Actual Social Theme
You heard about it, you read about it, and now we talk about it! We selected one topic from a longer list of burning social LGBT topics namely how official bodies like cities and governments actively support gender equality and react on homophobic behavior in their environment.

1. Austria
   Wolfgang Wilhelm, WASt, Vienna City Administration

2. Belgium
   Marijke Weewauters, Institute for the Equality of Women and Man
Transgender rights and actions in Belgium

Institute for the equality of women and men

Marijke Weewauters 17 June 2016
Head of the Federal unit on gender based violence and transgender unit
Overview

I. Institute for the equality of women and men
II. The situation of trans people in Belgium
III. Steps and CSF to develop the NAP 2013-2015
IV. Results?
V. And now …. 2016?
I. Institute for the equality of women and men
Institute for the equality of women and men

• 2003
• Autonomous institute
Equality body versus Administration
• Mission:
  ▫ To protect and promote the equality between women and men
  ▫ Combat all forms of discrimination and inequality based on gender (including maternity and gender reassignment)
• Specific mandate on homo- and transphobia and coordinating body on NAP!
Institute for the equality of women and men

- Policy advice
- Research
- Raising awareness
- Give legal advice/mediation/take legal action
II. The situation of trans people in Belgium

BORN A FRUIT
IDENTIFIES AS A VEGETABLE
Official (Legal) definitions

- **Gender identity**: the way you experience your own gender (“I feel like a man, woman, other?”);
- **Gender expression**: the way you express your gender (clothing, behavior, etc.);
- **Gender role**: the way society expects you to behave according to your biological sex (caring woman, strong man, etc.);
- **Transgender**: a person who’s gender identity or expression does not match his/her biological sex of birth and/or expected gender role.
The situation of trans people in Belgium from where the policy started

2009 national study ‘being transgender in Belgium”

- Victims of discrimination (work-assurance)
- Victims of harassment
- Problems with official documents and diplomas
- Suicide (62% thought about suicide)
- No access to specific transgender health
- Etc.
Number of complaints and information requests regarding trans in the Institute
Type of complaints and information requests by trans people

• **Main topics:**
  - Work
  - Harassment and violence (4/5 violence but 1/5 is reported)
  - Housing
  - Insurance & social security (58% have a hospitalization insurance, but only 15% received reimbursement)
  - (Official) change of name
III steps and CSF to develop a NAP
To build up the first NAP 2013-2015

1. Consultation with all the NGO’s and stakeholders (37) all bottlenecks
   - Umbrella organisations and help centres
   - Universities and national and international NGO’s (AI)
   - Organisations supporting trans as prostitution-victims of human trafficking
   - Gender teams in the hospitals
   - Parents associations
   - Trans in schools-trans students-trans youth associations
   - LGBTI-Police network
   - LGBTI ass. On LGBTI and migrations and asylum
The first NAP 2013-2015

2. **Inventory** of existing laws, policies, actions, data and good practices and int./European recommendations

3. Recommendations (result of 1 and 2) included in an assessment report

4. Assessment report was discussed in several interdepartmental groups and bilateral reunions with state organisations and ministries of all governments

5. Deliberation with all **offices of ministers (all gov)**

6. Inter-ministerial conference to officialise NAP’s
First NAP 2013-2015

- **Interfederal** Action Plan against homo- and transphobia 2013-2014
  (violence – discrimination)

- The Institute receives a mandate as the coordinating body
  → leading the process; compiling the inventory of the plans; facilitator; observatory
  → support, coordination and evaluation of the action plan in official steering comities
CSF FOR AN EFFICIENT AND STRATEGIC ACTION PLAN

• Political will and priority (members of parliament, commission on equality)
• Carried out by/strong ownership by the political leaders, state actors and organisations
• Participation of stakeholders/civil society/women’s organisations/NGO’s in elaboration and monitoring processes
• Media attention + dissemination
• Strict follow-up of the implementation and monitoring
• Accountability in reporting (to parliament ?)
CSF FOR CONTENT

- Refer to and align with **International and European** obligations
- Strategic and operational **goals**
- 5 p’s (policy, participation, prevention, prosecution, provision)
- **Indicators?**
- **Budget?**
- Guidelines and **mechanisms** for coordination, implementation and monitoring (follow up, mandates, reporting requirements)
Results?

- Jointly defining problems and common objectives
- The action plan is the answer to the existing problems and supported by stakeholders
- Improving integral interventions/policies between governments and departments
- Improve the mutual responsibility for the final outcomes
- Better collaboration with all actors
  Better development and exchange of expertise
- Efficient monitoring
IV. Results? Trans rights situation in Belgium between 2013-2016
The situation of trans people in Belgium

- Growing visibility (in national daily TV drama series + transgender politician + Miss Belgium)
- Social acceptance
- Mainstream into policies
- Political awareness and willingness
- More and more legal protections and support
- Stronger NGO (coordination) and better financial support of them
ILGA-Europe Rainbow Map May 2016

reflecting the national legal and policy human rights situation of lesbian, gay, bisexual, trans and intersex (LGBTI) people in Europe

How did we calculate these scores? Have a look at www.rainbow-europe.org
Trans rights in Belgium

• 2007: **Law to combat discrimination between women and men (Gender Act):** includes discrimination based on gender reassignment;
• 2014: Gender Law’s and law on harassment in the workplace extended to **gender identity** and **gender expression**.
• Possibility to change diplomas and transport-documents
• Change in DSM IV
• Installation of a free transphone helpline
• 2013 installation of a multidisciplinary gender team and information center [www.transgenderinfo.be](http://www.transgenderinfo.be)
Aantal nieuwe aanmeldingen op jaarbasis
genderteam UZ Gent (1985 - 2014)
Trans rights and information in Belgium

Everything you always wanted to know about transgender people*

*but we’re afraid to ask
Trans rights in Belgium

- 2013: Criminal Law: introduction of hate crimes

- COL 13/2013 = directive for justice and police on hate crimes:
  - better cooperation between justice and police (and Institute),
  - appointment and training of reference officers (specialized magistrates and police officers)
  - specific registration of hate crimes = data collection and analyses
V and now : 2016 ......?
New NAP 2016-2019

- First evaluation of the first NAP’s
- Integration of international recommendations (FRA, ILGA, AI, IDAHO etc. and directives (LGBT and asylum)
- New consultation rounds (3th one next week)
- New bottlenecks
- New assessment report

And ..........NEW NAP this Year
IDAHO conference in Brussels in 2017
Examples of new bottlenecks

• 2007: **Law on Transsexuality**: gender reassignment and name change become administrative procedure

But... conditions at that time

- Medical criteria
- Sterilization
- Hormone therapy

  = Against human rights and Yogyakarta principles

Only 10% of transgender want gender surgery (794) under review!
Examples of new bottlenecks

- Officialization of gender pass (150)?
- Reimbursement by insurance?
- Medical cost and cost of care?
- Implementation of the legal protection on harassment and discrimination on workplace?
- Training of........
- Changing gender markers in official documents
- Quick, accessible and transparent procedures for changing documents
- Training of........
Thank you!

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