

International Day against Homophobia, Transphobia and Biphobia

This year's International Day against Homophobia, Transphobia and Biphobia, celebrated on 17th May, comes at a time of unprecedented difficulties that may challenge the enjoyment of equality and human rights of different groups of persons, including LGBTI people.

In 2019, Malta placed first amongst European countries in the Rainbow Index which provides an annual review¹ of the human rights situation of lesbian, gay, bisexual, trans, and intersex people, with an improvement on previous years, and an overall achievement score of 90%.

Such a result is a reflection of the various initiatives and measures taken in Malta in the past years with the aim of strengthening equality rights for LGBTI persons. In spite of such efforts, LGBTI people are now facing new challenges in the context of the coronavirus pandemic². Stigmatization, discrimination, hate speech and attacks on the LGBTI community have drastically increased globally. LGBTI people can experience domestic violence and abuse due to the home confinement unsupportive family-members, leading to anxiety and depression.

At European level, 33% of EU respondents who describe themselves as lesbian, gay, bisexual, trans or intersex often avoid certain places or locations for fear of being assaulted, threatened or harassed because they are LGBTI, while one in ten EU participants said they were targets of physical or sexual attacks in the five years before the survey, according to the second EU LGBTI survey published by the European Union Agency for Fundamental Rights (FRA)³.

In Malta, despite the leap in LGBTI rights in the past few years, discriminatory perceptions on LGBTI persons persist⁴. One fifth (20%) of the Maltese disagree that gay, lesbian and bisexual people should have the same rights as heterosexual people, and the same amount disagree that there is nothing wrong in a sexual relationship between two persons of the same sex. Additionally, despite 73% are comfortable with having a gay, lesbian or bisexual person in the highest elected political position in Malta, only 58% are comfortable or moderately comfortable if one of their children has a love relationship with a person of the same sex.

¹<https://rainbow-europe.org/#8647/0/0>

² <https://www.ohchr.org/Documents/Issues/LGBT/LGBTIpeople.pdf>

³ FRA, the second EU LGBTI Survey - A long way to go for LGBTI equality

⁴<https://ec.europa.eu/commfrontoffice/publicopinionmobile/index.cfm/Survey/getSurveyDetail/surveyKy/225>

In this context, awareness-raising to challenge stereotypical perceptions and discriminatory attitudes towards LGBTI persons is crucial. Indeed, the National Commission for the Promotion of Equality (NCPE) is committed to continue working to strengthen equality by raising awareness on discrimination and its negative effects on individuals and society at large.

This year the NCPE started working on a set of initiatives as part of an EU co-funded project entitled *Empowerment for Diversity*, focusing on the grounds of sexual orientation, gender identity, sex characteristics and gender expression. This project seeks to address the societal and cultural impacts which have resulted from the recent legislative advancements in Malta through awareness-raising initiatives, capacity building and various analytical activities.

In fulfilment of this project, the NCPE will be raising more awareness on equality rights as well as on NCPE's role and services in relation to equality, and will participate in the Malta Pride to encourage more people to be true to themselves and their own gender identity, without having to fear shame or experience any form of violence.

Workshops will be hosted with members of the LGBTI community to discuss the issues they might be facing, to identify and address their needs, as well as to look into the current deterrents which lead to underreporting of discrimination to responsible bodies, including NCPE.

Chapter 456 of the Laws of Malta empowers NCPE to investigate complaints of alleged discrimination on the grounds of sexual orientation and gender identity in employment, education and vocational training as well as by banks and financial institutions. The NCPE also provides the necessary assistance and information for the compilation of a complaint and training on equality rights and responsibilities in line with its remit.

Everyone is born free and equal in dignity and rights. Therefore, the International Day Against Homophobia, Transphobia and Biphobia must be considered as an opportunity to celebrate diversity and raise awareness on the human rights of LGBTI people. As stated by Marija Pejčinović Burić, the Secretary General of Council of Europe⁵, "LGBTI people have the same rights as everyone else under the European Convention on Human Rights, and we cannot and will not tolerate violence and discrimination against them".

⁵ <https://www.coe.int/en/web/portal/17-may-international-day-against-homophobia/former-editions>



National Commission for the Promotion of Equality

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