

THE DANISH  
INSTITUTE FOR  
HUMAN RIGHTS

# IT TAKES ALL KINDS

COMBATING DISCRIMINATION ON GROUNDS  
OF SEXUAL ORIENTATION AND GENDER  
IDENTITY IN THE SCHOOL CONTEXT – A  
PROJECT IN NINE EUROPEAN COUNTRIES.

**IT TAKES ALL KINDS – COMBATING DISCRIMINATION ON GROUNDS OF SEXUAL ORIENTATION AND GENDER IDENTITY IN THE SCHOOL CONTEXT, A PROJECT IN NINE EUROPEAN COUNTRIES**

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# CONTENT

<b>1</b>	<b>INTRODUCTION</b>	<b>6</b>
<b>2</b>	<b>HOMOPHOBIA, BIPHOBIA AND TRANSPHOBIA</b>	<b>8</b>
<b>3</b>	<b>SETTING THE FRAMEWORK</b>	<b>11</b>
<b>3.1</b>	<b>The right to education</b>	<b>11</b>
<b>3.2</b>	<b>Sexual and gender diversity in the educational curricula</b>	<b>15</b>
<b>3.3</b>	<b>School practices and discrimination on grounds of sexual orientation and gender identity</b>	<b>17</b>
<b>3.4</b>	<b>Setting the framework – main conclusions</b>	<b>20</b>
<b>4</b>	<b>MAPPING THE CONTEXT</b>	<b>22</b>
<b>4.1</b>	<b>Legislative Steps taken in relation to sexual orientation and gender identity in partner countries</b>	<b>22</b>
<b>4.2</b>	<b>The situation in schools: the effects of homophobic and transphobic bullying</b>	<b>26</b>
<b>4.3</b>	<b>The different realities within the schools contexts in the partner countries</b>	<b>28</b>
<b>5</b>	<b>IMPLEMENTING THE PROJECT</b>	<b>32</b>
<b>5.1</b>	<b>Working with Ministries of Education</b>	<b>33</b>
<b>5.2</b>	<b>Working with civil society organizations</b>	<b>34</b>
<b>5.3</b>	<b>Working with schools</b>	<b>37</b>
<b>6</b>	<b>LESSONS LEARNED</b>	<b>42</b>
<b>6.1</b>	<b>Process oriented lessons learned</b>	<b>42</b>
<b>6.2</b>	<b>Context oriented lessons learned</b>	<b>43</b>
<b>6.3</b>	<b>Financial lessons learned</b>	<b>44</b>
<b>7</b>	<b>RECOMMENDATIONS</b>	<b>45</b>
<b>7.1</b>	<b>For national human rights institutions and equality bodies</b>	<b>45</b>
<b>7.2</b>	<b>For civil society organizations</b>	<b>45</b>
<b>7.3</b>	<b>For Ministries of Education</b>	<b>46</b>

**ABBREVIATIONS**

ITAK	It takes all kinds
LGBT	Lesbian, Gay, Bisexual, Transgender
DIHR	Danish Institute for Human Rights
UDHR	Universal Declaration of Human Rights
UNESCO	United Nations Educational, Scientific and Cultural Organization
IDAHO	International Day Against Homophobia and Transphobia
ILGA	International Lesbian and Gay Association
NHRI	National Human Rights Institutions
WPHRE	World Programme for Human Rights Education
ICESCR	International Covenant on Economic, Social and Cultural Rights
CRC	Convention on the Rights of the Child
CEDAW	Committee on the Elimination of Discrimination Against Women
CRPD	Convention on the Rights of Persons with Disabilities
CoE	Council of Europe
FELGBT	Federation of Lesbians, Gays, Bisexuals and Transsexuals

ECHR      European Convention on Human Rights

# CHAPTER 1

## 1 INTRODUCTION

This report is based on the project: *It Takes All Kinds: Fighting Homophobia in Schools* (ITAK), which was financially supported by the European Commission and conducted by the Danish Institute for Human Rights (DIHR) in close collaboration with its ten European partners – Lesbian, Gay, Bisexual and Transgender (LGBT) NGOs in Latvia, Poland, Sweden, Denmark, Belgium, Romania, Bulgaria, Spain, Portugal and Ireland.

The main goal of the project is to positively influence the practices and attitudes of school children, adolescents and their teachers towards the LGBT community. To achieve this goal, the DIHR and its partners have developed, implemented and disseminated educational tools and materials on equal treatment and non-discrimination. The ambition was to contribute to elimination of homophobia, biphobia and transphobia in schools of the countries represented in the project, and potentially in other European countries. As this report shows, the prevalence of homo-, bi- and transphobic bullying and other forms of discrimination towards LGBT students and teachers in the participating countries is quite discouraging. Topics such as sexual and gender diversity are not properly integrated into the school curricula and, as a consequence, homo-, bi- and transphobia are widely spread. In some cases, it is officially tolerated within the school context. There are many reasons for this – some are political, some are religious and some are socio-cultural, and often these reasons overlap. The fact remains that discrimination against LGBT students and teachers is a problem, which has many serious consequences for its victims and needs to be addressed.

Furthermore, homo-, bi- and transphobic bullying go beyond solely targeting LGBT students or teachers. Victims of bullying are just as often students or teachers who do not conform to the social expectations related to gender roles, children of same-sex parents, and teachers or students who are perceived as being LGBT. This highlights the relevance and importance of the ITAK project, since homo-, bi- and transphobic bullying affects a large number of persons and has an impact on the entire school.<sup>1</sup>

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<sup>1</sup> ILGA Europe (2012) 'Inclusive schools in Europe: the way forward. Guidelines for LGBTI rights organizations' – unpublished draft.

By targeting schools directly and developing educational materials that promotes learning about human rights, equal treatment, and sexual and gender diversity, the ITAK project hopes to: enable school personnel and students to respect human rights; implement equal treatment standards; give students and teachers the necessary knowledge, competences and skills to promote and protect human rights and human dignity.

This is why we have found this project to be imperative and we sincerely hope that the educational tools and materials we have developed during its course will be widely used by schools around Europe.

The present report serves three main purposes:

- (1) The *Setting The Framework* chapter maps out the most important international and regional human rights instruments when working with sexual and gender diversity in schools;
- (2) The *Mapping The Context* chapter provides an overview over the current situation on discrimination on grounds of sexual orientation and gender identity in the participating countries and identifies the areas of special concern;
- (3) The *Doing The Project* chapter uncovers the lessons learned throughout the project and provides a list of recommendations to main stakeholders, Ministries of Education, National Human Rights Institutions, Equality Bodies and NGOs.

## CHAPTER 2

# 2 HOMOPHOBIA, BIPHOBIA AND TRANSPHOBIA

To better understand the issue at hand, it is necessary to investigate the origins and historical developments of homo-, bi-, and transphobia. As mentioned in the introduction, the ambition of the *It Takes All Kinds: Fighting Homophobia in Schools* (ITAK) project has been to enable key stakeholders in the education sector to tackle homo-, bi-, and transphobia in schools. By seeking to understand the meaning and root causes of these occurrences, it becomes possible to proactively address them and prevent them from further developing amongst youth and adult culture. This chapter explores the meaning and origins of homo-, bi-, and transphobia. Different theories and explanations exist as to what homo-, bi-, and transphobia involve and where they come from. This chapter takes a selective look at these theories and provides a brief overview.

The term homophobia itself was first used for the first time in 1965. Psychoanalyst George Weinberg proposed the notion that people who did not want to interact with homosexuals had some form of phobia. According to Weinberg, homophobia was “a fear of homosexuals which seemed to be associated with a fear of contagion, a fear of reducing the things one fought for—home and family. It was a religious fear and it had led to great brutality, as fear always does”<sup>2</sup>.

The most common definition of homophobia is the one based on the Greek root of *homo*, which means similar, paired with the Greek suffix *phobia*, which means fear. “With this construction, homophobia means, literally, fear of sameness or fear of the similar”<sup>3</sup>. Jody Norton explains that transphobia is a variant of homophobia, which is “understood as hatred for the queer, where ‘queer’ means any formation of sexuality and/or gender that deviates from the norm of reproductive heterosexuality”<sup>4</sup>. Transphobia and homophobia are closely connected to masculinist societies that retain a powerful antipathy towards

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<sup>2</sup> Herek, Gregory M., “Beyond “Homophobia”: Thinking About Sexual Prejudice and Stigma in the Twenty-First Century”, *Journal of the National Sexuality Research Center, Sexuality, Research and Political Science*, Vol. 1, No. 2, 2004.

<sup>3</sup> Herek, 2004, p. 9

<sup>4</sup> Norton, Jody, ““Brain Says You’re a Girl, But I Think You’re a Sissy Boy’: Cultural Origins of Transphobia”. *Journal of Gay, Lesbian and Bisexual Identity*, Vol. 2, No. 2, 1997.



women and gay men. They share an idea of male superiority, patriarchy, that men have a specific role in society and that heterosexual sex is the only 'correct form' of sexual activity. Heterosexuality as it is constructed today "involves a symbolic power and privilege for the male that enables a controlled and controlling relation to the female... [the] representations of gay and trans people reveal that the feminized male, and specifically the male-to-female transgender, putatively or actually sexually oriented towards men, is exposed as a particularly atrocious – because particularly intimate – threat to masculinity and male superiority"<sup>5</sup>.

Another important issue related to homophobia is that, "although it is usually defined inclusively to refer to hostility toward gay people of both genders, theorizing about it has often focused on heterosexuals' attitudes toward gay men. In particular, considerable energy has been devoted to trying to explain why heterosexual men are so much more hostile to gay men than are heterosexual women"<sup>6</sup>. Due to this, a lot of the supporting literature of this report is connected to the experiences of gay men. Nonetheless, the experiences of lesbian women, bisexuals, transgender and transsexual persons will, as much as possible, be included in the text.

In the beginning of the sexual liberation movement in the 1960s and 1970s, "the liberation framework encouraged the view that hostility toward homosexuality was very much about the heterosexual person's fear and loathing of his or her own repressed homosexual feelings"<sup>7</sup>. This was, at least, the way gay men interpreted the feelings of heterosexual men towards them. Around the same time, lesbian feminists constructed a different analysis. According to them, being a lesbian involved "rejection of society's compulsory heterosexuality, which was part of a patriarchal system that subjugated women"<sup>8</sup>. For that reason homophobia, as a psychological fear, was rejected by some feminists.

During the 1970s both the gay liberation movement and the lesbian feminist movement became more based on identity politics, which is a trend that continues today. This was guided by a more or less fixed categorization of gays and lesbians within the lines of minority groups. Within this new framework, homophobia is best understood as "rejection of members of an out group (similar to racism and anti-Semitism). The conflict is 'us versus them'"<sup>9</sup>.

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<sup>5</sup> Norton, (1997), p. 143

<sup>6</sup> Herek, 2004, p. 11

<sup>7</sup> Herek, 2004, p. 12

<sup>8</sup> Herek, 2004, p. 12

<sup>9</sup> Herek, 2004, p. 13

Religion or religious influence is also connected to homophobia and is used as a way to justify discriminatory attitudes towards LGBT persons: “religious traditions have apparently always viewed same-sex relations as utterly sinful and against the will of God”<sup>10</sup>. Non-procreative sex is sometimes termed by religious groups as being an excessive form of pleasure, which is posed as both dangerous and a manifestation of power, and therefore prohibited.

Christianity has played an important role in promulgating the idea of homosexuality as incorrect or inappropriate. The Church has defined non-procreative sex as unnatural and it was aligned with bestiality and masturbation in penitential manuals.<sup>11</sup> Many Christians see homosexuality as “a voluntary sinful behaviour, which if openly espoused, assaults the very foundation of society”<sup>12</sup>. Today, homosexuality is often compared to the medieval sodomite: at once a sinner and a heretic.

Homo-, bi-, and transphobia are evidently all closely connected to one another, and both constitute complex terms reflecting societal, cultural, religious and other tendencies. When working with them, different means should therefore be considered, and various levels included. Working with gender norms and stereotypes is crucial, as homo-, bi-, and transphobia are often explained by referring to the gender based normativity.

At DIHR, we aim to remove homo-, bi-, and transphobia from the public sphere through human rights education. Human rights framework offers an important foundation to work with any injustice. Furthermore, the international acknowledgement obtained through human rights work and promotion adds validity to the initiatives used. The framework used by DIHR staff throughout the ITAK project concerning the elimination of homo-, bi-, and transphobia may not be fully exhaustive, however it offers a number of interesting and important perspectives.

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<sup>10</sup> Siker, Jeffrey S. (ed.), (2007) *Homosexuality and Religion: an encyclopedia*, Greenwood Publishing Group, p. ix)

<sup>11</sup> Siker, (2007), p. 10

<sup>12</sup> Siker, (2007), p. 11

# 3 SETTING THE FRAMEWORK

The following section describes the international and European human rights instruments in terms of integrating sexual and gender diversity into the national educational curricula. The issue of discrimination on the grounds of sexual orientation and gender identity in society, and at schools in particular, can be addressed from various different angles within the human rights discourse. When working in schools, it is important to use instruments that regulate the area of education.

DIHR, as a national human rights institution and a national equality body<sup>13</sup>, has a mandate to work for the promotion and protection of the human rights of all persons, without any form of discrimination. This work includes education activities, both in terms of securing the right to education, as stated in several important international covenants, and as an important tool for promotion of all human rights. It is important for DIHR to ensure that all rights of all persons are respected and that sexual orientation and gender identity are seen as relevant issues to be addressed in educational settings. Fighting discrimination in society should start in school!

### 3.1 THE RIGHT TO EDUCATION

The right to education has a solid base in international law and is guaranteed in several human rights instruments, starting with the Universal Declaration of Human Rights (UDHR, Art. 26). The International Covenant of Economic Social and Cultural Rights (ICESCR) transforms the initial non-legally binding right of UDHR into a binding legal claim (Art. 13). The Convention on the Rights of the Child (CRC) guarantees the right and it establishes the goals of education (Art 28-29). The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) establishes the state's obligation to eliminate all forms of discrimination against women in education (Art. 10). Lastly, the Convention on the Rights of Persons with Disabilities (CRPD), establishes the right of persons

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<sup>13</sup> A national equality body is an institution mandated by EU law to provide independent assistance to victims of discrimination in pursuing their complaints about discrimination; to conduct independent surveys concerning discrimination; to publish independent reports and making recommendations on any issue relating to such discrimination.

with disabilities to education (Art. 24). Regionally, Protocol no. 1 to the European Convention on Human Rights (ECHR, Art. 2) establishes that no-one shall be denied the right to education and the European Social Charter (Art. 14) guarantees the right to education.

The rights presented in the CRC and the ICESCR shall be respected without discrimination of any kind, irrespective of the child's (or his/her parents' or legal guardians') race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status (Art. 2). Further, the Convention against Discrimination in Education (1960)<sup>14</sup>, aims at eliminating discrimination in education and guaranteeing equal opportunities in access to education to all.<sup>15</sup> It is crucial to tackle discrimination in education because it affects the very essence of the individual and society, namely the forming of the mind and it is the most abhorrent form of discrimination because the victims are primarily children.<sup>16</sup>

The right to education plays an important role in human rights as a tool to ensure that all persons are well informed and equipped to claim their rights and to create good and prosperous lives for themselves. The full enjoyment of the right to education "is fundamental to securing wider social and economic justice and the best possible conditions to achieve a life in dignity"<sup>17</sup>. This is especially true if the right to education is understood both as a right to access education and a right to educational processes in line with other rights<sup>18</sup>. In other words, education is an enabling right that empowers people to claim their rights and aims at protecting human rights and promoting equal treatment. Education is important to therefore consider in initiatives aimed at eliminating homo-, bi-, and transphobia.

In the Council of Europe (CoE), human rights education often goes hand-in-hand with education for democratic citizenship or citizenship education. Both concepts aim at achieving a mutual goal: ensuring that children are raised in an environment where human dignity and human rights are respected and protected, and all members of society are treated as dignified rights-holders in the spirit of equality and non-discrimination. While human rights education focuses on promoting equality, human dignity, participation and empowerment

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<sup>14</sup> Adopted by the UNESCO General Conference (1960)

<sup>15</sup> Convention on the Fight against Discrimination in Education of 1960, Paris, December 14, 1960

<sup>16</sup> UNESCO. *Right to Education: Commentary – Convention Against Discrimination in Education*. Paris, 2005, p. 1.

<sup>17</sup> Melchior, Angela and Atkins, Ed. *The Right to Education Project*, 2011. "At what age?... ...are school children employed, married and taken to court? Trends over time". P. 12.

<sup>18</sup> McCowan, Tristan. *Reframing the universal right to education*. *Comparative Education*, Vol. 46, No. 4, November 2010, 509-525.

for everyone, citizenship education “puts the ‘child citizen’ into the focus and aims to educate children to be active and responsible members of their communities”<sup>19</sup>. According to the CoE’s Division for Citizenship and Human Rights Education, the two concepts differ from one another in focus and scope, though they still are interrelated and mutually supportive when it comes to goals and practices<sup>20</sup>. Both approaches can be used to promote education that includes respect for sexual orientation and gender identity, ensuring that students are equipped with the necessary knowledge, skills and values to become responsible members of any society with respect for all persons, regardless of their sexual orientation or gender identity.

Human rights education has been a priority for the CoE for many years. The Parliamentary Assembly (PACE) has, for example, issued a recommendation on human rights education to the Committee of Ministers that strongly encourages the Committee to call on the member states to “review curricula from primary school to university, with a view to include education in human rights in all school curricula, starting with teacher training programmes”<sup>21</sup>.

Human rights education, which should include comprehensive sexual education, has been a focus in Europe and the UN system since the beginning of the 2000s. The World Programme for Human Rights Education (WPHRE) has been operating since 2005 and was approved by the UN General Assembly on 10 December 2004 (Human Rights Day). The CoE is a regional partner of the programme and, during 2005-2009, aimed at developing and strengthening human rights education in primary and secondary schools at a national level in member states. During its second phase, from 2010-2014, elementary and secondary schools have been encouraged to continue their work on human rights education. Further emphasis should be administered on human rights education for teachers, civil servants, law enforcement officials and the military<sup>22</sup>.

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<sup>19</sup> *Compasito – manual on human rights education for children*, Council of Europe Publishing, 2<sup>nd</sup> edition, January 2009, Budapest, Hungary, p. 10.

<sup>20</sup> Council of Europe, Division for Citizenship and Human Rights Education’s website, “What is Education for Democratic Citizenship and Human Rights?”: [http://www.coe.int/t/dg4/education/edc/1\\_What\\_is\\_EDC\\_HRE/What\\_%20is\\_EDC\\_en.asp#TopOfPage](http://www.coe.int/t/dg4/education/edc/1_What_is_EDC_HRE/What_%20is_EDC_en.asp#TopOfPage) (accessed on May 20<sup>th</sup>, 2011).

<sup>21</sup> RECOMMENDATION 1346 (1997) on human rights education. Accessed through the website of the Parliamentary Assembly : <http://www.assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta97/EREC1346.htm> (Accessed on May 20<sup>th</sup>, 2011).

<sup>22</sup> Draft Plan of Action for the Second Phase (2010-2014) of the World Programme for Human Rights Education, Human Rights Council, General Assembly, Fifteenth Session, Agenda items 2 and 3. July 27<sup>th</sup>, 2010. Downloaded at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/151/48/PDF/G1015148.pdf?OpenElement> (Accessed on May 31<sup>st</sup>, 2010).

In conclusion, the right to education includes the right to human rights education. The content of these rights includes issues of sexuality, gender, gender roles and sexual diversity. In order to be comprehensive and meet its goals, human rights education must include gender and sexual diversity perspectives.

The aforementioned human rights instruments do not touch upon the specific didactical methods for working with integrating human rights and equal treatment principals into the school curricula. Meanwhile, many different approaches and didactic models exist. DIHR has developed a didactical model (fig. 4) correlating to the UN Declaration on Human Rights Education and Training, which states that “human rights education should provide persons with *knowledge, skills and attitudes* to empower them, to contribute to the building and promotion of a universal culture of human rights” (Art.2).

The three dimensions of *knowledge, skills and attitudes/values*, have been highlighted as types of education since 1956 when Benjamin Bloom described them as ‘Bloom’s Taxonomies’. Bloom wanted to challenge teachers to strive towards a more holistic approach to education because this would have a higher impact on learners. The model suggests a holistic approach to education and fits well into the discourse of human rights education. This is done encouraging educators to focus on empowering students, rather than just relaying information to them.

From looking at the international and regional documents, it may be concluded that the concept of human rights education operates mostly at knowledge level. This therefore ensures that students are at least exposed to the concepts of human rights and equal treatment.

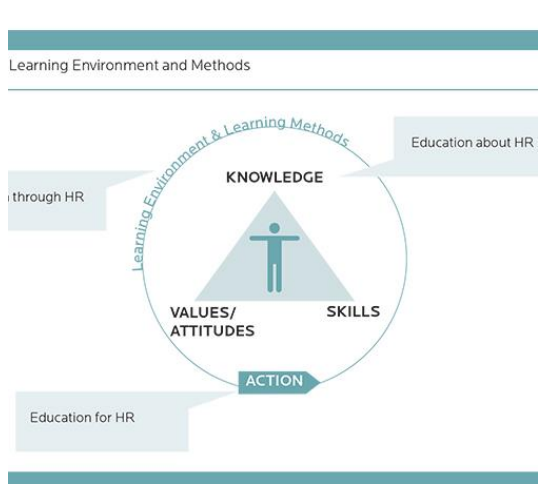


Figure 4

### 3.2 SEXUAL AND GENDER DIVERSITY IN THE EDUCATIONAL CURRICULA

In 2008, the UN General Assembly adopted the *Statement on Human Rights, Sexual Orientation and Gender Identity*, which was initially signed by 66 member states. This later increased to 89 member states in 2011, including all member states of the European Union, after a new version of the document was issued by the UN Human Rights Council. The Statement reads that “the principle of non-discrimination... requires that human rights are applied equally to every human being regardless of sexual orientation and gender identity”<sup>23</sup>. Furthermore, the statement reflects a deep concern from its authors and signatories that “violence, harassment, discrimination, exclusion, stigmatization and prejudice are directed against persons in all countries in the world because of sexual orientation or gender identity” and underlines that “these practices undermine the integrity and dignity of those subjected to these abuses”<sup>24</sup>.

In 2011, the UN Human Rights Council adopted Resolution 17/19 - the first UN Resolution on human rights, sexual orientation and gender identity. In the Resolution, the High Commissioner for Human Rights was asked to “commission a study, (...) documenting discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, in all regions of the world, and how international human rights law can be used to end violence and related human rights violations based on sexual orientation and gender identity”<sup>25</sup>.

In November 2011, the UN High Commissioner for Human Rights presented the results of the study to the UN General Assembly<sup>26</sup>. The study affirms: “In all regions, people experience violence and discrimination because of their sexual orientation or gender identity. In many cases, even the perception of homosexuality or transgender identity puts people at risk. Violations include – but are not limited to – killings, rape and physical attacks, torture, arbitrary

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<sup>23</sup> Statement on Sexual Orientation and Gender Identity (2008), Presented to the United Nations General Assembly on December 18<sup>th</sup>, 2008. (Accessed through: [http://en.wikisource.org/wiki/UN\\_declaration\\_on\\_sexual\\_orientation\\_and\\_gender\\_identity](http://en.wikisource.org/wiki/UN_declaration_on_sexual_orientation_and_gender_identity) on May 31<sup>st</sup>, 2010).

<sup>24</sup> Statement on Sexual Orientation and Gender Identity (2008), Presented to the United Nations General Assembly on December 18<sup>th</sup>, 2008. (Accessed through: [http://en.wikisource.org/wiki/UN\\_declaration\\_on\\_sexual\\_orientation\\_and\\_gender\\_identity](http://en.wikisource.org/wiki/UN_declaration_on_sexual_orientation_and_gender_identity); on May 31<sup>st</sup>, 2010).

<sup>25</sup> Human Rights Council, Resolution 17/19, 14 July 2011. UN Docs. A/HRC/RES/17/19

<sup>26</sup> Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General, 17 November 2011. UN Docs. A/HRC/19/41

detention, the denial of rights to assembly, expression and information, and discrimination in employment, health and education”<sup>27</sup>.

In relation to discrimination in education, the study puts focus on the need to address non-discrimination and diversity in education. “LGBT youth frequently experience violence and harassment, including bullying, in school from classmates and teachers. Confronting this kind of prejudice and intimidation requires concerted efforts from school and education authorities, and integration of principles of non-discrimination and diversity in school curricula and discourse”<sup>28</sup>.

There is also emphasis on comprehensive sexual education. According to the study, “the right to education includes the right to receive comprehensive, accurate and age-appropriate information regarding human sexuality in order to ensure young people have access to information needed to lead healthy lives, make informed decisions and protect themselves and others from sexually-transmitted infections”<sup>29</sup>.

There are other relevant examples of UN commitments to include sexual and gender diversity into educational curricula. One of them is the World Programme for Human Rights Education (WPHRE) that encourages states to conduct educational activities that shall “foster respect for and appreciation of differences, and opposition to discrimination on the basis of race, sex, language, religion, political or other opinion, national, ethnic or social origin, physical or mental condition, sexual orientation and other bases”<sup>30</sup>.

Furthermore, the UN Special Rapporteur on the right to education also underlines: “In order to be comprehensive, sexual education must pay special attention to diversity, since everyone has the right to deal with his or her own sexuality without being discriminated against on grounds of sexual orientation or gender identity”<sup>31</sup>.

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<sup>27</sup> Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General, 17 November 2011. UN Docs. A/HRC/19/41, par. 1

<sup>28</sup> Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General, 17 November 2011. UN Docs. A/HRC/19/41, par. 58

<sup>29</sup> Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General, 17 November 2011. UN Docs. A/HRC/19/41, para. 61

<sup>30</sup> Draft Plan of Action for the Second Phase (2010-2014) of the World Programme for Human Rights Education, Human Rights Council, General Assembly, Fifteenth Session, Agenda items 2 and 3. July 27<sup>th</sup>, 2010, p.6. Downloaded at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/151/48/PDF/G1015148.pdf?OpenElement> (Accessed on May 31<sup>st</sup>, 2010)

<sup>31</sup> *Report of the United Nations Special Rapporteur on the Right to Education*, United Nations General Assembly, Sixty-fifth session. Item 69 (b) of the provisional agenda, July 23<sup>rd</sup>, 2010, p. 7. (Accessed through: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/462/13/PDF/N1046213.pdf?OpenElement>; on May 31<sup>st</sup>, 2010).



According to the Yogyakarta Principles, developed by international human rights experts, including a former UN High Commissioner for Human Rights, UN Special Procedures and UN Treaty Body members, it is paramount that sexual orientation and gender identity are included in the school curricula. The principles further explain that “everyone has the right to education, without discrimination on the basis of, and taking into account, their sexual orientation and gender identity”<sup>32</sup>.

The Principles also accentuate that States have to ensure that education is directed at the development of each student’s personality, talents, and mental and physical abilities to their fullest potential, and that it responds to the needs of students of all sexual orientations and gender identities. States also have to ensure that education methods, curricula and resources serve to enhance the understanding of and respect for diverse sexual orientations and gender identities. This includes the needs of students, as well as their parents and family members that are related to these grounds.

The brief overview over the main human rights documents related to human rights education and education on gender and sexual diversity shows that schools and Ministries of Education should include sexual and gender diversity perspectives into the curricula. This is an important step towards successful and well accomplished implementation of human rights education, as well as towards the state’s obligation to secure the right to education. As the chapters that follow will illustrate, there is also an urgent need for these perspectives to be present at schools. Promoting gender equality, sexual equality and justice must therefore be considered as an essential part of the curricula at all European schools.

### **3.3 SCHOOL PRACTICES AND DISCRIMINATION ON GROUNDS OF SEXUAL ORIENTATION AND GENDER IDENTITY**

When talking about the application of human rights instruments in the educational context, there are other important aspects to consider besides the content of the curricula (knowledge-level, fig.4). Schools must also be perceived as social arenas where people interact, work and build social relations. The human rights framework is therefore also relevant in terms of whether or not the schools are able to provide a nurturing, including and encouraging space for these interactions and human development. Respect for sexual and gender diversity is a paramount part of creating such environments.

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<sup>32</sup> The Yogyakarta Principles – The Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity, Principle 16. Available at: [http://www.yogyakartaprinciples.org/principles\\_en.htm](http://www.yogyakartaprinciples.org/principles_en.htm) (Accessed on November 20, 2012).

A 2010 resolution and recommendation of the CoE Parliamentary Assembly and the Committee of Ministers underlines the importance of safeguarding the rights of children and youth to education “in a safe environment, free from violence, bullying, social exclusion or other forms of discriminatory and degrading treatment related to sexual orientation or gender identity”<sup>33</sup>. This means that not only must curricula be in line with human rights, but school practice must also be aligned with the right not to be discriminated against.

The Convention on the Rights of the Child (CRC) is important to fully comprehend the right to education. It also contains principles that ensures respect for sexual and gender diversity is integrated into school practice. The CRC should be read in conjunction with its guiding principles<sup>34</sup>, namely the right of the child to be heard and to participate – the right to participation (which is “not only a right in itself, but should also be considered in the interpretation and implementation of all other rights”<sup>35</sup>), the principle of non-discrimination (Article 2), the best interest of the child (Article 3) and the child’s right to survival and development (Article 6)<sup>36</sup>. The Convention offers a holistic approach to child development. In the school context, this implies that a child should be seen as an active participant – a rights-holder – whose opinions, views and life situation must be taken into account and respected. To be aligned with the Convention, a school’s pedagogy must be learner-centred and allow for the development of knowledge, skills and values with respect for the child’s interests, background and choices. Only by considering the interest of the child and integrating the above mentioned principles in the school’s curricula development and everyday practical functioning will it be possible to secure a good learning environment that is aligned with human rights obligations.

Bullying is another issue directly related to discrimination, which requires a lot of attention from school personnel in order to create a safe school environment. There is no direct reference to bullying in the CRC, however it elaborates on the danger of violence against children. According to General Comment number 13 of the Committee on the Rights of the Child, violence against children also involves violence among children, where the perpetrators and victims are children. This includes both verbal and physical bullying. This kind of violence “not only harms a child’s physical and psychological integrity and well-being in

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<sup>33</sup> Committee of Ministers Recommendation CM/Rec (2010)5 on measures to combat discrimination on grounds of sexual orientation and gender identity, *Adopted by the Committee of Ministers on 31 March 2010*

at the 1081st meeting of the Ministers’ Deputies. Downloaded at:

<https://wcd.coe.int/ViewDoc.jsp?id=1606669> (Accessed on November 15<sup>th</sup>, 2011).

<sup>34</sup> The General Comments by the Committee in the Rights of the Child provide these guiding principles.

<sup>35</sup> Committee on the Rights of the Child, General Comment 12: The Right of the Child to be Heard (2009), p. 5.

<sup>36</sup> The General Comments by the Committee in the Rights of the Child provide these guiding principles.

the immediate term, but often has severe impact on his or her development, education and social integration in the medium and long term”<sup>37</sup>.

Article 19 of the CRC is especially relevant for the prevention of violence and bullying in schools. It requires that all 193 state parties to take “all appropriate legislative, administrative, social and educational measures to protect the child from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians, or any other person who has the care of the child”. Schools are places of childcare and therefore need to implement Article 19. The full respect for this provision includes prevention of bullying in all its forms, including homo-, bi-, and transphobic.

According to General Comment number 13, “although children are the actors, the roles of adults responsible for these children is crucial in all attempts to appropriately react and prevent such violence, ensuring that measures do not exacerbate violence by taking a punitive approach and using violence against violence”<sup>38</sup>. This represents an obligation to states to act in order to prevent violence against children, and among them, without using any forms of punishment or other violent pressure. Measures taken must therefore be well thought through and preferably proactive. School policies that deal with, and try to prevent, violence and bullying among children is a good example of such measures.

The right to education not only comprises freedom from violence and bullying, but also the right to freedom of expression and freedom from discrimination, as stated in the CRC. This means that children and youth have the right to express an identity and they also have the right to be treated equally in doing so<sup>39</sup>. This is paramount for the respect of gender identity and sexual orientation in schools and also implies that schools need to adapt their practices to accommodate all children regardless of their sexual orientation or gender identity.

Knowledge is of great importance to secure a holistic approach to a child’s development. However, it is equally important to focus on the other two levels of the human rights education model, presented in Figure 4 above (p. 14). This poses a number of challenges for schools when it comes to sexual and gender diversity. In a homophobic society, school practice will generally also be

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<sup>37</sup> Committee on the Rights of the Child. General Comment No. 13, “the right of the child to freedom from all forms of violence”, para. 27. UN Docs. CRC/C/GC/13.

<sup>38</sup> Committee on the Rights of the Child. General Comment No. 13, “the right of the child to freedom from all forms of violence”, para. 27. UN Docs. CRC/C/GC/13.

<sup>39</sup> Biegel, Stuart, *The Right to Be Out: Sexual Orientation and Gender Identity in America’s Public Schools*, (University of Minnesota Press, Minneapolis, 2010)

homophobic. As a result, the skills taught usually do not include issues surrounding sexual orientation and gender diversity, and homo-, bi-, and transphobic bullying tends to be a part of school practice. It is therefore difficult for school managers and teachers to address sexual and gender identity in their curricula when there are existing negative attitudes and approaches towards LGBT persons. Nevertheless, the norms, standards and principles set out in the previous mentioned documents are quite clear. It is the schools' responsibility to safeguard students; securing an including and nurturing environment for their development, which must prevail and outweigh societal pressure.

It is important to make a point about the school structure, as it is central in guaranteeing that schools themselves will secure and maintain a non-discriminatory environment. If students are exposed to a 'value-based' education on human rights while the school structures are highly authoritative, hierarchical, non-transparent and non-accountable to its users, the result may not be as effective as intended. It is therefore important that a curriculum based on the principles of human rights education is supported not only by inclusive and respectful practices at schools, but also through structures that are founded on human rights principles and standards. The ITAK project works at all three levels at schools (curricula, practice and structure) and proposes practical examples of how this can be implemented.

### **3.4 SETTING THE FRAMEWORK – MAIN CONCLUSIONS**

By reviewing the international and regional human rights documents concerning sexual and gender diversity in a school context, it becomes clear that concrete steps to make it mandatory for state parties continues to remain absent. However, international human rights instruments go some way towards emphasizing the inclusion and mainstreaming of sexual and gender diversity in three main areas of concern:

1. School curricula: as the report has shown, the education sector in state parties must ensure that school education serves the purpose of promoting and protecting human rights, and equal treatment standards and principles. To inform about human rights is an important function of schools. Although the current human rights framework does not include any mandatory provisions for schools to include sexual and gender diversity in school curricula, most of the international and regional human rights instruments indicate that it is recommendable and welcomed.
2. School practice: the analysis has shown that schools are important players when it comes to securing and protecting human dignity, equality

and safety. This applies to all persons (children and adults) within the school system, including LGBT persons. It is therefore important for schools to be aware of their obligations to protect the safety, dignity and equality of LGBT students and teachers accordingly.

3. School systems: the report has shown that those state parties that have ratified international and regional human rights instruments must ensure that their school systems are organized and administrated in compliance with human rights and equal treatment principles and standards. This includes respect for, and protection of, sexual and gender diversity, as well as safety, dignity and equality of LGBT students and teachers.

# 4 MAPPING THE CONTEXT

The realities of the nine different countries in which the project has been implemented are very diverse. Homo-, bi-, and transphobia manifest themselves differently in each participating country. Nonetheless, homo-, bi-, and transphobia were present in all countries, albeit in different forms and to various extents. The following chapter outlines the results of the analyses and mapping of homo-, bi- and transphobia manifestation, and the steps taken to address it.

### **4.1 LEGISLATIVE STEPS TAKEN IN RELATION TO SEXUAL ORIENTATION AND GENDER IDENTITY IN PARTNER COUNTRIES**

The domestic legislative framework contributes to changing perceptions and improving the situation regarding the protection of LGBT persons against discrimination and differential treatment. Even though some of the legislative issues presented here are not directly connected to education, they do influence attitudes towards LGBT persons in a society and how human rights of LGBT persons are protected and respected in the public sphere. It is a fact that legal reform alone is unlikely to change deeply rooted structural oppression. Nonetheless, “concepts enshrined in legal institutions, such as rights, equality, and justice represent persuasive and powerful symbols for movements for social change”.<sup>40</sup> The law sends broader symbolic messages to society about what is and what is not acceptable. Therefore it is important to look into the law to understand the particularities of the societies; in this case the nine different countries participating in the ITAK project.

The legal status of LGBT persons differs in each of the participating countries. Even though they all must implement the Employment Framework Directive (2002/78/EC)<sup>41</sup>, the process of adapting domestic legislation to EU law moves at considerably different paces in each country. In Bulgaria, for example, legislative changes came in 2004 when the anti-discrimination law was approved. The law

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<sup>40</sup> Ibid., p. 1.

<sup>41</sup> The EU Directive that contains prohibition of discrimination on the grounds of sexual orientation in the labour market.

includes discrimination on grounds of sexual orientation and creates Bulgaria's equality body: the Commission for the Protection against Discrimination. The Bulgarian law, like the EU Directive, only covers the labour market. Nevertheless, discrimination against LGBT persons was still reported to be widespread in the Bulgarian society.

In Ireland, the equality legislation is quite comprehensive and covers nine grounds for discrimination – gender, civil status, family status, age, disability, sexual orientation, race, religious belief, and membership of the Traveller Community. The Employment Equality Act from 1998 and the Equal Status Act from 2000 outlaw discrimination in employment, vocational training, advertising, collective agreements, the provision of goods and services and other opportunities. The prohibition on discrimination, as in the case of Bulgaria, only covers the labour market; therefore, the possibilities for same-sex marriage and adoption are still to become part of the law.

Under the Irish Prohibition of Incitement to Hatred Act, 1989, it is a criminal offence to incite to hatred, violence or discrimination on grounds of sexual orientation. There are no aggravating circumstances in relation to sexual orientation or gender identity in the law.<sup>42</sup>

Latvia is reported to be one of the least LGBT friendly countries. ILGA- Europe (the International Lesbian and Gay Association in Europe) reports that “there are no laws in Latvia that provide any positive rights to LGBT people – such as, for example, the right to register their partnership, the right to marry or for same sex partners to adopt children jointly. Moreover, the fact that LGBT people exist, or that they live in lasting relationships with another person of the same sex and perhaps raise children, is not in any way recognized by the legislator”<sup>43</sup>.

According to the European Union Agency for Fundamental Rights (FRA), “most requirements of the Employment Directive 2000/78/EC have been implemented into Latvian legislation; however, the provisions prohibiting discrimination on grounds of sexual orientation were adopted with notable reluctance. The legislator has not gone beyond the minimum requirements of the Employment Directive 2000/78/EC, therefore discrimination on the ground of sexual

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<sup>42</sup> Stop LGBT hate crime. *Tracing and tackling hate crime against LGBT persons – a report with the main information attained through the project*. 2010 – EU Fundamental Rights and Citizenship Programme.

<sup>43</sup> ILGA-Europe, LATVIA: The Status of Lesbian, Gay, Bisexual and Transgender Rights; Submission to the United Nations Human Rights Council for its Universal Periodic Review of Latvia (11th Session). Available at [http://lib.ohchr.org/HRBodies/UPR/Documents/session11/LV/JS1\\_JointSubmission1-eng.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/session11/LV/JS1_JointSubmission1-eng.pdf), accessed on 06 May 2011.

orientation is explicitly forbidden *only* in private and public employment and civil service”<sup>44</sup>.

ILGA-Europe reports that there is very little representative and reliable information about the situation of LGBT persons in Latvia. LGBT persons are not included in the national census. “There are no governmental researches or monitoring mechanisms in relation to human rights violations of LGBT persons. Most LGBT people live their lives hiding their sexual orientation and/or gender identity, which results in few discrimination and hate crime cases being reported to law enforcement authorities or brought to the courts”<sup>45</sup>.

Contrary to many countries in the world, homosexuality has never been prohibited in Poland. This does not mean that LGBT persons have enjoyed more recognition of their rights and less prejudice in the country though. Similar to the previously mentioned countries, the equality laws in Poland are under the labour area. The Labour Code has an anti-discrimination clause that was inserted in 2003.

“The Employment Directive 2000/78/EC is in principle implemented into Polish law and provides victims of discrimination on the ground of sexual orientation with the possibility of seeking redress. However, there are no public institutions responsible for overseeing equality or anti-discrimination legislation and policies. However there is provision for the Ombudsman to be involved in any court proceedings (civil or criminal) and formulate legal opinions in discrimination cases. There is no official recognition of same-sex couples”<sup>46</sup>.

Same-sex marriage has been a reality in Spain since 2005 and it has also influenced its neighbours. The Law on Fiscal, Administrative and Social Measures of 2003 implements Directive 2000/78/EC and contains provisions on equal treatment and non-discrimination in the workplace. Furthermore, several “Autonomous Regions have included the fight against homophobia in their statutes. With regard to specific institutions for the protection of equal treatment and combating discrimination, the *Defensor del Pueblo* [Ombudsman] has a mandate covering discrimination on grounds of sexual orientation; its mandate is, however, limited to Public Authorities”<sup>47</sup>.

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<sup>44</sup> FRA (2009) ‘The social situation concerning homophobia and discrimination on grounds of sexual orientation in Latvia’.

<sup>45</sup> ILGA-Europe, LATVIA: The Status of Lesbian, Gay, Bisexual and Transgender Rights; Submission to the United Nations Human Rights Council for its Universal Periodic Review of Latvia (11th Session). Available at [http://lib.ohchr.org/HRBodies/UPR/Documents/session11/LV/JS1\\_JointSubmission1-eng.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/session11/LV/JS1_JointSubmission1-eng.pdf), accessed on 06 May 2011.

<sup>46</sup> FRA (2009) ‘The social situation concerning homophobia and discrimination on grounds of sexual orientation in Poland’.

<sup>47</sup> FRA (2009) ‘The social situation concerning homophobia and discrimination on grounds of sexual orientation in Spain’.



Since the approval of the Spanish legislation in 2005, the Portuguese LGBT movement had an additional argument to ‘fight’ the notion that equal rights for LGBT persons was a distant concern that was only relevant in Northern Europe. This gave the movement encouragement to lobby for change in legislation in Portugal. In the past five years, the LGBT movement accomplished important victories changing the criminal code to recognize hate crimes, advancing equality legislation, and introducing same-sex marriage in 2010. Portugal has further advanced a lot concerning the rights of trans persons. In 2011, the Portuguese parliament approved the most advanced legislation in Europe on the right of trans persons to change their names in compliance with their gender. According to this piece of legislation, trans persons are not required to go through any kind of treatment (such as hormone therapy, or gender reassignment surgery) in order to be able to change his/her name. In early 2013, the Penal Code was amended to include gender identity as an aggravating factor in regard to some crimes.<sup>48</sup>

In Sweden, it is illegal to discriminate against anyone because of their sexual orientation or their gender identity. Relationships between persons of the same sex are widely accepted. When it comes to co-habitation or ‘living together’, the law is the same for homosexual and heterosexual persons. Furthermore, same-sex marriage was legalised in 2009. “Legally there have been several important steps taken in the last decades to improve the rights of LGBT persons in Sweden: The registered partnership (1995), the possibility to be considered as an adoptive parent (2003) and the rights of lesbians to access assisted fertility treatments (2005). Furthermore, civil legislation prohibits sexual orientation discrimination in employment (1999); university education (2002); goods and services both publicly and privately, including housing (2003); and in pre-school, primary and secondary education (2006)”<sup>49</sup>. Sweden is the only country in the ITAK project that has a legislation recognizing gender identity. The provisions in Swedish constitutional and criminal law make it a crime to, in any way, disseminate a message that includes threats or disdain towards a group of people on ground of their race, colour of skin, nationality, ethnicity, faith or sexual orientation.<sup>50</sup>

In Denmark, discrimination on the grounds of sexual orientation is prohibited. Same-sex partnerships became acknowledged by law in 1989, and same-sex marriage was legalised in 2012. Denmark is also one of the first countries in Europe where same-sex marriages are recognized by the Church and church weddings for same sex couples are permitted. It is legal for Danish same-sex

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<sup>48</sup> Sexual orientation has been recognised since 2007.

<sup>49</sup> FRA (2009) ‘The social situation concerning homophobia and discrimination on grounds of sexual orientation in Sweden’.

<sup>50</sup> Stop LGBT hate crime. *Tracing and tackling hate crime against LGBT persons – a report with the main information attained through the project*. 2010 – EU Fundamental Rights and Citizenship Programme.

couples to adopt children; however the rules and regulations are different from those for heterosexual couples. The Danish Criminal Code also has provisions on hate crimes and hate speech, including sexual orientation as an aggravating factor

The legislation in Romania is very restrictive in regard to the rights of LGBT persons, with homosexuality only being decriminalised since 2002. Moreover, Romania has included in its legislation that marriage is reserved for different sex couples only<sup>51</sup>. However, there have been some legal improvements and positive developments. For example, since 2010 the prohibition of discrimination due to sexual orientation covers all areas mentioned in the Romanian Employment Directive.

In most countries involved in the ITAK project (except for Sweden), there is no direct recognition of gender identity in the non-discrimination legislation. Only in some cases can trans-persons be protected under the scope of gender.

#### **4.2 THE SITUATION IN SCHOOLS: THE EFFECTS OF HOMOPHOBIC AND TRANSPHOBIC BULLYING**

Intolerance towards persons who are different, or who are perceived as being different from the majority, can lead to many forms of exclusion. Studies show that among school children and youth, intolerance and prejudice towards perceived LGBT persons can lead to exclusion from the group or community, verbal threats, violence – both verbal and physical – or even sexual harassment.<sup>52</sup> Teenagers who identify as LGBT are thus at risk as their distress can be a direct result of the hatred and prejudice that surrounds them.<sup>53</sup>

An Irish study<sup>54</sup> shows that the majority of LGBT persons become aware of their sexual orientation and gender identity during school years and often before the age of 15. Adolescence is a crucial time for interpersonal socialization and the impact of adult role models and peers is essential.<sup>55</sup> Teachers play a particularly important role in the development of child self-identity, and how children perceive themselves and others. Those children and youth that struggle with

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<sup>51</sup> FRA (2010) 'Homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity', Luxemburg.

<sup>52</sup> Kosciw (2004); Rivers & D'Augelli (2001); Kimmel & Mahler (2003); Ryan & Rivers (2003); Douglas et al (1997).

<sup>53</sup> Biegel, 2010, p. xviii.

<sup>54</sup> The Equality Authority (2002) 'Implementing Equality for Lesbians, Gays and Bisexuals', Dublin.

<sup>55</sup> J. Takács (2006) 'Social Exclusion of young lesbian, gay, bisexual and transgender (LGBT) people in Europe', Brussels: ILGA-Europe and IGLYO.

their own sexual orientation and gender identity are left potentially vulnerable if not supported.

A study on psychological health among gay youth<sup>56</sup> by the Swedish psychologist Hans Hanner from the Institute of Psychology at the University of Stockholm, shows that the average age of young Swedish students 'coming out' is 16 years and 11 months. They have their first sexual experience at 15 years and 6 months for boys and 18 years and 1 month for girls. However, the study also shows some negative and worrying numbers. For example, 37 per cent of the boys and 24 per cent of the girls who question their sexuality have attempted suicide one or more times. For girls, the average age of their first suicide attempt is 14 years and 11 months, and for boys it is 15 years and 2 months. This means that LGBT youth are a suicide risk group even before they 'come out' or have their first sexual experience with a same-sex partner.

This is also the case in Spain. According to the Spanish NGO, Federation of Lesbian, Gays, Bisexuals and Transsexuals (FELGBT)<sup>57</sup>, it is a serious safety risk to 'come out' in high school due to an LGBT hostile environment.

The study *Social Exclusion of Young LGBT People in Europe*<sup>58</sup> shows that 53 per cent of the 754 LGBT respondents have been bullied in school on grounds of their sexual orientation and/or gender identity. No less than 61 per cent referred to negative personal experiences in school that were directly related to their identification as an LGBT person.

Another study by FELGBT on homophobic bullying and harassment from September 2012<sup>59</sup> shows that 43 per cent of adolescents and young LGBT students who were bullied in school have considered committing suicide. According to the study, homophobic bullying was a daily part of their lives, with 49 per cent of the students having reported being bullied or harassed on a daily basis. When asked to describe how they felt, common responses were: humiliated, impotent, sad and lonely.

Homo-, bi-, and transphobic bullying has serious implications on the life and safety of youth who identify as LGBT, who question their sexuality, or who do not comply with the gender normativity of the given society. The use of the word 'gay' as a derogatory term is evidence of the effects that homophobic bullying

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<sup>56</sup> Hanner (2002) 'Psykisk Hälsa och ohälsa hos ungdomar 16-24 år som attraheras av personer av sitt eget kön – en enkätundersökning' Psykologiska institutionen, Stockholms Universitetet.

<sup>57</sup> European Union Agency for Fundamental Rights 'Homophobia and Discrimination on Grounds of Sexual Orientation and Gender Identity in the EU Member States: Part II (2009). Fieldwork meeting with FELGT p. 68

<sup>58</sup> J. Takás (2006), ILGA-Europe, IGLYO

<sup>59</sup> FELGBT and COGAM (2012) 'Acoso escolar homofóbico y riesgo de suicidio en adolescentes y jóvenes LGB'

can have on the lives of young people. “A recent study found that high school boys who were bullied by being called gay had greater psychological distress and more negative attitudes about the school climate compared with boys who were bullied for other reasons”<sup>60</sup>. Research<sup>61</sup> shows that students who experience homophobic bullying, either for being LGBT or for being uncertain about their sexuality, suffer more from depression, suicidal feelings, and alcohol and marijuana abuse.

To conclude, evidence suggests that homo-, bi-, and transphobic bullying in schools has serious consequences for the students, regardless of their sexual orientation and gender identity. This must therefore be taken very seriously and given high priority by teachers and school management.

#### **4.3 THE DIFFERENT REALITIES WITHIN THE SCHOOLS CONTEXTS IN THE PARTNER COUNTRIES**

According to the interviews and informal talks with key stakeholders in the fields of education and LGBT rights in all partner countries, the general situation ‘on the ground’ was mostly discouraging. Even in the countries where legislation and policies were in place, like Denmark or Sweden, the reality was still worrisome. In some countries, such as Bulgaria, Romania and Latvia, the ‘don’t ask, don’t tell’ practices were common when perceiving LGBT persons.

The situation in Ireland, on the other hand, was quite positive. All the interviews showed a high level of engagement and commitment from the State to combat and prevent homo-, bi-, and transphobia in schools. Within the last 10 years, the Ministry of Education has funded a number of initiatives on the issue. According to the Ministry, despite the current financial situation in the country, fighting homophobia (and homophobic bullying in particular) is still a top priority.

In Sweden, the Office of the Equality Ombudsman handles complaints related to discrimination on the grounds of sexual orientation and gender identity. In 2010, 2,900 complaints were received - 263 of them being school related issues. Only 6 out of the 263 concerned discrimination on grounds of sexual orientation and gender identity. According to the Office of the Equality Ombudsman, this can be seen as both a positive and negative sign. On one hand, it shows that there is little discrimination towards LGBT youth in Swedish schools; however on the

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<sup>60</sup> Russel, Stephen T.; Ryan, Caitlin; Toomey, Russel B.; Diaz, Rafael, M.; Sanchez, Jorge (2012) ‘Lesbian, Gay, Bisexual, and Transgender Adolescent School Victimization: Implications for Young Adult Health and Adjustment’, *Journal of School Health*, p. 224

<sup>61</sup> Russel, Stephen T.; Ryan, Caitlin; Toomey, Russel B.; Diaz, Rafael, M.; Sanchez, Jorge, 2012, p. 224

other hand, it may mean that students do not wish to report the incidents as they fear further harassment and bullying. According to the Office representative, being an LGBT person is still a taboo in many schools and not all students are willing to report discrimination, harassment or bullying. Despite the comprehensive legal and structural frameworks, there is therefore still a need for open dialogue and tools for discussing sexual orientation and gender identity/expression in schools.

In countries where sexual education is included in the curricula, such as Latvia, there is still a resistance from teachers to address issues relating to sexual orientation and gender identity. According to the interviewees, most teachers try to dedicate as little time as possible to sexual education per se, and tend to focus on health, birth control, abstinence and hygiene during these classes. A similar situation was described in Romania, where even though sexual education was not included in the curricula, the Ministry of Education had authorized a local NGO focused on sexual and reproductive health issues to visit schools and carry out peer-education. The NGO, however, only talked about health issues, pregnancy prevention, and sexually transmitted infections, with no focus on sexual and gender diversity.

Homophobia is widely connected to culture, religion and perceptions of gender roles. According to the interviews conducted in Poland, being heterosexual is perceived as a matter of national identity. According to one of the interviewees, stereotypical gender roles are the norm in Poland: “a man is a fighter, a warrior, a man in the house, while a woman is at home waiting for him and cooking”<sup>62</sup>. Both gender images are strictly connected to an idea of a heterosexual family; being homo-, bi-, or transsexual is therefore perceived as ‘non-Polish’, ‘not normal’ and ‘non-patriotic’. These images are further supported by the Catholic Church, which has substantive influence and power in Polish society.

During the country visits conducted during the ITAK project, it was observed that teachers needed pragmatic and simple materials to assist them in addressing issues of discrimination and equal treatment. This was the case in the two schools visited in Sweden. In these schools, the overall policy framework for dealing with equal treatment and non-discrimination was the *ligebehandlingsplanen* (equal treatment plan), which is a requirement for all schools in Sweden. This plan provides schools with a tool to list their initiatives for combatting discrimination and inequality; as well as to report on how they handle discrimination and bullying. The document is available online and is used to certify schools. All schools in Sweden are obliged to fill in the plan; however, both schools visited reported that the practical implementation of the anti-

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<sup>62</sup> An interview with a teacher.

discriminatory initiatives is often dealt with as a personal matter of each teacher. Furthermore, the number of initiatives implemented varies depending on how much time and energy the individual teacher devotes to it. Overall, the equal treatment plan has been mostly treated as a pro-forma document for certification rather than a proactive document to put a concrete equal treatment plan in place.

In Latvia the reality was different: neither of the schools visited had, or has had, a school policy targeting any discrimination ground, nor do they have any general anti-bullying or equality policy. However, both schools, as well as the Ministry of Education, confirmed that there are growing concerns in the area of discrimination. This mostly relates to growing anti-Semitism and other forms of racial hatred. In spite of this growing concern, the schools presently do not work with issues on discrimination, equality, human rights on either structural or practical levels.

When it comes to discrimination on grounds of sexual orientation or gender identity, both schools reported that no student or teacher has ever 'come out' in the participating schools in Latvia, although some have come out after leaving school. This is often used as a justification for not focusing on homo-, bi-, and transphobic bullying. Another argument used is the fact that the parents might not approve of such a focus. One of the teachers reported that while it is realistic to work with sexual and gender diversity in Latvian schools, the main obstacle is the parents: "we have no problems with the students; we have problems with the parents."<sup>63</sup>

In Spain the two schools visited were quite different from one another, which further highlighted that school policies can contribute significantly to improving the overall learning environment. In one of the schools the Headmaster, encouraged by one of the teachers, has established a 'Diversity Week'. During this week, the entire school carries out activities with a focus on sexual and gender diversity. The initiative was then repeated in 2012. The students of this school were clearly open about their sexuality and discussed sexual orientation and gender identity, which had a positive impact on their well-being and level of satisfaction in attending school. Comparatively, the second school had no policy concerning homophobic and transphobic bullying and most of the students reported that they would probably not mention their sexuality in front of their class. This shows that an activity that focuses positively on diversity and is supported by the school can produce beneficial results in a relatively short amount of time. As schools constantly receive new students, the idea to repeat the 'diversity week' is relevant.

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<sup>63</sup> An interview with a teacher.

In Portugal, the teachers found the ITAK project very useful and necessary. Materials dealing with sexual and gender identity are not common in Portugal, and those teachers who find sexual and gender equality important do not always know where to find information. In one of the schools visited, the Headmaster supported the project and planned to promote the materials among the teachers of the school.

The ITAK project has shown that DIHR's assumptions have been proven and that individual initiatives by interested teachers can help change the dynamics and behaviours of a class, thereby improving the lives of all students in that class. Nevertheless, these sporadic initiatives are insufficient in order to change the school curricula, school practice or environment and school structures. These changes require schools to have policies on general bullying and homo-, bi-, and transphobic specific bullying. This requires teachers to be knowledgeable and confident enough to talk about issues related to sexual orientation and gender identity. Furthermore, that both teachers and students have access to relevant information, tools and materials to initiate effective and sustainable projects and activities at school. Moreover, they require full support by school management in terms of planning and resources.

# 5 IMPLEMENTING THE PROJECT

The project *It Takes All Kinds – Fighting Homophobia in Schools* (ITAK) addresses the challenges associated with homo-, bi-, and transphobic bullying in schools. Furthermore, the project focuses on the importance of resolving these issues through working with school curricula. The project started in 2010 with the objective of enabling key stakeholders and groups who work with LGBT-related issues in schools to assist in eliminating homo-, bi-, and transphobic bullying. Among these stakeholders were Ministries of Education, civil society organizations, school teachers and students.

Parents and communities are equally important groups to work with when promoting a project such as ITAK. However, it was a deliberate choice by project management not to include parents as a target group as it would have become too ambitious for the time frame and expected project deliverables. In addition, parents should have local teachers and school management as their primary point of contact at schools and not international bodies implementing a time-limited project. It is our hope that the impact of the ITAK outcomes will also influence parents.

The ITAK project was based on various assumptions, for instance the fact that homo-, bi-, and transphobic bullying poses a serious risk to the safety and well-being of students and teachers and must therefore be eliminated. Another assumption was that working with sexual and gender diversity in the school environment would be a challenge due to political, social or cultural contexts of some countries, and the teachers' lack of confidence, knowledge or interest in working with such issues. Working with human rights education is perceived as a powerful means of overcoming these obstacles. While some countries reject or lack initiatives to broaden anti-discrimination to include LGBT persons, they continue to maintain an interest in working with, and for, human rights, which is unanimous.

Working with sexual and gender diversity as a part of the human rights paradigm was useful in terms of ensuring the project has a long-term impact on its target groups. Addressing discrimination on grounds of sexual orientation and gender identity as an isolated issue can benefit from being framed within a broader



human rights context that most of the target groups know and respect. In other words, by showing teachers, students and professionals of Ministries of Education that discrimination against LGBT persons is a human rights violation, the project sought to solidify the importance of working on abolishing such discrimination. Sensitive discussions or touching on personal issues were therefore avoided where possible.

In conclusion, it was assumed that all project deliverables should be published online. The internet plays a central role in today's communication, social life and education. The project team therefore agreed that online publications would ensure greater accessibility and improved scope of dissemination. Three websites were designed (one for each target group) in the course of the project, and all project's deliverables have been made available in the local languages of the participating countries<sup>64</sup>.

## **5.1 WORKING WITH MINISTRIES OF EDUCATION**

Human rights implementation often implies working with various groups of stakeholders at several different levels. It is equally important to work with both state and civil society when aiming at achieving change in human rights practice, as they both play crucial roles and have specific functions in regard to human rights. The state has a set of obligations outlined in the ratified international human rights instruments. Civil society often monitors the meeting of these obligations by the state and provides further recommendations. For the ITAK project specifically, it was important that the Ministries of Education in the participating countries were aware that the project was taking place. As indicated in the first chapter of this report, several international human rights instruments emphasize the importance of human rights and citizenship education in schools, both in ensuring a better school environment and for the protection of students from violence. Furthermore, multiple instruments indicate the important role that sexual and gender diversity should play in schools. Project management decided to include the Ministries of Education in each participating state in order to ensure that they are aware of this project and commit to putting it into practice. The project team met with the Ministry of Education in each participating country twice during the project.

The first meetings took place at the beginning of the project. The project team visited all participating countries where the local partners set up meetings with their Ministry. These meetings were attended by both DIHR representatives and the partner organization's representative. In most countries the meetings had a positive effect. For instance, in Poland the team met with the Deputy Minister of

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<sup>64</sup> The Irish website is the only English speaking version of the websites.

Education, which was only possible due to the NGOs collaboration with a European National Human Rights Institution (NHRI) and through a project supported by the European Commission. This was also the case in Bulgaria and Romania, where the Ministries were open to meet due to the project's status and donor. All meetings went well and the Ministries expressed their interest in supporting the project. In Denmark and Sweden the meetings were much easier to arrange. It was also easier to get acknowledgement of the importance of the project and commitment to support and disseminate its deliverables.

The second round of meetings took place on the project team's last mission to the participating countries in the fall of 2012. Eight out of nine Ministries agreed to meet with the team again<sup>65</sup>, which in some countries was seen as a positive development in itself. This reflected the general interest in, and acknowledgement of, LGBT issues being addressed in the school context by the Ministries. However, the concrete steps for ensuring the project's outreach in the countries still remain to be seen. Nevertheless, the project has contributed to initiate a dialogue between the Ministries and NGOs, which is considered an important achievement.

## **5.2 WORKING WITH CIVIL SOCIETY ORGANIZATIONS**

Civil society organizations are often the driving force behind change and improvement of the human rights practice in any society. When it comes to the improvement of the human rights situation for LGBT persons, civil society organizations have played (and continue to play) a pivotal role in promoting and securing equality and justice also in terms of sexual orientation and gender identity. Working with, and for, civil society has been an important prerequisite for the successful implementation of this project. LGBT NGOs have been the main local partners and all project deliverables have been a result of close collaboration between the partners and the project team at DIHR. As such, civil society organizations have played a 'dual role' in this project – both as local partners and as a target group in itself.

There is no doubt that this project was possible mainly due to the national partnering LGBT NGOs. They are an essential element due to their integrated knowledge of, and information about, the human rights context and situation for LGBT persons in their respective countries. Furthermore, they fully understand the national, cultural, social, legal and economic discourses and specificities of the country. This knowledge has been most helpful in ensuring the relevance of ITAK project deliverables and adapting them to each of the national contexts.

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<sup>65</sup> In Romania the Ministry's representatives were not available during the visit.

The nine NGOs that were DIHR partners in the project are:

- LGBT Denmark, The National Danish Organization for Gay men, Lesbians, Bisexuals and Transgender Persons
- Mozaika, Latvia
- GLEN, Gay & Lesbian Equality Network, Ireland
- Campaign Against Homophobia, Poland
- The State Federation for Lesbian, Gay, Transgender and Bisexual (FELGTB), Spain
- Intervention Lesbian, Gay, Bisexual and Transgendered (ILGA), Portugal
- Bilitis Resource Center Foundation, Bulgaria
- ACCEPT, Romania
- The Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights (RFSL), Sweden

In addition, DIHR had a partner in Belgium. ILGA Europe is an umbrella organization for European LGBT NGOs based in Brussels and participated in the project as external evaluator.

The main role of the partners was to ensure project implementation and anchoring in the participating countries. Some of the findings described throughout the report have been crucial in ensuring the relevance and usefulness of deliverables to each national context. The information was collected through a desk study of relevant materials published by partner organizations, through interviews of key staff of partner organizations and other stakeholders identified as relevant by partners. The project team met other NGOs, researchers and journalists in the participating countries in order to collect information and gain an understanding of each national setting in regard to LGBT issues, particularly in the school context and environment.

The project partners have contextualized the deliverables, translated them into their languages and adapted them to the national school systems. The translation of the materials has made them accessible to all teachers, students, school managers and other target groups. It has been a time consuming yet necessary measure to emphasize possible outreach and access to project deliverables. It became clear during the first round of country visits that some countries would have benefited even more had the materials been translated into more than one language. For example, the large Russian speaking population in Latvia could have benefited from the materials being in Russian, which would imply greater outreach. In Ireland the materials were only published in English, although a Gaelic language version of the materials would also have been useful. Unfortunately, the resources and time frame of the project did not allow for further translation. It is the project team's hope that the

materials will be translated into other languages in the future, or serves as a source of inspiration for other countries to develop their own versions of the materials.

The contextualizing of the deliverables, conducted by partners, was equally important for securing relevance and usability of the materials in the participating countries. An example of such contextualization was the choice of age target groups. The project was designed to address students and teachers at all levels of elementary and secondary schools. It became evident during the core of the project that due to the issue at hand, not all countries could involve students from elementary schools. In almost all of the nine countries, either teachers or schools management (or both) considered sexual and gender diversity to be too controversial for the younger students to be exposed to. The materials produced during the core of this project are targeted at children and adolescents aged 10 to 17 years, however not all countries websites contain the full length materials, which depends on the appropriate age group chosen by the partners.

The NGO partners contributed greatly to the dissemination of the project deliverables. The online project documents were disseminated through the partners' websites and professional networks. Due to their knowledge of the national contexts, the partners could ensure that the information about the project is disseminated through the right channels and to the right stakeholders.

As a target group, civil society organizations were allotted a specific project deliverable. During the project, DIHR and its partners have developed and launched an NGO website ([www.ittakesallkinds.eu/info](http://www.ittakesallkinds.eu/info)). This website was designed for two main purposes. Firstly, to create a space for interaction among LGBT NGOs online. The website contains a network space where registered users can communicate in real time mode (chat); upload and comment on each other's documents or publications, share news etc. The network is protected by a registration procedure in order to create a safe space where the participants can express themselves freely and openly. Partners under the ITAK project have the authority to approve any potential new users and provide them with registration for the website.

Another important function of the website is information dissemination. In the age of globalization and modern communication technologies, many opportunities exist for knowledge sharing and experience exchange for LGBT NGOs in Europe. For instance, ILGA Europe - being an umbrella organization for European LGBT NGOs- provides national EU LGBT NGOs the possibility for information sharing and personal interactions through their website and annual

conferences. Nevertheless, it was important for this project to establish a separate space for information dissemination on LGBT relevant issues in the education context. This was due to a number of reasons, all aiming at increasing a focus on the education sector amongst LGBT activists, since this sector has not been prioritised in the LGBT movement for some time.

During the scope of this project, more and more LGBT initiatives that focus on education have blossomed. One of these activities is the International Day against Homophobia (IDAHO), which is celebrated on May 17<sup>th</sup> each year. In 2012, the IDAHO was dedicated to education. Similarly in 2012, UNESCO published their report on homophobic bullying in schools and declared their commitment to working with this issue. ILGA Europe also started working on a toolbox for LGBT NGOs on conducting lobby and advocacy efforts within the educational context. All these initiatives were monitored, and attended where possible, by the ITAK project team. ITAK deliverables were referred to as a part of the IDAHO Best Practice catalogues for schools that wish to work with LGBT relevant issues, and ITAK project staff have participated in the launch of the UNESCO report. ITAK partners have further contributed their inputs to the ILGA Europe toolbox. The ITAK project hopes that the website created for civil society organizations will only contribute to this important direction of the human rights work – securing human rights for LGBT persons in the education sector.

The website allows its users to read and upload information on LGBT relevant issues in the schools of each participating country. In some countries, such as Denmark, the website attracted local journalists and encouraged them to publish articles on the issue. This shows that the website provided sufficient and insightful information on an issue that may not have normally be of interest to newspapers. This media attention has further contributed to making LGBT-related issues seen and heard. It is the project team's hope that this trend will pick up in other countries, encouraging journalists throughout Europe to work on drawing media attention to LGBT-related issues.

### **5.3 WORKING WITH SCHOOLS**

Homo-, bi-, and transphobia in European schools manifest themselves in many different forms, from bullying and harassment to violence and psychological pressure. Both students and staff are victims of homo-, bi-, and transphobia in schools, and the consequences are severe. The analysis in this report has shown that in order to incite sustainable change, three main levels should be addressed: 1) the school curricula; 2) the school practice; and 3) the school systems. The ITAK project's deliverables for schools take their outcomes and contributes new tools and methodologies to work on all three levels.

The main deliverables for schools are a website for teachers and school management, and a website for students. The project team wanted to create a product that is accessible to users on an international scale, and which corresponds to the modern ways of information dissemination. Consequently, the Internet became our choice of media. Both deliverables were developed by DIHR's project team in close collaboration with the local partners. The materials were originally developed in English and then translated, adapted and contextualized by the local partners to match the needs of the local target groups. The materials were pilot-tested by two schools from each country and the results of the testing were accommodated into the final products to the extent possible.

The website for teachers and school management ([www.teacher.ittakesallkinds.eu](http://www.teacher.ittakesallkinds.eu)) contains inspirational materials enabling them to work with LGBT relevant issues at their respective schools. 27 materials have been developed for this project; all of them consisting of different exercises to conduct at school in order to ensure that sexual and gender diversity, and human rights and equal treatment become an integral part of the school vocabulary, practice and system. The materials touch upon a great variety of issues – from a general introduction to human rights, discrimination and gender-normativity, to more specific cases of discrimination on grounds of sexual orientation, gender identity, ethnicity, religion, and homo-, bi-, and transphobic bullying. The website is equipped with a browse/search function that allows the user to find materials matching the students' age, subject and method.

The materials were designed based on the results of a desk study that mapped existing materials on related topics and a baseline study conducted in the partner countries. The baseline study was conducted by interviewing school teachers, managers, students and other relevant actors, and assessing the level of knowledge of human rights in general, and sexual and gender diversity in particular. It also mapped the learning methodologies used in different countries in order to gain an impression of which methods ought to be part of ITAK materials to create effective and sufficient outreach and impact.

The interviews with schools participating in the project have shown that homo-, bi-, and transphobic bullying is often related to gender stereotypes and prejudice. Offensive language and name-calling is often used towards students or teachers who identify as LGBT persons or are perceived as LGBT due to a lack of conformity with the local gender stereotypes. The materials are therefore designed to inspire teachers to explore and challenge gender norms as one of the root causes for homo-, bi-, and transphobic bullying, and to focus specifically on LGBT relevant issues. In addition, the participating students and teachers

confirmed that bullying in general (and homo-, bi-, and transphobic bullying in particular) is a part of the everyday life at school and is often a 'natural' part of student interaction. This was an important point for the project team to consider when designing the materials. From our perspective, human rights and equality principles offer a solid base for working with bullying and harassment. The more that students and teachers learn about the principles and core values of human rights, the more reluctant they become towards tolerating or practicing bullying. The teachers involved in the pilot test reported that it has been most helpful for them to have a broader framework to refer to. To most of the teachers, the correlation with the concepts of human rights, discrimination, diversity and bullying was very beneficial in creating awareness of, and dealing with, homo-, bi-, and transphobia in class.

After the pilot testing was completed, the team met with the same actors again to identify their immediate reactions on the materials and their effect. The assessment of the pilot testing has shown that the teachers have become more competent in tackling homophobic name-calling and have acquired the 'correct' terminology. Some teachers had noted a change of attitude and an increased empathy in themselves, which they then brought into their teaching methods. The increase in awareness and empathy also allowed the teachers to improve their own skills and behaviour when faced with homophobic name-calling. Where such reactions from the students were previously ignored or even condoned by the teachers themselves, they reported that after having piloted the ITAK materials, they would use such incidents as a possibility to discuss and tackle name-calling or bullying together with other discriminatory actions.

Almost all teachers expressed a wish to have more time to work with the materials. The pilot test has shown that especially the teachers working with the materials for six to seven lessons or more experienced a greater effect on students. Many teachers emphasized its general usefulness and that they are committed to continue using them in the future. In some schools, e.g. Ireland, Romania and Portugal, the teachers committed themselves to spreading the information about the materials among their colleagues and taking steps to integrate them into their curricula. The fact that the materials are web-based means that they are available to anyone with a computer and Internet access. The ITAK project team hopes that it will make it easier for the teachers in the participating countries (and potentially other EU countries) to use them at the conclusion of the project.

The student's website ([www.ittakesallkinds.eu](http://www.ittakesallkinds.eu)) was designed as a web space for children and youth to learn about discrimination, human rights and gender and sexual diversity in a way that appeals to them: being interactive, online and

entertained. The project sought to embrace the wide range of modern web-based tools for children and adolescents, and apply these to the issues at hand. The task turned out to be quite challenging. Creating educational tools for a website deprives the educator of the possibility to follow up with the learner because there is no direct interaction between persons. This requires that the messages are presented in a clear, didactically correct and appropriate form throughout the website, so that none of its elements are misunderstood or misinterpreted. At the same time, entertainment is important to maintain the attention of the target group. This dilemma became evident during the drafting of the various features for the website. The challenge was to word the features in a way that children and youth would understand and relate to, while also avoiding to reproduce the inherent stereotypes or offensive language of bullying patterns. In other words, the challenge was to describe the patterns and manifestations of discrimination and bullying without reinforcing them. Due to its complexity the process took longer than anticipated.

The website provides its users with the possibility to obtain theoretical knowledge of human rights and equality principals, learn about how these principals work in practice, and how the breach of these principals effect people around us. The website also provides its users with practical tools on how to eliminate and prevent discrimination and exclusion. All the features are designed in a way so they appeal to the target groups – colourful games, tests and quizzes, and a number of interactive exercises to help children and youth to visualize the issues at hand. The features were tested in a number of participating countries and the feedback from testing was incorporated into the final product.

The students interviewed for this project reported increased awareness of LGBT identities and different types of discrimination and negative stereotyping among themselves and their classmates. The link between discrimination and homo-, bi- and transphobic bullying was also reported as more evident and clear after using the materials by students. Additionally, there is a clear effect on the students' personal competences when interfering with name-calling and individual support of LGBT classmates. To an extent, the project has contributed to reducing homo-, bi-, and transphobic bullying (both direct and indirect bullying) among the participating students, even though name-calling continues to be an issue also after the piloting.

In conclusion, working with schools has been an important, yet challenging, learning experience. Nevertheless, it contributed valuable knowledge and understanding of the school systems to the project team regarding the practices and realities of the participating schools. This then made it possible to develop the websites in compliance with the target group's needs. The deliverables of the



project are the first step towards creating user-oriented, informative and interactive tools to introduce human rights, equal treatment and non-discrimination into school curricula. Continuous effort to improve these materials and to develop new ones is still possible and recommended.

## CHAPTER 6

# 6 LESSONS LEARNED

The following chapter describes lessons learned through the ITAK project. They are based on the project team's self-evaluation and assessment, as well as the results of the pilot test and ILGA Europe's external evaluation of the project.

### 6.1 PROCESS ORIENTED LESSONS LEARNED

1. Transversal communication is of great importance to project implementation and its success. It ensures that everyone involved is informed about the status of the project, understands the division of roles and responsibilities of the different participants, and has an opportunity to fulfil their obligations. In a project such as ITAK (with ten partners, two sub-contractors and other stakeholders), transversal communication patterns, including forms and methods, should be carefully selected to match the needs, routines and working habits of the different partners.
2. For long projects with many deliverables, it is important to hold regular personal planning meetings that are attended by all project partners. Personal meetings and discussions among all partners both encourages creative thinking and innovation, and ensures that all partners feel ownership of the project and its deliverables.
3. Conducting a school project requires planning that complies with the school calendar in any given country. This makes it easier for school management, teachers and students to become involved in the project and to plan their participation without interfering with their routines. Consequently, the school personnel are more willing to participate in the project.
4. The inclusion of a school professional (a teacher, a school manager etc.) is highly advisable when working on a school project. The views and

experiences of a school professional are unique, as the realities of a classroom are always different from school to school, and from country to country. Including a school professional into the development of the products increases the likelihood of them becoming relevant and useful.

5. During the span of this project, it became clear that there are no 'one size fits all' solutions when it comes to development and the use of educational tools that address such diverse national settings as those represented by partnering countries. For a project that is implemented in several countries, it is recommended that deliverables for each country are developed by competent nationals (either a partner or sub-contractor) in order to secure relevance and usefulness at local level.

## **6.2 CONTEXT ORIENTED LESSONS LEARNED**

1. Working with sexual and gender diversity in the school context is often considered controversial. In some contexts, this is accentuated by the high level of homo-, bi- and transphobia. In others, it is a matter of the teacher's 'fear' of touching upon personal issues which are considered too intimate by the students. In any case, making the link between sexual and gender diversity and human rights can facilitate the engagement of teachers and school managers to participate in a project with focus on sexual and gender diversity.
2. If the school environment is hostile, or if there is resistance among staff and students to talk about sexual orientation and gender identity, one can use special occasions (such as Human Rights Day, December 10th), to talk about non-discrimination and equal treatment, and include discrimination based on sexual orientation and gender identity as sub-topics. One could also think of an 'anti-bullying week' or some other thematic area to discuss the topics.
3. When producing educational material for students and teachers alike, it is important to pilot test it in the local context. During the ITAK project, material for both the students' and teacher's websites was pilot tested in focus groups and in classroom settings. This proved very valuable when collecting feedback from the end users and adjusting the material

accordingly. However, during the course of pilot testing new material, it is important to remember that this is a major task and should be taken very seriously in terms of resources, planning, implementing and following up. This ensures that the results are optimised.

### **6.3 FINANCIAL LESSONS LEARNED**

1. Implementing an international project demands extensive travel activities, including attending international events and conferences in order to secure visibility and dissemination of the project results. It is therefore important to prioritize international travel in the budget.
2. It is important to make sure that each project participant has sufficient amount of working hours in the budget. It is often hard to predict the exact work load for a long term project. A realistic and pragmatic budget can help avoiding shortage in working hours at the end of the project.

# 7 RECOMMENDATIONS

## 7.1 FOR NATIONAL HUMAN RIGHTS INSTITUTIONS AND EQUALITY BODIES

1. DIHR experience has shown that NHRIs and NEBs can be important and powerful players when working with sexual and gender diversity in the school context. NHRIs and/or NEBs can contribute the following strengths and opportunities:
  - ✓ Being a state institution with powerful human rights and equal treatment mandates, NHRIs and NEBs have a capacity to facilitate and enforce a dialogue between civil society organizations and state institutions necessary for human rights change;
  - ✓ Assuming the capacity of NHRIs and NEBs in terms of human rights and equal treatment work is high, they can (and according to some mandates shall) provide civil society organizations with capacity building and competence building opportunities;
  - ✓ NHRIs and NEBs can function as national focal points securing sustainability and national anchoring of the projects like ITAK, and making sure that the deliverables and findings of such projects continue being used in the country.

## 7.2 FOR CIVIL SOCIETY ORGANIZATIONS

1. There are a number of civil society organizations in Europe that work with the human rights of LGBT persons, or related issues. Networking, experience and knowledge sharing is a key element for sustainable and effective change of human rights situations for LGBT persons at the European level. It is therefore highly recommended that such international collaboration and networking between the organizations is maintained and strengthened.

2. Working with sexual and gender diversity in the education sector is still considered controversial in many countries across Europe. Nevertheless, this work is important and possible to conduct. It is highly recommended that all LGBT NGOs (or other interested NGOs) continue this effort and apply the lessons learned of the ITAK project.
3. It became evident through the course of the ITAK project that many LGBT organizations in Europe are functioning due to a high level of commitment of their members. In many cases the organizations use volunteers and their set-up is often project based. It is highly recommended that civil society organizations working with, and for, LGBT persons continue to take up projects and build the competence of their volunteers to evolve into high professional organizations with sustainable budgets and a clear voice in their respective societies.
4. It is essential to establish relationships that are based on trust and mutual respect when working with local partners and civil society partners. On the one hand, project management requires concise communication of rules and regulations to adhere to and on the other, some local partners do not have the required set-up to meet these formal requirements. Trust and mutual respect is therefore the foundation for partners to indicate whether there are challenges in terms of content, process, administrative and financial issues and other aspects that might require assistance.

### **7.3 FOR MINISTRIES OF EDUCATION**

1. This report has shown that the international and regional human rights systems consider sexual and gender diversity at schools an important and welcomed focus in the countries' effort to secure human rights protection and promotion. It is recommended that the Ministries of Education consider integrating sexual and gender diversity into its national school curricula. It is furthermore recommended that the national LGBT NGOs and other relevant organizations are carefully consulted during this process and their expertise is used in formulating and implementing this important step

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