled to equal rights and, for comparable jobs, equal pay as men. Working conditions must allow women to fulfil their essential role in the family and ensure appropriate protection for the mother and child'. The second part of this article highlights how women are first of all mothers and, even when they work, they must have time left to comply to their roles as mothers and wives. Moreover, children are protected and, if too young, they are excluded from working. These brief examples are interesting in that they highlight how Italian law would tend to protect their children but that this is contingent on total control from their parents. Finally, Articles 33 and 34 are devoted to school rights. Indeed, the first paragraph of article 34 states: 'Schools are open to everyone'.

Taking into consideration the role of the Catholic Church and the Italian State on matters of childhood and schools, it does not come as a surprise that Italian schools tend to not be innovative in matters of school programs on gender and sexuality / sexuality and relationship education. Indeed, in the last few years, newspapers have raised attention on the number of courses and activities available on gender identity, sexual orientation, and related matters. It all comes as a scandal. Indeed, parents' associations, almost always attached to the Catholic Church have tried to block these activities labelling them as 'gender theory', that is, as attempts at making their children gay, open to sexual exploitation and harassment. Usually, these activities are conducted by external school resources (e.g., local volunteers from NGOs associations, not necessarily linked to LGBTIQ rights associations). Anyway, especially in the southern regions of the country (the most conservative) headmasters do allow these activities in their schools, but then they have to confront parents and their opposition. Parents and their associations are sustained by right-wing politicians. Since schools are a devolved matter to Italian region, local politicians can make effective decision and take control over the school system. As it will be presented later (section 3), these courses are aimed at clarifying standard concepts, providing definitions and concrete examples on what we mean for words like 'gender', 'gender expression', 'sexual orientations', and so on. Unfortunately, this is turned into a political instrument, as it is assumed that children should not listen or care about this. The conservative attitude sees children as ontologically heterosexual, with a gender matching their biological sex (since there is no division between the two), so activities that expose them to alternative narratives can only trouble them and let them vulnerable and exposed to harm. According to this narrative, children should be protected and schools should refrain from telling them about sex and sexuality. Unfortunately, as we will see later, children and young people in general are all very well aware of themselves. Indeed, the teenagers we interviewed regrated the lack of

moments in school devoted to ‘gender’ and ‘sexuality’.

2.2. Relevant statistical data – Childhood situation

According to the OECD (2017), on many measures, and compared to other OECD countries, Italy could do more to promote child well-being. Children in Italy enjoy average disposable income levels that are not far from the OECD average, but the child relative income poverty rate is comparatively high (19.3%, compared to an OECD average of 13.4%), with many children living in overcrowded households (41%, compared to an OECD average of 22%). Indeed, in the last few years, and especially after the economic crisis of 2007-2008, the level of poverty in the country increase dramatically, especially in the Southern regions, which still account for the poorest areas of Italy.

As far as health is concerned, Italy compares well on infant mortality – at 2.9 deaths per 1000 live births, the current infant mortality rate in Italy is well below the OECD average (3.9) – but slightly worse on other measures. The Italian National Health System provides free access to care to everybody and, in general, it is among the highest in terms of quality, in both the European Union and the Western world.

Italy performs below the average for the following statistics provided by the OECD (2017): a) the frequency of low-weight births; b) 15-yearolds skipping breakfast or dinner; c) for the share of 11-15 years that are overweight or obese, and d) especially for the share of 11–15-year-olds that are regular smokers.

Roughly 9% of 11–15-year-olds in Italy report smoking at least once a week, almost twice the OECD average (5%), and this increases to 21% when looking at 15-yearolds only. 15-year-olds in Italy are more likely to live in homes with books to help with schoolwork, and the share with access to a desk and quiet place to study is little above the average. However, the share of 15-year-olds who feel like they ‘belong’ to school (67%) is lower than the OECD average (73%), whereas those who are feeling anxious about school tests even if they are well-prepared (70%) are among the highest in number in the OECD. The average performance on the OECD’s PISA reading and mathematics tests is also around or just below the average. Indeed, although Italy provides free access to schools to everybody, the school system tends to perform not as good as other European Union countries. In particular, the number of those who achieve the highest level of education (e.g., tertiary education in general or university degrees) is among the lowest in OECD counties.

Overall, self-reported life satisfaction among teenagers in Italy is below the average. About 24% of 15-year-olds in Italy report feeling very satisfied with their life as a whole (compared to an OECD average of 34%), while roughly 15% report that they are not satisfied with their life (compared to an OECD average of 12%) (OECD, 2017).

Italian families are increasingly made up of a small number of individuals. Recent years have witnessed an increase in the number of single families (from 31.9% in 2017 to 33.2% in 2021). Then, we found people in a family with two persons (from 27.5% to 27.7%). The number of more numerous families decreased over the years: three people families lowered from 19.6% to 18.9% in 5 years; in the same amount of time, families made by four people decreased from 15.7% to 15.2%; and those made by five people

from 4.1% to 3.9%; finally, families with six or more people remained stable to 1.2% (ISTAT, 2022).

3. Findings

3.1. Children's needs to combat LGBTIQ-based violence

The needs of young LGBTIQ people concerning violence based on sexual orientation and gender diversity are mainly related to an extended **need for recognition** both within the family and in schools. Interviewees perceive a lack of **spaces for confrontation** where they can communicate and define themselves. The **lack of training**, such as teachers, is perceived as burdensome for carrying out school activities and daily life. Another aspect that the interviewees defined as a need refers to the absence of **gender-fluid toilets** in schools and aggregative/recreational spaces. Finally, young LGBTIQ people feel the need to extend the "**ALIAS careers"** to all Italian schools, making it more accessible. The following paragraph outlines the main needs that emerged from the focus groups.

What emerges from the analysis of the focus groups' material is, first, **a variety in terms of sexual orientations and gender(s)**: no majority prevails in these terms. Almost all participants find if difficult to rely on spaces of recognition, both within the home and at school, and only a few interviewees **feel protected and represented in family relationships**, where they can enjoy the support of their parents even in the context of external forms of violence.

For example, Maria states: "sometimes, I have to defend myself from them": this sentence alone, and other reported aspects, helps illustrate how the family can be perceived as **a place of violence and discrimination**. As another interviewee put it: "I would like to receive a 'how are you?' from my family": it is therefore expected, and partly hoped, that the adults of reference do something to be present in their children's lives. On the other hand, all interviewees find space for confrontation, support, and help mainly in their **group of friends**, which is often represented as a unique place of relational dynamics where their self-expression is allowed / not policed. The institutional level, in terms of **services, associations, and the public sector**, is not among our interviewees' known sources of help/support. Indeed, only a few are aware of or have turned to the reception desks to receive help or support. Scepticism, and often a lack of trust in these institutions makes the request for help mostly prohibitive; only one participant defined himself an activist who is involved in territorial activities. **No one else participates in volunteering or activism in LGBTIQ associations**. Despite the lack of knowledge of what is present in their geographic areas and considering the scarcity of associative spaces, most interviewees expressed the need **to create spaces where they can identify, confront, and communicate**. Only a small number of interviewees said that they were part of online

communities on **social networking** such as Telegram, Facebook, Instagram, and Tik-Tok because of the fear that, in joining these pages, they might become victims of **homophobic comments**; others, on the other hand, rely on social networks and the Internet in general as spaces of confrontation and training. It is possible to compare these statements with the survey and, in particular, with table **D3** "How have social networks influenced you in the following issues, during the covid-19 pandemic?": out of 12 items, Italians have responded above the general mean in 9 of them. This, highlight **the huge importance of social networks for Italians teenagers**. In particular, the items "**Relating to already existing friends**" and "**Learning about LGBTIQ issues**" scored 4.35 and 4.23 respectively. The highest mean of all items for all countries involved in the project.

Finally, all interviewees accused the **lack of training** for both the teaching staff and their own personal training needs.

The participants in the focus groups felt the need to be trained and educated on everything that sexuality entails, including **non-heterosexual sexual relations** and **education on sexual pleasure**; in this sense, one of the interviewees states, "When we talk about homosexual sex, we only talk about AIDS": the almost automatic association, even within institutional training, between **homosexual sexual relations and the transmission of sexual diseases**, is a long-term prejudice of our society. Two of the young people described the sexual education they received at school as being profoundly limited to heterosexual intercourse, **procreation and the potential risk of having an unwanted pregnancy**. One participant, including the two mentioned above, also said that during primary school, the teacher divided males and females into two separate rooms as if there was **different sex for each gender**, as stated by one respondent: "Females learn the sex of females and males learn the sex of males; because there is nothing else". The same young man, who described himself as homosexual, later states that he is constantly afraid of making mistakes and possibly not being well-informed about sexually transmitted diseases or sexuality in broader terms. He found information on these things on the Internet.

All the participants who declared themselves bisexual and having a female gender identity stated that the lack of sex education on homosexual relations is greatly accentuated when discussing **homosexual sex among women**. Indeed, they perceived the total absence of references and dialogue, as ironically reported by one respondent: "Of course, because the only way to have sex is with penetration". Thus, for all interviewees **the need for sex education appears to be a priority**. Furthermore, for those who defined themselves as **bisexual women**, a different form of heteronormative discrimination emerged, where the bisexual relationship is reduced to a fetish of ***gaze evil*** (Mulvey, 1975). A person who declared herself **pansexual**, on the other hand, experienced another form of patriarchal discrimination by her boyfriend who is quoted as stating: "I am already jealous of boys, do I have to be jealous of girls too?", the effect here is invisibility and inability to understand the need of the partner.

A further need, primarily but not only related to the **school environment**, is the correct use of **pronouns and elective nouns**. One interviewee said: "For example, I

tried to come out to one of the teachers by saying my pronouns and my name, and she took it as a joke and said, 'what is this cartoon name of yours?'". The lack of recognition of one's sexual identity leads to increased **mistrust and scepticism** towards education and support services by adults who belong to older generations, who do not show interest but are often arrogant in responding superficially to questions and needs coming from the underaged. Most of the interviewees also felt in a kind of invisibility in their families, with three interviewees recalling a history of **eating disorders** or that families of origin have mostly failed to support their children or, in one case, did not even notice the child's illness. The survey offers another insight. Indeed, table D7, labelled "During the pandemic lockdown and restrictions have you had the following emotions" highlights that Italian teenagers felt **anxiety, loneliness, and depression** scoring between 3.61 and 3.95, on a 5.00 points scale. Again, the numbers are higher than the general mean, although both Lithuania and Portugal scored higher points.

Many of the interviewees who consider the acronym LGBTIQ useful, argued that it can also be **a sort of cage and part of a broader labelling process**: most interviewees express the need to self-declare and define themselves, building the **fluidity** of self-representation and perception. As far as suggestions and proactive actions to improve the condition of young LGBTIQ teenagers are concerned, the totality of interviewees suggests, beyond the transversally reiterated **education**, the introduction of **gender-fluid toilets** not only in schools but also in other places, such as pubs. One MTF respondent said "I, for example, when I am with my family, or in a pub, I feel compelled to go to the female toilet to avoid possible fights or problems". A gender-fluid bathroom is perceived as essential for a more **serene experience of the school premises** themselves. In addition, some interviewees felt the need for **qualified personnel at school**, with a specialisation in what can be issues related to **bullying** on the grounds of sexual orientation or gender. Indeed, bullying and homophobic attacks are common features in the life of the teenagers we met. Some interviewees also started and then stopped **psychotherapeutic sessions**, when they felt neither understood nor supported for the difficulties they experienced, as these sessions are offered for free in Italian schools but only for purely school-related issues.

A further need that emerged from the focus groups refers to the **Alias careers**. Although the Alias career has been included in the procedures of some Italian schools, the difficulty of accessing it remains high, due to the bureaucracy required, both in schools and universities; in this sense, a major need that emerged is how to simplify access and to make more common these careers in all Italian schools. At the same time, without them, discrimination, both social and institutional, seemed to increase.

3.2. Children's strategies of resistance against LGBTIQ-based violence

The resistance strategies implemented by minors against violence on the grounds of sexual orientation and gender are mainly related to the support given by the **peer group**, distancing themselves from difficult situations or verbal violence and, in some cases, the implementation of **justification processes** referred to the aggressor. Furthermore, what emerges from the focus groups is the support that can be offered by **online groups and social networks in general**. Some interviewees use Instagram, a few Facebook and Tik-Tok, to read articles and posts as a database through which educate themselves on topics related to the LGBTIQ community. Social networks also allowed young interviewees to stay in touch during the **covid-19 pandemic**; thus they became tools to maintain their friendship comfort network. Some interviewees actively pursue **education**, both in schools and their private lives, aimed mainly at adults. Following episodes or phases characterised by **acts of bullying,** some interviewees have learnt, , to react without being overwhelmed by violence through **constructing their own identity as a reaction to what they have suffered**; as one respondent, Marta, states: 'I have decided to give a bit of a shit about others and present myself as no longer feminine because that is how I feel internally'; Sofia adopted a similar model of resistance: 'I told myself 'there is no time for shame'".

Concerning the aspect related to justify processes carried out by teenagers, reference is made above all to some circumstances reported by the interviewees where the **tendency to normalise verbal violence** is manifested without even being able to define it as such; in this sense, one interviewee states: "In the street, it happened, maybe in [a street in Palermo's city centre] they were shouting faggot at me from 200 metres away. This yes, but it can be, these are normal things, in a sense". The normalisation of the discriminatory acts, in this case of a verbal kind, can be interpreted as a justification projected onto the behaviour of others, that is, an example of justifications as those actions that "protect the identity of the subject as when denying the harm or victim of a behaviour; they are usually used to neutralise the action and its effects" (Mills *et al.,* 2019, p. 17). The justificatory projection proceeds to another moment in the interview, where the same person cannot understand why the discriminatory acts occurred, since he was not even dressed flashily: "No, whatever, I called it normal in the context of [that street] in Palermo. I was not dressed that flashy". Again, the projection of neutralising the harm suffered (*Mills et al., 2019,* p. 27) defines a **defensive strategy** of living with everyday violence.

Being a member of **associations** is a fundamental part of the **coping strategy** to handle with violence based on sexual orientation and gender diversity. One of the teenagers interviewed consider activism, including training activities in schools, was a means of making oneself useful and sharing experiences and knowledge peers.

3.3. Professionals' good practices in empowering LGBTIQ children to combat violence

The fifteen professionals interviewed belong to different jobs and sectors. The most significant actions promoted by the interviewees include **activities in schools**, especially aimed at **children's empowerment**; introducing **Alias careers** in some institutions; setting up **training courses for professionals,** which can contribute to reduced discrimination in intervention settings; establishing **safe spaces** for personal growth, whether online or offline, for LGBTIQ minors; **networking** with the families of children taken care of by psychologists, doctors, and social workers. All professionals share an approach aimed at **welcoming and listening to the minors**.

Each participant shared a key theme, which is the importance of **listening the children**, that is, an active mode of listening that sees children as the protagonists of their own stories. Each professional in his or her field works toward **greater acceptance** to help create a solid network in which the child can feel protected and free to express himself/herself, his or her discomforts, his/her fears and in which he or she can **effectively self-determine**. In particular, the four **psychologists** agreed on this point, and went on to describe their intervention as directed towards **welcoming** and listening to the child.

These four professionals are actively involved in training on LGBTIQ issues through courses aimed at other psychologists and health practitioners. They have specific training in working with LGBTIQ minors and thus promote the idea of the need for **constant training** of professionals to avoid some recurrent problems, such as, the lack of preparation in working with **trans or non-binary minors** (from using the wrong pronouns to underestimating the principles of self-determination of minors or not being aware of gender dysphoria). For these psychologists, the risk is to reproduce the same forms of violence that lead minors to seek help with professionals.

The psychologists as well as the other figures interviewed also insisted on the importance of **involving families** if and when possible. Eight of them are member of **Agedo** (an Italian associations made of parents and family members of LGBTIQ children) in different Italian cities, either as volunteers, social workers, psychologists, or presidents. The interviews show that the families that turn to Agedo are usually **supportive, not rejecting**. In other cases, as indicated by the **endocrinologist** interviewed, families can be an obstacle to their children's self-determination, especially in the **transitioning process**. It is fundamental to be able to transmit and to provide the best tools to children's families precisely to assist children development and well-being.

Agedo's, interdisciplinary, activism does not only involve families, but it also directs its intervention to **schools**. A common feeling of all interviewees is that schools seem to take away their responsibility in relation to LGBTIQ children's issues by reproducing or legitimising various **forms of discrimination**. Both Agedo and other associations approached, such as Stonewall and AzioneTrans, promote **training and**

information courses in schools, in some cases aimed at teachers or else, exclusively at students. The most effective intervention aimed at reducing discrimination against trans people is **Alias careers** in high schools, as discussed above. As pointed out by a social worker, today, only **160 schools** have promoted the Alias career, which, however, still presents major problems: some trans* students explained that despite the introduction of this measure, in the online classrooms, during the covid-19 pandemic, the deadname of the trans* person remains, making the initiative ineffective.

It was precisely during the **covid-19 pandemic**, according to all interviewees, that many critical issues emerged. There is general agreement that LGBTIQ **children have suffered from isolation**, in particular, in some of them were obliged to share spaces with **unwelcoming families** due to lockdown policies. Several interviewees, particularly psychologists, used video calls as a tool to curb this problem, recreating virtually safe spaces where children could feel listened to and helped at a time of heightened social vulnerability. Indeed, the survey confirms these assumptions. In particular, table D1, labelled “Thinking about the covid-19 pandemic lockdowns and restrictions: How have the following people helped and accompanied you? We are referring to the people who have significantly helped you” shows that **friends** and **partners** were the most helpful resources for Italian children, respectively with a mean of 3.76 and 3.50. But, in both cases, the general mean is higher. This shows that Italian LGBTIQ children felt lonely and widely isolated during the covid-19 pandemic. At the same time, table D2, “Thinking about your needs during the Covid-19 pandemic lockdowns and restrictions. How do you feel about the following statements?”, highlights the fundamental role played by **friends**, **peer groups**, and **siblings** to cope during this difficult period of isolation. Indeed, the item “I felt I could behave like myself with my **friends**” got the highest mean, equal to 4.20 – above the general mean and the highest mean among all countries involved in this project. In second position, we found the item “I felt I could behave like myself with my sibling(s)”, with a mean equal to 3.41 – again, above the general mean and the highest mean for this item.

Beyond the virtual space, the professionals we interviewed agree for the need of **safe physical spaces** where children can meet and support one another. Two interviewees suggest that the problem of gathering is particularly evident in small towns. A psychologist working in a small Sicilian town recalled the organisation of the first local **Gay Pride**, which, despite low general expectations, was attended by more than 1.000 people, including families and children. According to professionals, creating events and places for debates and growth allows people to **gain agency** and fight for their own self-determination, which is particularly important for more remote contexts.

A social worker explains that “the fact that they think that someone has to protect them means that there is discrimination going on”, so **self-determination**, **the empowerment of children**, whether in virtual or physical environments, is crucial to the success of such interventions.

Sometimes professionals found it hard to intervene in situation involving **minors**. In order to activate supportive activities, the authorisation of one of the parents is strictly necessary, even more in case of **transition processes** because, as the endocrinologist we interviewed explained, in Italy, it is not possible to start the process before the age of eighteen. However, as pointed out by a psychologist, there are specific **guidelines** promoted by the "National Observatory on Gender Identity", which provide the possibility to carry out the transition process even before the majority age. The endocrinologist advocated for the need for **specific training** for health personnel to avoid promoting different forms of discrimination. The same need is shared by the psychologists we interviewed. The "Italian Association of Doctors in Endocrinology" has activated courses throughout the country aimed at updating and informing doctors on LGBTIQ issues, with a specific attention to **transsexual children** and **teenagers**.

3.4. Professionals' (training) needs to combat LGBTIQ violence against children

The professionals interviewed insisted on specific professional training needs that they defined as "**top-down training**" and information courses to prepare professionals to work with LGBTIQ children. Specifically, they insisted on forms of communication and interdisciplinary networks to promote horizontally continuous debate among professionals with different skills and backgrounds. Another important point is the **training of schoolteachers**, their involvement as a curb to loneliness, vulnerability, and discrimination concerning children in their institutions. Another aspect touched during our interviews was the **training of health and social welfare staff**. Indeed, more funds, better-trained staff, and a solid regulatory apparatus that condemns specific forms of violence and softens the bureaucratic dimension for **trans people** appear much needed in the current Italian landscape. Finally, **families** and their involvements in their children's life can create more tenacious roots to successfully achieve psychological and supportive help for LGBTIQ children.

During the interviews with professionals, a clear path emerged: the need for **specific and constant training**. The fifteen interviewees believed that every person working with other people (doctors, psychiatrists, psychologists, health personnel, and social workers) needs to be trained and informed on LGBTIQ issues. While the idea that **active listening** facilitates children and adolescents in their pathways for self-determination is commonly shared, there is also a concern about whether workers from different disciplines are fully aware of working with LGBTIQ children and what it entails. In particular, one interviewee, who is an Agedo activist, emphasised that her training took place autonomously as she had difficulty discovering LGBTIQ issues through other means. Similarly, another activist complained about the process of finding reliable information, claiming that **university courses** in psychology lack practical elements to fully understand the issues and characteristics of the LGBTIQ world.

All interviewees also agreed that **schools** should be more involved, empowered, and informed. Accordingly, training courses for teachers and a greater level of involvement in emerging issues within schools are necessary. Indeed, counting/relying on specific tools would favour integration, reducing vulnerability and discrimination, stimulating **children's empowerment**. Raising **teachers' awareness** is, therefore, a dominant motif in the words of all interviewees.

A psychologist interviewed states that there is a kind of **loneliness** among professionals that deal with LGBTIQ children. In this sense, she would like to see more discussions among social workers, both in terms of **networking** and of raising awareness among colleagues. The other interviewees also take up this point of view; however, one psychologist considers horizontal communication between professionals demanding, because raising awareness can be also interpreted in an offensive, prevaricating way. More than half of the professionals interviewed also emphasised the importance of involving healthcare **workers** more / greater involvement of healthcare workers. The medical endocrinologist explained that during training activities devoted to doctors, LGBTIQ issues, and even more so those related to transitions, have no place, and are only considered as an option among future doctors. Three interviewees (the endocrinologist, a social worker, and an activist) claim(ed) that specific courses should be structured during university degrees that have a clearer focus on these issues.

The issue of **regulatory interventions** was less discussed by the interviewees. Six professionals supported the idea that **laws** to protect LGBTIQ children are **largely ineffective**, one of whom explained that the large ambiguity coming from politics and politicians generates **discrimination**. A psychologist also recounted that although it is no longer legitimate for mental health professionals to use so-called "**reparative therapies**", some colleagues continue to support these treatments without incurring in any sanctions.

Three social workers reported **inadequate resources and personnel** within their intervention settings. This is in line with the low level of specific training for professionals, which in some cases led, the social workers to turn to psychologists who are physically distant from their geographic areas. One social worker also emphasised the rather low level of funding. According to her, more funding and **local political support** is needed. On the other hand, another social worker considered the network of different professionals around her city to be numerous, effective, and functioning well, but, at the same time, she wished for a more significant strengthening of the local social service. Currently, the Italian bureaucracy is making social work very difficult.

The **bureaucratic dimension** was addressed several times. Six interviewees – one endocrinologist, two psychologists, and three social workers – argued that **laws** concerning **sexual transition** should be revised and updated. A social worker and the endocrinologist who are working with underage children, focused on the typical problems of minors in transition processes, such as the need for informed consent to be signed by at least one of children's parent.

There is general agreement, however, that networking also means **involving the parents**. Families are often unprepared, or they lack the cultural tools needed to understand children and their needs. The interviewees, therefore, called for a greater understanding with families, that is, a level of complicity that must involve other professionals, primarily in the social welfare sector. This final consideration is directly linked to one of the points listed above, namely, the centrality of training and information courses to prepare professionals to work with LGBTIQ children.

3.5. Exemplary quotes from interviews with professionals and from the focus groups with children

Quotes from the focus groups with children

Quote no. 1, Giuseppe, Italy, 20 years old

In this sense, I still consider myself a male, but it does not mean that my idea of myself is what any male must be. I feel a male because I probably grew up in an environment where I was told that I was male, and it did not bother me over time, so today I am quietly male. But still, I am male, even if I wear nail varnish.

Quote no. 2, Giacomo, Italy, 18 years old

Then, when it comes to physical violence, this group of friends, this emotional cooperation does not have the same effect, especially when a group of people who reason with their heads and not with their hands are not as prone to violence as a group of homophobic people can be.

Quote no. 3 Maria, Italy, 20 years old

There is also this belief, not too accurate in my opinion, that once you stick something on you, it will be forever, and you cannot change it. The point is exactly that, you can change your mind, but you can also change the perception of yourself, and that is fine. You can be extremely convinced about one gender for a certain amount of time in your life and, at a certain point, you realise that there is also another sphere of you that you have not discovered yet, another moment of you that you did not know, that maybe come out later; at that point it is self-awareness, gender identity is self-awareness.

Quotes from interviews with professionals

Quote no. 4 - Beatrice, Italy, social worker, 27 years old

We try to reduce the invisibility of these people since they often come from contexts where they are judged and labelled as wrong for how they feel they are. Therefore, we try not to impose ourselves with definitions or words, but to listen. I believe, both from my personal and professional experience, that gender and sexual orientation can be considered not as a person's limitation, but as an aspect that should be valued and that makes the world more diverse and colourful.

Quote No. 5 - Ginevra, Italy, psychologist, 43 years old

It is a sensible issue. I think people who do not have specific training are very much in need of training on these issues because people are not necessarily bad. I mean, maybe people discriminate, because they are ignorant, and they do not know how things are. So, if you want to know the truth, we have much difficulty, even within our organisation itself, in spreading a culture that is respectful of gender diversity and sexual diversity.

Quote no. 6 - Massimo, Italy, endocrinologist, 65 years old

The system is still not ready. We need more training. I mean, paediatricians should be the most experienced people to take on board the needs of these children, but it is not part of their education, both doctors in training during medical school and during their specialisation in hospital. Both paediatricians and general practitioners should have more interest on these topics since they are often the first contact with the health world for children and their families.

4. Overall evaluation: tendencies and absences re: empowering LGBTIQ children to combat violence in Italy

4.1. SWOT re: combating violence against LGBTIQ children in Italy

STRENGTHS	WEAKNESSES
• A large number of **associations** from the 'third sector' in local areas. • Application **of European good practices** in carrying out activities. • **Supportive, listening, and back-up services** in local areas.	• Only a few **national regulatory references**. • **Little or no training** for professionals involved in LGBTIQ issues. • Difficulties in accessing the '**Alias career**'. • **Little or no funding** for associations in the 'third sector'.
OPPORTUNITIES	**THREATS**
• Strong commitments of the **associations** that support LGBTIQ children. • **Young people** are in a position of improving their existing socio-cultural situation. • Access to **medical and pharmacological therapies** for children in transition.	• Presence of **associations** that try to hinder rights and protection for LGBTIQ children, both at the local and national level (e.g., **pro-life** and **Catholic** associations). • **No legal protection** in case of homophobic abuse and violence.

From this report on Italy a mixed situation about the current empowerment of LGBTIQ children, emerges. There are no doubt significant absences (from school to home, from social networks to society at large), but there are also good and positive tendencies. Indeed, what emerges clearly is the strength of Italian children and teenagers to fight for their rights, Especially related to their gender identity and expression and the related sexual rights and freedom.

young LGBTIQ people's needs of concerning violence based on sexual orientation and gender diversity are mainly related to an extended need for recognition both within the

family and in schools. The lack of training of figures, such as teachers and school personnel, is perceived as a burden for carrying out school activities and daily life, and it appears a tricky problem to solve, since the difficulties in training schoolteachers also for other type of activities. In addition, the students we met highlighted the need for qualified personnel at school, especially people who need to be able to handle issues related to bullying on the grounds of sexual orientation or gender. More in general, students demand specific courses and the need for sex education appears to be a priority.

Another aspect is the absence of gender-fluid toilets in schools as well as the lack of aggregative/recreational spaces. For the first request, gender-fluid toilets, the general debate is still attached to the fact that according to parents linked to Catholic associations, it is not the school that should deal with the matter, but only parents who are in charge of deciding what is best for their children when discussing gender and sex. Moreover, politicians from the right (at the moment, the majority in both regional and national level) seem to favour this Catholic parents' view. Therefore, it seems difficult that schools, even if students are supportive of change, will do something like creating gender-fluid toilets.

Another request, coming from the students themselves and highlighted during our interviews are the so-called 'Alias careers' (e.g., the possibility for trans* students to be registered with the name they want in the official students' record). At the moment, the 'Alias career' is more widespread in universities than schools, since in the former students are already above eighteen years old and able to decide themselves about their own rights, while in schools, students are still minor and subject to their parents' control and will. Anyway, the teenagers we met asked for making the 'Alias career' more accessible, easier to start and more implemented by all teachers. Moreover, even if the 'Alias career' is not properly implemented, students demand their teachers to use the pronouns and elective nouns they choose for themselves.

It is undeniable that the teenager we worked with are all well informed and able to make decision about themselves. First, a variety in terms of sexual orientations and gender identity emerged, which makes it untenable to discuss the topic based on an assumed majority of one sexual orientation over the other and the same can be said about gender identity.

Nearly all participants found it difficult to rely on spaces of recognition both within home and at school, with only a few interviewees feeling protected and represented in family relationships, where parents assume the role of support even in the context of violence that took place outside the home. Indeed, the need for protection is still high among children. Even if they know how difficult it is/will be to live their life in the Italian society, they also rely on the protection that can be offered them from their families. Unfortunately, parents seem unprepared to deal with issues such as gender identity and expression and sexual orientation. Indeed, families themselves can be a place of violence and discrimination for children who are not accepted.

Therefore, the first source where teenagers feel safe is their group of friends. It is precisely here, and no matter the sexual orientation and gender identity of the other members of the group, that teenagers can freely express themselves and feel protected,

safe, and at home. At the same time, the online space, especially during the Covid-19 pandemic, can offer teenagers a space to express themselves. But this freedom comes at a cost. Indeed, it has been reported that social networks (like Instagram and Tik-Tok) can become sources of exploitation and discrimination.

Italy is rich of LGBTIQ right associations. This is true for all levels: from local (towns, cities, and region) to national and international. Although Italy serves a debt in terms of freedom for LGBTIQ rights and that politicians (especially, but not exclusively, from right parties) continue to articulate conservative views of sexuality, the various associations highlight the need for more attention on these topics, more freedom and, ultimately, improved rights.

Today, in Italy, children and teenagers with a gender identity that does not match their biological sex and with a sexual orientation that is non-heterosexual are still facing anxiety, loneliness, and depression. They may become so accustomed to violence as tending to normalise both verbal and psychical forms – a survival strategy, which however places them as vulnerable subjects.

The interviews with the professional confirmed the analysis made with children. Indeed, the lack of training for schoolteachers appear pivotal in combating violence against them, since schools, together with the family, are the first institutions they encounter. Paradoxically, even outside the school environment, specific and constant training is required for professionals who deal with children, like psychologists and psychotherapists, doctors and paediatricians, and other professionals as well. Indeed, the risk of being vulnerable in society at a risk of exploitation remains high for these children.

It is important to highlight again that Italy still lacks specific legislation to protect LGBTIQ people. The current political situation, with the most right-wing government since 1946 (when Italy became a Republic after the war and the Fascism), makes it almost impossible to predict any new or good outcome for those who have a gender identity that differs from their biological sex and with a sexual orientation that is not heterosexual.

Finally, a specific mention is needed for trans people. Indeed, if the situation is difficult for gay and lesbians, transgenders are facing even more problems and, thus, heightened discrimination. Here, it is worth stressing the need of a change the processes that deal with trans people, who still have to go through a lot of bureaucracy when seeking for help and advice. For example, the laws concerning sexual transition should be revised and updated to make them less medicalised and with their actual needs in mind. At the same time, pharmacological therapies should be improved to make them more accessible. The level of discrimination for trans people is still very high and they should be able to access psychological advice more easily, whereas this advice should be cheaper.

Stimulating children's empowerment is at the core of this European project. Therefore, we hope that this contribution from Italy highlights the most important tendencies to follow and gaps to intervene on so as to achieve better life for those who need the most, that is, LGBTIQ children in vulnerable contexts.

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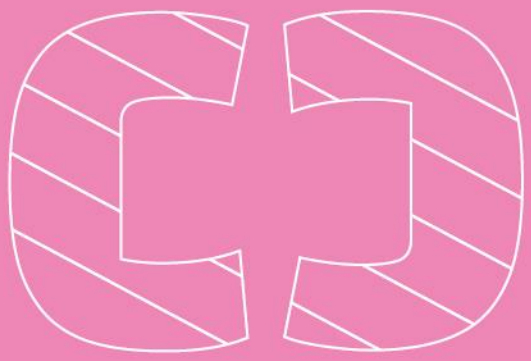

Colourful Childhoods

EMPOWERING LGBTIQ CHILDREN
IN VULNERABLE CONTEXTS TO COMBAT
GENDER-BASED VIOLENCE ACROSS EUROPE

National Report

Bulgaria

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Authors

Monika Pisankaneva and Jen Kyosev, Bilitis Resource Center Foundation, Bulgaria.

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Contents

Introduction - Research Design and Sample

This report features the results of the Colourful Childhood survey for LGBTIQ children, completed by 193 participants from Bulgaria, and interviews with 8 educational professionals.

Interview Respondents:

The interview respondents included four teachers, two school psychologists, one representative of school administration, and one inspector from the Regional Inspectorate of Education. All interview respondents were from different parts of the country. Seven of them self-identified as heterosexual women and one as a heterosexual man. The age range of the interview respondents was between 30 and 57 years, with an average age of 39. The interview respondents were recruited by our partner, the Education Trade Union of Podkrepa Labor Confederation, from among their members. The interviews were between one hour and one-and-a-half hours each.

Survey participants.

The average age of the survey participants was similar across the project partner countries – 16, with the minimum age being 14 and the maximum 18 years old. 2.7% of the participants reported having no formal education. 43% attended only primary education. 45.2% attended compulsory secondary education. And 1.1% attended post-secondary education. 8% reported other types of qualification.

The majority of participants lived with their parents, or with their extended family, which was expected due to their age. However, 2.1% lived with flatmates and 2.6% lived alone.

The majority of the respondents (97.9%) had citizenship status.

25.1% of respondents identified themselves as men and 55% as women. 9.4% of the respondents as non-binary, and 39% identified as transgender. Almost half of the respondents identified themselves as bisexual, and one third as lesbian or gay. Among the transgender respondents, 1.6% self-identified as heterosexual. More than a half of the respondents reported being non-religious. The majority did not identify with an ethnic minority.

Most of the survey participants reported spending their free time with friends, but 27.1% reported spending it alone, which needs to be highlighted considering their age and the risks that are associated with social isolation.

33.7% admitted undergoing economic hardship, and one tenth had experienced domestic violence. Most respondents did not consider themselves a person with a disability. Neither did the majority of participants consider themselves to be physically unhealthy. 42.6% reported mental health issues. Almost half reported smoking and 50.8% reported drinking alcohol. The majority had no history of illegal drug-taking.

1. Legal and political context regarding LGBTIQ rights

1.1. Context

Although Bulgaria decriminalised homosexuality in 1968, the country has not made significant progress in recognition of LGBTIQ rights. According to the 2022 Rainbow Map of ILGA Europe, only 18% of all possible rights of LGBTIQ people are protected.

The progress of LGBTIQ rights recognition in Bulgaria includes only 4 significant milestones:

1968 – Decriminalisation of homosexuality in the Penal Code

2004 – Inclusion of sexual orientation in the Protection from Discrimination Act.

2006 – Equalisation of the age of consent for heterosexual and homosexual acts (Article 157 in the Penal Code).

2015 – Inclusion of "change of sex" (an ambiguous phrase which provides some protection from discrimination for trans people who have changed their legal documents) in the Protection from Discrimination Act.

Major gaps in the legal framework for the protection of LGBTIQ rights are as follows: the absence of sanctions against anti-LGBTIQ hate crimes and hate speech in the Penal Code; no legal recognition of LGBTIQ families (either as civil unions or through equal marriage laws); the absence of a clear procedure for legal gender recognition of trans and intersex people, resulting in many rejections and years-long legal cases; no legal ban on “normalising” medical procedures for intersex children; no specific provisions for protecting the rights of LGBTIQ refugees/asylum seekers.

In the last few years, the major driver for new legal proposals that can serve to improve access to rights for LGBTIQ people has come from the decisions of the European Court for Human Rights. The decision on the case of Stoyanova vs. Bulgaria 56070/18 (June 14, 2022) created an impetus for the Democratic Bulgaria Coalition parliamentary group, which reflects pro-EU values, to propose a draft revision of the Penal Code. This draft revision includes the provision for sanctions against anti-LGBTIQ hate crimes in cases of murder or bodily injury. Although very limited in scope, this is a promising step towards a wider improvement in the Penal Code. In a 2021 ruling, the Court of Justice of the European Union (CJEU) stated that if one EU country recognises a child's parental relationship, all other EU countries should recognise this as well, so as to guarantee the child's freedom of movement across the region, which is a right of all EU citizens.

One Bulgarian case that will have a long-term impact on rainbow families in the EU has come to be known as the 'Baby Sara' case. Decision from 14.12.2021 of the European Court of Justice obliged the Bulgarian authorities to issue an ID card or passport to baby Sara, the child of two mothers, on the grounds that they could not recognise two mothers on a birth certificate. However, the decision of the Highest Administrative Court of Bulgaria as of March 2, 2023, was that the baby could not get a passport because it was not a Bulgarian citizen. This decision will not put an end to the battle to recognize the rights of same-sex families and their children, but is a serious hurdle for LGBTI rights in

Bulgaria. In the case of Y.T. v. Bulgaria in 2020, Bulgarian courts dismissed an applicant's request for gender reassignment without providing sufficient reason. The European Court of Human Rights ruled that Bulgarian courts had breached the right to respect for private life (Article 8 ECHR). So far, this decision has resulted in no legal changes in Bulgaria.

The ECRI's report on Bulgaria (2022), identified the following main shortcomings in the sphere of LGBTIQ equality: no official data on the LGBTI population of Bulgaria; no public research on LGBTIQ status and discrimination, resulting in the absence of a solid basis for legal reforms; legal problems experienced by LGBTIQ people, especially in areas of day-to-day life such as family law, property and contractual law, inheritance, and healthcare; the absence of a law on gender reassignment in line with international human rights standards and expertise. The resultant recommendation to the authorities was to develop an action plan to combat homophobia and transphobia in all areas of everyday life, including education, employment, and health care. This is in line with Recommendation CM/Rec(2010)5 of the Committee of Ministers of the Council of Europe, which sets out measures to combat discrimination on grounds of sexual orientation or gender identity.

1.2. Relevant statistical data

Bulgaria is among the countries where homophobia, transphobia, and the lack of social acceptance of LGBTIQ people remains widespread, as evidenced by extensive research, both national and international (e.g. State Department's Human Rights Report 2016, ILGA-Europe Rainbow Map, and Special Eurobarometer on Discrimination 2019 among others).

In the ILGA-Europe Rainbow Map (2022), a research project that compares the legal and policy human rights situation for LGBTIQ people across Europe, Bulgaria scored 18%, meaning that it ranked 27 out of 28 EU Member States. According to the same index, Bulgaria scored 24% in 2018, 23% in 2017, 24% in 2016, 27% in 2015 and 30% in 2014, which clearly shows a tendency towards regression over the past 7 years.

In their special research into discrimination and the social acceptance of LGBTIQ people in the EU, the Eurobarometer public opinion polling agency placed Bulgaria at the bottom of the scale. In Bulgaria, only 16% of the population believe that LGBTIQ people should have the same rights as everyone else, and only 20% agree there is nothing wrong with a sexual relationship between two people of the same sex.

A report from the Open Society Institute, Sofia (2018), demonstrated that between 2016 and 2018, the incidence of hate speech in Bulgaria against homosexual people doubled. In 2018, LGBTIQ people were the minority group second most affected by hate speech, after Roma communities. This result coincided with an intensive debate over the failed ratification of the Council of Europe Convention on the Prevention and Combating of Violence against Women and Domestic Violence (Istanbul Convention). In the wake of this debate, articles and news items were disseminated widely in the Bulgarian media, reflecting the dangerous and harmful view that discrimination against LGBTIQ people is a legitimate demand, one that is supported by tradition, religion, and nature. Further to that, the Bulgarian Constitutional Court voted on July 27, 2018 to declare the Istanbul

Convention unconstitutional, arguing in its decision that the term “gender”, used in the Convention, is misleading and introduces a concept that is incompatible with the Constitution's understanding of “sex”. The Constitutional Court reaffirmed the view that “sex” is a binary concept, with two rigidly fixed options: male or female. This decision had an immediate negative impact on legal practice for the gender recognition of trans people, while also reinforcing prejudice and undermining progress in public awareness-raising in relation to sexual and gender diversity.

Public education, and more specifically school education, was the sector most affected by the rejection of the Istanbul Convention. NGOs were banned from working at schools on any topic related to gender, and education on sexuality became taboo.

According to the FRA LGBTIQ survey from 2020, only 4% of the Bulgarian respondents were open about being LGBTIQ while at school before the age of 18 years. 65% preferred to hide their LGBTIQ identity. According to the same survey, 19% of respondents often considered leaving or changing schools because of their LGBTIQ identity. To the question, “Has your school education at any point addressed LGBTIQ issues?”, only 3% of the Bulgarian respondents stated that their school education addressed LGBTIQ issues positively, while 66% indicated that LGBTIQ issues remained unaddressed.

The most recent quantitative national research on the situation of LGBTIQ young people in educational settings is the school climate survey, conducted in 2019 by Single Step Foundation and Bilitis Foundation (Gabrovska, Dragoeva, and Naidenov 2020). This online survey generated 880 validated responses from students between the ages of 13 and 19, from all regions of the country. The overall results showed that for LGBTIQ young people in Bulgaria, schools are unsafe places. The reasons given were as follows: a high level of verbal harassment, with over 70% experiencing this personally; a low level of intervention – or no intervention at all – from staff / school personnel when witnessing verbal harassment; and a low level of reporting of incidents, with students reporting that they were confident effective action would be taken.

This research indicated that one of the main reasons LGBTIQ students felt unsafe at school was because of their sexual orientation, their appearance, or their gender expression:

- 48.3% of all students reported feeling unsafe at school in the past year because of their sexual orientation;
- 31.2% of them felt unsafe because of how they expressed their gender;
- 22.5% reported feeling unsafe because of their body size or weight.

The majority (82.9%) of LGBTIQ students reported hearing other students make derogatory remarks often or frequently in school. In addition, 71% of all students reported often or frequently hearing the word “gay” used as a slur. More than half (57.4%) reported hearing homophobic remarks from their teachers or other school staff. When teachers, for example, were present, students reported that they rarely showed any interest or empathy, and rarely intervened when such remarks were made.

The vast majority (70.6%) reported being verbally harassed at some point in the past year based on any of these personal characteristics. LGBTIQ students most commonly

reported experiencing verbal harassment at school because of their sexual orientation or how they expressed their gender:

• More than half of LGBTIQ students (60.2%) had been verbally harassed because of their sexual orientation; nearly one-fifth (19.3%) experienced this harassment often or frequently.

• Half of LGBTIQ students (51%) were verbally harassed at school because of their gender expression; more than one in seven (14.9%) reported being harassed for this reason either often or frequently.

• Although not as common, many LGBTIQ students were harassed in school because of their gender: 36.3% had been verbally harassed in the past year for this reason.

With regard to physical harassment, a third (34.2%) of LGBTIQ students had been physically harassed (e.g., shoved or pushed) at some point at school during the past year based on personal characteristics, in particular their sexual orientation or gender expression.

• 26.4% of LGBTIQ students were physically harassed at school because of their sexual orientation, and 6.5% stated that this harassment occurred often or frequently;

• 23.1% of LGBTIQ students experienced a physical harassment at school because of their gender expression, with 6.8% experiencing this often or frequently;

• 16.1% of all LGBTIQ respondents were physically harassed because of their gender, with 17.8% of them experiencing this often or frequently.

LGBTIQ students were less likely to report experiencing physical assault (e.g., being punched, kicked, or injured with a weapon) at school than they were to report verbal or physical harassment. Nonetheless, 19.1% of students in our survey were assaulted at school during the past year because of their sexual orientation, gender expression, or gender:

• 15.2% were assaulted at school because of their sexual orientation;

• 14% were assaulted at school because of how they expressed their gender; and

• 10.1% were assaulted at school because of their gender.

In 2020, Bilitis conducted qualitative research as part of the CHOICE project funded by the European Union's Rights, Equality, and Citizenship Programme (2014-2020). The CHOICE national report (Pisankaneva, Atanasova, and Dragoeva 2020) presents data from a study of the needs of students, parents, and school professionals related to improving measures to prevent and combat violence in Bulgarian schools. The research was conducted in three stages in the period November-December 2019. It consisted of desk research (comprising a review of existing research and secondary data collection), and an online survey among 106 adults (teachers, school principals and parents), 48

young people (students aged 14 up to 19 years) and 6 focus groups with students, teachers / school staff and parents in Sofia and Plovdiv.

The results of the study emphasised not only the role of teachers in combatting violence, but also that of school psychologists, and their insufficient level of competence in understanding the problems and needs of students.

Many LGBTIQ students who responded to the research stated that school psychologists could not be fully trusted. “At our school, everyone knows they can't go to the psychologist at school because he can't keep his mouth shut, and sometimes he accidentally shares things and sensitive information about someone with someone else.” They also added that only anti-LGBTIQ based bullying points are absent in the regulations of some schools.

Students who were part of “invisible minorities” in schools, that is to say, those whose minority status was not necessarily visibly recognisable, said they “live in fear and constant tension, and when they hear LGBTIQ-phobic statements, they try to defend themselves by hiding so as not to be exposed. Anti-LGBTIQ comments are made by everyone, constantly, every day, at any convenient time, both by teachers and students. There are isolated cases where management takes action against anti-LGBTIQ comments, but this happens more often when it comes to physical bullying rather than verbal abuse.” (Pisankaneva, Atanasova, and Dragoeva 2020).

2. Children's rights and LGBTIQ diversity in childhood

2.1. Context

Bulgaria harmonised its law on child protection with the Convention of the Rights of the Child in 2000. Although it has improved its policy framework, there are still many challenges at the level of implementation. An in-depth analysis of the Bulgarian Child Protection System was conducted by UNICEF in 2019, outlining the main deficiencies that need to be addressed if Bulgaria is to transition to a stable and professional child protection system for the 21st century (UNICEF 2019). The UNICEF report examines both the legislative and the policy framework on child protection, as well as the organisational structures and coordination mechanisms that ensure child protection on the ground. The analysis of the legal framework reaches the conclusion that the latter is to a large extent harmonised with international standards on child protection. The main gaps that exist are the absence of a legal basis for prevention of violence against children and provision of support to parents and caregivers to develop their parenting skills. Another major gap was identified in the area of children's access to justice.

The organisational structure of the policy coordination for child protection was evaluated as rather complex and ineffective. This structure includes two main bodies responsible for overseeing policy implementation, namely the National Council for Child Protection (NCCP), which acts as a supreme consultative body, and the State Agency for Child Protection (SACP), which reports to the Council of Ministers. The implementation of child

protection measures is in the hands of the Agency for Social Assistance (ASA), dependent on the Ministry of Labour and Social Policy, other ministries, and municipal social services. This complicated structure creates a number of implementation issues. Among these, the most significant issues were identified as being: overlapping responsibilities for enforcement of compliance with standards for social services; prioritisation of administrative checks over substantive analysis of cases; and lack of capacity of municipalities to oversee social services.

On the policy level, a key achievement for child protection was the creation of the National Coordination Mechanism on Violence against Children, which came into force in 2010, and a number of public institutions committed to collaborating in the implementation of this Mechanism: the State Agency for Child Protection, the Agency for Social Services, the Ministry of Labour and Social Policy, the Ministry of Internal Affairs, the Ministry of Education, the Ministry of Justice, the Ministry of External Affairs, the Ministry of Culture, the Ministry of Health, and the National Association of Municipalities. All of these institutions agreed to collaborate for the creation of an effective response system in cases of violence against children, or in cases of children at risk of violence, where a crisis intervention is needed to protect children's rights. According to the provisions of the Coordination Mechanism, each case of violence against a child should be addressed by local multidisciplinary teams, which are created by the local structures of the Agency for Social Assistance, and which include a social worker, a representative of the police, or the unit on child delinquency, or the local prosecutor's office, as well as other relevant actors: psychologists, school administrators, health workers, etc. depending on the nature of the case. A representative of the local government is also included in the multidisciplinary team.

The State Agency for Child Protection (SACP) collects and analyses the reports on cases of violence against children, which the mandated institutions (the structures of the Agency for Social Assistance and the Ministry of Interior, and the Regional Administrations) submit every year, and creates one unified annual report. SACP reports from 2020-2022 show consistent challenges in the implementation of the Coordination Mechanism for Violence against Children. These are as follows: a) lack of technical capacity of the mandated institutions, i.e. lack of transport and sufficient personnel to take immediate steps of crisis intervention; b) lack of unified understanding of “crisis intervention” among the mandated institutions; c) misunderstanding of the nature of the problems with and around the child; d) a persistent problem in understanding who, and under what circumstances, has the right and obligation to convene crisis intervention meetings, as well as who has the leading role.

In 2019, the state opened public consultations on a strategic policy document, named Strategy on the Child (2019-2030) which was developed with the active participation of some national NGOs promoting the child rights-based approach. This strategy was the first of its kind comprehensive document on child safeguarding in Bulgaria, which aimed to improve different aspects of the child protection system in the country. However, a massive wave of disinformation and fake news led to the “freezing” of the strategy. The same forces that triggered the rejection of the Istanbul Convention then blocked the national strategy on the child by spreading fake news that it will deprive parents of their rights to raise children traditionally, and will lead to taking away children from their parents.

Chapter 2, Section II from the Law on Protection against Discrimination (2004) is especially dedicated to the prevention of discrimination in the sphere of education. It obliges the principal of a school to undertake effective measures to prevent all forms of discrimination in the school environment on behalf of pedagogical staff, non-pedagogical staff, and students. The principal of the educational institution is obligated to put the text of the law, as well as all specific internal policies relating to the protection against discrimination, in an accessible place. Furthermore, the principal of an educational institution who has received a bullying complaint from a student, or a report of bullying from a staff-member or student, is responsible for conducting an immediate investigation leading to further measures to stop the bullying, and potential disciplinary sanctioning.

In 2015, Bilitis researched how the text of the Law for Protection against Discrimination (2004) has been transposed into the Internal Regulation Documents of secondary schools in Sofia. References to the law were identified in the internal policies of only very few schools. Only 2 out of 72 schools based in Sofia, in their internal regulation documents published online, explicitly mentioned sexual orientation as a protected ground (Bilitis Resource Center 2015).

One important policy document for schools, which regulates the provision of support in cases of bullying, is the Unified Mechanism for Counteraction against Bullying at School and its annexes. An Order by the Minister of Education (RD09-611/18.05.2012) obliges every school to adopt such a mechanism and to design a plan for its implementation. The Mechanism includes a definition of bullying as “conscious negative acts, which are long-term, directed towards one and the same student and conducted by another student or a group.” The document sets out in detail the different types of bullying, including physical, verbal, psychological, and social (isolation, ignoring, etc.). Furthermore, the document lists signs that an aid in recognizing physical and psychological bullying. It also addresses virtual (cyber) bullying, and describes the roles of all stakeholders in situations of bullying.

The Unified Mechanism for Counteraction against Bullying at School requires every school to develop and adopt preventive measures against bullying, and counteraction measures to effectively address existing cases. It is stressed that counteraction against bullying requires a holistic approach, encompassing persistent and coordinated efforts for prevention of bullying, as well as the creation of a safer school environment. The creation of a Coordinating Council for Counteraction against Bullying in every school is also recommended. The document also describes possible types of action that may be used in the classroom to address bullying. It calls for the creation of a space in which students can openly discuss bullying and form attitudes of empathy, tolerance, and respect for differences, as well as conflict resolution skills that prevent bullying. The Mechanism also lists possible activities at the school level, for example: the creation of a safety network, and it sets out the responsibilities of staff members in relation to possible bullying interventions. It also describes the links between the school and other institutions responsible for prevention and dealing with violence and bullying. Last, but not least, the Mechanism recommends involving parents in an integrated system for counteraction against bullying at school.

The review of the Unified Mechanism for Counteraction against Bullying at School has one important omission: there is no mention of “identity-based bullying”, nor is there an

enumeration of common grounds of bullying, similar to the enumeration of protected grounds included in the Anti-Discrimination Law. The lack of recognition of "identity-based bullying" contributes to low awareness of such bullying. As a result, some forms of identity-based bullying, for example, the mocking and verbal harassment of LGBTIQ students, are completely "normalised" and neglected at school. Plans for counteraction of bullying at school also lack the enumeration of the grounds which have been protected by the Law on Protection against Discrimination (2004). These grounds should be in focus when adequate measures for the preventing and dealing with bullying are being formed.

The most commonly mentioned grounds in school internal policies on which discrimination is prohibited are the following: race, ethnic origin, religion, gender, nationality, language, ability, social status In the way that these policies are drafted, the use of "gender" rarely protects gender expression, or transgender and intersex identities.

The first step towards the development of a safe school environment for LGBTIQ students and staff is recognizing the scope of the problem. Former research conducted by Bilitis in 2015 and 2020 demonstrates that discrimination and bullying on the basis of sexual orientation and gender identity are not yet recognised in school internal policies and codes of conduct. As a first step, these policies should be updated to set out the responsibilities that the coordinating bodies engaged in preventing and responding to bullying at school have in respect of providing support to LGBTIQ students and other vulnerable groups.

Last, but not least, the school internal policies do not provide any alternative method of reporting discrimination, violence, and bullying besides face-to-face reporting. Best practice in many other EU countries includes the provision of an alternative, anonymous way to report violence and bullying at school. The absence of an anonymised means of reporting incidents discourages this reporting and contributes to the persistence of bullying.

2.2. Relevant statistical data - Childhood situation

UNICEF-Bulgaria (N.d.) has published the following statistical data, which demonstrates the current gaps in child protection in Bulgaria:

Health: infant mortality is twice as high as the EU average. About 9.5% of all births are the result of teenage pregnancies. 13% of all births are by women without health insurance. Poverty deprives many children in their early years from adequate care and learning opportunities.

Education: each year, about 1,000 school-aged children do not enrol in school. 45% of Roma children do not attend preschool and 15% do not attend school. It is estimated that about 14,000 children with disabilities are out of school and kindergarten.

Violence against children: on average, over 3,500 reports of violence against children are received each year and around 1,000 actual cases are opened after investigation.

68% of parents accept the use of “reasonable violence” as a means of discipline. Over 4,200 incidents of violence against children occur every year in schools.

Children in legal proceedings: annually, about 5,000 children are investigated for committing various crimes in Bulgaria. Around 200 children are placed in closed institutions where they are deprived of freedom. On average, around 3,500 children become victims of crime each year and participate in criminal proceedings that are not adapted to their rights and needs. There is no reliable data on the number of children participants in civil and administrative proceedings, including in parental rights disputes and domestic violence cases.

Family separation: currently, over 11,000 children live separated from their families in various types of social care.

Children on the move: almost 100% of unaccompanied children intercepted by the police are attached to unrelated adults or recorded as adults and detained, in breach of the principle of safeguarding the best interests of the child, and the legal ban on detention introduced in December 2017. There are no services for appropriate temporary accommodation, and there is no effectively functioning guardianship system for unaccompanied and separated children in Bulgaria.

3. Findings

3.1. Children's needs to combat LGBTIQ-based violence

Psychological violence and online bullying were the most common forms of violence experienced by participants. The perpetrators were most commonly either unknown persons or peers.

The majority of the Colourful Childhoods survey respondents expected different groups and institutions to offer support to LGBTIQ students/youth. The greatest expectations were towards LGBTIQ associations, close friends of LGBTIQ persons, and intimate relationships.

The majority of the Colourful Childhoods survey respondents strongly believed with the statements that "Families should support their LGBTIQ children", "Professionals who work with teenagers should have relevant knowledge on intersex matters and their specific needs," and "Discrimination and attacks against LGBTIQ people should be punished by the law".

A focus group with LGBTIQ students from high schools conducted by Bilitis in 2020 within the EU-funded CHOICE project demonstrated that LGBTIQ students in Bulgaria were well aware of various forms of bullying and illustrated them through real examples from their own experiences. One student (male, 18 years old), said: "In my opinion, bullying at school is any kind of action, which somehow harms a person's dignity, and most often it happens because that person does not fit into the general picture. We are not just talking about sexual orientation, but also about appearance, etc." The participants in this

focus group were clearly aware of what bullying means because they themselves had often been bullied. They could therefore easily provide both a definition and examples of bullying at school. This in itself shows that LGBTIQ students are one of the most vulnerable groups in schools. Most of the participating students were not well acquainted with the national plans for action to combat bullying at school, but some of them shared about initiatives they had participated in, such as the Pink T-shirt Day – an event dedicated to combating bullying at school.

3.2. Children's strategies of resistance against LGBTIQ-based violence

Two thirds of the respondents thought that their close circle of friends might be open to receiving advice on LGBTIQ issues. Also, two thirds thought that their close circle would be willing to protect them against LGBTIQ-phobia. On the other hand, only a few thought that schools could offer counselling that might help them with any issues they experience regarding being an LGBTIQ person.

The respondents stated that they received the most support from their friends and partners, and the least support from teachers and neighbours.

When it comes to online social networks, these were used by the participants for learning more about LGBTIQ issues and relating to their friends.

3.3. Professionals' good practices in empowering LGBTIQ children to combat violence

The interviews did not identify any current good practices of support for LGBTIQ children. The professionals who took part in the interviews demonstrated a lack of awareness of such practices. Most respondents confirmed that they take into account the gender of children in their work, but of these respondents none could provide examples of how they did so. Although most of the respondents were aware that discrimination based on sexual orientation and gender identity exists in various settings, none of them could mention a specific case of such discrimination which they had witnessed. None of them were familiar with practices of providing support to children who are victims of this type of discrimination and intolerance.

With regard to institutional policies, these professionals were unable to mention any specific policies in their workplace that promote non-discrimination on the basis of SOGIESC (sexual orientation, gender identity or expressions, and sex characteristics), but neither did they identify discriminatory policies/practices. The codes of conduct and policies where the respondents worked made no specific mention of “sexual orientation” or “gender identity” as protected grounds.

None of the interviewed professionals could mention any specific challenges that LGBTIQ children might face because of their SOGIESC, and were also not aware of any additional challenges resulting from covid-19.

The lack of awareness of the status of LGBTIQ children in school was pervasive. None of the respondents could say whether the voices of LGBTIQ children were taken into account when making decisions. They could also not say what changes were needed to ensure equal participation of LGBTIQ children and support for their specific needs.

When asked about the roles that professionals working with children could play in creating a safe environment for LGBTIQ children, the respondents gave the following examples:

- To consult individual students who need support, especially at times of crisis and crisis situations (school psychologist, 46, woman)
- To be supportive (teacher, 57, woman)
- To appoint a professional child psychologist to work with LGBTIQ students (school administration technical staff, 52, woman)

3.4. Professionals' (training) needs to combat LGBTIQ violence against children

Only one respondent stated that she felt all professionals from her institution were sufficiently prepared to deal with LGBTIQ children (teacher, 42, woman). The need for training on good practices in dealing with discrimination, intolerance, and violence related to SOGIESC was recognized by some of the respondents, but they were not very enthusiastic about participating in such training. There was an overall reluctance to spend much time talking about the specific needs of LGBTIQ children, especially in relation to the specific challenges of covid-19. This was related to the belief that all children suffered from covid-19 (teacher, 46, woman).

The training needs identified during the interviews were as follows:

- The need for greater sensitivity towards diversity in relation to SOGIESC, and a greater understanding that gender is neither a binary - there are more than two genders - nor a purely biological concept.
- The need for greater sensitivity towards the common types of discrimination and intolerance, or violence/bullying, experienced by LGBTIQ children. The lack of awareness of specific cases was very much related to the relative “invisibility” of the issues, lack of reporting, etc.
- The need to for greater familiarity with practices and tools that can be used by various professionals (teachers, social workers, psychologists, health workers) to create a safe environment for LGBTIQ children and support their inclusion and wellbeing.

3.5. Exemplary quotes from interviews with professionals

In Bulgaria, adolescents lack awareness of education and have low motivation, which diverts the educational process in another direction. In schools and the family, there should be more talk about "the different", about the upbringing of children and their behaviour in public. — psychologist, age 46, Bulgaria

I think it is important to start talking about LGBTIQ people in earlier grades, so kids can know from a young age that these people are "normal" and part of society. — teacher, age 42, Bulgaria

LGBTIQ kids need to know that even when they do not feel safe at home or cannot speak about their identity to their parents, they still can come to us – the teachers and the school staff. That's why we as professionals have to be more educated on the subject and to be prepared to support them. — teacher, age 52, Bulgaria

4. Overall evaluation: tendencies and absences re: empowering LGBTIQ children to combat violence in Bulgaria

There was a general lack of awareness of the status of LGBTIQ children among professionals who came in daily contact with them, such as teachers, school psychologists, and school administrators. The low level of knowledge of the issues these children faced led most professionals to conclude that they did not have specific needs different from those of other children. There was a very low level of awareness of the existing national policies on non-discrimination, and awareness of practices for making the school environment safe for LGBTIQ children was practically non-existent. All professionals interviewed were working at public schools, except one who worked at the regional inspectorate of education (a public body). There was also a general lack of interest in and enthusiasm for taking part in training that would raise awareness and create skills for providing targeted support to LGBTIQ students.

Conclusion: training should be offered only to professionals who demonstrate an interest in improving their practices. The core element of such training should be awareness raising. The training would focus on the provision of practical tools for addressing different issues and crisis situations, as well as offering specific examples of good practices that could be easily transferable. This would make a considerable difference to the work of interested professionals. The larger long-term task would be to persuade those who are not convinced that they need to develop a much greater awareness of LGBTIQ children and their needs.

4.1. SWOT re: combating violence against LGBTIQ children in Bulgaria

Combating violence against LGBTIQ children in Bulgaria can make use of the following pre-existing strengths:

- A child protection law that is in line with the Convention on the Rights of the Child
- The existence of a state-induced mechanism for combatting bullying at school, albeit one that can be improved.
- A coordination mechanism among state institutions in cases of violence against children. Again, this is already in place, but it can be further improved.

The weaknesses in the current context are the following:

- An increasing radicalisation and polarisation in society around the topic of children's rights.
- School internal policies that do not fully reflect the anti-discrimination legislation, and the absence of the recognition of identity-based bullying at school.
- A coordination mechanism in violence against children that does not pay special attention to LGBTIQ children as a vulnerable group, whereas it is specifically this group that is often the subject of domestic violence and anti-LGBTIQ hate crimes.

Opportunities are seen in working bottom-up for changing the status quo, and addressing the current neglect of the challenges faced by LGBTIQ children in vulnerable contexts. Many highly professionalised NGOs recognise LGBTIQ children as vulnerable and can advocate for their rights. In addition, many of these NGOs are allies of the LGBTIQ organisations that address this topic at every level. For example, the partnership between Bilitis and the Education Trade Union at Podkrepa Labor Confederation (SEP) is a bridge towards the delivery of high-quality training to professionals from the education sphere, with the aim of developing greater sensitivity towards the challenges faced by LGBTIQ children in vulnerable contexts.

The main threat is the absence of a coherent state policy on children that recognises LGBTIQ children as a vulnerable group. In addition, there is no evidence in the public sphere of a strong political will to address anti-rights movements that endanger the protection of children's rights.

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Colourful Childhoods

EMPOWERING LGBTIQ CHILDREN IN VULNERABLE CONTEXTS TO COMBAT GENDER-BASED VIOLENCE ACROSS EUROPE

National Report

Hungary

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Author

Dorottya Kutassy**,** Háttér Society, Hungary

Project Information

Project Title: Colourful Childhoods. Empowering LGBTIQ children in vulnerable contexts to combat gender-based violence across Europe.

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Contents

Introduction: research design and sample

Colourful Childhoods: Empowering LGBTIQ children in vulnerable contexts to combat gender-based violence across Europe is a project co-funded by the European Union aiming to prevent and combat all forms of violence against LGBTIQ children in vulnerable contexts related to the covid-19 pandemic. The negative effects of the covid-19 pandemic can be particularly hard for LGBTIQ children in vulnerable contexts, whose specific needs regarding the prevention of gender-based violence can be overlooked in the current climate of social and economic crisis. Colourful Childhoods is being carried out between 2022 and 2024 in 6 EU countries by 8 partners: University of Girona (Spain) as project coordinator, Centro de Estudos Sociais – University of Coimbra (Portugal), Hatter Society (Hungary), Lietuvos Geju Lyga Asociacija (Lithuania), Resursen Tsentsar Bilitis (Bulgaria), Sindikat Obrazovanie Kam Kt Podkrepa (Bulgaria), Universidad Rey Juan Carlos (Spain) and Università Degli Studi di Palermo (Italy). Colourful Childhood's innovative approach will create different materials and initiatives aimed at raising awareness and trigger action to prevent and combat violence against LGBTIQ children in vulnerable contexts.

Stage 1 of the project in each country consisted of an assessment of the violence faced by LGBTIQ children as well as their well-being. It involved focus groups with children (where applicable), interviews with professionals and organisations, and a survey for LGBTIQ children. The Colourful Childhoods (C-Child) research project followed the C-Child Ethical Considerations as well as the ethical obligations applicable in each country where the research was conducted, including securing clearance from Ethics Committees when applicable. In addition, each partner followed the C-child Child Protection Policy.

The aim of this report is to introduce the current situation of LGBTIQ children in vulnerable contexts in Hungary. For the desk research we collected data from already existing studies and research reports including those published by Háttér Society. To explore these areas from the view of stakeholders we conducted personal interviews and collected information through an online survey. The Hungarian national fieldwork was carried out in July-November 2022.

The online survey included 39 questions in 6 sections: Socio-demographic questions, Knowledge, Beliefs, Experiences, Resilience processes, Expectations. The goal was to assess the experiences, knowledge and needs of LGBTIQ children with special focus on their resilience processes regarding the covid-19 pandemic.

We have chosen Limesurvey as a platform to conduct our survey, which fulfilled the technical and security requirements needed for the research. The questionnaire was anonymous and voluntary. The recruitment for the questionnaire was done by contacting schools and other partner organisations working with children, and publishing it in the monthly newsletters of the Diversity Education Working Group and Háttér Society. We also promoted the survey through our organisational Facebook page, posted it in relevant professional groups, and created targeted advertisements on social media.

Survey dissemination started in August and was ongoing until November. While promoting the survey we initially encountered some difficulties to reach enough

participants. In recent months the algorithms of social media platforms were changed and it became significantly harder to reach young people with our messages. To solve this problem we created targeted ads on Facebook and Instagram to encourage participation, and we managed to significantly surpass the target numbers that we have set out. Participants from all over Hungary have answered our questions and thus we were able to extract valuable information from the data collected.

The target group of this study were children who identify as LGBTIQ and being between the ages 15 and 17. In total 932 people started filling out the survey of whom 556 people finished at least the first section while 243 people answered all the questions. We have excluded those from the sample who did not identify as LGBTIQ, and those who didn't disclose their age, thus not belonging to our intended target group. Partly due to the hostile political climate towards LGBTIQ people in Hungary, we also had to exclude some false and "troll" responses from our dataset. The final sample contains the answers of 484 participants.

The average age of respondents was 16.54 years. 25,5 % of the participants identified as men, 52,8% as women, 12,9% as non-binary, 4% as "other" while 4.8% answered that they would rather not say. 13,7% identified themselves as transgender. Regarding the sexual orientation of participants, 2,7% of them were heterosexual (and not cisgender), 31,7% gay or lesbian, 45,3% bisexual, 4,6% of them would rather not say, 15,7% of them described their sexual orientation as none of the above. 97% of the respondents were born in Hungary, and 95% of them have Hungarian citizenship. The majority do not identify with an ethnic minority (94,3%). The participants' 76,3% live with their parents, while 6,9% of them live with a foster family or in residential care.

Besides the survey 9 interviews have been conducted with stakeholders working with children starting in July. In preparation for starting the national fieldwork, we have translated the methodological guide and consent forms provided by CES, and started mapping potential candidates for the interviews with stakeholders. We have encountered some professionals who were reluctant to speak with us about this subject – since the issues of LGBTIQ youth are highly politicised in Hungary – but we managed to recruit professionals who have helped us to have a better understanding of the challenges and needs of LGBTIQ youth in vulnerable contexts. We were able to reach a diverse group of professionals in terms of their gender and sexual orientation. In order to reach professionals from all around Hungary, some of our interviews were conducted via video calls, then converted into audio files and thus anonymized.

We interviewed professionals who we thought would have good insight and experience regarding children in vulnerable contexts, therefore we chose four children's psychologists with different areas of expertise and work experience, a child psychiatrist, a youth worker, two social workers and an educator.

Four of the interview subjects identified themselves as LGBTIQ, while five of them identified as cisgender and heterosexual. Three of the interviewees identified as male and six as female. Considering how women are vastly overrepresented in caring professions in Hungary, we can conclude that we managed to create a generally balanced sample.

The semi-structured interviews were approximately an hour long and followed an outline constructed by the consortium, but some other relevant topics were also examined, as

the discussion organically developed. For example recent legislation and the political atmosphere in Hungary were mentioned in all 9 interviews conducted. The interviews were recorded and then transcribed and anonymized. All interviewees participated voluntarily and gave their informed consent after the researchers gave them all relevant information about the research process and the project.

1. Legal and political context regarding LGBTIQ rights

1.1. Timeline of LGBTIQ rights in Hungary

- 1961: Decriminalisation of homosexuality (but the age of consent for homosexual relationships was raised to 20 years)
- 1996: Cohabitation legislation (two people living in a shared household) equally applied to heterosexual and same sex couples
- 1997: Prohibition of discrimination based on sexual orientation in the area of health
- 1997: First Pride March in Budapest
- 2002: Equalisation of ages of consent
- 2003: Act No. CXXV on equal treatment and the promotion of equal opportunities: prohibition of discrimination based on sexual orientation or gender identity in the field of employment, health, education, service provision
- 2005: Assisted reproduction procedures extended to single women
- 2009: Act No. XXIX on registered partnership (for same-sex couples) providing similar rights to marriage
- In 2010, the Parliament revoked the previously adopted Civil Code and the new Civil Code, adopted in 2013, does not allow cohabiting partners to adopt each other's children.
- 2011 and 2012: the National Police Headquarters prohibited the Budapest Pride March. This decision was ruled by the court to be not only illegal, but also discriminatory.
- 2011: the Parliament adopted a new constitution, the Fundamental Law that cemented the ban of same-sex marriage on a constitutional level.
- 2016: without public consultation prescribed by law, the government submitted a bill to the Parliament to strip registered partners from all their rights. The proposal was eventually withdrawn.
- 2019: Speaker of the Parliament László Kövér drew a parallel between paedophiles and same-sex couples raising children, adding that "normal homosexuals" try to adapt and don't want equality. From this point onwards, homophobic and transphobic government statements have become more frequent.
- 2020, March: During the first wave of the pandemic legislation is passed banning legal gender recognition (registration of sex at birth, which cannot be changed in documents)

- 2020, April: Ban on MSM donating blood is lifted
- 2020, November: Equal Treatment Authority abolished, which beforehand played a particularly important role in the legal protection of LGBTIQ people.
- 2020, December: Parliament passed an amendment to the Fundamental Law that stigmatised trans people. Also, a bill making it more difficult for unmarried people to adopt children was passed that mandates Minister Katalin Novák, a politician and not a professional as the person to single-handedly make decisions in the future on who is suitable to become an adoptive parent. Novák publicly confirmed that the purpose of the law is to prevent adoption for same-sex couples.
- 2021, June: a few days before the final vote, pro-government MPs submitted a bill to the Parliament to ban all products, advertising and media content featuring gay or transgender people for people under the age of 18, banning the appearance of LGBTIQ people in public service advertisements as well as any school programme that "promotes" homosexuality, being transgender, or transitioning.

1.2. Overview of LGBTIQ rights in Hungary

Hungary's existing laws and policies position it towards the middle of the Rainbow Europe country ranking[1] – but that only reveals part of the experience for LGBTIQ people living in the country. The rhetoric around human rights and LGBTIQ equality must be examined alongside what exists in the legislation. Since 2010,the right-wing Fidesz-KDNP government has been in power and has been reelected for the 4th term in 2022. Their politics have been strongly criticised by international institutions for the disregard of the rule of law, democratic principles and basic human rights.[2] Many of these legal and political developments disproportionately affected the most vulnerable groups of society, among them LGBTIQ people, especially children.

Viewing from a socio-cultural aspect, Hungarian society has viewed same sex relationships either as a moral or a medical issue (sin or sickness). The medicalizing view is still notably present even though WHO removed homosexuality from the International Classification of Diseases in 1990 and several professional organisations have been working on removing this thought pattern.

Same sex relationships were decriminalised in Hungary relatively early in 1961, based on the aforementioned medicalizing view. However, the age of consent was soon raised to 20 in the case of same sex relationships, while it was 14 years for heterosexual relationships. The age of consent was lowered from 20 to 18 in 1978, but the difference in the age of consent regarding hetero- and homosexual relationships was part of Hungarian legislation until 2002.

[1] https://rainbow-europe.org/country-ranking
[2] https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2021)050-e

Anti-discriminatory and equal treatment laws appeared in Hungarian legislation with the democratic transition of the country from its previous socialist regime, when in 1989 the prohibition of discrimination was included in the Constitution.[3] Besides the Constitution there were anti-discrimination regulations in the Labor Code from 1992[4], in the Act on Public Education from 1993[5], but sexual orientation only appeared explicitly in 1997 in the Act on Health[6]. In Act CXXV of 2003 on equal treatment and the promotion of equal opportunities[7] both sexual orientation and gender identity are explicitly listed.

The LGBTIQ civil movement in Hungary started briefly before the fall of the communist regime with the first Hungarian gay organisation called the Hungarian Homosexuals' "Homer Lambda" National Association, which was officially registered in 1988.[8] Several other organisations were formed in the 1990s. Háttér Society was founded in 1995 which makes it the oldest and largest still active LGBTIQ organisation in the country. The first Pride March took place in 1997. 2007 was the first year when violent counter-protestors appeared at the March, and ever since there have been constant efforts made by right wing extremist groups and parties to ban the event. In 2021 and 2022, the original route of the march had to be altered due to far-right organisations sabotaging the registration of the event.

The question of marriage equality and the definition of family are neuralgic issues in the polarised Hungarian society, where these are strong call-to-action phrases for conservatives and right wing extremists. In 1996 a change in the Civil Code made it possible for same sex couples to have a legally recognised partnership; in this Act the words "man and woman" were replaced by "two persons." The 2009 Act on registered partnership was preceded by intense political and legal debate. The act was attacked by conservative parties, but the Constitutional Court rejected all of their submissions. However, in 2011, the new Fundamental Law passed by the Fidesz-KDNP majority defined marriage as a union between a man and a woman[9], therefore precluding same sex couples from the institution of marriage. This same act states that "Family ties shall be based on marriage and/or the relationship between parents and children," thus partners (and not only same sex couples) are excluded from the definition of family.

Parenting by same-sex couples is still a taboo in Hungary, despite a recent successful campaign titled "Family is family"[10]. The Registered Partnership Act specifically excludes same-sex couples from joint adoption, second parent adoption and assisted reproduction. Such legislation and frequent homophobic comments from politicians on

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[3] https://www.alkotmanybirosag.hu/alkotmany-1989 Art. 70/A

[4] Act XXII of 1992 On the Labor Code Art. 5
https://www2.ohchr.org/english/bodies/cescr/docs/E.C.12.HUN.3-Annex4.pdf

[5] Act LXXIX of 1993 on Public Education Art. 7
http://www.okm.gov.hu/letolt/english/ftv_angol.pdf

[6] Act CLIV of 1997 on Health Art. 7.
https://www.ecoi.net/en/file/local/1056916/227_tmpphpoogypA.pdf

[7] https://mkogy.jogtar.hu/jogszabaly?docid=a0300125.TV

[8] https://hatter.hu/sites/default/files/dokumentum/konyvlap/magyarorszagi-lmbt-tortenelem-2013.pdf

[9] The Fundamental Law of Hungary Art. L
https://www.parlament.hu/documents/125505/138409/Fundamental+law/73811993-c377-428d-9808-ee03d6fb8178

[10] https://www.acsaladazcsalad.hu/

LGBTIQ families send a threatening message to same-sex couples raising children, and legitimises their discrimination among the wider public. A report of the Commissioner for Fundamental Rights found that the authorities implement adoption legislation in an arbitrary manner that might (and in at least one case did) result in discrimination against same-sex couples. In recent years several leading government officials (including the House Speaker, a Deputy Prime Minister and the Prime Minister) commented negatively on same-sex parenting.

As for legislation on hate crime and hate speech, Hungarian law does not refer to "hate crimes" or "hate speech" per se. The Criminal Code,[11] however, defines and punishes (directly or indirectly) bias-motivated criminal acts. Certain instances of hate speech are also sanctioned by the Criminal Code; and hate-inciting speech may also have consequences defined by civil law and media law. In the Criminal Code, there are two groups of relevant acts: *sui generis* acts, where the description of a criminal act explicitly refers to sexual orientation and gender identity bias when defining the motive and the aim of the criminal act; and other criminal acts that do not contain an explicit reference to bias motive, but qualifying circumstances[12] refer to malicious motive ("aljas indok"), which - according to the case law - includes biased motives based on someone's belonging to a social group. Thus the following criminal acts defined by the Criminal Code can be regarded as LGBTIQ relevant hate crimes: as *sui generis* acts that explicitly refer to sexual orientation and gender identity: violence against a member of a community (CC, Article 216); and incitement against a community (CC, Article 332); indirectly, listing malicious motive as a qualifying circumstance: homicide (CC, Article 160), assault (CC, Article 164), illegal restraint (CC, Article 194), defamation (CC, Article 226), unlawful detention (CC, Article 304), offending a subordinate (CC, Article 449, a military criminal act). Besides the above mentioned acts, the motive and the aim of other criminal acts may also be taken into consideration when imposing sanctions without the law specifying these as qualifying circumstances, e.g. in cases of coercion or causing damage. The underreporting of anti-LGBTIQ hate crimes remains a serious concern in Hungary; research finds that only 10-23 percent of incidents are reported to the authorities.

Research also shows that trans people are especially affected by both hate crimes and discrimination, but anti-trans state action has reached a new low in Spring 2020. Almost two years after the suspension of gender and name change requests, Parliament has passed a bill that prohibits the legal gender recognition of transgender people. Although the European Parliament, the UN High Commissioner for Human Rights and other international players opposed the bill, the Government did not refrain from introducing the law violating a constitutional fundamental right, and at the end of May 2020, the Parliament passed the bill that renders legal gender recognition in Hungary impossible. (Opposition parties submitted several amendments, which were voted down by the Fidesz-KDNP majority.) The new law amends the Registry Act and replaces the word "nem," which in Hungarian can mean both "sex" and "gender", with the word "születési

[11] Act C of 2012 on Criminal Law, hereafter also referred to as CC.

[12] A qualifying circumstance is a feature of a criminal act specifically included in the definition of the crime in the Criminal Code that imposes a higher sanction for the act. An aggravating circumstance, on the other hand, is a feature of a criminal act that is not specifically listed in the CC, but should be taken into consideration when the judge decides on the sanction.

nem" ("birth sex"), defining it as "biological sex based on primary sex characteristics and chromosomes." According to the bill, the birth sex, once recorded, cannot be amended.

Looking at the timeline of LGBTIQ rights it is easy to see that after steady expansion of freedom and rights since the 90s, the 2010s have seen a sharp deterioration of civil liberties. The past three years have seen an unforeseen momentum in anti-LGBTIQ sentiment in Hungary. New provisions stigmatising trans people were added to the constitution, and legislation restricting adoption to married couples (excluding same-sex couples) was passed. In June 2021 the Parliament passed legislation that restricts access of minors to LGBTIQ information and restricts which organisations can hold sex education and other educational classes in schools. These legislative changes were accompanied by a hate campaign targeting LGBTIQ people: leading government politicians likened homosexuality to pedophilia, claimed that children should be protected from "LGBTIQ propaganda", and called on banning the Pride march and similar public events. Extreme right wing groups regularly disrupt LGBTIQ public events, threatening participants and calling for the ban of these events.

On April 3, 2022 an anti-LGBTIQ referendum aiming to "protect children" from "harmful propaganda" was held. The referendum was initiated by the government. Háttér Society - along with 12 other LGBTIQ and human rights NGOs organised a campaign to encourage people to vote in an invalid way. The campaign was successful: over 1.7 million people expressed their disagreement with the nature of the questions with voting invalid, thus the whole referendum becoming invalid as it did not reach the validity threshold.

1.3. Statistical data

According to the Eurobarometer[13] survey in 2019, only 48% of Hungarians think that LGBTIQ people should have the same rights as heterosexuals, and 33% agree that same sex marriage should be allowed.

A representative survey[14] commissioned by the Hungarian LGBT Alliance and carried out by Medián Polling Agency in September 2019 found that Hungarians are rather divided on LGBTIQ[15] issues. Most of the respondents (78%) have never heard the term 'LGBT'. More than half of the people do not know a word to describe transgender people.

Most people think homosexuality is a sickness (36%), a private matter (27%) or a deviation from social norms and rules (18%). Only 12% think choosing a same-sex partner is a fundamental human right. Only 24% of Hungarians know an LGBT person personally.

[13] https://ec.europa.eu/info/sites/info/files/ebs_493_data_fact_lgbti_eu_en-1.pdf.

[14] http://lmbtszovetseg.hu/sites/default/files/mezo/file/lmbtszov_kutatas2019szept_hu.pdf.

[15] The research used the term 'LGBT' to refer to sexual and gender minorities. When directly quoting research results, this report will use that term. When making broader statements, the report will use the term 'LGBTIQ' to indicate that the group includes others whose identities are not named in the acronym.

29% of Hungarians support same sex marriage, 35% support second parent adoption. A majority of people (57%) think a registered same sex couple raising children should be considered a family.

However, according to a more recent representative study commissioned by Háttér Society and Amnesty International Hungary in 2021, the respondents' 46% know an LGBTIQ person personally, and 73% of them dismiss some politicians' claim that gay and lesbian people are debauching children. The majority of Hungarian society thinks it should be allowed for trans and intersex people to legally change their name and gender in their documents (74,5%). 59% of them support marriage equality while 69% of them agree that same sex couples can be good parents. In 2019 only 33% of the population supported same sex marriage.[16]

58% of Hungarians agree that the topic of homosexuality should be covered in the school curricula, 54% would be fine with a lesbian, gay or bisexual teacher teaching their children. (However, 25% would move their child to a different class and 11% would initiate firing the teacher.)

Most Hungarians (57%) would react positively or neutrally if their colleague at work came out to them as lesbian, gay or bisexual: 14% would even welcome this act, since they would take it as a sign of trust, 43% said their relationship with the person would not change. Only 16% would welcome positive steps for LGBT inclusion at their workplace; 39% would not welcome it but would not be bothered either.

87% of Hungarians agree that transgender people should be allowed to change their name and gender in their documents, although they are divided on what criteria should be applied. 34% of Hungarians think that only medically necessary surgeries should be performed on intersex babies, all other interventions should be delayed until the persons themselves can consent to them. A quarter of respondents think that doctors (27%) and every 68th person (13%) that parents should make a decision.

Only very few Hungarians can name an LGBTIQ organisation (8%), and most of them (87%) would not support such an organisation financially. A majority of Hungarians (92%) do not support the Pride March, but only a third of them (34%) would ban it.

The electorate of political parties have significantly different views on LGBTIQ issues: voters of left-of-center opposition parties tend to be more accepting, governing right wing parties and extreme right wing parties in opposition are less supportive[17].

The 2019 FRA survey shows that a very low percentage (13%) of LGBTIQ people report hate-motivated crimes and only 7% report hate-motivated harassment, even though 35% experienced harassment for being LGBTIQ in the past 12 months[18]. The underreporting of anti-LGBTIQ hate crimes is well documented by research in Hungary. A large-scale survey in 2010, by the Institute of Sociology of the Hungarian Academy of Sciences and

[16] https://www.amnesty.hu/tortenelmi-csucson-a-melegek-elfogadottsaga-magyarorszagon/?fbclid=IwAR2O58YQ5zqIY8egKTyieeGk8XOGb_sopSWag1lxm84FStkB0-6W5k1FVjw
[17] http://lmbtszovetseg.hu/sites/default/files/mezo/file/lmbtszov_kutatas2019szept_hu.pdf
[18] https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-1_en.pdf

Háttér Society (1674 respondents) found that only 15% of those respondents who had been victims of violence due to their sexual orientation had made an official report.[19]

When looking at the experiences of 15-17 year old LGBTIQ youth from the past 12 months it's visible that while only a relatively small percent of them (9%) had experienced physical or sexual attacks, almost half of them (43%) had experienced harassment due to their LGBTIQ identity. 13% of 15-17 year olds experienced cyber harassment, 22% of them non-verbal in-person harassment and 33% verbal in-person harassment. [20]

The LGBTIQ survey (2019) of the Fundamental Rights Agency shows that in Hungary, 61% are or were hiding their LGBTIQ identity at school, with only 2% being open. At the same time only 13% of LGBTIQ people considered changing or leaving school because of their SOGIESC[21]. Most participants say that their school (75%) hadn't addressed LGBTIQ topics in education and 11% say they did but in a negative way. On IGLYO's LGBTIQ inclusive education index Hungary only got 8.5 points from 100. [22]

2. Children's rights and LGBTIQ diversity in childhood – brief overview

2.1. Context

The two main documents when discussing children's rights in Hungary are the Convention on the Rights of the Child, ratified by Hungary in 1991, and the Act XXXI. on the protection of the child, passed in 1997. Act XXXI. outlines the mechanisms and institutions of child protection and also the possible benefits and rights of the child. The Child Protection Act ensures children's rights to *"physical, intellectual, emotional and moral development"*, *"to be protected from circumstances that hinder his or her development"* and *"to be protected from … abuse, including physical, sexual and emotional violence"* and it states that *"children cannot be exposed to torture, physical punishment and other forms of brutal, inhumane and humiliating punishment or treatment"*. The child is endangered if their *"physical, intellectual, emotional and moral development is obstructed or hindered"*. In this case there is counselling for the family or the child is placed under protection if the family is not able or willing to change the circumstances endangering the child. In case there is no improvement, this can lead to permanent or semi-permanent to removal from the family, and placement in residential care or with a foster family[23].

Even though the legal environment for the protection of the rights of children is present, children in Hungary can still suffer from a wide variety of systemic injustices. From

[19] https://hatter.hu/sites/default/files/dokumentum/kiadvany/hatter-lmbtkut2010-english.pdf
[20] https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-1_en.pdf
[21] Sexual orientation, gender identity and expression, sex characteristics.
[22] https://www.iglyo.com/wp-content/uploads/2018/05/EI-map-and-table-April-2018-WEB.pdf
[23] https://net.jogtar.hu/jogszabaly?docid=99700031.tv

Hintalovon Foundation's[24] latest children's rights report we can outline the main obstacles children in Hungary have to face. Despite extensive legislation and some positive developments, the child protection system in Hungary still has several neuralgic issues. One of the most pressing is how children are still routinely put in residential care facilities due to their caregivers' financial difficulties, despite the law explicitly forbidding this. Children with disabilities are overrepresented in residential care: there is an alarming shortage of foster families willing to care for children with multiple disabilities, consequently most of these children grow up in institutions.[25]

Shortage of labour has become a longstanding obstacle to children receiving the proper care they need. Over a hundred thousand children do not receive adequate healthcare due to the shortage of general paediatric care professionals in some less developed regions of the country. In residential care facilities for children every tenth position remains unfilled while in facilities providing specialist care every fourth position is vacant. The teaching profession is an increasingly ageing line of occupation, that on top of that has to bear other outside pressures, like the change in strike regulations and the dismantling of the freedom of choice regarding study materials. In addition, public education, healthcare and family support services face financial and infrastructural difficulties, partly caused by overcentralization and an overwhelming governmental pressure.[26]

Roma children in Hungary are excessively affected by discrimination in several fields, including education. Roma children are disproportionately involved with the child welfare services and guardianship authorities and displacement is the highest among Roma children, while their return process to their family is often stalled or halted by authorities.[27]

LGBTIQ children can face different manifestations of gender-based violence, like hateful attitudes towards their sexuality, gender identity or sex characteristics. Domestic abuse is also a significant threat to their well-being, and in the case of teenagers, intimate partner violence. It has been found that prejudice-based and gender-based violence and discrimination is even more likely to cause depression and anxiety than other forms of violence.[28]

The current political context in Hungary is proving to become an increasingly hostile environment in which LGBTIQ children need to grow up. While other European countries are increasingly passing legislation to support and protect LGBTIQ children from harm and discrimination, Hungary seems to be going in the other direction. With the effective ban of LGBTIQ content from schools, these children can feel more and more isolated and left alone to find answers to their questions. Due to secrecy and taboo often surrounding this subject, it's hard to have data about how many LGBTIQ children become victims of domestic abuse, but the testimonials of professionals' suggests it's even more prevalent among them, then among the overall population of children. The lockdowns of the covid-19 pandemic were likely to increase the vulnerability of these

[24] https://hintalovon.hu/en/home/
[25] https://hintalovon.hu/wp-content/uploads/2022/09/Hintalovon_jelentes_2021_hu_final2MB.pdf
[26] https://hintalovon.hu/wp-content/uploads/2022/09/Hintalovon_jelentes_2021_hu_final2MB.pdf
[27] https://hintalovon.hu/wp-content/uploads/2022/09/Hintalovon_jelentes_2021_hu_final2MB.pdf
[28] Out In the Open: Education sector responses to violence based on sexual orientation and gender identity/expression. UNESCO, 2016

groups in face of violence – shortage of outside resources and increased dependency on family members could deepen the existing rifts between relatives.

2.2. Statistical data

In Hungary there is a steady rise in the number of children who receive foster care or residential child care: 21 418 children have received such care in 2010, while for 2022 this number increased to 23 327[29]. This tendency is despite the fact that Hungarian society – like many others in Europe – is an ageing society, with birthrates showing a declining trend since the 2000s[30].

Almost a third of children receiving some sort of residential care are taken from their families for financial reasons despite the law explicitly forbidding this. Roma children are especially vulnerable to discrimination and negative treatment, and the disparities of regional health providers can deepen these disadvantages.[31]

A survey commissioned by UNICEF Hungary shows that most Hungarians don't think it's okay to educate your child with physical punishment (83%), while 14% see no problem with it. 38% of respondents thought an occasional slap will not harm the child. The same number of people thought that children first and foremost have responsibilities, more so than rights. The study shows that the higher the education of the respondent, the less likely they were to accept physical violence against children. 30% of the respondents thought that verbal abuse counted as abuse and they found that withholding love from one's child was the most abusive practice. [32]

178 children aged 0-13 became victims of sexual abuse in 2021, which is slightly less than the number of victims in 2020 (194) but is still a significant increase compared to the number in 2019 (120). The number of children becoming victims of child pornography increased in 2021 (as it did in the past couple of years).[33] According to the Hungarian Central Statistical Office, teenage pregnancy is still a considerable problem in Hungary, though it has been steadily decreasing since 2016. It is also apparent that most under 20 mothers' socio-economic situation is in the lowest 20% of the population.[34]

Most studies agree that the uncertainty, isolation and pressure that came with the covid-19 pandemic has made the world a more dangerous place for children. According to estimates, up to 30% more children became victims of abuse during this period.[35] An independent study shows that 62% of teachers felt they didn't get proper support during the pandemic to be able to tackle the challenges of digital education. Parents also admitted that it was an extra burden that they had to spend a significant amount of time

[29] https://www.ksh.hu/stadat_files/szo/hu/szo0016.html
[30] https://www.ksh.hu/stadat_files/nep/hu/nep0001.html
[31] https://unicef.hu/ezt-tesszuk-itthon/hazai-kutatasok/alternativ-jelentes
[32] https://unicef.hu/igy-segitunk/hireink/ismerd-fel-es-tegyel-ellene-gyermekbantalmazas-elleni-kampanyt-inditott-az-unicef-magyarorszag
[33] https://hintalovon.hu/wp-content/uploads/2022/09/Hintalovon_jelentes_2021_hu_final2MB.pdf
[34] https://www.demografia.hu/kiadvanyokonline/index.php/demografia/article/view/2814/2702
[35] https://unicef.hu/ezt-tesszuk-itthon/hazai-kutatasok/gyermekbantalmazas

to study together with their children[36]. Meanwhile, the number of teachers in schools has been showing a decreasing trend for years: in the 2019/2020 school year 75.428, in the 2020/2021 school year 75.157 and in the 2021/2022 school year 74.481 teachers were employed[37].

Poverty affects 21,7% of Hungarian children, while about 10% of them smoke tobacco regularly. Digital education during the pandemic highlighted the disadvantages of children in vulnerable contexts. Children of the poorest families found it difficult to participate in education due to lack of digital resources and the absence of internet access.

According to the LGBTIQ Survey (FRA, 2019), Hungarians have their first thoughts of being LGBTIQ at the age between 10-18. 26% of trans people realise that their gender identity does not match their gender assigned at birth between the ages 10-14 and 15% between the ages 15-17. More than one third (37%) of LGB people had their first realisations of being LGB between the ages 10-14 and 27% between the ages 15-17. The study shows 36% of LGB people came out first in the above mentioned age range (10-17). 29% of trans people have not come out to anybody yet, but 26% came out first as trans between the ages of 10-17. From these data we can see that coming out can happen at an age range when children are very sensitive to the reaction and opinions of others, especially important others[38].

Háttér Society conducted the National School Climate Survey[39] in cooperation with GLSEN following the 2016-2017 academic year with 919 LGBTIQ student respondents aged 13 to 21. The majority (82%) reported being verbally harassed at some point in the past year based on their personal characteristics. LGBTIQ students most commonly reported experiencing verbal harassment at school because of their sexual orientation (64%) or how they expressed their gender (56%) and 13-22% of them reported physical harassment or physical assault. Underreporting defines the experience of students, too: 66% of them had never reported such incidents, mostly due to fear of being outed or thinking that school staff would not do anything.

3. Findings

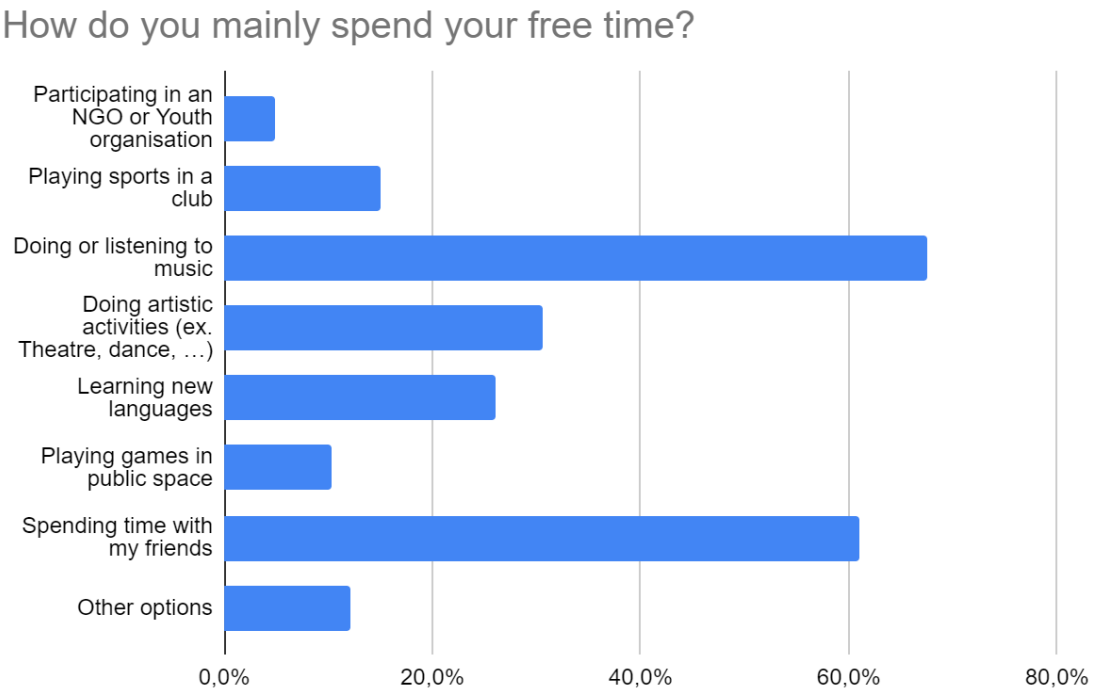
3.1. Children's needs

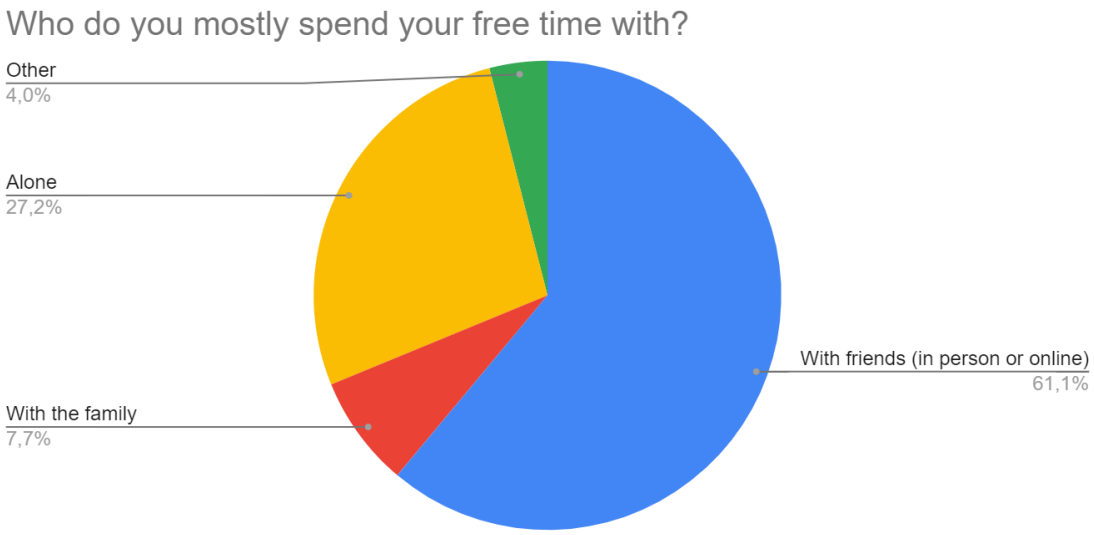
For healthy development, LGBTIQ children need positive models and accurate information about LGBTIQ issues, which are scarcely available in the Hungarian public school and child protection system. Our interview subjects also professed how political propaganda prevents many schools and teachers from freely talking about LGBTIQ topics, and the general unaccepting climate is more and more characteristic of schools

[36] https://www.cka.hu/felmerest-keszitettunk-a-szulok-es-a-pedagogusok-koreben/
[37] https://www.ksh.hu/stadat_files/okt/hu/okt0008.html
[38] https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-1_en.pdf
[39] https://en.hatter.hu/publications/supportive-friends-unprepared-institutions

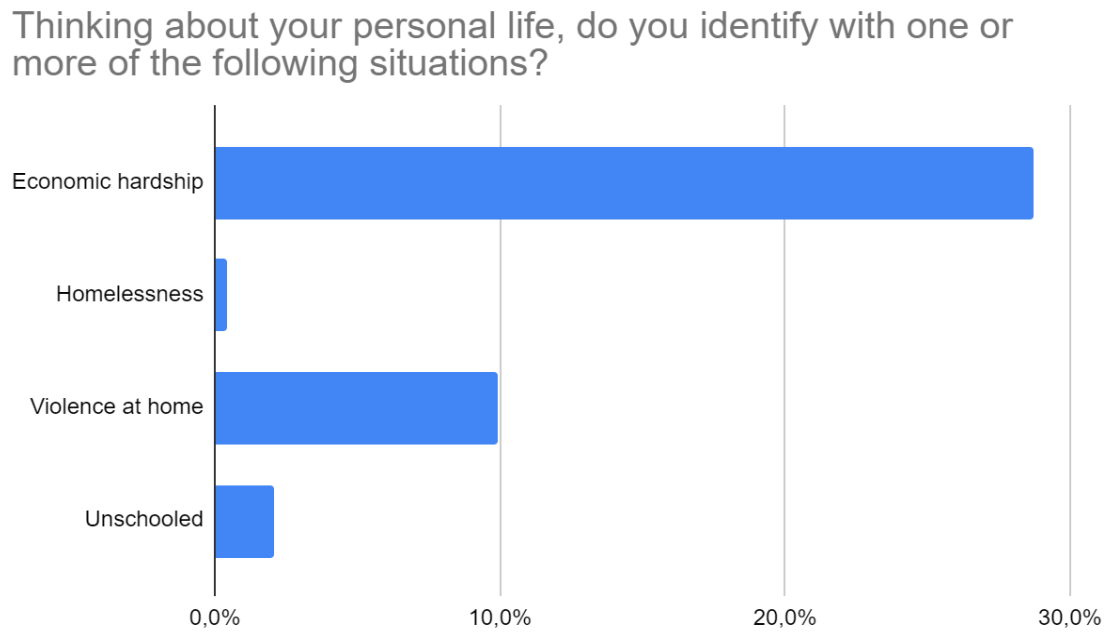
as well. Only the most legally conscious professionals working in schools decide to keep talking about these topics and give students the necessary information for their development. Most teachers and other professionals are afraid of consequences and use self-censorship in fear of losing their jobs.

Most of the young people who answered the questionnaire spend their free time with friends (61,1%), but almost a third of them spend it alone (27,2%), and only 7,7% of them spend it with their family. As for the specific activities they mostly spend their free time with, the most popular ones were doing or listening to music (67,6%), spending time with their friends (61%), doing artistic activities (30,6%), and learning new languages (26%). It is an interesting finding, that Hungarian respondents to the survey were the most likely to spend their free time studying languages, compared to the other respondents from countries of the Colourful Childhood project consortium.





Almost the third of the participants admitted to experiencing economic hardship (28,7%), while almost 10% of them have experienced violence at home. Most did not consider themselves a person with a disability (93,2%), and most did not consider themselves to be physically unhealthy either (85,6%).



Mental health issues are however significantly more prevalent among the sample than physical health problems - more than half of the participants admitted to having some sort of mental health problems (50,4%). Substance use also seems to be widespread among the young people who have answered - 33,5% have used tobacco, 38,1% have used alcohol and 5,3% have used marijuana in the past week.

In the section where we tried to explore the conceptual knowledge of young people, the majority have answered correctly to the questions regarding what sexual orientation and gender identity and sex characteristics mean, though the answers for gender identity were a bit more varied, while the meaning of sex characteristics was the least known to the respondents. When asking about the legal environment and rights of LGBTIQ people, 18 respondents thought it's possible to get married and adopt as a same sex couple in Hungary, and 51 respondents thought that legal gender recognition was still legal. Considering the widespread debate and publicity surrounding these issues, that is quite remarkable. We have also asked the meaning of some sentences to identify young people's knowledge about SOGIESC: the sentence "Laura is intersex." seemed to cause the most confusion, a high number of respondents stated that they do not know the answer.

To map the belief systems of LGBTIQ children we've asked them to mark how much they agree with several statements (1=not at all agree 5=totally agree). The statement most agreed with was that "Families should support their LGBTIQ children.", while the least popular was that "Gender-affirming treatments for transgender youth should be covered by the public health system". From these answers we can conclude that even among LGBTIQ children transgender people's needs have less support.

Indicate how much you agree with the following statements: (1 = Not all agree; 2 = A little agree; 3 = Somehow agree; 4 = Quite agree; 5 = Totally agree)		
Families should support their LGBTIQ children.	Mean SD	4.88 0.449
There should be equal rights for same-gender couples –marriage, adoption, inheritance, health insurance coverage, etc.	Mean SD	4.85 0.588
People should be able to show affection in public spaces regardless of their sexual orientation.	Mean SD	4.72 0.709
Transgender people should be able to change their legal name and gender freely in their official documents.	Mean SD	4.71 0.745
Professionals who work with teenagers should have relevant knowledge on intersex matters and their specific needs.	Mean SD	4.61 0.761
Education centres should promote a positive view of sexual and gender diversity.	Mean SD	4.48 0.856
Discrimination and attacks against LGBTIQ people should be punished by the law.	Mean SD	4.42 1.033
Transgender people should be able to use restrooms and locker rooms according to their gender identity.	Mean SD	4.47 0.879
LGBTIQ people should have enhanced and positive visibility in public space and media (ex. series, advertisements, etc.).	Mean SD	4.19 1.038

Gender-affirming treatments for transgender youth should be covered by the public health system.	Mean SD	3.69 1.225

We wanted to know how young LGBTIQ people coped with hardships and isolation during the covid-19 pandemic, and we asked them to state how much different groups of people helped them to overcome their struggles. From the next table it is visible that they got the most help from friends (3,98), but the points still didn't come close to the maximum five points. We can also assume from the results that according to their experiences mothers were significantly more likely to help them than their fathers (3,62 points compared to 2,68 points).

Thinking about the covid-19 pandemic lockdowns and restrictions: How have the following people helped and accompanied you? We are referring to the people who have significantly helped you. (1 = Not at all; 2 = A little; 3 =Somehow; 4 = Quite; 5 = Totally)		Hungary
Friends	Mean SD	3.98 1.102
Partner	Mean SD	3.47 1.564
Mother	Mean SD	3.62 1.259
LGBTIQ organisation	Mean SD	3.42 1.421
Sibling	Mean SD	2.98 1.44
Mother (in case you have two mothers)	Mean SD	3.44 1.667
External professional (doctor, social worker, psychologist)	Mean SD	2.73 1.412
Father (in case you have two fathers)	Mean SD	2.62 1.758
Father	Mean SD	2.68 1.397
Coworker	Mean SD	2.5 1.427
Other NGOs or social organisation	Mean SD	2.72 1.559

Grandparent	Mean SD	2.55 1.461
Extracurricular instructor (Coach, youth leader, …)	Mean SD	2.59 1.389
Classmates	Mean SD	2.56 1.312
Other relatives (uncle, aunt, cousin,)	Mean SD	2.27 1.399
Foster care worker	Mean SD	1.67 1.155
Stepfather or stepmother	Mean SD	2.41 1.402
Teachers	Mean SD	2.38 1.206
Neighbours	Mean SD	1.48 1.032

From these figures we can conclude that family acceptance is still an issue for LGBTIQ children. Rejection experienced by their closest relatives can be a risk factor for many mental health issues, like depression, anxiety, self harm and suicidal behaviour.

LGBTIQ youth do not have many places for safe socialisation and for developing personal connections in Hungary, and during the pandemic this isolation was even more pronounced. While social media could be a refuge to these young people during these hard times, it didn't prove enough to prevent a deterioration of their mental health.

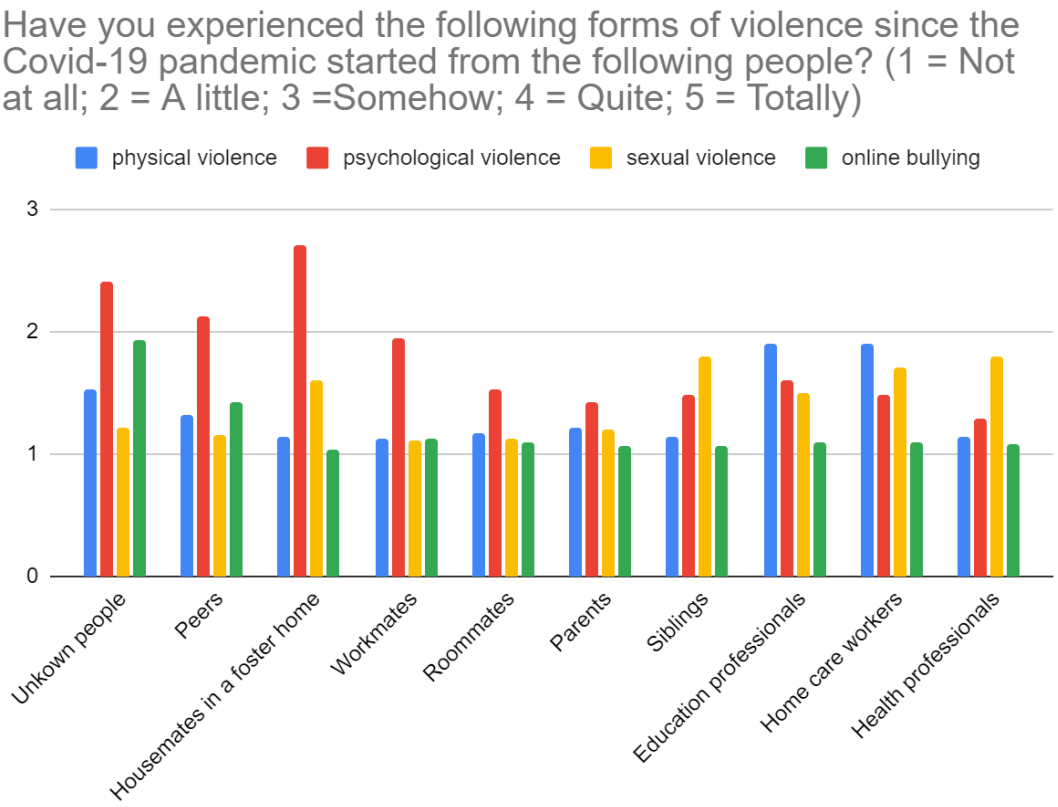
On a 1 to 5 scale where 1 means not at all and 5 means totally, the majority of our respondents stated that they have experienced a significant amount of mental health issues: anxiety (3,72), loneliness (3,67), depression (3,38).

When thinking about their needs during the covid-19 pandemic lockdowns and restrictions a majority of them felt that they could not completely behave like themselves among their adults, while they felt the most like themselves when they were with their friends. The respondents also felt that their experience as an LGBTIQ person during lockdown was only a little harder than to their peers.

Thinking about your needs during the covid-19 pandemic lockdowns and restrictions. How do you feel about the following statements? (1 = Not at all; 2 = A little; 3 =Somehow; 4 = Quite; 5 = Totally)		Hungary
I felt I could behave like myself with my friends	Mean SD	3.96 1.128

I felt I could behave like myself with my sibling(s)	Mean SD	3.02 1.503
I felt I could behave like myself with my roommates	Mean SD	2.89 1.538
I felt I could behave like myself with at least one teacher	Mean SD	2.64 1.410
I felt I could behave like myself with my parents	Mean SD	2.47 1.323
I felt that in general my needs about my gender and sexuality have been satisfactorily covered	Mean SD	2.56 1.278
I felt I could behave like myself with my workmates	Mean SD	2.48 1.344
I felt I could behave like myself with the health professionals I have been in contact with	Mean SD	2.38 1.370
I felt I could behave like myself with the care workers in my foster home	Mean SD	1.74 1.238
I felt I could behave like myself with the my home mates in my foster home	Mean SD	1.90 1.274
I feel that I have had a harder time during the covid-19 pandemic than my non-LGBTIQ mates	Mean SD	2.02 1.305

According to our data the most prevalent form of violence LGBTIQ children have experienced since the covid-19 pandemic started was psychological violence. The most likely perpetrators were unknown people followed by parents while the least likely were health professionals. The second most prevalent form of violence was online bullying, where unknown people were the most likely perpetrators with housemates in a foster home being the least likely. In instances of physical violence the most likely perpetrators were unknown people followed by peers while home care workers and health professionals were the least likely. In instances of sexual violence the most likely perpetrators were again unknown but this time followed by workmates while health professionals were the least likely.



According to respondents, the location where they were most likely to experience discrimination was school settings – 38% of them said this happened to them in the last 12 months. This was followed by the streets (32,9%), and their home (29%). In the experience of the respondents, the places where they could be safest from discrimination were administrative offices (3,6%), and their workplace (4,1%).

3.2. Children's strategies of resilience

One of our psychologist interviewees stated: *"I feel that certain needs or problems became more pronounced (due to the covid-19 pandemic), for example the need to be part of a community. When we were all isolated, (LGBTIQ children) were too: if they had a family, where they couldn't be themselves, the need to be part of a community became more pronounced. If they had a safe environment in schools, and they had a network of friends, the closing of schools could have a detrimental effect on these needs."*

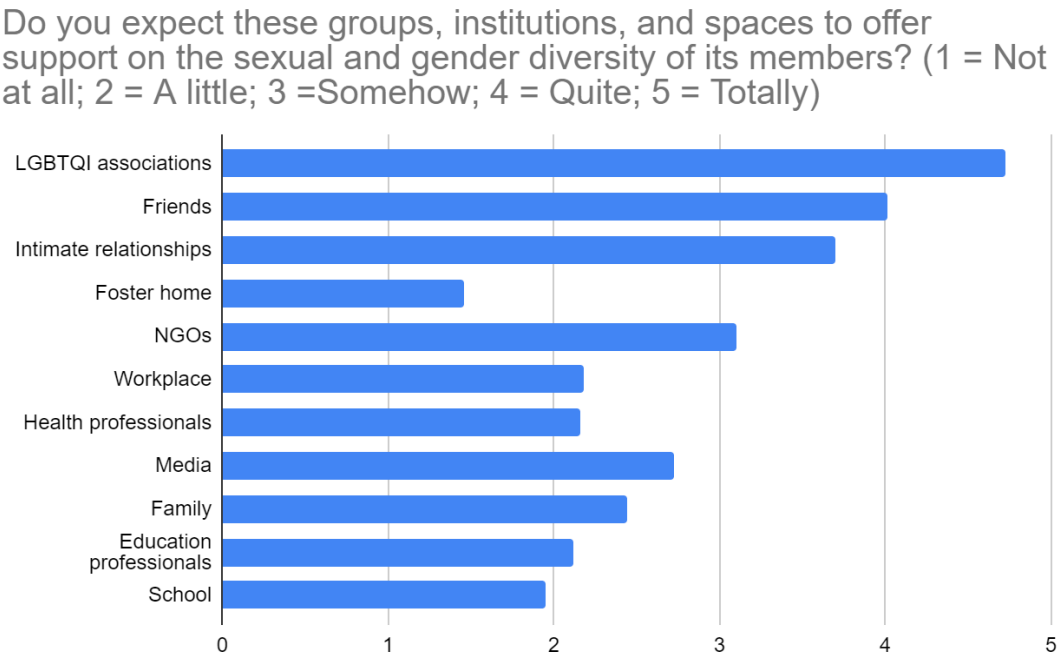
One of our interviewees was a social worker who is employed as a caregiver in a foster home for children, and he said: "*The covid -19 pandemic had an effect on a lot of things – it created a crisis in everyone's life and stirred up a lot of things, (...) and everyone had to deal with a situation they were not prepared for. (...) LGBTIQ youth had an especially hard time (...) and the disruption of personal relationships might have been the main factor here.*"

In these complicated circumstances LGBTIQ children had to find innovative ways to cope with the hardships they faced. According to our survey 64,8% think that their close circle might be open to receiving advice on LGBTIQ issues from other people, 73,5% thinks their close circle would want to protect them against LGBTIQ-phobia, and 67,2% think their close circle has a will to adapt to new situations that their members might live in. On the other hand, only 21,7% think they could access services that could be helpful in relation to their LGBTIQ identity, and only 19,7% are aware of campaigns or projects that tackle LGBTIQ-phobia. Only few think that their school provides counselling services that might help them with issues regarding being an LGBTIQ person (7%).

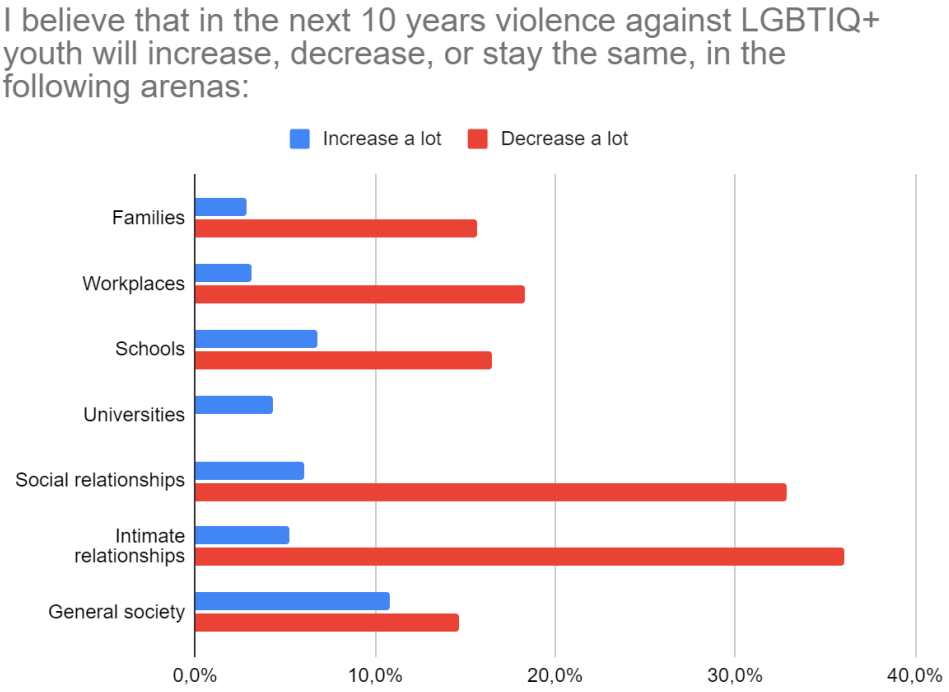
	YES
Do you think that your close circle might be open to receiving advice on LGBTIQ issues from other people?	64.8%
Do you think your close circle would want to protect you against LGBTIQphobia?	73.5%
Does your close circle have a will to adapt to new situations that their members might live?	67.2%
Do you have a sense of belonging in your close circle?	58.6%
Can you easily turn to an LGBTIQ organisation for help or advice if needed?	18.9%
Do you think that your close circle, including yourself, count with information on what to do in case of an LGBTIQphobia attack?	43.4%
Are there any campaigns or projects tackling LGBTIQphobia around you?	19.7%
Can you access any health service or professional that you know will be helpful in relation to being an LGBTIQ person?	21.7%
Does your school count with counselling that might help you with any issues regarding being an LGBTIQ person?	7.0%

From this data we can assume that LGBTIQ young people's resilience processes mainly revolve around their close circle, their friends, their community. In light of this it is apparent that the pandemic has been a significant factor in hindering these strategies, since one of the main impacts was on interpersonal relationships.

Most young people agree that LGBTIQ associations are the most equipped to offer them support on the sexual and gender diversity issues: where 1 means not at all and 5 means totally, the average of the received answers was 4,72 for these organisations. The second most likely group to offer support were friends, followed by their intimate relationships. LGBTIQ children expected the least support from their foster home (1,46), their schools (1,95), and from education (2,12) and health professionals (2,16). We suspect the reason why schools and education professionals received such a low score has to be connected to recent legislation strengthening bias against LGBTIQ people, especially in school contexts. Another remarkable finding is that even with the current galvanised state of LGBTIQ topics in media, this field still received a higher score from young people, than their families (2,73 points compared to 2,44). This data highlights the importance of education of parents, and preventive measures regarding domestic abuse.



When asked about their expectations, most young people who completed our survey seemed to have an optimistic outlook regarding the future. In all the fields mentioned, the respondents who thought violence against LGBTIQ youth would decrease in the next 10 years far outnumbered those who thought that it would increase. The least divergence between “increase a lot” and “decrease a lot” answers was in reference to general society, and in general this was the area that respondents felt the most pessimistic about.



To be able to better help LGBTIQ youth in vulnerable contexts, professionals need to have special focus on finding new and innovative ways to community building. These strategies also need to be future proof and coming from a child centric perspective, thus the digital sphere needs to have a prominent role in all solutions.

3.3. Professionals' good practices

Despite the extremely arduous circumstances Hungarian LGBTIQ children are forced to grow up in, there are several initiatives throughout the country that offer support to LGBTIQ youth, their families and the service providers and institutions who come in contact with them. There are civil society organisations that offer programs for schools and professionals working with children in educational settings.

The Diversity Education Working Group[40] is a working group formed by organisations running educational programs to organise a campaign called the School Diversity Week (inclusive of LGBTIQ themes) each spring (in 2022 it was held in the autumn). For this event each participant is provided a package with educational and awareness raising materials. The package includes a collection of lesson plans for teachers, educational videos and a booklet for students and other promotional materials such as stickers, posters and leaflets. Reacting to the needs of educators during the pandemic, in the past two years e-learning materials and courses have also been developed[41]. The aim of the campaign is to tackle bias based bullying and harassment among students. They also provide a wide range of resources and lesson plans on the subject of diversity on their website.

The "Getting to Know LGBTIQ People"[42] program has been running since 2000, and offers programs for schools (both teachers and students). In their workshops they introduce concepts related to being LGBTIQ through personal stories and by the use of interactive activities. Because of the current political climate their invitations are decreasing because school boards are afraid of backlash.

Hintalovon Foundation's Yelon program[43] offers an LGBTIQ inclusive sexual education program, and the Foundation[44] operates a legal program for schools to optimize children's rights in their institutions. In 2022 a consortium of Hungarian NGOs led by Háttér Society implemented a project to raise awareness and provide materials to professionals working with children about LGBTIQ inclusive comprehensive sexuality education[45]. The *Hungarian Medical Students' International Relations Committee*'s regional groups have regular events and inner training on LGBTIQ topics and they offer LGBTIQ inclusive sexual education to schools.

[40] https://sokszinusegoktatas.hu/
[41] https://elearning.sokszinusegoktatas.hu/catalogue
[42] http://melegsegesmegismeres.hu/english/
[43] https://yelon.hu/
[44] https://hintalovon.hu/en
[45] https://szexualisneveles.hu/

The youth hotline *Kék Vonal - Child Crisis foundation*[46] has been providing inclusive phone and online counselling services to young people who are in need, regardless of gender identity, sexual orientation or sex characteristics, and they implemented the importance of LGBTIQ inclusion in their training for the operators. The hotline takes 30.000 calls yearly, out of which approximately 400 are directly about gender identity and sexual orientation. Háttér Society also operates an information and counselling hotline but callers are mainly adults: around 4% of their calls are made by youth under the age of 20.

The Hungarian Psychological Association has an LGBTIQ section since 2013, they translated and published the APA Guidelines on psychological work with LGBTIQ clients[47] and they publicly stand against conversion therapy.

3.4. Professionals' needs in combating LGBTIQ violence against children

There is a general lack of information about the needs of LGBTIQ children in vulnerable contexts among professionals. Professionals not only need information but means of applying them as well. LGBTIQ youth and their problems are usually invisible, professionals need methods to help them open up and articulate their feelings. Encouraging the formation of youth groups could be a method for engaging young people.

Professionals who are open to create LGBTIQ inclusive spaces lack support in practice. Some talked about the need for thematic supervision and the need for forums where they could share good practices. Professionals at child protection services and at children's homes need proper education and understanding on LGBTIQ issues. This bears great importance as they provide the social environment and opportunities for socialisation that a family would do in other cases.

According to our interview subjects, there is a growing openness to learn more about LGBTIQ issues, especially among care professionals, but to reach a wider audience with specific trainings, systematic changes in university education would be necessary.

One of our psychologist interviewees stated that LGBTIQ topics should be integrated into psychologists' university training so they can give appropriate support to LGBTIQ children. "*Everyone should have a systematic knowledge of these subjects, because now it is up to the individual how informed they are, and how up-to-date their informations are about the mental health of LGBTIQ children*" (school psychologist). The need to educate professionals working with children about the correct terminology regarding sexual and gender minorities came up in almost all of our interviews.

Another psychologist interviewee mentioned that there should be a lot more content in education about social issues in general, not just LGBTIQ issues, since while a lot of professionals still hold sexist views, progress in these areas will be stunted. A social

[46] https://kek-vonal.hu/

[47] https://mpt.hu/wp-content/uploads/2016/12/MPT_APATerapiasUtmutato.pdf

worker brought to our attention that to be able to successfully combat violence against LGBTIQ children, professionals should be educated more in general about the signs of domestic abuse, and effective tools to support victims and prevent victimisation.

3.5 Exemplary quotes from interviews

“At my workplace there is an intention to create materials and environments that are less heteronormative. If I speak with a young person and I don't yet know their gender identity or sexual orientation, I try to speak with them without preconceptions. If I hear a voice that sounds like a boy, I don't ask them if they have a girlfriend.”

*(**INT 3**, Hungary, psychologist and hotline operator, 42 years old)*

“It would be very important for (LGBTIQ youth) to have a place where they can live their own reality, because very often I see that they have to experience their hardships on their own.”

*(**INT 5**, Hungary, youthworker, 28 years old)*

“In my work it is a very important principle to use the name that the young person wants to be called as, and be respectful, even if it changes during our work. (...) I feel that the professional's job is to follow the young person with attention, not to lead them, so they can reach their own identity, so they can feel confident and satisfied with themselves.”

*(**INT 8**, Hungary, child psychiatrist, 36 years old)*

“(To improve LGBTIQ children's situation in Hungary) the legal background would have to change, in line with a long term communication strategy, that would help the general public to understand and accept (LGBTIQ youth).”

*(**INT 9**, Hungary, social worker and educator, 62 years old)*

4. Overall evaluation: tendencies and absences

4.1. SWOT analysis of Hungary in combating violence against LGBTIQ children

Strengths

- discrimination based on sexual orientation and gender identity in school settings and child protection settings is forbidden by legislation
- there’s a growing number of professionals working with children who know LGBTIQ children and are interested in discussion and training
- coaching and support meetings for professionals working with children is becoming more and more widespread

- extensive child protection system on various levels, adequate legislation to protect children from becoming victims of abuse
- school psychologists and public nurses working in schools
- existence of children's rights representatives on a regional level
- several services operated by civil society organisations providing specialist services to vulnerable children (hotline etc.)
- family care centres with interdisciplinary teams to help families
- families with LGBTIQ children are getting more visible
- youth community places offered by family care centres
- informational sites on LGBTIQ topics freely available

Weaknesses

- school psychologists are practically not available (one part-time psychologist for 500 children)
- politicians promote very restrictive and heterosexist "family values"
- the educational system is very centralised, school directors cannot make their own decisions
- there are no effective anti-bullying protocols at most schools, and if there are, most teachers and pupils don't know what it contains
- university curriculum of professionals working with children does not include LGBTIQ topics
- professionals do not have specialised knowledge
- most healthcare, childcare and child protection services are centralised, some services are not available in every region
- lack of social recognition of caring professions leads to low wages and chronic underemployment in these sectors
- long waiting lists for specialist services
- most professionals working with children are overburdened
- teachers are under duress due to recent upheavals regarding strikes
- public services are harder to access in rural areas
- lack of professionals
- rejection is present in a high number of families
- there is no societal focus on LGBTIQ youth and their needs
- no thematic programs allowed in schools
- sexism is still extremely prevalent in most aspects of society
- less opportunities in rural areas
- invisibility of LGBTIQ youth
- no protocols in most caring professions regarding LGBTIQ children
- social media can be a platform for cyberbullying
- children are not taught to check the accuracy of information they see in the media

Opportunities

- children can still learn about diversity and minority groups in school settings, if their teachers or other professionals with a contract with the school are holding these classes

- there are NGOs that offer free programs and training for professionals working with children
- university teacher and psychologist training seems to be more interested in teaching about diversity and LGBTIQ topics so the new generation of teachers and school psychologists may be more conscious of issues concerning minority groups
- professionals have compulsory trainings, if accredited they would attend LGBTIQ related courses
- the children's nurse system that is unique to Hungary allows nurses to follow the development of the children from pregnancy, they could provide information on LGBTIQ topics for new parents to enhance family acceptance as well
- a growing number of professionals working in the family care sector are eager to learn
- The online sphere can provide a platform for LGBTIQ children to connect with each other and reach information not available to them otherwise
- NGOs provide resources to support families (booklets on coming out, information for parents) and also for professionals working with families (trainings, handbooks)
- after school activities can engage youth more
- with the use of social media and other internet platforms, children and young adults are easier to reach
- articles could give visibility to LGBTIQ topics
- media campaigns can be used for awareness raising

Threats

- current political atmosphere, possible extremist attacks
- the educational, health and child protection sector is seriously underfunded, the workforce is undermotivated and ageing
- child protection services are not efficient
- infrastructural issues, possibility of more centralization
- young professionals choose to work abroad, or do not choose caring professions
- political communication about families excludes LGBTIQ persons
- child abuse is underreported, we do not know the real numbers
- LGBTIQ topics are taboo at most public places
- public support for LGBTIQ specific programs has not emerged yet, and the general atmosphere will probably prevent it from doing so
- most mainstream media is run by the government and spreads anti-LGBTIQ stances

4.2 Conclusions

Adultism is a system of thought and practice that wields power over children, disregarding children's perspectives and experiences, further contributing to their exclusion from processes that affect them. Adultism positions adults at the centre,

undermining and disqualifying the importance of children's experience and knowledge and the ability to decide about their existence. As such, adultism is extremely widespread and considered the norm in Hungary both in private and professional settings – apart from a few NGOs that put special focus on the engagement of children in matters concerning their future.

Despite the best efforts of several NGOs and professionals, Hungarian children's voices are rarely channelled into legislation and policies, and LGBTIQ children's needs and opinions are considered even less. As for what the reasons are, according to an interviewee working as a psychologist in a high school:

"It does not help in this situation, that the authorities legitimise the violence against them, and they have been erased from public discourse. So that it is not possible to talk about this. I think this is the reason, this systematic repression and regulation."

The LGBTIQ community is under constant attack from the right-wing conservative government. Many politicians and their supporters in media outlets are openly homo-, bi- or transphobic. They also use the "pro-family" and "anti-gender" rhetoric to position LGBTIQ people as those who "attack family values" and "traditional sexes". In May 2020, legislation banning legal gender recognition was passed by the Hungarian Parliament, while the next year in June the infamous "Child protection law" – dubbed by human rights organisations as the "Propaganda Law"– was passed.

In Hungary the general attitude towards LGBTIQ people (strengthened by politicians and state-owned media) is increasingly hostile. However, all of our participants in the interviews said that the situation has become better in the last 10 years, mostly because of more people coming out and having an impact on their communities.

It appears that even in this hostile political climate the societal acceptance of LGBTIQ people is on the rise, especially among young people. According to a representative study commissioned by Háttér Society and Amnesty International Hungary, the respondents' 46% know an LGBTIQ person personally, and 73% of them dismiss some politicians' claim that gay and lesbian people are debauching children. The majority of Hungarian society thinks it should be allowed for trans and intersex people to legally change their name and gender in their documents (74,5%). 59% of them support marriage equality while 69% of them agree that same sex couples can be good parents. In 2019 only 33% of the population supported same sex marriage.[48]

According to the testimony of several of our interview subjects, older professionals are still stuck with the pathologizing view of LGBTIQ persons. Because these topics are underrepresented in the training of professionals they often do not have the knowledge and information to appropriately support LGBTIQ children.

In the current climate the necessary knowledge can only be gained via courses and training offered by civil society organisations, but this poses several challenges. Firstly, people who are likely to participate in such a training are most likely to have a predisposition towards inclusion of LGBTIQ children, and most probably have a preliminary knowledge on the subject. Thus the professionals who could most benefit

[48] https://www.amnesty.hu/tortenelmi-csucson-a-melegek-elfogadottsaga-magyarorszagon/?fbclid=IwAR2O58YQ5zqIY8egKTyieeGk8XOGb_sopSWag1lxm84FStkB0-6W5k1FVjw

from these trainings usually don't even apply. Secondly, the civil sector in Hungary is chronically underfunded with the only opportunity for most of them being occasional grants and private donations. Without a steady financial situation it is increasingly difficult to create constant training programs instead of just occasional courses. Finally, educational and other institutions are in constant fear of backlash, thus not inviting such programs to their workplace.

At this age schools and families are the main areas of socialisation, and the impressions and experiences children get from these institutions are essential in the development of healthy self-esteem, self acceptance and coping mechanisms. Negative effects are further strengthened by experiencing the general attitude of the society towards them.

LGBTIQ youth can often find themselves without support in their local context, thus turn to the online communities to find kinship and agency. While this undoubtedly can have enormous positive effects, several of our interviewees mentioned the potential dangers of the internet. "*Maybe they do find a group where they belong, but they can easily stumble upon people who will hurt them just the same*" (school psychologist).

The covid-19 pandemic had an immense impact on vulnerable LGBTIQ children's mental health and general well being, to extents we are only beginning to discover. According to professionals' testimony, the period of lockdowns and digital education contributed to an escalation of social anxiety and performance anxiety. Also a lot of children experienced "*health anxiety connected to the pandemic, and the general feeling that the world is not a safe place*" (school psychologist).

According to the professionals we spoke to, the needs of LGBTIQ children are not heard at all at the policy makers level. Among the most pressing needs of LGBTIQ children in vulnerable contexts is the need for a supporting environment. "*It would be very important for (LGBTIQ youth) to have a place where they can live their own reality, because very often I see that they have to experience their hardships on their own*" (youth worker). Furthermore, another interview participant stated that change in both the legal and the socio-political situation is essential to achieve long lasting improvements to the situation of LGBTIQ children.

It is evident that in Hungary the level of general acceptance, legislation and the present political atmosphere are rather problematic for LGBTIQ people. Children are especially vulnerable to this, since the current rhetoric acts like LGBTIQ children don't even exist. Even though there are supportive individuals and organisations, most institutions do not have the tools, resources and commitment to appropriately address LGBTIQ children's needs.

Colourful Childhoods

EMPOWERING LGBTIQ CHILDREN
IN VULNERABLE CONTEXTS TO COMBAT
GENDER-BASED VIOLENCE ACROSS EUROPE

National Report

Lithuania

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Author

Eglė Kuktoraitė, Lietuvos Geju Lyga Asociacija (LGL), Lithuania

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Contents

Introduction: Research design and sample

The purpose of this national report is to provide a brief overview of the legal and sociocultural situation of LGBTIQ people in Lithuania, with a particular focus on children. To this end, primary and secondary research was conducted including (a) desk research, (b) an online survey, and (c) interviews.

First, a comprehensive literature review was conducted and compiled. The desk research was conducted based on information about LGBTIQ rights collected by the LGL, the National LGBTI+ Rights Organization. Over nearly 30 years, the LGL has prepared many reports and publications detailing the situation of LGBTIQ adults and children in Lithuania, and has a wide range of resources that were used for the desk research.

Second, an online survey with a total of 606 participants was conducted in July-November 2022 to identify children's needs in combatting LGBTIQ-based violence and children's strategies for resisting LGBTIQ-based violence. The average survey participant was 16.28 years old.

32.3% of those surveyed said that their highest qualification is compulsory secondary education, while 28.1% only had a primary education. 27.6% of those surveyed had a post-secondary education. 5.5% of the survey participants said they had no formal qualifications.

In terms of gender identity, 67.8% of the survey respondents identify as women, 12.9% identify as men, 10.6% identify as non-binary, 5.8% would rather not disclose their gender identity, and 2.5% have a different gender identity.

When asked about their sexual orientation, 39.4% of the survey respondents identify as bisexual, 20% identify as gay or lesbian, 19% would rather not disclose their sexual orientation, and 18.2% have a different sexual orientation.

The LGL posted an invitation to participate in the survey on its social media accounts. The posts that included links to the survey were boosted with ads running on Facebook, Instagram and Messenger that specifically targeted 15-17 year olds. The LGL initially encountered problems in trying to boost the survey posts due to changes in the Facebook advertising policy, but these issues were later resolved and a successful ad campaign was launched, attracting a total of 606 survey participants.

Third, the LGL conducted 10 interviews with stakeholders – professionals working with vulnerable children. The interviews were designed to identify best practices in empowering LGBTIQ children to combat violence, as well as the professionals' training needs. The interviews were conducted in August-September 2022.

The LGL sent out personalised letters to its partners from equality bodies and schools, as well as to healthcare professionals and emotional support NGOs for LGBTIQ children and youth, making sure that stakeholders working with vulnerable children participated.

The Ombudsperson for Child's Rights, a specialist from the Ministry of Social Security and Labour, psychologists, social workers, a school principal and a teacher participated in the interviews.

Since areas related to children are still considered gendered in Lithuania, nine interviewees identified as female and one interviewee identified as non-binary. The average interviewee was 35.4 years old.

The interviews lasted for about an hour, and all interviewees were encouraged to contribute to the research with their knowledge and experience.

Before the beginning of the interview, the interviewer provided the interviewees with information about the project in the state language. The interviewer also asked the interviewees to sign a consent form, which was also in the state language. The interviewees did not provide the interviewer with any other personal data and/or contact details. The consent form was also signed by the interviewer. Each participant was given one countersigned copy of the consent form.

Once the consent of the interviewee was obtained, the interviews were sound recorded to facilitate transcription as well as to enhance the validity of the research.

The interviewer encouraged the interviewees to express their views and thoughts openly, and made every effort to create a friendly and safe environment to aid the discussion. However, the interviewer did not pressure the participants and respected their right not to answer a question.

The interviews were held in a quiet environment (with no distractions, such as other people, telephones, loud music, etc.). The interviewees selected the interview location that was most convenient for them.

1. LGBTIQ rights: Legal and political context

1.1. Context

Lesbian, gay, bisexual, transgender, intersex and other (LGBTIQ) people in Lithuania face legal and social challenges that non-LGBTI+ citizens do not. Homosexual sexual practices are legal in Lithuania, but neither civil partnership nor marriage is available to same-sex couples, so there is no legal recognition of same-sex couples. Hence, LGBTI+ people do not enjoy all of the rights that non-LGBTI+ people have, and same-sex couples are not granted the same legal recognition that is given to opposite-sex couples. Homosexuality was decriminalised in 1993, but due to the historic legacy, the rights of LGBTIQ people are limited at best. Legislation providing for the prohibition of discrimination was introduced as part of the criteria for European Union accession, and in 2010 the first LGBTIQ pride parade took place in Vilnius.

Between 2012 and 2018, the Lithuanian authorities did nothing to comprehensively address the tendencies of social, legal and institutional discrimination on the grounds of sexual orientation and/or gender identity. In fact, certain aspects suggest that respect for the human rights of LGBTIQ people in Lithuania is actually deteriorating.

Firstly, the Law on the Protection of Minors Against the Detrimental Effects of Public Information has been used three times to censor LGBTIQ-related public information. The Lithuanian authorities claim that this discriminatory interference with the right to freedom of expression is necessary to protect the “emotional, spiritual and psychological development and health of minors”, thus creating a chilling effect on talking publicly about LGBTIQ issues in Lithuanian society.

Secondly, Lithuania remains one of a few jurisdictions in the European Union without any legal recognition of same-sex relationships. Not only did the Seimas (parliament) of the Republic of Lithuania dismiss a bill on introducing gender-neutral registered partnerships – now it is considering a legislative motion on cohabitation agreements that would strip same-sex couples of family status altogether. Article 38 of the Constitution explicitly states that “marriage shall be concluded upon the free mutual consent of man and woman”, while Article 3.339 of the Civil Code foresees a separate law to establish the procedure for registering a partnership between a man and a woman. Even though the Civil Code was adopted in 2000, the law on registered partnerships (for opposite-sex couples) was never adopted.

In 2011, the Lithuanian Constitutional Court provided a progressive interpretation of the constitutional concept of “family life” by concluding that: “[it] does not mean that ... the Constitution does not protect and defend families other than those founded on the basis of marriage, inter alia, the relationship of a man and a woman living together without concluding a marriage, which is based on the permanent bonds of emotional affection, reciprocal understanding, responsibility, respect, shared upbringing of the children and similar ones, as well as on the voluntary determination to take on certain rights and responsibilities...” While the Constitutional Court did not mention same-sex families in its judgment explicitly, the legal reading of the judgment indicates that same-sex families potentially fall under the ambit of the constitutional concept of “family life”.

Thirdly, the Lithuanian authorities have systematically failed to investigate reported instances of hate speech and hate crimes on grounds of sexual orientation and/or gender identity. In some cases, law enforcement officials simply refused to launch pre-trial investigations, thus leaving the members of the local LGBTIQ community without any options for legal redress.

Fourthly, Lithuania remains one of the few European jurisdictions without an administrative procedure to ensure legal gender recognition or a gender reassignment system. Since gender identity is not covered by Lithuanian anti-discrimination and hate crime legislation, transgender people remain disproportionately affected by instances of discrimination, harassment and violence. In April 2017, through strategic litigation, national courts were granted the right to legal gender recognition without the sterilisation requirement, i.e. based solely on a diagnosis of gender dysphoria and self-identification.

Finally, from 2012 to 2018, the Seimas considered nine openly homophobic and/or transphobic legislative initiatives, effectively seeking to limit the rights and freedoms of LGBTIQ people.[1] The vivid public debate around these legislative proposals has negatively impacted the social climate for LGBTIQ people in Lithuania, because it was

[1] The homophobic and/or transphobic legislative initiatives pending before the Seimas as of 1 June 2018 include:
(a) **Amendment No. XIIP-17 to the Civil Code**, which was meant to place a total ban on gender reassignment surgery. This bill was included on the Seimas agenda on 23 May 2013 and has not been considered since;
(b) **Amendment No. XIIP-687 to the Criminal Code**, which was meant to establish that criticising homosexuality and attempting to change someone's sexual orientation do not qualify as discrimination or harassment on the grounds of sexual orientation. This bill was included on the Seimas agenda on 12 September 2013 and passed the first hearing on 19 June 2014. The Seimas Committee on Education, Science and Culture temporarily postponed adoption of the bill on 16 December 2014 by returning it to the initiators for "further improvements";
(c) **Amendment No. XIIP-940 to the Law on Meetings**, which proposes that the organisers of public assemblies should cover all costs related to ensuring security and public order during the event. This legislative motion was introduced as a retaliatory measure to "Baltic Pride 2013 – The March for Equality". The Seimas has not yet voted on adding this bill to its agenda;
(d) **Amendment No. XIIP-473 to the Law on the Fundamentals of Protection of the Rights of the Child (together with amendment No. XIIP-472 to the Civil Code),** which stipulates that "every child has the natural right to a father and a mother, emanating from the differences between the sexes and the mutual compatibility of motherhood and fatherhood." This bill was included on the Seimas agenda on 21 May 2013;
(e) **Amendment No. XIIP-1469(2) to the Law on the Fundamentals of Protection of the Rights of the Child**, which attempts to establish that "it is forbidden for same-sex couples to adopt citizens of the Republic of Lithuania." This bill was included on the Seimas agenda on 15 September 2015;
(f) **Amendment No. XIIP-1217(2) to Article 38 of the Constitution**, which seeks to redefine the constitutionally protected concept of "family life" as emanating from a traditional marriage between a man and a woman, and stipulates that a family arises from motherhood and fatherhood. This bill was included on the Seimas agenda on 10 December 2013 and the amendment was accepted for consideration by the Seimas on 28 June 2016;
(g) **Amendment No. XIP-4490(3) to the Code of Administrative Offences**, which introduces administrative liability for any public defiance of the constitutionally established "family values". This would mean that making public speeches, displaying posters, slogans or audio-visual materials, and organising public events like LGBT pride would be against the law. This bill was included on the Seimas agenda on 21 January 2014. The Seimas postponed the final adoption phase on 13 March 2014, and once again on 12 November 2015;
(g) **Amendment No. XIIIP-750 to the Civil Code**, which was designed to introduce a cohabitation agreement that would allow two or more cohabitants to exercise certain property rights without the intention to create a family. The proponents of this bill claim that the cohabitation agreement would be a suitable form of legal recognition for same-sex couples. However, it effectively prevents same-sex couples from enjoying the status of "family members". This bill was included on the Seimas agenda on 30 May 2017;
(h) Amendment No. XIIIP-1327 to the Civil Code, which places a total ban on both medical confirmation and legal gender recognition in Lithuania. The bill was registered in the Seimas on 10 November 2017, but the Seimas has not deliberated the proposal yet.

as if fundamental rights and freedoms of LGBTIQ people could simply be revoked on a whim of political opportunism or discriminatory animus.

Timeline of LGBTIQ rights in Lithuania

1993: Same-sex relationships were decriminalised.

2004: Age of consent was equalised.

2005: The Law on Equal Treatment, which bans discrimination based on sexual orientation in the areas of employment, education and access to goods and services, came into effect.

2009: Ban on hate crimes based on sexual orientation.

2010: The Law on the Protection of Minors was passed and has since been used against the LGBTIQ community on numerous occasions.

2010: Baltic Pride, the annual LGBTIQ pride parade, was organised for the first time in Vilnius.

2019: The Constitutional Court ruled that foreign same-sex spouses must be granted residence permits.

1.2 The LGBTIQ situation in Lithuania: Key statistics

Even though Lithuanian legislation, in theory, provides for relatively extensive legal guarantees against discrimination on the grounds of sexual orientation, its implementation in practice could be described as ineffective, at best. Instances of discrimination on the grounds of sexual orientation remain highly underreported. The Office of the Equal Opportunities Ombudsperson, i.e. the public body responsible for the implementation of the Law on Equal Treatment, received four complaints regarding alleged instances of discrimination on the grounds of sexual orientation in 2009, followed by three in 2010, four in 2011, two in 2012, none in 2013, four in 2014, five in 2015, three in 2016, and three in 2017.

Taking into account the widespread phenomenon of discrimination on the grounds of sexual orientation shown by international surveys and opinion polls (see paragraph 8), it can be concluded that the national equality body is not perceived as an effective remedy in terms of addressing the injustices experienced.

Even though there are no comprehensive national surveys on the situation of LGBTIQ people in Lithuania, various international surveys and opinion polls indicate that Lithuania remains one of the most socially hostile countries in the European Union (EU) towards the LGBTIQ community. According to a survey on LGBTI+ people conducted by the EU Agency for Fundamental Rights (FRA), Lithuanian respondents admitted to feeling downhearted or depressed all the time (14%) or most of the time (20%). Moreover, 55% of Lithuanian respondents personally felt discriminated against in eight areas of life due to their LGBTI+ identity. These rates are the highest among all EU countries (FRA, 2020).

The survey results also spotlighted the lack of openness in Lithuania. 51% of Lithuanian respondents confessed to not being open about being LGBTI+ at work, and 59% admitted to not being open about it at school. 44% of the Lithuanian survey participants

said that they avoid holding hands in public with their same-sex partner for fear of being assaulted, threatened or harassed.

The FRA survey also confirmed that education on LGBTI+ issues at schools remains critical – respondents said that LGBTI+ topics are discussed in a negative way (19%) or are not discussed at all (65%).

Compared to the 2012 survey results, the 2019 survey results showed little overall progress over the past seven years (FRA, 2022).

The 2020 ILGA-Europe Rainbow Map revealed that compared to the 2019 results, there was no positive change in Lithuania in the field of LGBTIQ human rights. Lithuania is ranked 34th among 49 European countries (ILGA-Europe, 2020).

According to a 2019 Eurobarometer survey on discrimination, only 30% of Lithuanians are in favour of allowing same-sex marriages throughout Europe.

The Eurobarometer results also revealed that Lithuanians are very intolerant to LGBTI+ people in the workplace. The survey showed that only 44% of respondents in Lithuania would feel “comfortable” having a lesbian, gay or bisexual co-worker. The numbers are even lower for the same question concerning a transgender person (40%). Meanwhile, 53% of Lithuanians agree with the idea that sexual minorities should enjoy the same rights as heterosexuals (Eurobarometer, 2019).

2. Children’s rights and LGBTIQ diversity in childhood: A brief overview

2.1. Context

The Law on Education (2016) calls for measures to address cyberbullying, including cyberbullying based on sexual orientation. Cases can be reported online.

The Law on Equal Treatment (2013) prohibits discrimination and harassment based on sexual orientation, but does not cover gender identity, gender expression and sex characteristics (GIGESC).

The Law on the Protection of Minors Against the Detrimental Effects of Public Information (2002) prohibits the dissemination of any materials that incite bullying or humiliation on grounds of sexual orientation. The law also bans the dissemination of information that counters “family values”, which has led to a perpetuation of prejudice and negative attitudes towards LGBTIQ people. In practice, it has deterred teachers from addressing LGBTIQ issues in school settings.

The Health and Sex Education and Preparation for Family Life Programme (2016) prohibits discrimination based on the sexual orientation and gender identity of children and their parents or foster parents. However, it does not outline specific steps to tackle discrimination or to make schools more inclusive.

Schools are required to have anti-bullying policies, but are not required to include LGBTIQ-specific information. There are no national human rights or civic education curricula. The national curriculum includes sex and relationship education, but is not LGBTIQ-inclusive.

There is no mandatory teacher training on LGBTIQ awareness. On the contrary – teacher training material often includes harmful content, such as describing homosexuality as "mentally unhealthy behaviour". In 2018, a group of NGOs called on the Ministry of Science and Education to eliminate this material. However, no changes have been made.

There is no law on legal gender recognition (LGR) in place in Lithuania. LGR is accessible through the court system. In recent years, several transgender people have managed to change their legal gender without fulfilling surgery or sterilisation requirements.

LGR is not available to minors, and no information is available about policies or practices allowing transgender children to use their correct name and gender at school.

The government does not collect data about LGBTIQ students in schools. Only NGOs collect this data.

Neither the government nor schools provide targeted support for LGBTIQ children or their families. In September 2020, the LGL launched an online support platform for LGBTIQ young people who are victims of bullying, as well as for parents and teachers. The Youth Line is available for young people in general.

LGL's 2015 publication entitled *Homophobic Bullying in Lithuanian Schools* provides recommendations for teachers and other professionals working with young people on how to combat bullying and violence at school.

Discrimination and violence against LGBTIQ people remain commonplace in Lithuania. NGOs like the LGL have documented numerous cases over the past years and have helped victims with legal support. Due to the Law on the Protection of Minors, LGBTIQ-related content on TV or in printed media is often censored.

In 2020, the LGL shed light on the negative impact of the covid-19 pandemic on LGBTIQ youth, who now feel even more isolated and alone than before. In 2021, the LGL also spoke out about the situation of transgender youth in the country, who find little support and are unable to access transgender-specific healthcare services.

Lithuania has ratified eight of the nine core UN human rights treaties, including the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC), which enshrine the right to education. Lithuania is a member of the European Governmental LGBTI Focal Points Network (as of April 2022) but has not yet signed the 2016 UNESCO Call for Action (IGLYO, 2022).

2.2. The situation in childhood: Key statistics

In the summer of 2017, the LGL conducted a survey where the respondents (580 LGBTI+ school children between the ages of 14 and 18) elaborated on what is taught during

moral education lessons, and what LGBTI+ adolescents who are still figuring out their sexuality and gender identity face in Lithuanian schools. The survey revealed that when schoolchildren struggle with bullying in the school environment due to their sexual orientation and/or gender identity, they are forced to deal with it on their own. 82% of the LGBTI+ schoolchildren who participated in the survey reported being bullied due to their sexual orientation and/or gender identity in the last year, and of these respondents, 90% reported feeling unsafe at school for this reason. 50% of the survey respondents also stated that their teachers did not respond appropriately to homophobic bullying, if they responded at all (LGL, 2018).

IGLYO, an international LGBTIQ youth and student organisation, launched its LGBTI+ Inclusive Education Index and Report in 2018. The LGBTI+ Inclusive Education Index ranks all of the Council of Europe Member States. Lithuania ranks 30th out of the 47 Council of Europe Member States (IGLYO, 2018).

3. Findings

3.1 Children's needs in combatting LGBTI+-based violence

Most LGBTI+ young people in Lithuania who participated in the survey claimed that they spend their free time with friends (64.6%). 10.3% spend their free time with their family, while 22.8% spend it alone. Consequently, some LGBTI+ young people face a higher risk of social isolation.

45.7% of LGBTI+ young people in Lithuania stated that they are dealing with economic hardship, while 11.6% face violence at home and 3.8% are homeless. This suggests that some respondents have difficulties at home, and that their parents do not accept their LGBTI+ identity.

While most respondents do not consider themselves disabled, 56.7% of the LGBTI+ young people in Lithuania say that they are dealing with mental health issues. These mental health issues may lead to self-medication and substance abuse.

27.9% of the LGBTI+ young people in Lithuania used tobacco in the past week, while 23.5% used alcohol and 4% used marihuana.

When asked about the covid-19 lockdowns and restrictions, the majority of LGBTI+ young people in Lithuania stated that the most effective support system was their friends, partner and mother. Respondents listed their neighbours and teachers as being the least supportive.

When asked about their needs during the covid-19 lockdowns and restrictions, most respondents claimed that they felt like they could be themselves with their friends and siblings. When asked how well their needs were met in terms of their gender and sexuality, the average response was 2.34 (where 1 means "not at all" and 5 means "completely").

When asked whether they feel that they had a harder time during the covid-19 pandemic than their non-LGBTI+ peers, the average response was 2.19 (where 1 means “not at all” and 5 means “completely”).

Most LGBTI+ young people in Lithuania stated that social networking sites played a part in them learning about LGBTI+ issues and conveying them to their friends.

While most respondents have not experienced any physical violence for being LGBTI+ since the covid-19 pandemic started, some LGBTI+ young people in Lithuania did experience psychological violence, mostly from strangers (2.19), parents (2.00) and peers (1.82) (where 1 means “not at all” and 5 means “completely”). Some LGBTI+ young people in Lithuania experienced online bullying, mostly from strangers (2.06) (where 1 means “not at all” and 5 means “completely”).

When asked whether they personally felt discriminated against for being LGBTI+ during the last 12 months, 37.4% of the respondents claimed that they did at school, while 31.4% said they did on the street and 29.1% said they did at home. This indicates that some LGBTI+ young people in Lithuania feel that they are singled out in their everyday environment because of their LGBTI+ identity.

Importantly, most respondents experienced anxiety (4.15), loneliness (3.98) and depression (3.70) during the covid-19 lockdowns and restrictions (where 1 means “not at all”, 2 means “a little”, 3 means “somewhat”, 4 means “quite a bit”, and 5 means “completely”).

3.2 Children’s strategies for resisting LGBTI-based violence

When asked about their resilience strategies, the LGBTI+ young people in Lithuania who participated in the survey showed very pessimistic attitudes regarding their support system options when compared to other countries.

Only 32.6% of the respondents think that their inner circle might be open to receiving advice on LGBTI+ issues from other people. Only 26.5% of the respondents think that their inner circle would want to protect them against LGBTI+-phobia. Only 26.1% of the respondents have a sense of belonging in their inner circle. Only 6.6% of the respondents said that their school offers counselling that might help them with any issues regarding them being LGBTI+.

These negative tendencies indicate that most LGBTI+ young people in Lithuania feel that they can only count on themselves when facing LGBTI+-phobia and other issues related to their LGBTI+ identity. Lithuanian society is very homophobic, and most adults are not keen on changing their negative attitudes towards LGBTI+ people. Unfortunately, this means that most LGBTI+ young people in Lithuania remain isolated and have no sense of belonging.

When asked about their expectations for possible support on issues of sexual and gender diversity, most respondents said they were most likely to receive support from LGBTI+ associations (4.51), friends (4.22) and intimate relationships (3.77) (where 1 means “not at all”, 2 means “a little”, 3 means “somewhat”, 4 means “quite a bit”, and 5 means “completely”).

When asked if they thought that violence against LGBTI+ youth will increase, decrease or remain the same in the next 10 years, the respondents had the highest expectations for a possible decrease in violence at universities (41.3%), in intimate relationships (34.8%), and in social relationships (29.1%).

3.3 Professionals' best practices in empowering LGBTI+ children to combat violence

Professionals' best practices in empowering LGBTI+ children to combat violence vary depending on their area of expertise. The child psychologists who were interviewed claimed that they try to ensure that LGBTI+ children feel safe and accepted. One of the interviewees stressed the importance of anonymity in providing emotional support. The child psychologists also said that all children should have access to inclusive education and information about LGBTI+ issues.

Another interviewee claimed that at their emotional support service, all volunteers are trained to treat every child as equal, regardless of sexual orientation, gender identity or other. The service aims to provide a safe space where children can discuss difficult issues. The interviewee said that when recruiting volunteers for their service, all candidates are screened for potentially discriminatory attitudes, and candidates who demonstrate such attitudes are not invited to provide emotional support. She insisted that the service is vocal about the support they provide to LGBTI+ children and communicates that they are open to LGBTI+ children and provide a safe space free from discrimination. She also said that psychologists have an impact in changing negative attitudes among parents and teachers when it comes to LGBTI+ children. She stated that the organisation that she works for has various educational activities that allow the public to see the needs of LGBTI+ children.

The school principal who was interviewed acknowledged that teachers play an important role in providing knowledge on LGBTI+ issues, supporting LGBTI+ children, and mediating between children and their parents. The interviewee claimed that she came under the scrutiny of the local media after an event on LGBTI+ issues was held at their school. According to the principal, school staff often have to mediate when children want to learn about LGBTI+ issues but their parents do not approve. She insisted that teachers should receive training on LGBTI+ issues, and that their views should be screened before they are offered employment.

Another interviewee working in education said that during the summer camps that she organises, the campers are asked to give their preferred names and pronouns. She claims that the staff members always use the preferred names and pronouns. The interviewee said that during these summer camp, she makes a special effort to support LGBTI+ children, provide them with a safe space, and make them feel accepted. However, for some of these LGBTI+ children, this is the only time of year that they can be themselves.

The interviewees working in children's rights insisted that the rights of LGBTI+ children are not a priority for the Lithuanian government. According to one interviewee, the specialists who work with children lack knowledge of LGBTI+ issues, and society

continues to deny the existence of LGBTI+ children. LGBTI+ issues continue to be sexualised, and as a result, the needs of LGBTI+ children are neglected. The interviewee said that specialists who work with children should provide them with confidence and empower them to defend their rights. She stressed that the problem often stems from the parents of LGBTI+ children, who cannot accept their children's sexual orientation or gender identity. The specialist said that improving the situation of LGBTI+ children requires resources (both human and financial).

Another interviewee working in children's rights said that there is a lack of political will to make the rights of LGBTI+ children a priority in Lithuania. She said that the specialists who work with children lack knowledge on LGBTI+ issues, even though they often face situations where this kind of knowledge is essential. The interviewee claimed that specialists who work with children often have negative attitudes towards LGBTI+ people, and are therefore unable to function as professionals when resolving situations involving LGBTI+ children. Such specialists cannot effectively address the needs of LGBTI+ children.

According to the interviewee, if teachers, education specialists and education support professionals knew how to recognise and stop child violence based on gender or gender identity, they would not be afraid to talk about it and would be able to help children. This applies not only to families at social risk, but also during complex service projects. She believes that if specialists were able to identify children's needs as well, they could in a sense work with parents to change their attitudes, quell their unfounded fears, and help them accept their children.

The social workers who were interviewed said that support for LGBTI+ children is not very common in their work. They said that they have colleagues who are unable to separate their professional capacities and negative attitudes towards LGBTI+ people.

One interviewee mentioned that she had established a separate group for LGBTI+ children, providing them with a safe space and knowledge about their rights and the support system available. According to her, cases where LGBTI+ children face physical bullying are quite common, so children need to know who is responsible for solving these problems. The interviewee asserted that LGBTI+ children often face bullying in sports, so coaches need to be reminded that not all children are heterosexual and cisgender. The social worker is in frequent contact with schools regarding the bullying that LGBTI+ children face. She feels that LGBTI+ support groups should be established in every school.

Another interviewee said that social workers need to show children that they support them. According to her, LGBTI+ children are used to hostility and negative attitudes, and will not approach adults unless they see that they are supportive. The social worker claimed that she has faced negative attitudes at her workplace because she volunteers at an emotional support platform for LGBTI+ children.

Since she works with families at risk, she talks with LGBTI+ children, tries to create a safe space for them, and works closely with schools, children's rights specialists, public offices and psychologists. The interviewee said that there has to be a common system, so that specialists can simply work as a team, referring young people for psychological counselling if necessary.

3.4 Professionals' (training) needs to combat LGBTI+ violence against children

All of the professionals who were interviewed claimed that they need training to combat LGBTI+ violence against children. In fact, most of the interviewees claimed that the lack of such training for professionals is the reason for the poor situation with LGBTI+ children in Lithuania – their needs are not a priority and therefore are not addressed.

According to the interviewees, all professionals should be trained on LGBTI+ issues, as they lack general knowledge, have many misconceptions regarding LGBTI+ people, and often demonstrate a negative attitude towards LGBTI+ people. Since LGBTI+ people remain highly stigmatised and LGBTI+ issues are still taboo in many sectors – including education – professionals working with children are reluctant to discuss LGBTI+ issues with children. Specialists working with children tend to sexualise LGBTI+ identities, and consider talking about these issues as a form of "LGBTI+ propaganda". These attitudes mean that many professionals cannot competently deal with LGBTI+ issues without expressing their personal views.

The situation of LGBTI+ children in Lithuania will not change unless professionals working with children receive training on LGBTI+ issues and work on shifting their attitudes. Specialists working with children often provide harmful advice regarding LGBTI+ issues. They urge children to be "normal" in order to avoid bullying and harassment. This is definitely furthering the negative effects of homophobia that LGBTI+ children experience.

3.5 Exemplary quotes from the interviews with professionals

> "LGBTI+ children need inclusive education at schools, safe spaces, and youth groups. They need inclusive services and emotional support tailored to their specific needs."
>
> – Alberta (Lithuania, child psychologist, 38 years old)

> "In fact, when it comes to needs, there is a huge lack of information and research to reflect their needs very clearly. Basically, we know those needs mainly from non-governmental organisations, for example, the LGL, from their activities, or from the media. We don't have direct meetings with LGBT children at our institution. And therefore, that naming of the need is indirect in essence, only to the extent that we hear it from the public space."
>
> – Roberta (Lithuania, child rights specialist, 45 years old)

> "Well, I unequivocally think that there is often an unmet need for safety and acceptance. And children sometimes feel that it is not safe for them to reveal their LGBTI+ identity. And if you do disclose your identity, you often face certain safety

challenges and the corresponding issue of acceptance. Sometimes children get acceptance from their peers, but they may not get it from adults."

– Monika (Lithuania, child psychologist and emotional support service employee, 40 years old)

4. Overall evaluation: Tendencies and shortcomings regarding empowering LGBTI+ children to combat violence in Lithuania

LGBTI+ children in Lithuania indicate that they spend most of their free time with their friends and family. However, some LGBTI+ young people spend their free time alone and face a higher risk of social isolation. Interestingly, but also alarmingly, LGBTI+ young people demonstrate a high level of pessimism when it comes to their expectations of their inner circle. Compared to other countries, Lithuanian respondents are very sceptical in their perception of the potential support systems provided by their inner circle, teachers, social services and healthcare providers.

Only 32.6% of the respondents think that their inner circle might be open to receiving advice on LGBTI+ issues from other people. Only 26.5% of the respondents think that their inner circle would want to protect them against LGBTI+-phobia. Only 26.1% of the respondents have a sense of belonging in their inner circle. Only 6.6% of the respondents said that their school offers counselling that might help them with problems related to them being LGBTI+.

These negative tendencies indicate that most LGBTI+ young people in Lithuania feel that they can only count on themselves when facing LGBTI+-phobia and other issues related to their LGBTI+ identity. Lithuanian society is very homophobic, and most adults are not keen on changing their negative attitudes towards LGBTI+ people. Unfortunately, this means that most LGBTI+ young people in Lithuania remain isolated and have no sense of belonging. This also means that LGBTI+ young people are not likely to seek help from professionals when faced with violence, because they do not expect to receive adequate help.

However, specialists working with children indicate that they welcome LGBTI+ young people. The interviewees claimed that they try to ensure that LGBTI+ young people feel safe and accepted. One interviewee said that psychologists have an impact in changing negative attitudes among parents and teachers when it comes to LGBTI+ children.

Most specialist working with children agree that professionals should be screened for potentially discriminatory attitudes, and should attend mandatory training on LGBTI+ issues. Specialists working in education claim that school staff often have to mediate when children want to learn about LGBTI+ issues but their parents do not approve. LGBTI+ inclusive spaces provided by some education specialists might be the only place where LGBTI+ youth can be themselves.

The LGBTI+ young people who participated in the survey are dealing with economic hardship, violence at home, and homelessness. More than half of the respondents said

that they are dealing with mental health issues, which sometimes leads to self-medication and substance abuse.

The covid-19 lockdowns and restrictions were difficult for the young LGBTI+ respondents. Most of them relied on support from their friends and their partner. This further confirms that LGBTI+ young people are not accepted by their family members and do not expect support from adults. Most respondents indicated that they faced anxiety, loneliness and depression during the pandemic. Most Lithuanian respondents said that they experience discrimination because of their LGBTI+ identity at school, on the street or at home.

Sadly, these negative tendencies do not mean that the rights of LGBTI+ children will be protected in Lithuania in the near future. One specialist who works in children's rights claimed that the rights of LGBTI+ children are not a priority for the Lithuanian government. The interviewee claimed that the specialists who work with children lack knowledge of LGBTI+ issues, and society continues to deny the existence of LGBTI+ children. LGBTI+ issues continue to be sexualised, and as a result, the needs of LGBTI+ children are neglected. The problem often stems from the parents, who cannot accept their children's LGBTI+ identity. However, according to specialists in children's rights, not enough resources (both human and financial) are allocated to improving the situation of LGBTI+ children.

Since there is a lack of political will to make the rights of LGBTI+ children a priority in Lithuania, specialists who work with children lack knowledge on LGBTI+ issues. According to one interviewee, most specialists who work with children have negative attitudes towards LGBTI+ people, and are therefore unable to function as professionals when resolving situations involving LGBTI+ children and addressing their needs.

According to the interviewees working in social services, specialists who work with children would benefit from training on LGBTI+ issues and the recognition of violence. If specialists were able to identify the needs of LGBTI+ children, they would be able to mediate between parents and children and shift the negative attitudes of parents.

Since LGBTI+ children are used to hostility and negative attitudes, they do not approach adults unless they see that they are clearly supportive. This statement is confirmed by the LGBTI+ youth who took part in the survey, as the respondents were very sceptical about receiving support from adults.

Most of the professionals who were interviewed claimed that the lack of LGBTI+ training for professionals is the reason for the poor situation with LGBTI+ young people in Lithuania – their needs are not a priority and therefore are not addressed.

The LGBTI+ young people who participated in the survey were not very optimistic about positive changes in the future. According to the respondents, it is most likely that in the next 10 years, the situation and attitudes will change at universities and in intimate and social relationships.

The situation of LGBTI+ children in Lithuania will not change unless there is political will to make the rights of LGBTI+ children a priority and to raise awareness and change the public attitude on LGBTI+ issues. As adults continue to sexualise children's LGBTI+ identities, LGBTI+ issues remain a taboo in our society, and the children are the ones who are affected the most. Professionals working with children on LGBTI+ issues need

to be trained, as they are the main support system that LGBTI+ children need. And even though LGBTI+ young people do not currently expect to receive adequate help and support, this might change as specialists become more LGBTI+ friendly and inclusive, and trained to recognise the specific needs of LGBTI+ children.

4.1. SWOT regarding combating violence against LGBTI+ children in Lithuania

STRENGTHS (+)	
Discrimination based on sexual orientation is prohibited in most sectors, including education.	Children's rights bodies are becoming more aware of the need to increase staff competence on LGBTI+ issues, and are generally proactive when it comes to participating in training.
WEAKNESSES (-)	
LGBTI+ issues are not included in the national education curriculum. Therefore, children do not have any objective information on LGBTI+ issues and rely on the internet and social media.	LGBTI+ young people do not expect to receive any support from their parents, specialists and adults in general. This indicates that LGBTI+ young people do not see supportive adults in their inner circle.
OPPORTUNITIES (+)	
Some specialists working with children are open to providing support for LGBTI+ children and youth, and voluntarily participate in training on LGBTI+ issues.	Since LGBTI+ NGOs have expertise on LGBTI+ issues, NGO representatives could provide training on LGBTI+ issues if there is political will to implement it.
THREATS (-)	
Since there is no mandatory training on LGBTI+ issues, specialists working with children often have negative attitudes towards LGBTI+ people and are unable to provide professional support to LGBTI+ children.	The Republic of Lithuania Law on the Protection of Minors Against the Detrimental Effects of Public Information that is currently in place creates a chilling effect on discussing LGBTI+ issues with minors and in the public space. Hence, LGBTI+ issues are still considered taboo in Lithuanian society.

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Colourful Childhoods

EMPOWERING LGBTIQ CHILDREN
IN VULNERABLE CONTEXTS TO COMBAT
GENDER-BASED VIOLENCE ACROSS EUROPE

National Report

Portugal

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Author

Ana Cristina Santos e Mafalda Esteves, Centro de Estudos Sociais, Universidade de Coimbra, Portugal

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Introduction – Research Design and Sample

Fieldwork was successfully conducted, bearing in mind the aims for its different components: interviews, survey and focus groups. Finding professionals to interview was the easiest task and people were genuinely interested in taking part. We were able to involve a variety of actors, from psychologists to public servants, social educators, sociologists and other child-related services from different cities. The child recruitment processes were more challenging. In a sociocultural context like Portugal, marked by a dictatorial past in which there were broad restraints on social participation, the biggest challenge was finding LGBTIQ children who met the inclusion criteria to take part in the survey and in the focus groups. The active involvement of local partner institutions as well as other entities providing support to LGBTIQ children and teenagers was crucial for successful implementation.

Interviews with stakeholders: The semi-structured interview script was conceived by the C-Child research team at the Centre for Social Studies of the University of Coimbra (CES-UC), led by Dr Ana Cristina Santos and Mafalda Esteves, and a total of eight interviews were conducted. The sample of interviewees was purposive, aiming at involving key actors working with children in vulnerable contexts, such as social workers, psychologists, professionals in child-protection agencies, youth workers and sociologists, among others. Our criteria involved job and post relevance, insertion in networks or professional forums that may benefit from further training in C-child issues and diversity of work experiences. We also privileged access and rapport previously established, when possible, in order to facilitate contact and ensure the timeline would be successfully met. Overall, we interviewed one youth technician based in a city council, three psychologists working in LGBTIQ associations, one director of a platform to support children who have lived in shelters and foster homes, one sociologist from a human rights NGO, one coordinator of a family support association and one social worker from the Commission for the Protection of Children and Young People (CPCJ). In terms of gender balance, we included three participants who identified as male. Regarding sexual orientation, six were heterosexual and two were gay men. All the interviews were cisgender despite our best efforts to introduce gender diversity. The age of the participants ranged from 28 to 61 years old with an average of 51. A total of 600 minutes of qualitative interviews were audio recorded, anonymised and analysed following thematic network coding. Informed consent was secured prior to each interview.

Focus group with children: The script for the focus group was proposed by the CES team and two versions were created to be applied according to the age group (6–11 years and 12–17 years). In a context such as Portugal, finding LGBTIQ children who met the inclusion criteria, answered the survey and participated in the focus groups was the biggest challenge for the team. Therefore, the motivation and active involvement of local partner institutions and other entities providing support to LGBTIQ children and young people was crucial in successfully completing this phase. For the dissemination of the focus groups, outreach materials were created targeting LGBTIQ young people aged 12–17 years (PCP) and disseminated on social media and among different associations working with children and young people. The partner institutions were essential for dissemination to children potentially interested in participating. As we intend to focus on LGBTIQ children from different geographical contexts and seek to reduce inequality in

accessibility and participation in the study, we held focus groups with children aged 12–17 years in a face-to-face format (1) and an online format (1). Both were chaired by Mafalda Esteves. For the first focus group, the young people were contacted through a community association in the city of Lisbon that operates at the level of psychosocial intervention with young people. Once the informed consent of the child and their legal guardian had been obtained, the focus group was carried out (14/11/2022) at the association's premises. The group was initially composed of seven children, but was reduced to four participants, as two did not identify with the theme in question and at the end of the session one child did not agree to participate in the study. Regarding the gender of the participating children, two self-identified as cisgender girls and two as transgender boys and regarding sexual orientation they self-identified as bisexual (1), lesbian (1), pansexual (1) and heterosexual (1). The second focus group intended to involve children from other geographical contexts, including the islands of Azores and Madeira. It took place on 24/11/2022 via the Zoom platform. Prior contacts were established to identify the participants and ensure informed consent. Although the team made all the necessary efforts to accommodate the time constraints and availability of all the children who might participate, from the initially confirmed five children only three were actually present at the meeting. At the moment of implementation of the focus group, regarding gender, one cisgender girl, one cisgender boy and one trans boy were involved and in terms of sexual orientation, they identified as gay (1), lesbian (1) and heterosexual (1). A total of 150 minutes of focus group were audio recorded, anonymised and analysed following thematic network coding. Different group analysis sessions took place. Informed consent was secured prior to each session (by the legal representative and children). The average age was 17 years old.

Survey and Sample: The European Survey on Colourful Childhoods was designed by the C-Child research team at the University of Girona, led by Dr Josan Longarita. After being validated by all partners in the consortium, the survey was translated, adapted to national contexts and applied virtually, using the statistical software LimeSurvey. The online survey methodology helped to eliminate bias, which could have been introduced by face-to-face interview approaches when dealing with very sensitive and personal questions such as the intersection between violence and sexual orientation or gender identity. To ensure that the adaptation of the survey to the national context was valid, an external team was involved and a pre-test was carried out with an anonymous group of children. The target group was LGBTIQ children born between 2004 and 2007 in Portugal. The survey was disseminated online and in a face-to-face format in diverse contexts and we received support from local partner associations and other relevant ones that carry out child counselling. Professional networks prior to this project (Diversity and Childhood project), were also used to support this task. After requesting permission from the Directorate General for Education to disseminate the survey in educational centres, some secondary schools in the areas of Coimbra and Lisbon were contacted to assist in recruitment but the take-up was low. The survey took place between July and November 2022. The levels of participation were partially influenced by the summer holidays.

The Colourful Childhoods Survey provided participants with confidentiality and anonymity and included five main sections: 1 – *Knowledge regarding gender and gender diversity*; 2 – *Beliefs regarding LGBTIQ children and youth support;* 3 – *Experiences regarding covid-19 lockdown and restrictions*, 4 – *Resilience processes regarding being an LGBTIQ person* and 5 – *Expectations regarding support LGBTIQ children.*

As it was applied online, the survey was answered by children who lived in different regions of the country. Overall, we had a total of 111 responses but, because some were answered by non-LGBTIQ children, in the end we considered a total of 82 full responses. Regarding the participants, the majority of LGBTIQ children were at school in compulsory secondary education (81.7%). The majority were born in Portugal (79), live with their parents (78%), with extended family (6.1%), alone (3.7%) or in a boarding school (2.4%). In terms of gender, 43.9% self-identified as female (36), 26.8% as male (22), 14.6% as non-binary (12), 9.8% as other (8) and 4.9% preferred not to answer (4). In addition, one third (31.6%) claimed to be transgender (25). In terms of sexual orientation, 38.3% self-identified as bisexual (31), 22.2% as gay or lesbian (18), 24.7% with another sexual orientation (20), and 6.2% as heterosexual (5). It should be noted that the answers of young heterosexuals correspond to young people who declared themselves to be transgender or who self-identified with a gender other than male or female.

1. Legal and political context regarding LGBTIQ rights[1]

1.1. Context

Portugal experienced the longest dictatorship in Southern Europe, between 1926 and 1974. The criminalization of homosexuality in Portugal during this time enabled police raids and detention camps targeting gay people (Almeida 2010; Santos 2013). Homosexuality was decriminalized only in 1982, eight years after the 1974 revolution that ended the dictatorship.

It took nineteen years after decriminalizing homosexuality, in 2001, until the Portuguese Parliament approved two laws that changed the face of sexual politics in the country. One of these was the law on shared economy that recognized the legal status of cohabitants regardless of their number, gender or existence of blood ties (Decreto-Lei nº 6/01). This law was particularly promising in the fields of friendship and of consensual non-monogamies, as recognition of partners was not limited in number nor by the existence of sexual bonds between them (Santos 2013). The second change in 2001 was the de facto union law, which granted the same rights to different-sex and same-sex cohabiting couples, regarding next of kin, health and housing, amongst other legal aspects (Decreto-Lei nº 7/01). The legal changes enacted in 2001 interrupted a 19-year period of immobility during which, after the decriminalization of homosexuality in 1982, LGBTIQ issues remained marginal in the political agenda, despite the increasing consolidation of collective action and cultural expectations around the topic. Following the approval of these two laws, other changes occurred and LGBTIQ legal demands slowly but steadily occupied the Constitution, the Penal Code and the Civil Code (Santos, 2013).

In 2004, Portugal became the first European country and fourth worldwide to include in its Constitution the prohibition of discrimination based on sexual orientation. Other legal

[1] This section draws heavily on work previously written by authors (Santos, Esteves and Santos, 2020).

measures followed, the most controversial of which happened in 2010 when, after fierce social debate involving religious leaders, politicians and activists, the Portuguese Parliament approved a gender-neutral marriage law. In 2016, same-sex parenthood obtained extensive legal recognition (Santos, 2018), including adoption, co-adoption, medically assisted reproduction and even a restrictive version of surrogacy. In 2018 there were important changes regarding gender identity and expression, as well as intersex (Hines & Santos, 2018). Following a revision of the Gender Identity Law from 2011, in 2018 lawmakers finally established the depathologization of transgender people, banning the need for a medical report for people over 18 and teenagers over 16 to change their name and sex in their documents. By default, this law also banned surgeries on intersex babies and established that schools must use the social name chosen by the trans child or youth.[2]

Based on this short overview, it can be observed that from 2001 onwards, Portugal has seen a significant increase in the LGBTIQ movement and also in policies and in Portuguese law concerning not only sexual orientation and gender identity but also sexual citizenship (Carneiro, 2009; Cascais, 2006, 2020; Ferreira, 2015; Gato, 2014; Santos, 2013, 2016). These changes in the law have also been possible due to a strong and resilient LGBTIQ movement that pressured the government through public debate initiatives and lobbying. The push for laws regarding LGBTIQ people also led to an increase in the amount of services recently developed for LGBTIQ people and youth specifically. Examples include the state-funded Centro Gis and Rainbow House (Casa Arco-íris) in Porto and the Qui House (Casa Qui) in Lisbon, which provide services including housing for homeless LGBTIQ people, youth and children.

Despite significant changes in recent years, most specifically regarding legal transformation from the 2000s onwards, dominant cultural expectations encourage a consistent type of linearity in intimate biographies: after reaching adulthood, one is expected to find a (preferably different-sex) partner, to get formal relational recognition (preferably through marriage) and to have children (preferably one's own biological children). In previous work, together with colleagues Roseneil, Crowhurst and Stoilova, we referred to this as the procreative norm (Roseneil et al., 2016: 3). Explanations for the difficulties in changing the cultural context can be partially found based on literature on welfare and gender regimes which describe Southern European countries as family-oriented, procreative and (hetero)normative states (Mínguez and Crespi, 2017; Torres, Mendes and Lapa, 2008; Santos, 2013). Consequently, violence and discrimination based on sexual orientation, gender identity and expression are reported every year (ILGA Portugal, 2019; OECD, 2019; OECD 2020; rede ex aequo, 2019).

[2] More information about the 2018 Gender Identity Law can be found at https://dre.pt/home/-/dre/123962165/details/maximized?fbclid=IwAR1EuI7Xt_49Y0VzM83l5tJtDP8LovgjVq6AWwml5uTCshpVWVKIRQCl5lg.

Timeline

1982 – Decriminalization of homosexuality.

1995 – 1st celebration of Stonewall organized by the Homosexual Work Group (GTH).[3]

1996 – New collectives emerge: ILGA Portugal, Clube Safo and the portal PortugalGay.PT.

1997 – 1st Pride Party (Arraial), 1st Lesbian and Gay Film Festival.

2000 – 1st LGBTIQ March in Portugal (Lisbon).

2001 – Recognition of same-sex de facto unions.

2003 – Legislation on workplace LGBTIQ discrimination.

2004 – Portugal becomes the 1st European country and the 4th worldwide to include sexual orientation amongst non-discrimination factors in its Constitution.

2006 – Porto is the 2nd city to have an LGBTIQ March.

2007 – Age of consent is equalized; homophobic hate crimes made more severe in the Penal Code; reframing of domestic violence includes same-sex domestic violence.

2010 – Gender neutral marriage law.

2010 – Coimbra is the 3rd city to have an LGBTIQ March.

2011 – Gender Identity Law – includes name change in documents with the obligatory registry and a medical report signed by two medical professionals.

2016 – Same-sex couple adoption and same-sex co-parent adoption law.

2016 – Medically assisted reproduction, regardless of sexual orientation.

2018 – Gender Self-Determination Law (Revision of the Gender Identity Law) – depathologization, no need for medical report; schools must treat trans students by their social name and give access to safe toilets; surgeries on intersex newborns are banned.

2018 – Government issues a National Strategy for Equality and Non-Discrimination (Portugal + Igual), with a plan for sexual orientation, gender identity and expression.

2018 – Queer Tropical, a collective which aims at supporting the Brazilian LGBTIQ community, is born. This is the 1st collective of its kind, followed by Casa T (in 2020) targeting racialized trans migrant people, and by the collective The Blacker The Berry (in 2021), designed by queer black people to support queer black people.

2019 – Government orders schools to respect the use of students' social names and their choice related to uniforms and toilets and suspends the administrative fee of €200 previously charged to change one's name.

2021 – Prohibition of discrimination based on sexual orientation in blood donation.

[3] Read more about the group: http://portugalpride.org/orgs.asp?id=gth

2021 – The court declares the order establishing the implementation of the Law on Gender Self-Determination in schools unconstitutional, stating that it must be the Assembly of the Republic that regulates these matters.

1.2. Relevant statistical data about LGBTIQ situation in Portugal

In 2020, the European LGBT Survey (FRA, 2020) indicated situations of violence mainly in the public space (26%), at school/university (26%) and at work (22%). Almost half of the participants (54%), report having been ridiculed, teased, insulted or threatened because of being LGBTI+. The abuser profile is someone unknown (46%), someone from school or college (16%) or a family member (9%). Aggressors are mostly male and the incident occurs in the public space (street, square or car park). Portuguese participants report that they did not communicate the hate-motivated harassment to the police (81%) nor another organization (91%) because they did not consider it serious enough (45%), or because they did not think they would do anything (28%), or because they took care of it (18%), or last because of shame and embarrassment (16%). Previously, in 2013, 51% of the respondents in Portugal said they had been discriminated against on the basis of their gender identity or sexual orientation in their lifetime, including being victims of harassment and violence in public spaces (FRA, 2013).

ILGA Europe (2020), in their review of human rights for LGBTI people in Europe and Central Asia, reported cases of discrimination in law, as well as incidents of violence in public spaces based on Sexual Orientation, Gender Identity and Expression, and Sex Characteristics (SOGIESC) issues, in Portugal.

According to Transgender Europe's (TGEU) 2019 map of Trans Rights in Europe and Central Asia , including 29 categories and a list of 53 countries, Portugal meets 17 of the evaluation criteria and is one of the most advanced countries regarding law that supports and protects trans people. A total of 274 people, including 21 minors, used the new gender recognition law and changed their gender marker in Portugal. (ILGA Europe, 2020).

2. Children's rights and LGBTIQ diversity in childhood – a brief overview

2.1. Context

The child protection system in Portugal started in the 1960s but until the 1990s a child was not considered a subject with rights. After the revolution of April 25, 1974, the Constitution of 1976 recognized that the child is entitled to protection by society and the state in relation to his or her full development. Subsequently, the Portuguese state ratified the United Nations Convention. The Convention on the Rights of the Child, in 1990, led to a deep reformulation of the system based on a new paradigm that sought, on the one hand, the protection of children and young people in situations of danger,

victims of circumstances of diverse nature; and on the other hand of responsibility, centred on the "education for the law" of those between 12 and 16 years of age who had committed acts that, under criminal law, would be considered crimes. At the end of the 90s, two new laws about childhood and youth were approved, focused on the higher interests of the child:

- The *Law on Educational Guardianship, Law 166/99, of 14 Septembe*r ("Lei Tutelar Educativa"), which recognizes that a child aged between 12 and 16 years old is a subject with judicial rights.
- The *Law of Protection of Children and Young People at Risk, Law 147/99, of 1 September* (LPCJP), revised by *Law 142/2015, of 8 September*, which regulates the state's intervention in the promotion and protection of the rights of children in risk situations, when the parents or legal representative places at risk the safety, health, education and development of the child.

Portugal has been in line with international and European guidelines in the area of childhood, reinforcing the protection and inclusion of children in order to break intergenerational cycles of poverty and thus improve their well-being and opportunities in the near future. According to the report on Policies from Children in the area of Social Security (DSRIC, 2015) led by the Portuguese government, the commitment to these goals has resulted in several measures focusing on strengthening early childhood intervention in areas such as health and education, investing in the quality and availability of child support services, prioritising access to the most vulnerable families and guaranteeing minimum resources through a combination of cash benefits and in kind.

The Protection of Children and Young People in Danger Act itself defines the role of each of the parts of the system, by stating that "the promotion of the rights and the protection of children and young people in danger is the responsibility of the entities with competence in childhood and youth matters, the commissions for the protection of children and young people and the courts". It is in this scope that the National Commission for the Promotion of the Rights and Protection of Children and Young People emerged with a child protection policy based on a child protection model, in force since 2001. Its aim is the active participation of the community, creating a partnership relationship with the state, materialised in the Commissions for the Protection of Children and Young People (CPCJ), capable of establishing local community-based networks.

Portugal approved the National Strategy for Children's Rights (ENDC) for the period 2021–2024 (which is aligned with the EU Strategy on the Rights of the Children). The ENDC is based on an integrated and comprehensive definition and its main goal is to build the pillars of a new approach in terms of childhood and youth to be implemented in the next few years. This represented a very important step in ensuring the protection of children in special situations of vulnerability as well as sexual and gender diversity amongst other intersections. The ENDC includes five strategic areas for children and is configured into five priorities which are developed into strategic objectives: Promote well-being and equal opportunities (Priority I), Support families and parenthood (Priority II), Promote access to information and participation of children and young people (Priority III), Prevent and combat violence against children and young people (Priority V), and Promote the production of tools and scientific knowledge to foster a comprehensive view of children and young people's rights. Moreover, the Portuguese government also shows interest in promoting sexual and gender diverse children's well-being through the

National Strategy for Equality and Non-Discrimination (ENIND 2018–2030) – "Portugal + Igual" – approved by the XXI Constitutional Government on 8 March, 2018 (Council of Ministers Resolution No. 61/2018, of 21 May). Recognizing equality and non-discrimination as a condition for building a sustainable future for Portugal, the XXI Constitutional Government defined strategic axes and objectives until 2030.

In relation to gender identity and expression as well as intersex issues, in 2018 there were important changes (Saleiro 2017; Hines and Santos 2018). Following the revision of the Gender Identity Act (2011), in 2018 legislation established the depathologization of trans people, dispensing with a medical report for adult people and for children (over 16 years old) who wish to change their name and gender on their official documents. This law also includes the prohibition of unjustified surgeries (which do not pose a danger to health) on intersex babies and establishes that schools and other educational centres must use the social name and pronouns of the transgender child or young person.

By ensuring equality and non-discrimination in the education system in Portugal, a path has been made through the creation of several public policy instruments that seek to ensure the protection of LGBTIQ children and young people: the law on sexual education in the school context (Law no. 60/2009) and the creation of the Student Statute and School Ethics (Law no. No. 51/2012 of 5 September) allow students, from 2012, to claim the right to be treated with respect and correction by any member of the educational community, and discrimination on the basis of sex, sexual orientation and gender identity cannot happen under any circumstances. In 2019, Order No. 7247/2019, which establishes measures for the implementation of Law No. 38/2018 in the school context and provides for the respect of the student's social name and the right to use uniform and bathroom according to their self-determined gender identity was also approved. Despite these significant advances, recent setbacks render null and void the norm issued by the Ministry of Education on specific measures to be implemented by schools regarding gender diversity. Decision No. 474/2021 noted that three measures fall within the competence of Parliament. This event can be classified as a step backwards in the legal and policy developments regarding equality and anti-discrimination of LGBTIQ children (Santos et. al, 2023).

In the sphere of the protection of LGBTIQ children in healthcare, in 2019 the Ministry of Health/ Directorate General of Health launched the National Health Strategy for Lesbian, Gay, Bisexual, Trans and Intersex People: Volume 1 Promotion of the health of transgender and intersex people that enables compliance with Law No. 38/2018.

These laws and political measures represent recognition by the Portuguese state that gender diversity manifests itself throughout the life course, therefore recognizing that gender expression in childhood and ensuring respect for the self-determination of trans, intersex and non-binary children and young people is crucial (Diversity and Childhood 2020). However, some attention should be paid to the effects of the right-wing movement and anti-gender campaigns (Santos, 2022) and the lack of measures regarding conversion "therapy".

2.2. Relevant statistical data

Studies about the impact of covid-19 on LGBTIQ children in Portugal are still scarce. However, those that already exist reinforce the idea that LGBTIQ children are particularly

vulnerable, especially when they are in hostile environments and feelings of deep isolation from LGBTIQ friends increase significantly. Also access to LGBTIQ social and political spaces has been made more difficult (Gato, J.; Leal, D. & Seabra, D., 2020).

So far, the largest survey (Gato et. al., 2019; Pizmony-Levy et al., 2018) conducted in Portugal addressing the situation of LGBTIQ young people in schools finds that for many participants (n = 663) around two in five students said they felt unsafe because of their sexual orientation and almost one third because of their gender expression. Around a quarter of them avoided using spaces such as changing rooms, toilets or sports lessons because of insecurity or discomfort. Areas such as sports facilities (14.2%) or the school lunchroom or bar (13.3%) were also avoided. The majority (61.1%) heard homophobic comments at school regularly or frequently from peers (three quarters) or teaching and non-teaching staff (one third). Two thirds of the sample reported having been the target of verbal aggression because of personal characteristics, the majority because of gender expression (66.6%). The number of reports of episodes of violence remains low, with only one in three students making at least one report to teaching and non-teaching staff. In the cases where a report was made, only one third considered that the response to the situation was effective on the part of adults (teaching and non-teaching staff). Only a little more than a third revealed having reported it to their family and in 40.6% of the cases in which there was such a report, the family never broached the subject at school. In her study Freitas (2019) identified that young LGBTIQ people were more likely to report being victims of bullying than young heterosexual people.

The 2018 Education Report produced by rede ex aequo shows that only 25% of young respondents have ever spoken of gender or sexual diversity in school and more than half of the teachers had witnessed bullying and violence due to gender expression, identity and sexual orientation. Moreover, another study on LGBTIQ youth in Portuguese schools revealed that many students experience LGBTIQphobic verbal abuse and other forms of violence (ILGA Portugal, 2017).

According to FRA (2020), 24% of LGBTI+ children and young people felt discriminated against by school/university staff due to homo/bi/transphobia. However, the vast majority (92%) do not report the incidents because they feel that: 1. nothing would happen or change (34%); 2. because they did not want to reveal their sex/gender identity (23%): 3. because they felt it was not worth reporting the incident (21%).

According to the results of the Diversity and Childhood project, the lack of access to workplace resources to support LGBTIQ children and young people is still a reality (Esteves, Santos & Santos, 2021). On the other hand, in his analysis of ENAE data, Fernandes (2020) revealed that the presence of inclusive policies could be associated with the quality of school experiences of LGBTIQ students.

3. Findings

3.1. Children's needs to combat LGBTIQ-based violence

Our findings show that violence motivated by sexual and gender prejudice characterizes the lives of LGBTIQ children participating in the study before, during and after the covid-19 lockdown restrictions, both offline and online. According to the results of the survey, the places where discrimination occurred most regularly were in school (about 44%) and in the family (37%). Also, LGBTIQ young people reported that the period of lockdown was additionally demanding and characterized by great personal ambivalence regarding feelings and emotional distress. Regarding physical violence because of being an LGBTIQ person since the covid-19 pandemic started, the majority answered "not at all" and "a little". On the occasions that it was reported, the perpetrators were housemates in a foster home, roommates and strangers.

Several participants disclosed their sexual orientation and gender identity to their families during lockdowns. Such moments were particularly difficult at an emotional and psychological level, especially in family environments where support was scarce or null. Without the support of family members, psychological suffering was high, especially because they were far from their significant others. That reason was especially important because most of the young people who answered the survey in Portugal spend their free time with friends (48.8%).

Next, we present our findings regarding gender violence experiences against LGBTIQ children. Based on the reports by children, we structured these experiences according to key areas.

- **Families**: It was clear from the reflections of the LGBTIQ children that the mandatory lockdown sometimes led to a forced coming out within the family. Varying reactions from different family members were identified, some showing support but others triggering gender-based violence. Likewise, episodes where children had to listen to negative comments or insults directed to the LGBTIQ population, regular psychological violence, threats of expulsion from home or more subtle manifestations characterised by the questioning and invalidation of the young person's identity were some of the examples shared. An illustrative example was the case of a trans boy who, after revealing his gender identity to his mother, was asked by the mother to hide it from his father for fear of negative consequences such as expulsion from home. When discussing the negative impacts of the experience of lockdown, children highlighted the social isolation, loneliness and sadness that, in some cases, remained beyond the period of confinement and they feel that social contact has still not been re-established. In some cases, interpersonal relationships with friends, schoolmates and relevant adults were also affected. The prolonged imposition of a physical distance on LGBTIQ children caused a separation from their safe and affective network and contributed to the development of a sense of disconnection with others and a rupture with interpersonal relationships that were apparently solid. Although they consider that lockdown damaged friendships and that this had consequences in terms of well-being, they also recognised that this period allowed them to reinforce other friendships by overcoming demanding moments such as those

experienced in this period. The negative effects on mental health were widely acknowledged as well as the essential role of psychology professionals in supporting children; however, they recognise that access to it is not universal and depends on the family's economic resources. About one third of respondents admit to having economic hardship (37.3%/31), 9.6% (8) already experienced violence at home and 34.1% (28) think they have mental issues.

- **Public space**: Public toilets were identified by LGBTIQ children as being gendered and very problematic spaces. They mention several episodes of direct social discrimination, especially directed at trans/non-binary children. In cases where there are episodes of physical violence and exploring the opinions about the role of the police authority in preventing and stopping violence, it is considered that police action, which is expected to be essential, is often not effective because the response is late. Another element related to gender violence in the public space is the social judgement expressed in "disapproving looks" that they constantly receive in their daily lives on the street. They feel rejected and criticized and agree that, although these are not episodes of physical violence, they cause great discomfort and insecurity. Everyone agrees that these episodes take place in many other contexts and not just on the streets, with an emphasis on school and public health provision such as hospitals and health centres.

- **Schools:** According to the survey data, the majority agree that educational centres should promote a positive view of sexual and gender diversity. During focus groups, it was evident during the discussions that the school context is the space where most experiences of violence are experienced by LGBTIQ children. They also indicate that schools are the spaces where a large part of the LGBTIQ community is based. Furthermore, it is shared that LGBTIQphobic violence does not stop in school playgrounds; it also enters the classroom and on occasions by the hands of teaching staff. They report several situations of bullying that, when facing gender violence by a heterosexual/cisgender peer, the teaching staff did not protect the victims and did not guarantee the children self-determination. Also some adult staff still refuse to use the children's social name and pronouns. With regard to the activities in physical education classes, the trans and non-binary children stated that physical education activities continue to be organised according to the binary gender marker (masculine/feminine; boys-girls), dealing with certain situations that create great discomfort, vulnerability and exposure in front of the other classmates as well as demanding emotional management, since these children get confused as they do not know which group to address or which they belong to. Regarding the profile of the perpetrators, LGBTIQ children identified that besides the adults in schools (teaching and non-teaching staff), peers and even the parents of peers carry out the majority of the attacks. In cases when aggression comes from the classmates, they discuss the situations of physical and psychological violence they have suffered and highlight the presence of hate speech against the LGBTIQ population among children, as well as the importance of demystifying the idea that young people are not conservative. In this regard, they consider that work should be done to deconstruct the LGBTIQphobia present and to provide alternatives, especially when the family context has a great influence on their beliefs and opinions.

Several narratives indicated a low motivation to be in school and some indicated that they hated school.

- **Health**: Hospital and health centre environments were identified as places where transgender and non-binary children experience LGBTIQphobic violence. Some trans children shared episodes in hospitals both in general services and in child-related services of disrespectful treatment, the non-use of trans children's social name and pronouns being the most common. On the other hand, waiting rooms are identified as being places of great exposure to violence, since children are often called by their "dead" name and not by their (social) name. They feel disrespected and that they have to justify their existence.

- **State:** The sexual and gender-diverse children discussed the role of the state in the creation and maintenance of gender violence. As a result of this debate, they recognized its huge importance in the protection of LGBTIQ children in terms of equal rights and guaranteed protection in contexts such as schools, where the LGBTIQ community is large and violence is still a daily routine. Considering the multiple challenges they have to deal with in their daily lives, they consider that state actions are insufficient and the existing responses are not effective. They stress that there is a discourse of an advanced legal framework in Portugal designed to protect them, but that it is not respected and therefore the right to education is at risk. A similar opinion was shared regarding the contexts of health care provision and protection of LGBTIQ children.

Gaps identified by the children include the insufficient implementation of sex education in schools, the presence of prejudices against the LGBTIQ community among teaching staff, the intrusion and invasion by teaching and non-teaching staff in matters that concern young people, the lack of respect for children's self-determination trans/non-binary, the lack of gender-neutral bathrooms, and the ongoing devaluation of adults who devalue, belittle, and disrespect children's experiences and needs (arguing that they are too young, that they don't know, and that the experiences they have and what they feel is temporary).

A topic which emerged from the debates was youth policies and some gaps were identified in the way these policies are proposed and designed: laws which are designed with children in mind affect their lives, but do not take their opinions and needs into account. They feel that they are not properly listened to and consider the legal aspect of age as an obstacle to achieving a more direct participation, particularly in decision-making issues which are relevant to their lives, such as gender and sexuality. It is clear that for these children there is still a long way to go on this matter.

3.2. Children's strategies of resistance against LGBTIQ-based violence

Regarding the strategies adopted by LGBTIQ children during and after the period of confinement caused by covid-19, they reflected on individual mechanisms and resources that were activated to respond to LGBTIQphobic violence to which they were exposed,

both in face-to-face contexts such as school (after lockdown) or staying at home (during lockdown) and online contexts.

The individual strategies that were shared show that the difficult task of stopping situations of gender-based violence often falls to the child. Through the discourse that emerged from the focus groups as well as the results of the survey, it some strategies could be identified:

(1) Leaving the situation: they abandoned situations in which they felt unable to resolve the situation or that they were afraid;

(2) Alienation: occupying free time sleeping, thus avoiding managing challenging situations (especially when locked down at home);

(3) “An eye for an eye” – facing the aggressor using the same type of response that was used and reciprocating in the same way;

(4) “Being connected” – To reduce social isolation and maintain relationships with significant people (in particular other children), internet and social networks were massively used to communicate, play and hold other types of virtual encounters with classmates with whom LGBTIQ children were closest. Thus, in an autonomous and self-managed way, the children organized meetings on the platforms used by the school after the school period to socialize, reduce loneliness and escape the hostile environment that often characterised their daily lives. It highlights the essential role of digital platforms where classes took place as a gateway to other living spaces and became a communication channel outside the home. Furthermore, according to the results of the survey, the influence of social networks for children was quite strong during the covid-19, as they learnt about LGBTIQ issues, and asked and solved questions about these topics.

(5) “Occupy and resist” – As a way of dealing with the violence they were subjected to in the educational context, not only by colleagues, but also by teachers, a strategy adopted was to place images of the LGBTIQ flag in the background of the computer screen. This action became a strategy for affirmation in terms of sexual and gender diversity, as well as resistance in a protected and safe context, especially in cases where young people were bullied at school.

3.3. Professionals’ good practices in empowering LGBTIQ children to combat violence

According to the children: Children and young people involved in the study discussed the importance of creating and identifying their safe network of young people or adults who they can trust to share their issues and ask for help if needed. Regarding adults, they believe that they play an important role in supporting LGBTIQ children in situations of violence, as they have the power to prevent some acts of LGBTIQphobic violence, especially referring to family and educational contexts. In this way, supporters of LGBTIQ children, via whom the child maintains a close relationship with members of their safe

network, can sometimes have a professional profile (psychology professionals, social workers, teachers, etc.).

Children also spoke of the importance of turning to young people who are trusted friends (peers) in difficult situations related to gender and sexuality. Some of the reasons given for preferring to resort to other young people rather than adults were: 1. feeling judged by adults, 2. their opinions being devalued by adults and 3. recognizing the presence of prejudice and discriminatory behaviour in adults. They also think that, when the subject is related to issues of sexual and gender diversity, adults should show respect and not interfere, but for this to come about, consistent work is necessary to train people and change mentalities among this population.

At school, some interventions by teaching staff were mentioned by children. These professionals create relationships of trust by showing availability to intercede and mediate in any existing conflict between young LGBTIQ people and their family. These professionals also sought to guarantee and apply the law of self-determination of the young person's gender, guaranteeing the use of their chosen social name and pronouns by other teaching colleagues.

Also, when home is not a safe and supportive context and children face violence, they turn to friendly people, and these are the ones who will sometimes act and intercede with adults and ask for help when the child victim has difficulty. They are usually other young people or adults such as teachers, psychology professionals or friends. When they see the suffering to which the friend is exposed, they decide to act and report the case to an adult person with the aim of triggering actions that interrupt the cycle of violence. In cases where there is physical violence, the intervention of police authority was considered essential to stop violence.

If the public space is permeable to LGBTIQphobic violence, it is also a space where LGBTIQ children can feel safer, more protected and respected. Although briefly, participation and collective organization were also pointed out as a useful resistance strategy. In this context, the visualization of symbols such as the LGBTIQ flag is seen as positive and offers a message that that place/neighbourhood is a space where the LGBTIQ population is welcome. Certain neighbourhoods have a large number of LGBTI+ flags on the windows of their buildings and, according to the children, they have a positive effect because they convey greater protection and a feeling of being part of a community.

Community-based associations aimed at young people were also mentioned as platforms that play a crucial role in eliminating violence against LGBTIQ children. These structures of a psychosocial nature aim at promoting autonomy, self-esteem and self-determination, building meaningful interpersonal relationships and guaranteeing respect and active listening. Peer learning and group cohesion are also promoted in these spaces. These action principles will trigger essential civic participation mechanisms to promote the well-being of LGBTIQ children. Regarding professional practices in these support structures for young people (psychology professionals, social workers), it is essential to create relationships of trust so that the child knows that they can count on the adult and ask for help if there is a problem. On the other hand, individual and collective monitoring ensures that they are respected and heard in this space. The use of the correct social name and pronouns, self-management and dynamization of activities are some of the examples that help children to feel that they can be who they are and feel respected. About the activities that they develop there, they believe that they

should be transferred and applied to other contexts such as school, a place children identify as being in urgent need of LGBTIQ-oriented intervention.

According to the professionals themselves: The private and public institutions where our interviewees work do not have specific internal norms or guidelines which address LGBTIQ children. The argument often used by professionals themselves is that the institution respects human rights in general, and therefore they deem it unnecessary to have another document to deal specifically with this topic. Some of them mention more general laws, such as the law protecting children and young people, or guidelines promoting gender equality, including the protection against harassment. However, later in the interview, some recognized that the existence of guidelines in the institution would indeed facilitate their job in protecting LGBTIQ children. As such, guidelines to protect LGBTIQ children are considered as a good practice in any given sector or institution, even if the majority of institutions lack this type of document.

School was the space most commonly mentioned in interviews as the cornerstone for protecting LGBTIQ children and youth now and in the future. Examples of good practices in schools include:

- Having internal diversity policies or guidelines for LGBTIQ anti-discrimination in schools (this could include celebrating 17th May)
- Calling the student by their number, avoiding the name (hence minimizing the risk of misgendering)
- Using inclusive or gender-neutral language
- Avoiding dress codes that penalise girls

It should be noted that several of these practices emerged from interviews in which professionals were prompted to imagine what could be done differently to protect children, and not from what they actually do or witness in their professional sector, workplace or institution.

Some interviewees underlined the importance of asking end users about their pronouns and social name to avoid discomfort. In one case, the professional identified as a good practice of their institution the fact that any adult attending a child for the first time should present themselves explaining their pronouns and name which they prefer to use, hence creating a safe space where the child is encouraged to do the same.

The importance of involving families came up as a consistent example of good practice, particularly giving training or raising awareness about sexual and gender diversity with families, and not only with professionals or students. In some cases, professionals mentioned the need to act as mediators between the child and their family to promote better understanding and empathy and avoid violence. This was unanimously acknowledged to be challenging, given the risk of outing the child.

3.4. Professionals' (training) needs to combat LGBTIQ violence against children

Adequate training is perceived amongst professionals as the most urgent measure. The need for more and better knowledge through training is justified not only from the point of view of wanting to improve their input as professionals, but also from the point of view of children who will be more vulnerable if they meet unprepared professionals. The fear of failing children was expressed by some of the professionals we interviewed.

However, different types of training will necessarily lead to different results. In one case, an interviewee whose first contact with LGBTIQ issues was in a training session provided by the Portuguese team on a previous project (Diversity and Childhood), mentioned that, although recognizing how crucial that workshop was for her own personal and professional development, she would recommend training that is more hands-on. Role playing and Theatre of the Oppressed were mentioned as specific examples that produce results that will stay for life.

Training for trainers to promote knowledge exchange between peers is considered a very effective form of training, not only for adults (professionals, parents, etc.) but also for children and young people.

In addition to training, professionals also lack protocols and guidelines that explain step by step exactly what to do to support an LGBTIQ child at risk. One interviewee stressed that these guidelines should be produced and shared top down from the government to each Commission for the Protection of Children and Young People (CPCJ).

Another set of needs identified by professionals are related to funding and sustainability. Much of the social work with LGBTIQ children and their families is delegated by the state to NGOs, whose funding is dependent on the EU. Moreover, the number of professionals is too small to provide adequate care to all end users. To ensure adequate care over time would require a wider investment translated into regular funding and a larger number of professionals working in child-related services.

The quality of care provided would also benefit from an increase in the number of LGBTIQ child-related services in all regions of the country, instead of the current small numbers concentrated in three major cities. These services should also change to accommodate the needs of non-binary children more specifically. Finally, professionals also mentioned that appointments with children should be more regular and sustained over time, avoiding long periods (e.g. six months) between appointments with the psychologist or the child psychiatrist.

Other issues emerging from interviews and that present concerns to professionals include the increase in suicide attempts and other mental health issues of children aggravated after covid-19; the apparent lack of interest of young people in joining initiatives in which they would be an active part (e.g. municipalities' Youth Councils); the banality of parent-inflicted violence on children; the biases in the Gender Identity Law which does not include migrants nor refugees, nor children under 16; disrespect for privacy or lack of flexibility in institutions for children at risk; dealing with non-supportive parents or other family members; dealing with misinformation, fake news and lack of

knowledge displayed by institutions (e.g. schools) about existing laws; lack of regulation of existing laws and related failure in implementation (e.g. of the Gender Identity Law in schools).

3.5. Example quotes

Quotes from Interviews with professionals:

I have some difficulty understanding what this [gender] is. And I'm not going to say "There's the feminine", "There's the masculine," but then what? There is more. There are people who don't feel masculine, who don't feel feminine… As a technician I have some difficulty and I would like to learn more in this area because I feel really, zero, almost. And it's not just me. I've already had the opportunity to speak with other technicians and we feel the same… [Vera, Portugal, Youth Worker, 40–44 years old]

We technicians have to work on that and we have to know, but for that we have to be trained and we have to know these issues, we have to know what we are talking about. [...] There are technicians who are doing their job and dealing with LGBTIQ children and do not have any kind of sensitivity and preparation. [Vera, Portugal, youth worker, 40–44 years old]

Training, training that reaches people, deconstruction type of training, it's not repeating information and contents, it's really going deep into beliefs and unbalancing these beliefs to generate a new structure, a new acquisition. This really has to be done. With a lot of time to be able to debate, to discuss the issues, to be able to be there in the relationship with people, so that they see things in a different way and, of course, this has to be done slowly too… [Joana, Portugal, psychologist and NGO coordinator, 50–54 years old]

When the school has LGBTIQ policies, students have much more, they feel much more comfortable and much less ostracised. And it's not because anything special happened. It's really just the feeling you have when the school doesn't have an LGBTIQ policy and that's it, they have much more a feeling that they're in danger, that they can't go down that hallway alone, they can't be somewhere. That is why security is often not about having a person guarding the corridor and security, it is once again the structure, it is the policies, it is the issue of visibility, it is the issue of policies, it is the issue of raising people's awareness and training people… And also about the contents, the materials, everything that is transmitted in schools should also be revised, the whole part of the manuals can be revised either in terms of gender, or in terms of LGBTIQ themes. [Joana, Portugal, psychologist in NGO, 50–54 years old]

There were, in fact, many situations that the teachers brought up regarding the [LGBTIQ] topic and the way the school operated. Colleagues who refused their

social name, they would say that was their name. Or they went looking for the family without the child's consent, and then found in the family an ally for their own way of thinking and against the child or young person. They would say, "yes, but your father won't allow it and therefore I will not call you by that name either". It has nothing to do with solving the problem. It's creating obstacles, because it is that teacher's personal belief and, therefore resources are mobilized in opposition to the child. [Joana, Portugal, psychologist in NGO, 50–54 years old]

Once we received a call from a school saying we must go there because they were having an epidemic of bisexuals. They said we had to go there because things were getting difficult because the school was full of bisexuals, and that it was an epidemic. Contagious… [Clara and Mateus, Portugal, psychologists in gender-based violence NGO, 30–34 years old]

We're so patronising in the support we offer. [...] And that patronising bias in social intervention is absolutely terrible. [...] I mean, we always doubt about what the child is saying, because there's almost a sort of ageism, an age-based discrimination, because "they're too young", or "immature", or "it's a phase" or "they're not old enough to know", like "you can't even decide what shoes to buy, how will you know whether you're a boy or a girl…" [...] And this stems from our Judeo-Christian roots and what we learned during the dictatorship and all… [Victor, Portugal, psychologist in victim support NGO, 30–34 years old]

Quotes from Focus groups with children

Mainly in public issues, like hospitals and things like that, from my experience, recently even, last week, people don't respect my name, my pronouns because I haven't changed in the registry, and organizations need to inform the people that work there, to know how to act in situations, this would will help a lot. And in schools and other things like that. (Flora, trans girl, 12–17, Portugal)

I agree because when we are going to debate about this kind of subject or when we are going to talk to some adult about this I will say, quote, "Those neutral and non-binary pronouns and whatnot" didn't exist in my time, you are all a bunch of exaggerators" and my answer is usually "wrong, it has existed for a long time but there wasn't enough freedom for these people to show what they really felt", so, I am surrounded by questions: How are we supposed to be heard and who is going to listen to us, because we have been in this impasse for a long time. (Carmen, girl in questioning, Portugal, 12–17)

I think that teachers themselves, they don't care, not all of them, but some of them don't care about the community, but I think they should take that thought of "If you want to stop violence, which is something that practically everyone wants to stop, you have to stop the violence yourself, because teachers think "Ah, but I

don't do violence, I don't hit, I don't talk", but just by looking, by inferiorizing the child, they are already doing violence, because violence is not only physical or verbal, violence is visual, it's the looks... (Luís, self-identified as trans boy, Portugal, 12–17 years old)

4. Overall evaluation: tendencies and absences as regards empowering LGBTIQ children to combat violence in Portugal

Several of the needs mentioned by professionals when asked about what could be done better are related to a general ageist and adult-oriented culture that paternalises children, consistently failing in acknowledging their perspectives and input about matters that are directly related to their own well-being and safety. Sentences such as “You’re too young to know” or “You’ll grow out of it” were consistently repeated by professionals when referring to difficulties in dealing with family members or, in some situations, teachers. Also, there is the idea that the child cannot have access to gender/sexuality related care (e.g. puberty blockers) while the child experiences depressive traits (self-harm, etc.), when scholarship demonstrates that depressive traits often emerge precisely from homo/biphobia, misgendering and other forms of gender-based violence.

4.1. SWOT analysis on combating violence against LGBTIQ children in Portugal

Strengths:

- The legal framework of LGBTIQ issues in Portugal is one of the most comprehensive and advanced in the world.
- Internet and social media as safe spaces and community belonging: online communities supporting LGBTIQ children enable greater knowledge about LGBTIQ issues.
- Specialized services for LGBTIQ children.
- LGBTIQ flags and other symbols visible in the public space offer a feeling of being welcome and safe in that neighbourhood/school/youth centre.

Weaknesses:

- Most professionals lack specific training in LGBTIQ issues.
- Existing legislation lacks implementation and monitoring.

- Insufficient implementation of sex education in schools.
- Conversion “therapies” are still legally performed.
- The paradigm guiding professional practice in monitoring children and young people reflects a lack of knowledge about LGBTIQ issues and the undervaluation of children's opinions and experiences on issues such as gender and sexuality that affect their lives.
- Professionals working in the field of childhood and youth have no training to deal with situations that arise in everyday life and a lack of knowledge about existing services.
- Insufficient culture of coordination between services at local level.

Opportunities:

- Children’s increasing knowledge and awareness of LGBTIQ issues as a direct result of covid-related lockdown.
- Some professionals are applying the current legal framework. Some professionals have more social awareness about LGBTIQ issues now than in the past.
- Professionals are acting as allies and mediators between child and family in relation to gender issues (social name, pronouns).

Threats:

- Adultism as a cultural trait that impacts negatively on the quality of services provided to children, but also on the parent–child relationship.
- Burnout of professionals due to a lack of human resources, and uncertainty about the future due to irregular funding.
- Boards and other governing bodies in child services and institutions unwilling to implement the existing legal framework on equality due to personal beliefs based on moral panic, inhibiting safe environments for children at schools.
- School drop-out rates caused by the inefficiency of schools to enforce the legal framework undermine the right to education.
- Lack of youth collective participation both in general and regarding LGBTIQ issues.

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Colourful Childhoods

EMPOWERING LGBTIQ CHILDREN
IN VULNERABLE CONTEXTS TO COMBAT
GENDER-BASED VIOLENCE ACROSS EUROPE

National Report

Spain

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Author

Núria Sadurní-Balcells, Lucas Platero Méndez, Jose Antonio Langarita, Irene Blanco Fuente, Carme Montserrat Boada, Yolanda Pastor Ruiz, Pilar Albertín Carbó, Ruth A. Ancin Nicolás, Miguel Ángel López Saez.

University of Girona and Rey Juan Carlos University, Spain.

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Contents

Introduction – Research Design and Sample

This Spanish National Report is built on the joint work of the King Juan Carlos University (URJC) and the University of Girona (UdG). The fieldwork data was gathered using three different research techniques: 34interviews with stakeholders (19 by the URJC, and 15 by the UdG), 4 focus groups with children and teenagers (2 by the URJC, and 2 by the UdG), and an online survey aimed at teenagers aged 15 to 17 (with 976 valid responses).

Recruitment for interviews was carried out using the snowball technique. Both the URJC and the UdG had previous contacts with stakeholders due to our expertise in the field and to previous research projects. Contacts were made through key professionals as well as institutions. Recruitment for interviews went quite smoothly, which is the reason why the final number of interviews was bigger than expected (30). Interviews were about one hour long. The shortest interview was fifty minutes, and the longest one took one hour and twenty minutes. Some of the interviews were carried out via videoconference (using the TEAMs or Zoom platforms), and others were held in person. The main difficulties in locating interviewees included finding a free spot in some professionals' schedules and engaging with male professionals from the field of social intervention, since the vast majority are female. Most interviewees were eager to participate as soon as we contacted them.

As for the second element of the fieldwork, focus groups, the biggest recruitment problems were different for each partner involved. The URJC organised two focus groups with children aged between 12 and 17. The first took place in a bookshop in the centre of Madrid and had 7 participants. The second consisted of 8 children from a high school with a pro-LGBTIQ policy and a community support group from a suburban neighbourhood. One of the main difficulties was access to schools with higher restrictions in carrying out LGBTIQ related activities. In addition, in the case of the second focus group, the children were very tired because the meeting was at the end of the school year. However, we found different ways of contacting them that made the work possible: firstly, through the involvement of some of the participants' families in an NGO for trans and non-binary children. Secondly, through the connections of some of the families with researchers. Finally, from previous contacts with professionals working with children.

To form the groups of children, we had the help of professionals from three different offices of the Comprehensive Care Service (SAI) for sexual and gender diversity, which are located all over the region of Catalonia. Once we realised that forming two groups of children aged 6-12 would not be possible within the timeline of the fieldwork for the project, we decided to widen our age group to 17 years old. With the help of the three professionals of the SAI offices we were able to set up two focus groups, one made up of 6 teenagers, and the other one made up of 3 teenagers, in different towns both in the province of Girona.

The average length of focus group meeting was 1 hour and 12 minutes. The shortest focus group meeting was 45 minutes, and the longest one was one hour and a half.

The third element of this fieldwork was the online survey. The URJC and the UdG teams worked together in the application of the survey. We created a joint strategy for dissemination, designing a flyer specifically for this purpose which we shared using

different methods, including: 1) Sharing the flyer of the survey with all of our contacts, via WhatsApp, email, and DM, so that it that could be passed on to teenagers aged 15-17; 2) Posting the flyer in both our institutional social networks as well as the project ones; 3) Posting the flyer in all the personal social networks of the researchers involved; 4) Asking related institutions to share our flyer in their social networks; 5) Hiring two different influencers (one Spanish speaking and one Catalan speaking) so they could share the information of the survey with their teenage audiences; 6) Putting up printed flyers in high schools, and community centres.

The Spanish survey swiftly received a very good response, although many of the responses that the online survey server (LimeSurvey) registered were blank (meaning many people just opened the link but didn't answer it). LimeSurvey registered 2,103 responses for Spain, although 884 of them were blank answers (mostly), or troll/fake answers (some). Once we eliminated these, we were left with 1,219 answers. Out of these, only 976 fell into our target -LGBTIQ teenagers-, but we decided to keep the 243 responses by cisgendered and heterosexual teenagers to contrast the answers with the LGBTIQ respondents.

1. Legal and political context regarding LGBTIQ rights

1.1. Context

The legal context that regulates LGBTIQ rights for children, is very recent. It was not until 2014 that a Spanish regulation included matters regarding LGBTIQ children specifically, and it wasn't until 2019 that there was a regulation only aimed at children. Nevertheless, LGBTIQ regulations that relate to children are not created in a void, but rather, they are part of a broader context of LGBTIQ regulations. It is for this reason that we present a genealogy of the legal and political context of LGBTIQ rights that does not focus on children exclusively but rather on all LGBTIQ matters.

Spain has a long history of punishing sexual behaviours that departs from heteronormativity, although there are some periods in the 19th and the 20th centuries where homosexuality was not forbidden. Beyond the legal framework, some of Spain's biggest cities, particularly Madrid and Barcelona, have a long history of sexual dissidence, mostly related to the performing arts as well as sex work. In any case, data (Mira, 2004) shows that at the beginning of the 20th century there were some spots in the country where homosexuality or "transvestism" was not strongly censored by the local population.

The first harsh regulation of homosexuality in the 20th century was implemented during Franco's dictatorship. Same-sex encounters had been eliminated from the Criminal Code during the Second Republic (1931-1936), and in this same period the Vagrancy Act (Ley de Vagos y Maleantes) was passed. It was supposed to be put in place for "the control of beggars, ruffians without a known trade and pimps"). Nevertheless, society showed rejection of non-heterosexual practices (Aresti, 2010). Despite that, during this period, cultural productions appear that reflect the homosexual community, such as the works by Lucia Sánchez Saornil, Luis Cernuda or Federico García Lorca.

In 1954, when Franco had already been in power for 15 years, his government passed a modification of the Vagrancy Act, which reintroduced homosexuality as a crime. The Vagrancy Act was replaced in 1970 by the Danger and Social Rehabilitation Act (Act 16/1970) which, in article 6, defined the following measures for homosexual persons: (a) internment in a re-education institution; (b) a ban on residing in specific places or on visiting certain public places or establishments, and (c) submission to the supervision of “delegates”. In the 1973 Penal Code, the section on "crimes against honesty" (title IX) provided for arrest, fines and disqualification for the crimes of "public scandal", crimes usually applied to homosexual and transsexual persons.

As an act of resistance, in 1970 a reduced number homosexual people created the Homophile Group for Sexual Equality: *Agrupación Homófila para la Igualdad Sexual*, AGHOIS, which changed its name in 1971 to Spanish Homosexual Liberation Movement: *Movimiento Español de Liberación Homosexual, MELH* (Mira, 2004). The homosexual liberation movement *per se* had more representation of gay men, although also many trans* women -at some point considered as transvestites- and lesbian women were also present. Because of certain political tensions, many lesbian women led their activism from Feminist and women only spaces, even though lesbian women also had struggles within Feminism for political recognition (Mérida Jiménez, 2016; Trujillo, 2009; Pineda, 2008; GLF, 2000).

From 1975 to 1982, several legal reforms abolished discrimination laws against homosexuals. The National Constitution approved in 1978 banned the discrimination for any reason. The Law 46/1977 of October 15, 1977, amnestied crimes related to political acts, rebellion and sedition committed before December 15, 1976, but did not include persons convicted of homosexuality. The first Pride demonstration was held in Barcelona on June 26, 1977, called by the Gay Liberation Front of Catalonia: *Front d’Alliberament Gay de Catalunya*, FAGC, a splinter of the MELH. Between 1975 and 1977, groups and fronts of homosexual liberation were created in the main cities of Spain. These groups constituted in 1977 the Coordinating Committee of Homosexual Liberation Fronts of the Spanish State: *Coordinadora de Frentes de Liberación Homosexual del Estado Español* (COFLHEE). In 1978 there were Pride demonstrations against the Vagrancy Act in Madrid, Barcelona, Bilbao and Sevilla. In this same year, the Act 77/1978 modified the Act on Danger and Social Rehabilitation and suppressed homosexuality as a reason to be declared “dangerous.” Thus, homosexuality was officially decriminalised. In 1980, FAGC was the first LGBTIQ association to be legally recognized and in 1983 the legalization of lesbian and gay associations became widespread.

During the socialist’s period in office between 1982-1996 with Felipe Gonzalez as president, while the recognition of lesbian and gay groups continued, trans* activism emerged and solidified. The Law 5/1988 changed the crime of "public scandal" to "exhibitionism and sexual provocation", restricting it to obscene exhibition to children under sixteen years of age or the mentally deficient (the crime of "public scandal" was often applied to trans people). During the same period, the HIV pandemic spread in Spain, as in other countries around the world. HIV had a strong impact on the gay community in particular, and during this social and health crisis the Spanish government did not provide support to the pandemic victims. This is the reason why many self-support organisations were created in Spain, as was happening in many other European countries.

From 1996 and 2004, the right-wing party Partido Popular was in power led by José María Aznar. During this period, the Spanish government did not provide any kind of support to LGBTIQ issues, in a moment when the HIV pandemic was still a big issue. As a consequence, social movements got stronger and peer to peer support remained crucial.

Once the socialist party came to power again, in 2004, with José Luis Rodríguez Zapatero as president, several legal changes strengthened the rights of the LGBTIQ community. In 2005, same-sex marriage was approved. In 2007, Act 3/2007 allowed a person whose gender identity does not match his or her assigned legal gender to modify the gender marker in the Civil Registry and change their name, although they had to include a psychiatric diagnosis of mental illness, be 18 or over, and have Spanish citizenship (Platero, 2011).

During Mariano Rajoy's conservative government (2011-2018) the Penal Code was modified, through the Organic Law, 1/2015, to include hate crimes into the national legislation. Additionally, numerous actions at the regional level aimed at protecting the rights of the LGBTIQ community, such as the Act 14/2012 on-discrimination on the grounds of gender identity and recognition of the rights of transsexual persons in the Basque Country or the Act 2/2014 on equal treatment and non-discrimination of lesbians, gays, transsexuals, bisexuals and intersexuals in Galicia. Similar laws were passed in at least 11 out of the 17 Spanish regional governments, including Andalusia (2014), Catalonia (2014), Canary Islands (2014), Madrid (2015), Extremadura (2015), Murcia (2016), Balearic Islands (2016), and Valencian Community (2017).

In 2018, the year socialist Pedro Sánchez came into power, the Ministry of Justice instructed Civil registry offices to enable the change of name and sex mention for trans children due to the best interest of the child that is enshrined in the Convention on the Rights of the Child, ratified by the Spanish Government in 1990. This decision was ratified by ruling 99/2019 of the Constitutional Court.

On December 22 of 2022 a new national LGBTIQ Law was passed, granting new rights for LGBTIQ children, such as the right to modify their name and sex in all documents with no requirement of medical records of gender dysphoria or parental permission if they are 16 years old, and between 14 and 16 with parental support. Children aged 12 and 13 are required to have legal permission. Also, people -including children- without Spanish nationality are also be able to change their name and sex in their Spanish documents. The 2-year long debate prior to approval of the law took place with a great deal of controversy due to the resistance from both far-right parties and trans-exclusionary feminists (Willem, Platero, and Tortajada 2022).

1.2. Relevant statistical data about LGBTIQ situation in Spain

During the past couple of decades, interest has grown in Spain as an LGBTIQ friendly country. While not all citizens support sexual and gender diversity, statistics regarding Spanish LGBTIQ-friendliness are quite promising. According to the last Eurobarometer on the social acceptance of LGBTIQ people (2019), only 1% of Spanish respondents

identify themselves as being a part of a sexual minority. Even so, the vast majority of people responded positively in accepting LGBTIQ people: 81% would feel comfortable having a gay, lesbian or bisexual person in the highest elected political position in the country (74% in the case of a transgender person and 72% in the case of an intersex person), and 89% agree or tend to agree that there is nothing wrong with same-sex couples.

When asked whether, in their opinion, school lessons and material should include information about diversity in terms of sexual orientation, being transgender and being intersex, although those that "totally agree" make up roughly half the population, when we add those that marked the "tend to agree" option, the percentages raise up to 84% related to sexual orientation, 81% to being transgender, and 80% to being intersex. However, the agreement is not as high in relation to showing affection in a public space. 81% were fine about it when talking about heterosexual couples, but only 63% in the case of two men and 66% when talking about two women.

If we look at the data from the Fundamental Rights Agency (FRA) LGBTI +survey (2019), we can see some discrimination statistics regarding LGBTIQ teenagers in Spain. According to this survey, 42% of LGBTIQ teenagers aged 15 or older felt discriminated against in at least one area of life in the year before the survey. A remarkable 17% of trans and intersex people reported being physically or sexually attacked in the five years before the survey, double the rest of the LGBTIQ identifications.

The FRA's survey also shows interesting data regarding LGBTIQ youth. Those who hide being LGBTIQ at school dropped from 47% in 2012 to 41% in 2019. 66% of LGBTIQ students (15-17 years old) say that in school someone often or always supported, defended or protected their rights as an LGBTIQ person, and 42% say at some point their school addressed LGBTIQ issues positively or in a balanced way. On the other hand, according to the report on hate crimes published by the Spanish Government, among the victims of all reported hate crimes in 2018, 6.7% were under 18 years old. In this age group, sexual orientation and gender identity was the main cause of victimisation (31.4%), followed by racism/xenophobia (30.7%).

2. Children's rights and LGBTIQ diversity in childhood – brief overview

2.1. Context

The Convention on the Rights of the Child was adopted on 20 November 1989 (UNICEF Spanish Committee, 2015) and was ratified by Spain on 30 November 1990, entering into force on 5 January 1991 (Plataforma de Infancia, n.d.). Its 54 articles constitute a fundamental document that aims to ensure the rights of children for the protection, care,

and well-being of their 'physical, mental and social development' (UNICEF Spanish Committee 2015:5).

With regard to the legislative context of the European Union, the Treaty of Lisbon sets out in Article 3 the importance of the 'protection of the rights of the child'. Similarly, there are international agreements such as the Lanzarote Convention against Sexual Exploitation and Sexual Abuse of Children, the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence, the Convention on Action against Human Trafficking or the Convention on Cybercrime. Furthermore, the Council of Europe Strategy for the Rights of the Child (2016-2021) calls for the eradication of all forms of physical punishment of children.

With regard to the national legal framework, the protection of minors is enshrined in Article 39 of the Spanish Constitution as a priority obligation of the public authorities. Among the legislative progress developed for the protection and defence of the rights of children are Organic Law 8/2015, of 22 July, and Law 26/2015, of 28 July, which sought to make a series of improvements in the system for the protection of minors. However, the review conducted by the Committee on the Rights of the Child in Spain in 2018 identified the need for new legislation, the result of which is the Organic Law 8/2021 of 4 June on the comprehensive protection of children and adolescents from violence. Reference is made below to two of its articles given their connection with the objective of this report.

Title One includes Article 11.1., which states that 'public authorities shall guarantee children are heard and listened to with all guarantees and without age limit, ensuring, in any case, that this process is universally accessible in all administrative, judicial or other procedures related to the accreditation of violence and the reparation of victims. A children's right to be heard may only be restricted, in a reasonable manner, when it is contrary to their best interests' (Organic Law 8/2021). This emphasises the right of child victims to be heard, in order to avoid adult-centric bias.

Title Two, Article 16, includes the duty of persons with minors in their care to ensure their care, education, and protection. This includes 'qualified staff of health centres, schools, sports and leisure centres, child protection and criminal responsibility centres for minors, asylum and humanitarian care centres of the establishments in which they usually or temporarily reside (...) and social services (Organic Law 8/2021). Such qualified personnel must immediately report any act of violence suffered by an elderly person, as well as provide the necessary care, facilitate the available information and collaborate as much as possible with the competent authorities. These articles emphasise the contexts of vulnerability among children in which the importance of listening and the role of their caregivers in reporting situations of violence are fundamental.

Along these lines, the Ministry of the Interior's (*Ministerio del Interior)* crime statistics portal, in its section on 'Hate crime', provides significant data to be considered in terms of prevention work. It shows that victimisation of minors due to hate crimes for reasons of racism/xenophobia had the highest number of victims last year, a total of 87, followed by those committed for reasons of sexual orientation and gender identity, with 71. Similarly, arrests and investigations of minors for these offenses follow the same pattern, with 38 in the first case and 36 in the second. Therefore, racist and LGBTIQ+phobic aggressions are the most repeated in this population group, that is to say, not only among those who suffer them but also those who carry them out.

Because bullying is a central problem in educational contexts, all autonomous communities have protocols against bullying that also ease gender transition in trans children. In some cases, these documents include issues related to cyberbullying. Despite this, these protocols still have their shortcomings such as their slowness, their low efficiency or a lack of preventive approach in the work against bullying (Del Álamo Venegas, Yuste Tosina, and López Catalán 2021).

The White Paper *(anteproyecto)* for the real and effective equality of trans people and for the guarantee of rights of LGBTIQ people, 12 September 2022, states that in Spain, 42% of LGBTIQ people have suffered discrimination in the last year according to the European Fundamental Rights Agency (FRA). This is transformed into aggressions, with 8% of people belonging to the group having been victims of attacks in the last 5 years. It is also pointed out that this discrimination is present in educational centres, where, according to the State Federation of Lesbians, Gays, Trans, and Bisexuals (FELGBT), half of LGBTIQ children are bullied at school.

Among the articles that allude to LGBTIQ children, Article 19 refers to comprehensive health care for intersex people to guarantee their rights and provide a legal regulatory framework around genital modification. Article 29 focuses on protection measures against cyberbullying, and explicitly mentions the need for greater attention to these cases on social networks affecting LGBTIQ children and young people. Articles 30 and 31 are dedicated to the protection of those living within an LGBTIQ family.

Title II, 'Measures for the real and effective equality of trans people', Chapter I 'Rectification in the register of the mention of the sex of persons and documentary adequacy', includes a series of articles that include the right to change the Civil Registry concerning mention of sex. With regard to this issue, a previous ruling of the Constitutional Court in STC 99/2019, 18 July, declared Article 1.1 of Law 3/2007 unconstitutional, 15 March, which does not guarantee the change of registration of children and youth as it is subject to the subjective consideration that they have 'sufficient maturity', and are in a 'stable situation of transgenderism'. This is a right set out in Articles 10.1 and 18.1 of the Constitution, which respectively reflect the principle of free development of the personality set out in Article 10.1, and the fundamental right to personal privacy.

Article 38 of the current White Paper establishes that persons over sixteen years of age may themselves request the rectification of their registration of sex in the Civil Registry, those between fourteen and sixteen may do so with the assistance of their legal representatives, and those between twelve and fourteen may do so by means of judicial authorisation for the modification of the registration of sex (under the terms of Chapter I bis of Title II of Law 15/2015, 2 July, of Voluntary Jurisdiction).

However, despite the improvements with respect to the previous law, a new age limit at six years old children has been proposed by a report of the Ministry of Justice dated 15 October 2018 to reform Law 3/2007. This age limit allows children to change their name in the Civil Register, only if children have their family's support.

2.2. Relevant statistical data Childhood situation

The Spanish population is an ageing society, whose natural growth is very low. According to figures from *Datosmacro.com*, in December 2021, 13.97% of the population was aged between 0 and 14 years compared to 20.09% over 64 years.

On the other hand, the number of minors under the public child protection system fell from 50,272 in 2019 to 49,171 in 2020. Guardianships also decreased, from 33,208 in 2019 to 31,738 in 2020 and from 5,803 in 2019 to 3,870 in 2020. As for the figures for residential foster care, there is a considerable decrease from 23,209 in 2019 to 16,991 in 2020. Foster care with families adds to this trend with 18,892 in 2020, down from 19,320 in 2018 (Childhood Observatory 2020).

Regarding the use of technologies, the study 'Impact of technology on adolescence' (UNICEF 2021) states that the average age at which children have their first mobile phone is 10.96 years old. In terms of connectivity, 98% have Wi-Fi at home, 94.8% have a mobile phone with an Internet connection, and 90.8% go online every day, or almost every day. 31.5% are on the Internet for more than 5 hours a day during the week, and 49.6% spend the same hours surfing the Internet during the weekend. 99% use one, or more instant messaging applications, and 98.5% have a profile on at least one social network. As for the reasons why they go online, 4 out of 10 adolescents do so to avoid feeling lonely (UNICEF 2021).

While bullying victimisation stands at 33.6%, with victims making up 18.2% and aggressor-victims 15.4%, in the case of cyberbullying the rate is 22.5%. The difference in this case is that the aggressor-victims are 11.8% and the victims are 10.7%, which means that in the digital context the dynamics are different, as more than half of the children who are bullied are also bullying. Among the reasons mentioned as an explanation for these aggressions, the following causes are given: 'because of my physical appearance', 'because I am different', 'because they hold a grudge against me' or because 'it was a joke' (UNICEF 2021).

In relation to the perception of body image, 28.8% of boys and girls perceive their body as a little or too fat, a figure that is higher in those who belong to families with lower income levels. Regarding adolescents' satisfaction with their body image, 7.4% show a low level of satisfaction, again higher in families with fewer resources (Moreno et al. 2018).

Regarding psychosomatic physical discomfort, this is higher among girls (48.1%), than boys (30.6%). As in the case of body image, this discomfort is higher among adolescents whose families have lower economic background (42%) compared to those with higher economic background (37.6%). With regard to psychological distress, 53.3% of adolescents have suffered from it in the last six months. Again, the differences show a higher percentage among girls (60.1%), than boys (46.3%), which is constant in all age groups (Moreno et al. 2018).

The report '*The State of the World's Children 2021´*. On My Mind: Promoting, protecting and caring for children's mental health' (UNICEF 2021) highlights the existing suffering among the younger population. The document states that, according to data from the Changing Childhood Project, 11% of the Spanish population between 15 and 24 years

of age often feel depressed, or have little interest in daily activities of any kind (UNICEF 2021).

The social reconfiguration brought about by the pandemic, and the difficulties of the economic situation contribute to contexts of greater vulnerability for the younger population. In particular, among the LGBTIQ children, this has had repercussions on the experience of the free expression of their gender identities and sexualities. As a consequence of this scenario, LGBTIQ children and adolescents have faced a reduction in their social interactions at an age when they are fundamental. This, in turn, has led to an increase in discomfort, and a search for strategies to deal with stress and discomfort (Platero Méndez and López-Sáez 2020).

3. Findings

3.1. Children's needs to combat LGBTIQ-based violence

The needs expressed by the children in our focus groups can be summarised as being in five fundamental areas: 1) the lack of LGBTIQ role models among the adults who teach them; 2) the urgency of training for teachers and families on LGBTIQ issues; 3) the improvement of sex education in high schools; 4) the need to be heard; and 5) the need to create safe spaces in which children feel supported. Below, each of the five fundamental areas are explored.

Firstly, the participants emphasize that they do not count with enough -or any- adult LGBTIQ models. Most participant children explain that they count with some adult LGBTIQ role models in the social networks, who are relevant to them. Nevertheless, participant children insist on the importance of having LGBTIQ role models who are part of their everyday life. They stressed the need to have young adult role models as well as older adult role models that they can look up to. In this sense, they highlighted the importance of LGBTIQ visibility in educational settings and high schools. There is a consensus that the presence of LGBTIQ teachers is an advantage, as this provides support in their different experiences.

Participant children mention specific examples where the presence of LGBTIQ teachers was positive, either because it makes these identities visible, or because they are role models to rely on. Two of the participant children also explained that they have an "LGBTIQ club" in their high school, led by two LGBTIQ teachers. This is a space of trust for them, and they have built a close relationship with the leading adults in the club, with whom they can share any concerns they may have. Children argue that having LGBTIQ teachers around is beneficial because this legitimises their identities. Otherwise, their experiences could become infantilised.

The second recurring issue in the focus groups with children is the need for training for adults around them - including teachers and their own families. Students demand that adults around them have more knowledge about the experiences that affect them, as well as more openness to listening and more space to talk about LGBTIQ issues. In addition, emphasis is placed on the importance of not abusing the teacher's position of

power. In this line, they point out that this is the result of an adult-centred stance that limits itself by giving them orders without listening to them. Some of the participant children explained that their views on their own experience of gender and sexuality are often disregarded and treated as immature. In this sense, they report that parents and teachers often tell them that they are too young to know certain things about themselves or to understand some matters.

One of the most repeated examples provided in the focus groups is the lack of respect for the names and pronouns with which either they or their friends are comfortable with. Some examples of this from the focus groups are times when teachers address children using their deadname, or when teachers reprimand them for not responding to it. Moreover, children informed that the use of neutral language is ridiculed by some classmates and a cause for bullying, and even penalised by some teachers for not following the official linguistic regulations.

The situation with children's families was rather heterogeneous. Some participants regard their parents as support figures to whom they would turn if they had any problems. However, for other participant teenagers, the family is a source of stress similar to that of school. Some of the participants related a fear of being kicked out of home if their parents learnt about their sexual orientation, and a feeling of responsibility towards younger siblings. In one particular case, a participant feared that if his younger sister grew up to be LGBTIQ he should be around to protect her, so he does not want to risk being estranged from his family in the future. In this sense, children raise the need for parents to have more training in sex education, since children are exposed to situations in which they are questioned because of their gender identities or expressions.

The third area that participant children focused on is the need to improve sexual education offered in schools. Children consider that the sessions provided by schools, nurses and/or NGOs are not enough, and that they come late in many cases, when they are already sexually active. It is relevant to acknowledge that teachers often do not provide sex education, and instead LGBTIQ organizations or feminists groups or nurses from the primary health centres offer this training. Participant children emphasise the importance of not limiting these training sessions to sexual practices, but also using these spaces to share the different sexual orientations and gender identities that exist. In addition, they insist on the need to update these talks far away from a heterocentric perspective.

The fourth area that participant children highlighted is the need to be heard. All participant children explained that their opinions and experiences are often disregarded and that adults often do not ask or listen to their opinions, even if these are about themselves. Because of this, participant children express a feeling of distrust towards many adults, including their families and close teachers. This adult behaviour is present in general in all spheres of their lives, including everything that has to do with their gender and sexuality. Also, participant children expressed the need to be heard without being judged, and having the assurance that they will be loved and accompanied regardless of their SOGIGE.

These experiences are in line with the information gathered from many of the interviews to stakeholders. In this sense, some schools or children-oriented activities are trying to change this situation through implementing programs or activities that get teachers to

leave more space for students' feelings and experiences and that empowers children and teenagers to use their voice.

The fifth and final area is the need for safe spaces for children, in which they could talk not only about LGBTIQ issues, but also about other things that affect them in general. It is relevant that in most cases they do not consider teachers as support figures, hence they would not turn to them if they had any problems, with a few exceptions. In fact, according to the conducted survey, 40% of participants felt discriminated against at the school because of being an LGBTIQ person.

This is probably related to the fact that sometimes teachers do not take their students' identities, or sexualities seriously. It means that they are not considered to be helpful figures. In this line, when the young people were asked about which people helped and accompanied them during the pandemic lockdown and restrictions, teachers were scored 2.4 (1 = Not at all; 2 = A little; 3 =Somewhat; 4 = Quite; 5 = Totally). Also, the idea of a safe space for children is useful when they do not count with enough support at home or in class, and would mean having a space where they can be themselves.

3.2. Children's strategies of resistance against LGBTIQ-based violence

Throughout the various focus groups we have conducted, there seems to be a certain consensus on the resistance strategies used by children and teenagers. Depending on the type of aggression, they tend to reach out to different people. When it comes to insults and name calling, homophobic messages or comments from their environment, they tend to reach out to their friends, mainly LGBTIQ friends, as they feel more comfortable with them.

Those participant teenagers who have a good relationship with their parents, those who feel they have received support from their families, and that their parents do not judge them, also tend to turn to them to unburden themselves, or to talk when they have suffered any kind of violence. Some of the participants reported that they had turned to their parents for support when they were being bullied by classmates. In fact, two different participants explained that they reported their classmates to the police with the help of their parents, because they were receiving serious threats at school.

There is a fair consensus among participants in the focus groups that when they have suffered aggressions they do not feel supported by their schoolmates by most of their teachers, or school counsellors. Either because teachers did not act upon LGBTIQphobic aggressions when they see them, do not react when children report to them, or because when teachers try to help they do it in the wrong way, or in a way that is harmful to the children. In addition to talking about what is happening with other people, teenagers also react to aggressions and try to gain some control over the situation. Some of them choose to take LGBTIQphobic comments with humour, as a way to respond to their peers. Other children confront their aggressors verbally or physically, as they have perceived that when they confront them, they usually stop these aggressions towards them and therefore, the bullying they have received disappears. Therefore, the strategy of confrontation is used by some LGBTIQ children.

One salient example was explained by two participants of the focus group, a lesbian girl and a non-binary person who attend the same high school. They suffered harsh bullying because they had brought a rainbow flag to school. In their case, the school set a mediation between them and the aggressors, all young cisgender boys who portrayed hegemonic sexist behaviour and proffered insults. The mediation consisted of a talk by a teacher, who then asked everyone to say sorry to the rest, and then closed the matter. The following March 8 –International Women's Day– the two teenagers used the town's events as a field for resistance through publicly reporting the school's actions.

Although in Spain there are different protocols and resources to deal with bullying in schools, many participants report that they do not find anyone to talk to at school, so they don't often tell anyone about this type of aggression and these protocols aren't activated. These children tend to keep quiet, isolate themselves and even turn to the Internet rather than to people who are in their daily lives.

In fact, the Internet is one of the strategies of resistance that participant children use to both report attacks and elude reality, particularly social networks. They express using social networks for a great deal of their social interactions, including speaking to unknown teenagers and adults of similar interests. Also, many of their role models are Internet figures, including famous people and influencers. In fact, one of the participants explained that he learnt about the term LGBTIQ after listening to Lady Gaga use it in an interview. Also, one of the participants realised they were a trans person during the pandemic, when she had lots of free time, and ran into some videos on YouTube of people explaining their transitions and gender discomforts. In this sense, we consider that the Internet is one of the key strategies for children in relation to SOGIGE.

Participants also talked about using specific services and LGBTIQ feminist projects as spaces of resistance, which highlights the importance of having those services and projects in place. In one of the focus groups, all participants were aware of a youth office, run by the local administration, that offers free psychological assistance to teenagers with an LGBTIQ-friendly perspective. The participants of another focus group explained that their county had hired a team of feminist and LGBTIQ social workers that were carrying out a project for empowering young people, in which they participated. Both cases are services/projects funded by the local administrations, which stresses the importance of public services that support youth in general and LGBTIQ youth in particular.

3.3. Professionals' good practices in empowering LGBTIQ children to combat violence

There seems to be a consensus among the professionals interviewed that it is of key importance to have regional anti-discrimination legislation and services available for LGBTIQ children and their families. In Spain, each region has an anti-bullying protocol for schools, as well as protocols to facilitate social transition for trans students. Furthermore, some schools have their own protocols in place. These laws and protocols help children to be able to change their name and sex in children's services, to report homophobic bullying or lack of parental support and the need for social services to intervene. The professionals interviewed pointed out that these laws and protocols do

not prevent all discrimination from occurring, but for some participant professionals, protocols are still useful for reporting anti-LGBTIQ bullying when it does occur, providing guidelines on what is right and wrong, and legitimation for their work supporting LGBTIQ children. However, some other professionals pointed out that many protocols do not go far enough, and stated that protocols often lead to tagging the victim as a problem, treating them as an individual issue, instead of treating the matter as an issue concerning the class or school community.

Secondly, according to our interviewees, LGBTIQ NGOs play an important role in raising awareness in society and providing services for LGBTIQ children and their families. For example, these NGOs provide free training for secondary school students, with basic information on LGBTIQ issues, sexuality and gender, etc. Also, some NGOs offer that their professionals can go with the children to the places where they encounter discrimination, such as the health centre, and mediate with the professionals who are discriminating against them. In addition, in the case of families of trans children, NGOs offer activities and meetings for children and young people, as well as for their families, where they break isolation, learn coping strategies and learn about trans rights, etc.

This is particularly important in those Spanish regions that don’t have public services directed to an LGBTIQ audience. In the case of Catalonia, there is a public service (called SAI) that assists LGBTIQ people -including children and teenagers- in whatever needs they may have -reporting an attack, discussing their options to transition, or getting guidance and advice. These services, which are spread throughout the whole of Catalonia, also organise awareness raising activities in some cases.

So, even within Spain, the region where children and teenagers live is key to the kind and quality of services that they may receive. While the professionals that know of these services and LGBTIQ NGOs believe they are really helpful, some of the professionals interviewed did not know of the existence of any of these good practices.

Some mainstream LGBTIQ-friendly children's NGOs have open, visible LGBTIQ professionals who are seen as role models. In these organisations, LGBTIQ professionals have created formal LGBTIQ groups, departments or similar bodies. They anticipate how to solve future problems, facilitating if children want to use their chosen names and pronouns while they are in activities, providing volunteers with specific training on LGBTIQ issues, as well as designing activities for children of different ages that include LGBTIQ issues which are also available on their websites. Some of these NGOs include "participatory democracy" for children, where children's voices are heard and children are involved in certain decisions, such as voting on one of the two possible locations for the summer camp, for example. These NGOs organise activities on certain days, such as Lesbian Visibility Day, or Pride Day. They take part in the LGBTIQ Pride March wearing rainbow neckers, and they also go to international meetings to talk about LGBTIQ issues, amongst many other activities.

Thirdly, some good practices related to schools are the 'Rainbow Meeting Points' or 'Purple' in the school playground, a safe space during school recess which is when violence often arises. In addition, teachers talked about other LGBTIQ school activities, such as raising rainbow flags for Pride, organising round tables, exhibitions, and having children talk about their experience in small conferences. Other teachers use tutoring time, one hour a week, to talk about discrimination and all kinds of issues that interest pupils, including LGBTIQ issues. In one high school in Catalonia, that two focus group

participants attend, there is also an LGBTIQ club. The club is led by a lesbian teacher and a gay teacher, and everybody can take part in it regardless of their sexual orientation. In this group they organise visibility activities and, most importantly, it works as a safe, trusted space for teenagers. Similarly, many high schools have a Gender Commission, that in some cases include LGBTIQ issues. Some teachers have tried to open these commissions to students, but school directors have not yet approved this initiative.

Teachers in some high-schools are also introducing specific LGBTIQ projects within their subjects, addressing key concepts; or they openly discuss LGBTIQ issues within their classes as part of the curriculum, such as in ethical values or philosophy classes, and mainstreaming LGBTIQ and gender issues in their lectures. One particular example of mainstreaming LGBTIQ issues in their lectures was explained by a social sciences teacher that we interviewed. He was explaining to his students how to do a genealogical tree. He had observed that one of the students was doubtful about their own gender. So, during the explanation of the genealogical tree, he said that he was adding another symbol, a triangle, for non-binary people, that is, people who don't identify as either a man (square) or a woman (circle), and so making a teaching opportunity on LGBTIQ issues and opening a conversation in the midst of a regular class.

In some cases, when teachers encounter LGBTIQ children with specific needs, they turn to other professionals outside schools. As some teachers interviewed are LGBTIQ, they stated that they can become role models for children. Also, during the pandemic, teachers who created small digital groups for their classes found this strategy particularly useful to address LGBTIQ issues among their students. Also, there is an organisation formed by LGBTIQ teachers, which can be considered an example of good practice against discrimination.

Here, we'd like to stress two examples of good practices in one particular school in Catalonia, located in a small town in a rural, farming area. This is the only primary school in the whole town, since it's a very small one, so whatever happens in the school has a strong influence on the town, and vice versa. One of the boys at the school received homophobic bullying and ended up changing schools, which meant attending school in another town. But this meant a disconnection of the boy from his own town, and it also meant that the bullying went on in town, even after he had left the school. Because of this, the school is currently working on reparation, and the boy is attending his old school for specific activities that are meant to repair the relationship between him and the rest of the class. This school also teaches coeducation as a subject 1.5 hours a week for all students aged 8 to 12, which constitutes a very successful example of a good practice.

Professionals in children's services mentioned that it was important to provide training for their staff on LGBTIQ issues, as well as training for other professionals, such as the police (who have a unit for LGBTIQ discrimination) or psychologists, among others. In fact, we interviewed a scouting leader who explained that all scout group leaders in his region receive training on LGBTIQ issues in their basic training.

Finally, during the pandemic, some LGBTIQ services offered online accessibility (through WhatsApp and video calls), which was a great solution that helped them to be in contact with children in vulnerable situations. These online services can be considered good practice, and not just for the duration of the pandemic.

In the area of health, we identified fewer examples of good practices. We need to highlight specific services for trans health, present in only a few regions. An interviewee from one of these services stated that they accompany both children and their parents, even in the cases where children are too young to receive gender affirmation treatments, where they just hold conversations.

3.4. Professionals' (training) needs to combat LGBTIQ violence against children

Often, the professionals interviewed perceive their own intervention as limited, due to a lack of specific training on LGBTIQ issues. However, there are professionals who do not see the need to incorporate a specific LGBTIQ professional perspective, thinking that they can support and guide children and teenagers regardless of their gender identity or sexual orientation. Such statements indicate the need to incorporate a high level of monitoring of explicit and implicit attitudes (especially among heterosexual professionals), given that they are not considering lesbian, gay, bisexual, and trans idiosyncrasies and their relevance can be a good indicator of LGBTIQ-phobia. When differences associated with sexual orientation/gender identity are ignored, perspectives are adopted that relegate them to incomplete and insufficient readings.

On the other hand, most of the professionals interviewed recognised the existing lack of specific training, with some even considering the lack of personal self-reflection as elements of malpractice. Despite these shortcomings, they tend not to assume their own responsibility in this respect and place this responsibility on the institution or administration where they work, which does not provide adequate training in this respect.

Furthermore, those professionals who have specific LGBTIQ training find it difficult to offer support from an intersectional perspective that can understand the complexity of the situation they are facing. We can see this particularly in the case of migrant and racialised youth, or those in the foster system.

On the other hand, some of the interviewees indicate that despite their training, another limitation is how the programmes in which they work are designed from this heteronormative perspective. They find themselves without materials or guidelines on how to support LGBTIQ people, and they have to create them or demand a change of perspective that is not always successful.

In addition to this, some trained professionals find that their colleagues or superiors contradict or question their training in this area, due to their conservative ideological biases, or lack of keeping up to date in professional and legal matters. In this sense, the lack of allied colleagues is an extra handicap, which not only influences the people they are trying to support, but also the LGBTIQ professional who is exposed to methodological or epistemological violence.

Because of this, it is our recommendation to devise training materials based on the following main needs: 1) Basic training, 2) Existing resources, 3) Deconstructing cisheteronormativity, 4) Guidance and Practical skills.

The first need, basic training, should be focused on terminology. Many professionals lack knowledge on specific terminology. Even while conducting interviews for this project, when asked about demographic data, some participants would mix up “gender identity” with “sexual orientation”. Basic training should also include an explanation of how gender is a social construct, how gender norms affect children in their everyday lives, and how children learn to reproduce gender roles and expectations.

The second need, existing resources, should cover those already existing resources that professionals have at hand. We believe there are several resources available for all professionals who work with children in Spain, and from the interviews we held, we can see that many professionals either don’t know that these exist, or else they are not using them. In relation to existing resources, some professionals that are aware of them point to their variability. There are no institutional resource guides, and in some Spanish regions many of these resources and services are not stable and depend on political decisions.

The third need is related to deconstructing cisheteronormativity. Some interviewees point out that everybody joins in during visibility days -like Pride events-, but that nothing else is done during the rest of the year. Because of this, we believe there is a need to teach how to reflect upon our own cisheteronormativities, as well as how our institution upholds cisheteronormativity. From this it is clear that there is a need to question the base upon which LGBTIQ-phobia lies.

The fourth need is related to practical skills that can help professionals react to certain situations. Some interviewees explained that they and their co-workers don’t always know how to act when they witness an act of LGBTIQ-phobia, either among children they oversee, or by one of their co-workers. In this sense, professionals need practical skills to help them in everyday situations. Additionally, these skills should include how to properly guide LGBTIQ children and teenagers who are suffering because of LGBTIQ matters.

Also, professionals often have doubts about what to do with families, as they often focus their intervention solely on the child and do not find the possibility of working with families that may have an impact on the increase of risk factors for the child. This should also be addressed in this dimension of professional training.

3.5. Exemplary quotes from interviews with professionals

Quotes from interviews with professionals:

Children’s needs:

- LGBTIQ people and their families need support spaces for their social trajectories. Why do we only care about the medical part of the transition, and not care about the social part? (INT1, Gay Cis Male, Spain, 42 years old).

Good Practices:

- In class, I try to offer the maximum amount of possible representations of families and realities. (INT26, 42 years old, polysexual transgender high school teacher).

Professionals' (training) needs

- What I would do is train the staff, not only about gender equality, but on the social construction of gender, and this would go so far. (INT28, 37 years old, non-binary and gay social educator).

Quotes from focus groups with children:

Children's needs:

- I just ask for more representation, that occasionally we just say: 'oh, do you know that trans people exist?' (FG2_L., Trans Boy, sexual orientation not defined, Spain, 14-year-old).

Children's strategies of resistance

- In third grade, during Halloween, in the first year I was out at school as a trans person, some people started using my deadname. And I hit one of them. And since then, no one has ever messed with me (FG1_O., Trans Girl, sexual orientation not defined, Spain, 14-year-old).

4. Overall evaluation: tendencies and absences re: empowering LGBTIQ children to combat violence in Spain

4.1. SWOT re: combating violence against LGBTIQ children in Spain

Strengths

- There are laws, regulations, and resources in place that are useful for LGBTIQ children.

- Some LGBTIQ professionals are already working in the field of children and teenagers.

- There is a specific trans and LGBTIQ visibility for children.

- There are teachers that are perceived as support figures because of their visibility within the LGBTIQ community.

- Some professionals are trained and sensitised on the matter.

- Some regions have specific services for trans people, including children and teenagers, as part of the public health system.

Weaknesses

- A significant part of professionals does not know the laws, regulations, and resources in place, including those regarding children.

- Instability of social intervention programs with LGBTIQ children.

- Geographical differences in the implementation of rights for LGBTIQ children, including cross-country and rural vs urban.

- Professionals don't often listen to children and teenagers.

- Transgender and non-binary children and teenagers have a worse situation than other LGBTIQ children and teenagers.

- Intersex issues do not show up as often as other LGBTIQ issues.

- Sex education comes late, is not often based on children's experiences, and is highly cisheterocentred.

- Lack of safe spaces for children in general and LGBTIQ children in particular.

- A significant number of professionals don't want to put extra effort in getting trained.

Opportunities

- There's high global visibility of LGBTIQ issues, including children.

- Spaces and proposals to listen to LGBTIQ children are growing.

- Adult-centred dynamics are starting to be questioned.

- EU policies to fight against LGBTIQ violence, including against children.

- Teenagers are making diversity more visible.

- The Internet reaches most teenagers, sharing with them first hand experiences, terminology, and role models.

- Social networks help grow the social networks of children that receive bullying at school.

Threats

- Conservative sectors of society, far right, and anti-trans feminism.

- Some families and parents' associations are against training and making LGBTIQ issues visible in schools.

- Many schools are partly private and religious, and these reject LGBTIQ programs in their schools.

- Current climate of confrontation and resistance towards LGBTIQ children, particularly towards trans and non-binary ones.

- Lack of social culture on respecting children's rights and LGBTIQ childhoods.

- Adultcentrism of the professionals who work with children and their families.

- Not listening to children and their needs.

- Some services for LGBTIQ people might get defunded in the case of an economic crisis.

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