Hate Crimes. Gender. Minorities.
A critical approach to human rights education in Italy and Sweden.

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ABSTRACT

Hate crimes targeting gender and sexual minorities are the subject of ongoing debates. Through a comparative analysis, this thesis explores the intersection of hate crimes against gender and sexual minorities, gender mainstreaming, and human rights education in Sweden and Italy. It examines the legal and policy frameworks, challenges, and best practices in addressing hate crimes and promoting gender equality. The research reveals the prevalence of hate crimes targeting these communities and emphasizes the need for comprehensive responses and institutional support. It highlights the differences between Sweden and Italy in their approaches to hate crime legislation and the integration of gender mainstreaming. The study emphasizes the importance of human rights education in preventing violations and promoting inclusivity. After a theoretical conceptualization of human rights education, the research critically analyses the dichotomy between universalism and cultural relativism, the cosmopolitan perspective, and the capabilities approach, showing how these philosophical backgrounds can contribute in different ways to implement gender mainstreaming in human rights education which can help preventing hate crimes towards LGBTIQ+ individuals. Ultimately, the study highlights the importance of an intersectional perspective in human rights education and gender mainstreaming policies.

Overall, the thesis provides insights and recommendations for policy and practice in combating hate crimes and advancing gender equality and demonstrates a circular connection among hate crimes against sexual and gender minorities, gender mainstreaming and human rights education.

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TABLE OF CONTENTS

Introduction

In today's globalized and interconnected world, the promotion of gender equality and the protection of sexual and gender minorities have emerged as critical issues.

The recognition and safeguarding of human rights, including the rights of individuals belonging to the LGBTIQ+ communities, have gained prominence in academic, legal, and policy discourses. In recent years, there has been a marked increase in bias-motivated crimes targeting people and organisations throughout the continent, based on sexual orientation, gender identity and expression, and sex characteristics. Many attacks on LGBTIQ+ people and toward the exercise of their civil rights have additionally come from political and religious leaders[1], who, worryingly, have increased public legitimacy of violence incidents in European countries.

Hate crimes targeting gender and sexual minorities pose significant challenges to the principles of equality, social justice, and human rights. These crimes, driven by bias and prejudice, have far-reaching implications for the victims, communities, and society as a whole. Understanding the complexities of hate crimes and addressing them through effective legal and policy measures is of paramount importance in creating inclusive and just societies.

On the other hand, human rights education acquired, both on a United Nation and a European level, a crucial role in global development and the effective *status* of a fundamental right.[2] However, the way human rights education is evolved is highly unbalanced in European countries, due to historical, economic, cultural, and political reasons. Furthermore, for similar reasons, even though gender equality is included in the UN Sustainable Development Goals[3], European regulations and policies are still fragmented, and they do not often include protection measures for sexual and gender minorities.

Ultimately, while some progress has been made in recognizing the rights of gender and sexual minorities, challenges persist in translating these commitments into effective protection and prevention measures. There is a clear gap in the existing literature regarding the integration of gender mainstreaming and human rights education within the context of preventing hate crimes against sexual and gender minorities.

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[1] Council of Europe, Doc. 15121, Ref. 4524 of 19 September 2020.
[2] "Introducing Human Rights Education - Manual for Human Rights Education with Young People" Council of Europe, accessed 2023, https://www.coe.int/en/web/compass/introducing-human-rights-education.
[3] "Goal 5 | Gender Equality," United Nations, accessed 2023, https://sdgs.un.org/goals/goal5.

The research problem at the heart of this thesis revolves around the need to comprehensively analyse the intersection of gender mainstreaming, human rights education, and hate crimes against sexual and gender minorities. The main purpose of this analysis is, in fact, to critically investigate whether there might be a link between human rights education and the prevention of gender and sexuality related hate crimes so far in Italy and in Sweden, and what impact a gender mainstreaming perspective in human rights education might have on the Italian and the Swedish systems.

The study aims to address this gap by exploring the reciprocal relationship between gender mainstreaming and human rights education and their potential to prevent and combat hate crimes. By examining the Swedish and Italian systems, this study seeks to shed light on the existing challenges and identify best practices. Eventually it will try to propose recommendations for policy and practice and critically outline a set of theoretical tools to use human rights education to protect LGBTI+ from bias-motivated crimes.

Hence, the specific objectives include:

- Analysing the legal and policy frameworks of Sweden and Italy concerning hate crimes, gender mainstreaming, and human rights education.

- Examining the challenges and best practices in integrating gender mainstreaming and human rights education within the context of hate crime prevention.

- Investigating the impact of gender mainstreaming and human rights education on the prevention of hate crimes against sexual and gender minorities.

- Identifying gaps and making recommendations for improving legal frameworks, policy measures, and educational practices in preventing hate crimes and promoting gender equality.

To meet its purposes, the thesis is divided in three main chapters. Chapter 1 provides an in-depth analysis of hate crimes against sexual and gender minorities, including their definition, impact, and challenges in legal and policy frameworks. It also explores the international and European frameworks for addressing these crimes and highlights the differences in legal backgrounds between Sweden and Italy. Chapter 2 examines the concepts of gender mainstreaming and human rights education, their implementation in Sweden and Italy, and the challenges and potential improvements in both countries. Additionally, it analyses the integration of sex and gender education within the Swedish and the Italian systems. Chapter 3 delves into theoretical frameworks, such as intersectionality, cosmopolitanism, and the capability approach, to explore their relevance in understanding and addressing hate crimes against sexual and gender minorities. It also discusses the potential of dialogical pedagogy in human rights

education. The thesis concludes with a synthesis of the main findings, implications, and recommendations for policy, practice, and future research.

This research is significant for several reasons. Firstly, hate crimes targeting gender and sexual minorities violate the principles of equality, non-discrimination, and human rights. Understanding the underlying causes, consequences, and prevention strategies is crucial for creating inclusive and safe environments for LGBTIQ+ individuals and communities. Secondly, the integration of gender mainstreaming and human rights education into legal frameworks and educational systems is essential for promoting gender equality and preventing hate crimes. By examining the experiences of Sweden and Italy, this research can offer insights into the strengths, weaknesses, and potential improvements in existing practices. Thirdly, there is a need for empirical research that examines the effectiveness of gender mainstreaming and human rights education in addressing hate crimes. This study aims to contribute to the empirical evidence base by analysing the impact of these approaches in two distinct contexts.

Methodology

To achieve the research objectives, a mixed-methods approach will be employed. Firstly, a comprehensive review of existing literature, including academic articles, reports, legal documents, and policy papers, will be conducted to establish a theoretical framework and identify key themes and trends. Secondly, comparative analysis will be employed to examine the legal and policy frameworks of Sweden and Italy, focusing on hate crimes, gender mainstreaming, and human rights education. The collected data will be examined thematically to identify patterns, challenges, and best practices. Lastly, a critical theoretical approach will be used to assess the impact of gender mainstreaming and human rights education on hate crime prevention.

Although this thesis does not provide comparative economic analysis of the two examined countries, I hope that this will serve as a starting point for continuing research on the historical and economic aspects of gender mainstreaming in the two national systems examined.

By analysing the experiences of Sweden and Italy, this research seeks to provide insights, recommendations, and best practices that can inform policy and practice in combating hate crimes and promoting gender equality.

1. BIAS-MOTIVATED CRIMES TOWARDS GENDER AND SEXUAL MINORITIES.

1.1. Defining 'hate' crimes towards gender and sexual minorities

During the last twenty years, the debate surrounding hate crimes became a pillar both in legal and theoretical frameworks, with the aim to provide a valid and undisputable definition of this phenomenon, often without reaching doctrinal consensus.

In a detailed report of 2022[4], the Organization for Security and Co-operation in Europe (OSCE) adopted the Ministerial Council Decision No. 9/09 to establish the definition of hate crime as "a criminal act committed with a bias motive"[5], setting it apart from other crimes. According to this report, several forms of offence are encompassed by this definition, including intimidation, threats, property damage, assault, and, of course, murder. Therefore, the term "hate crimes" would serve as a conceptual framework, rather than the specific legal definition of a singular offence.[6]

The OSCE identifies two main elements constituting hate crimes: a criminal offence and a bias motive. The first element consists in an act punishable under ordinary criminal law, while the second one requires that the criminal act specifically target one or more individuals or properties associated with a group sharing common features, commonly known as "protected characteristics", which may include race, language, religion, ethnicity, nationality, sex, gender, sexual orientation, gender identity, disability, or any other fundamental aspect of identity.[7]

To recognise the bias motivation, the OSCE recommends the use of "bias indicators", consisting in facts, circumstances, or patterns related to criminal acts which suggest that the offender's action was motivated, in whole or in part, by bias. Although the presence of these indicators does not automatically prove a hate crime, they could be used as evidence in court, hence they should be carefully analysed by investigators and prosecutors.[8]

Furthermore, the Organization underlines a difference between ordinary crimes and hate crimes, based on the impact that the latter has on victims, community, and society, stressing the strong relation between these forms of offences and the violation of the principle of equality throughout society, which strengthen the need to address them differently.[9] This might seem a clear and precise definition, at a first

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[4] "Hate Crime Law. A Practical Guide. 2nd Edition" OSCE, 2022, https://www.osce.org/files/f/documents/1/4/523940.pdf.
[5] OSCE Ministerial Council, Decision 9/09, op. cit.
[6] Ibid., p. 15
[7] OSCE Ministerial Council, Decision 9/09, p. 15
[8] *Using Bias Indicators: A Practical Tool for Police* (Warsaw: OSCE/ODIHR, 2019), p. 4, https://www.osce.org/odihr/419897.
[9] OSCE Ministerial Council, Decision 9/09, p. 19

glance. Nonetheless, a dense group of scholars, and the OSCE itself, questioned the universal validity of this notion.

First and foremost, the terms "hate crimes" and "hate motive" can be misinterpreted based on their literal connotations. Unless the victim's protected qualities were specifically targeted, many crimes motivated by hatred are not categorised as hate crimes. On the other hand, even if the criminal has no animosity towards the particular victim, a crime can nevertheless be categorised as a hate crime.

The perpetrator of a hate crime is frequently motivated by prejudice, preconceived notions, or intolerance against a certain group and the protected qualities they share rather than hatred of the target or personal experience with the victim. Hate crimes may be perpetrated for several motives, including resentment, jealousy, peer pressure, thrill-seeking, or animosity towards a particular community.

Any of these motives would be sufficient to qualify a case as a hate crime if the previously listed factors are present, even in the absence of hatred towards the target.

In his work from 1999, Lawrence referred to hate crimes as "bias crimes," emphasizing that these crimes are committed based on prejudice rather than solely driven by hatred towards the victim: "I use the term 'bias crime' rather than 'hate crime' to emphasize that the key factor in a bias crime is not the perpetrator's hatred of the victim per se, but rather his bias or prejudice toward that victim".[10]

For all these reasons, it is reasonable to concur with the OSCE that the term "bias" is preferred over "hate" when discussing hate crimes to prevent misconceptions. Hate is not the only definition of bias; it may also refer to any sort of prejudice based on a person's attributes. Bias may be displayed towards the victim's represented trait, personality, or idea. However, policy makers choose the terminology used in hate crime statutes, such as "bias" or "hate," while they are writing them,[11] which might cause legal uncertainty and a wide margin of appreciation on a regional level for policymaking.

On a theoretical level, Brudholm argues that a philosophical response to claims about the conceptualization and classification of hate crime is required. The author focuses specifically on analysing and criticizing the emerging idea that hate crime is a human rights violation.[12] His perspective should be taken into consideration to understand how giving a universal definition of hate or bias-motivated crime is, in fact, difficult and can potentially change the way law and policies approach the phenomenon.

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[10] Frederick M. Lawrence, *Punishing Hate: Bias Crimes under American Law* (Cambridge, MA: Harvard University Press, 1999).
[11] OSCE Ministerial Council, Decision 9/09, p. 17
[12] Thomas Brudholm, "Hate Crimes and Human Rights Violations," *Journal of Applied Philosophy* 32, no. 1 (2014): p. 83. https://doi.org/10.1111/japp.12079.

Although both the ODIHR and the European Court of Human Rights consider hate crimes as human rights violation, Brudholm holds that, since human rights serve as a tool to protect individuals from the State power, referring hate crimes to a violation between private individuals could depauperate the instrument.[13] The author of this thesis, however, still believes that, since hate crime has, by definition, a discriminative bias motive as constitutive element, the role of the State in protecting individuals from human rights violation is crucial. Bias-motivated crimes often include violation of the right to life, of the prohibition of inhuman and degrading treatment, of equality and non-discrimination and so on and so forth, then it is a firm duty of the State to prevent them. Therefore, throughout this thesis, hate crimes will be in fact treated as a human rights violation.

To make the issue even more trivial, it should be considered that the present analysis focuses specifically on bias-motivated crimes against sexual and gender minorities. The ODIHR provide some general definitions about gender-based hate crimes as "criminal offences motivated by bias against a person's gender".[14] Here, a first problem is encountered for domestic and international law, in deciding whether to use the terms sex or gender. Sexual identity consists, indeed, in various elements (sex characteristics, gender identity, gender expression and sexual orientation), which not only can autonomously or cumulatively be protected categories, but could also compound to other protected categories, such as race, ethnicity, class, age, religion, statelessness, migrant status, etc., intersecting several treats of one's identity, where multiple bias come into play.[15] Nonetheless, while any individual or group, regardless of gender, can become a victim of gender-based hate crimes, women and girls are disproportionately affected. Research and official statistics identify, for instance, that black women with a butch gender expression in lesbian relationships face a higher risk of being subject to violence and harassment both for "making their partner homosexual" and for "being representative for their racial group", which is a case that white people did not experience.[16]

However, there is also research proving that gay men are frequently at risk of facing specific types of hate crimes, such as rape, as they are perceived as "feminine", therefore, from a patriarchal and misogynistic perspective, to be subordinated through the act of rape.[17]

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[13] Brudholm, p. 89-90

[14] "Gender-Based Hate Crime Factsheet," OSCE, March 10, 2021, https://www.osce.org/odihr/480847.

[15] "Understanding the Needs of Hate Crime Victims.," OSCE, 2020, https://www.osce.org/odihr/463011.

[16] Doug Meyer, "An Intersectional Analysis of Lesbian, Gay, Bisexual, and Transgender (LGBT) People's Evaluations of Anti-Queer Violence.," *Gender & Society* 26, no. 6 (2012): 849–73, https://doi.org/10.1177/0891243212461299. As in Mika Hagerlid, "Discursive Constructions of Race and Gender in Racial Hate Crime Targeting Women in Sweden," *NORA - Nordic Journal of Feminist and Gender Research* 31, no. 1 (2022): p. 52, https://doi.org/10.1080/08038740.2022.2076738.

[17] Aliraza Javaid, "The Haunting of Hate: Rape as a Form of Hate Crime.," *Sexuality & Culture* 24, no. 3 (2019): 573–95, https://doi.org/10.1007/s12119-019-09650-2.

From research conducted in the United States in 2017 is emerged that, more broadly, sexual and gender minorities face a heightened risk of physical and sexual assault, harassment, bullying, and victimization through bias-motivated crimes across different stages of life. These data highlight that, although LGBTIQ+ are perceived to be more socially accepted, the victimization of these categories remained stable or, in some cases, increased, since 1990s.[18]

It appears clear how research and training on this specific issue are very much needed to build a strong legal and policy response to this issue. Yet, while there is higher attention to crimes motivated by a victim's race, religion, and ethnicity, the inclusion of characteristics related to the sexual identity of individuals, such as sexual orientation or gender, to qualify a protected category in hate crimes is widely debated.[19]

Gender, as a status category, frequently encounters essentialist viewpoints that fail to acknowledge the intersecting experiences of marginalized individuals, including women of colour and lesbian women.[20] There are different perspectives on the inclusion of gender in policies. Some perceive it as a symbolic gesture lacking effective enforcement or oversight. On the other hand, there are those who argue that with proper monitoring and enforcement, the inclusion of gender could provide enhanced protections and increased opportunities for women. The incorporation of gender into hate crime policies is increasingly being recognized as crucial, highlighting the necessity for comprehensive plans encompassing practical implementation, policy development, and research.[21] Reliable studies emphasize the considerable occurrence of physical and sexual violence directed at sexual and gender minorities based on their perceived sexual orientation and gender identity, even though there are constraints on the available data.[22]

Analysing this data makes easier to understand the implications of legal fragmentation of the phenomenon in the European Union and, especially, as it is going to be further discussed, in the comparison between the Swedish and the Italian systems.

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[18] Tasseli McKay, Christine H. Lindquist, and Shilpi Misra, "Understanding (and Acting on) 20 Years of Research on Violence and LGBTQ + Communities," *Trauma, Violence, & Abuse* 20, no. 5 (2017): 665–78, https://doi.org/10.1177/1524838017728708.

[19] Beverly A. McPhail, "Gender-Bias Hate Crimes," *Trauma, Violence, & Abuse,* 3, no. 2 (2002): 125–43, https://doi.org/10.1177/15248380020032003.

[20] McPhail, p. 137

[21] McPhail, p. 130-137

[22] Karel Blondeel et al., "Violence Motivated by Perception of Sexual Orientation and Gender Identity: A Systematic Review," *Bulletin of the World Health Organization* 96, no. 1 (2017), https://doi.org/10.2471/blt.17.197251.

1.2. Combating gender and sexual bias-crimes

Bias-motivated crimes have been growing frequency in recent years and some doubts surrounding the effectiveness and legality of existing policy systems persist around this issue. Hate crime victimization and perpetration are often overlooked during the policy formulation process.[23] Fighting them requires an institutionalized respect for diversity,[24] which is not always present, especially in domestic law, and a series of preliminary tools that can support legal and policymaking.

The first of these tools is a systematic collection of hate crime data, which is crucial for a better understanding of the frequency and the characteristics of hate crimes and allows policymakers and authorities to develop effective measures to support hate crime victims and prevent such crimes by identifying recurring patterns of conduct. An efficient monitoring system could also serve as an evaluation tool for the implementation of new measures and strategies. When official data collection mechanisms are lacking, civil society organizations (CSOs) often become the primary sources of documentation about hate crimes, their effects on victims, and the obstacles they encounter when seeking justice and safety.[25]

The need for comprehensive hate crime statistical data is emphasized by the European Union Agency for Fundamental Rights (FRA), which underlines that bias-motivated crimes are highly under-reported, for several reasons including fear of re-victimization and re-traumatization, and the lack of understanding, training, and interest among law enforcement officials, often exacerbated by biases within the system.[26] OSCE also highlights that considering gender in hate crime data collection is crucial. Gender bias can serve as a motivation for hate crimes, and certain states already collect data specifically on gender-based hate crimes, while others do not. Hate crimes can also involve multiple motives, including biases against both gender and other factors like ethnicity or religion. Understanding the differential impact of hate crimes on men and women is essential for developing targeted support services and prevention programs. Integrating gender considerations into hate crime data-collection mechanisms can offer valuable insights into effectively addressing these issues.[27] As previously mentioned, gender

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[23] Neil Chakraborti, "Re-Thinking Hate Crime," *Journal of Interpersonal Violence* 30, no. 10 (2014): 1738–54, https://doi.org/10.1177/0886260514548581.

[24] Gordana Rabrenovic, "Introduction. Responding to Hate Crimes: New Challenges and Solutions.," *American Behavioral Scientist* 51, no. 2 (2007): 143–48, https://doi.org/10.1177/0002764207303980.

[25] "Hate Crime Data Collection and Monitoring: A Practical Guide," OSCE, 2014, https://www.osce.org/odihr/datacollectionguide., p. 3.

[26] "Making Hate Crime Visible in the European Union: Acknowledging Victims' Rights," European Union Agency for Fundamental Rights, February 14, 2023, https://fra.europa.eu/en/publication/2012/making-hate-crime-visible-european-union-acknowledging-victims-rights.

[27] Hate Crime Data Collection and Monitoring: A Practical Guide., OSCE, 2014, p. 9

mainstreaming serves as a tool to provide valuable measures to fight bias-motivated crime not only towards women, but also towards sexual and gender minorities, conducting an intersectional analysis.

Combating sexual and gender related bias-crimes is essential to preserve faith in law enforcement not only by victims, who are directly targeted, but also by other community members, that would gain a concrete sense of safety.[28] Therefore, hate crime laws, including those regarding sexual identity, are necessary to ensure that bias motives are effectively prosecuted, but they can only be effective if combined with extensive data collection, training, guidance, community outreach, and victim support, in order to implement a human rights-based criminal justice system.[29] According to the analysis carried out so far, it is also necessary to underline how one of the main aspects for combating hate crimes against gender and sexual minorities is the consistency of the latter with the principle of legality within the legal systems in which they are introduced. In fact, in the absence of a clear and conventionally accepted definition both in law and in jurisprudence, it can become the cause of exploitation by governments, especially those who advocate ideals of inequality and backlash towards gender and sexual minorities. it would therefore be desirable that policies and international law converge on a definition of this type of crime as mandatory as possible, to ensure solid protection for these categories.

1.3.   The international and transnational framework

Before proceeding with the comparative analysis of laws and policies to combat hate crimes against gender and sexual minorities in Sweden and Italy, it is appropriate to outline the international and European framework on the subject. This section will be divided into four subparagraphs: the United Nations, the Yogyakarta Principles (Plus 10), the European Union, and the Council of Europe.

1.3.1.   United Nations

The United Nations has been grappling with the issue of LGBTQ+ rights for many years. Efforts to address these issues began when UN started dealing with women's rights, but progress has been slow. NGOs have sought formal access to the UN, treaty bodies and special procedures have increasingly addressed LGBTQ+ rights violations, and intergovernmental bodies have become arenas for advocating LGBTQ+ issues. The International Lesbian and Gay Association (ILGA) acquired consultative status in 1993 but faced setbacks and suspensions. Treaty bodies and special procedures have documented

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[28] Hate Crime Law. A Practical Guide. 2nd Edition, OSCE, 2022, p.31
[29] Hate Crime Law. A Practical Guide. 2nd Edition, OSCE, 2022, p.35

numerous cases of human rights violations based on sexual orientation and gender identity, including hate crimes.[30]

Although article 2 of the Universal Declaration of Human Rights stipulates that "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."[31], and there is a dense body of treaties that protect the rights of minorities[32], the category of gender and sexual minorities does not enjoy specific, recognized and legally binding protection connected to a specific convention.

One of the solutions that has emerged in recent years, in order to strengthen protection against gender and sexual minorities, would be to reinterpret or develop existing conventions such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)[33] to incorporate protections for LGBTIQ+ individuals.[34] While this solution may represent a more immediate form of protection, it must however be considered that, especially for issues such as bias-motivated crimes, which require, as has been said, a shared and structured legal approach, it would be desirable to create an *ad hoc* treaty.

In addition to the lack of legally binding tools with respect to this type of protection, a further problem can be found in the same text of the Universal Declaration of Human Rights, in article 29.2, which sets, as a parameter for interpretation of the protection of fundamental rights, "the just requirements of morality, public order and the general welfare in a democratic society"[35]. In particular, the concept of morality, in addition to being culturally relative (therefore not universal by definition) and

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[30] Joke Swiebel and Dennis van der Veur, "Hate Crimes against Lesbian, Gay, Bisexual and Transgender Persons and the Policy Response of International Governmental Organisations," *Netherlands Quarterly of Human Rights* 27, no. 4 (2009): 485–524, https://doi.org/10.1177/016934410902700403., p. 513-515

[31] "Universal Declaration of Human Rights," United Nations, 1948, https://www.un.org/en/about-us/universal-declaration-of-human-rights.

[32] "International Covenant on Civil and Political Rights," United Nations, 1966, https://treaties.un.org/doc/Treaties/1976/03/19760323%2006-17%20AM/Ch_IV_04.pdf., "International Covenant on Economic, Social and Cultural Rights," OHCHR, 1966, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights., "Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.," OHCHR, 1987, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading., "International Convention on the Elimination of All Forms of Racial Discrimination," OHCHR, 1966, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial., "Convention on the Rights of the Child," UNICEF, 1989, https://www.unicef.org/child-rights-convention. "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families," OHCHR, 1990, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers.

[33] "Convention on the Elimination of All Forms of Discrimination against Women," United Nations, 1979, https://www.un.org/womenwatch/daw/cedaw/.

[34] Robina Gallagher, "Redefining CEDAW to Include LGBT Rights: Incorporating Prohibitions against the Discrimination of Sexual Orientation and Gender Identity.," *Southern California Interdisciplinary Law Journal* 29, no. 637 (2020): 637–58.

[35] "Universal Declaration of Human Rights", Article 29.2, United Nations, 1948.

subject to change over time, is one of the main reasons given by opponents of the recognition of the rights of gender and sexual minorities and, consequently, of the creation of laws and policies to contrast to the phenomenon of hate crimes for biases on sexual identity.[36]

Another critical point is represented by the absence of an "global" court where an LGBTIQ+ individual could move bias-motivated crimes claims. This is a problem because, as D'Amico fairly argues, "the International Criminal Court has no jurisdiction beyond genocide, war crimes, crimes against humanity, and aggression as defined in the Rome Statute, and the International Court of Justice can at best offer an advisory opinion to other UN organs, such as the General Assembly or Security Council, regarding the interpretation and application of international human rights law."[37] Like D'Amico, the author of this thesis also holds that, in the absence of a court and an effective system of international human rights law, it is very difficult to "challenge *de jure* systemic bias".[38]

1.3.2. *The Yogyakarta Principles (+10)*

In 2006, a group of respected international human rights experts convened in Yogyakarta, Indonesia, to address the widespread abuse faced by individuals based on their sexual orientation and gender identity. Their collective effort produced the Yogyakarta Principles, a comprehensive set of guidelines that establish universally binding human rights standards. These principles serve as a crucial framework, requiring all nations to uphold and comply with binding international legal obligations.

On November 10, 2017, the Yogyakarta Principles plus 10 (YP plus 10) were introduced as an extension to the original Yogyakarta Principles. The YP plus 10 document builds upon the advancements made in international human rights law and incorporates a deeper understanding of the violations experienced by individuals based on their sexual orientation and gender identity. It also recognizes the importance of considering the unique aspects of gender expression and sex characteristics as intersecting grounds for discrimination. The YP plus 10 document represents a significant step towards addressing the complex challenges faced by marginalized communities and promoting inclusive human rights standards.[39] Principle 5, The Right to Security of the Person, states:

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[36] Manuela Lavinas Picq, Markus Thiel, and Francine D'Amico, "LGBT+ and (Dis) United Nations.," essay, in *Sexualities in World Politics: How LGBTQ Claims Shape International Relations* (Milton Park, Abingdon, Oxon: Routledge, 2015), p. 55.
[37] Picq, Markus and D'Amico, 2015, p. 56
[38] Picq, Markus and D'Amico, 2015, p. 56
[39] "The Yogyakarta Principles", 2006, https://yogyakartaprinciples.org/.

"Everyone, regardless of sexual orientation or gender identity, has the right to security of the person and to protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual or group.
States shall:
a)   Take all necessary policing and other measures to prevent and provide protection from all forms of violence and harassment related to sexual orientation and gender identity;
b)   Take all necessary legislative measures to impose appropriate criminal penalties for violence, threats of violence, incitement to violence and related harassment, based on the sexual orientation or gender identity of any person or group of persons, in all spheres of life, including the family;
c)   Take all necessary legislative, administrative, and other measures to ensure that the sexual orientation or gender identity of the victim may not be advanced to justify, excuse or mitigate such violence;
d)   Ensure that perpetration of such violence is vigorously investigated, and that, where appropriate evidence is found, those responsible are prosecuted, tried, and duly punished, and that victims are provided with appropriate remedies and redress, including compensation;
e)   Undertake campaigns of awareness-raising, directed to the general public as well as to actual and potential perpetrators of violence, in order to combat the prejudices that underlie violence related to sexual orientation and gender identity."[40]

The Yogyakarta Principles highlight the fundamental responsibility of States to uphold and enforce human rights. Each Principle is accompanied by comprehensive recommendations specifically directed towards States, outlining the necessary actions to be taken. While the Principles emphasize the crucial role of States, they also recognize that all stakeholders share the responsibility of promoting and safeguarding human rights. Consequently, additional recommendations are provided to various actors, including the UN human rights system, national human rights institutions, the media, non-governmental organizations, and other relevant entities. This inclusive approach underscores the collective effort required to advance and protect human rights at all levels of society. A critical aspect of this system is that, again, providing recommendation to States regarding human rights law enforcement is unfortunately not sufficient in a biased system. Hence, although Principle 5 offers valid theoretical guidelines on how to ensure LGBTIQ+ people safety from hate crimes, it does not offer a judicial instrument to guarantee that the States won't go to the opposite direction, which does not fill the regulatory breach that needs to be filled to protect gender and sexual minorities.

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[40] Principle 5 - The Right to Security of the Person, 2006, https://yogyakartaprinciples.org/principle-5/.

1.3.3. European Union

EU anti-discrimination legislation has a complex and fragmented history that dates to the 1950s. Initially, the legislation focused solely on addressing unequal treatment between men and women in employment and social security. It wasn't until the Treaty of Amsterdam in 1999 that the scope of the legislation expanded to include new grounds of discrimination, such as race, religion, disability, age, and sexual orientation.

However, while the legislation has made progress in mainstreaming equal treatment in various sectors, it has not adequately addressed hate crimes based on sexual orientation and gender identity. These acts are not explicitly considered discrimination or human rights violations under EU legislation.[41]

In November 2008, the Council of the European Union adopted the Framework Decision on combating racism and xenophobia through criminal law. This decision mandated EU member states to impose criminal penalties, ranging from 1 to 3 years of imprisonment, for intentional conduct that incites violence or hatred based on race. It also addresses condoning or trivializing crimes of genocide, crimes against humanity, and war crimes. Racist and xenophobic motivation is seen as an aggravating factor. However, the Framework Decision does not cover homophobic and transphobic violence or incitement to hatred based on sexual orientation or gender identity. It also fails to mention other discrimination grounds mentioned in EU law. The decision was weakened during the legislative process due to its sensitive and controversial nature.[42]

Furthermore, the Equal Treatment Directive has remained stagnant since 2008, leading to an insufficient legal framework for protecting the rights of LGBTI individuals in terms of hate crime and hate speech.[43] Although the Victims' Rights Directive[44] plays a crucial role in providing protection and support to victims, including individual assessments, confidential victim support services, and specialized training for officials, the EU Agency for Fundamental Rights (FRA), highlights overall a severe unequal treatment of different forms of discrimination in EU policy-making, particularly concerning LGBTI rights.[45]

It appears clear insofar that, in EU laws and policies, the unequal treatment of various forms of discrimination conveys the notion that discrimination based on sexual orientation and gender identity is

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[41] Sweibel and Van Der Veur, 2009, p. 497-500
[42] Sweibel and Van Der Veur, 2009, p. 500-502
[43] "Fundamental Rights Report 2023," European Union Agency for Fundamental Rights, 2023, https://fra.europa.eu/en/publication/2023/fundamental-rights-report-2023.
[44] European Parliament and Council, Directive 2012/29/EU, 25 October 2012.
[45] "EU LGBTI II - A Long Way to Go for LGBTI Equality.," European Union Fundamental Rights Agency, 2020, https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-1_en.pdf.

less significant than racial discrimination. Moreover, law enforcement on this subject is highly dependent on ideological frameworks of Member States. This underscores the necessity of developing strategies to gain political support and establish a legal basis for EU initiatives that criminalize homophobic and transphobic acts.

Between 2017 and 2022, several significant developments took place in the European Union concerning the protection of LGBTI rights in the field of policy tools. In 2017, the UNI-FORM mobile application and reporting website were launched with the support of the EU Commission. This platform, developed by LGBTI organizations in nine EU member states, provides a dedicated space for reporting hate crimes and online hate speech targeting LGBTI individuals and those perceived to be LGBTI.[46] In the same year, the EU High Level Group on combating racism, xenophobia, and other forms of intolerance[47] endorsed five key guiding principles on hate crime recording. These principles, proposed by a subgroup facilitated by the FRA, aimed to cultivate a human rights culture within law enforcement agencies, develop crime recording mechanisms that correspond to national needs, cooperate with civil society organizations to define, and apply bias indicators, and review procedures to flag potential hate crimes.[48]

Moving to 2019, the European Commission presented the Staff Working Document: Countering Racism and Xenophobia in the EU.[49] It outlined three priorities for future work: improving recording and data collection practices, enhancing training and capacity building for national authorities to effectively implement hate crime and hate speech laws, and developing support systems for hate crime victims.[50] In the same year, the European Commission published the EU Strategy on victims' rights for the period 2020-2025.[51] This strategy included measures aimed at advancing the protection of LGBTI victims of crime, such as training law enforcement officers, raising awareness among victims, and establishing rainbow desks at police stations.[52]

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[46] "Annual Review 2018: ILGA-Europe," ILGA-Europe, 2018, https://ilga-europe.org/files/uploads/2022/04/annual-review-2018.pdf, p. 27.

[47] EU High Level Group on combating racism, xenophobia, and other forms of intolerance., accessed 2023, https://ec.europa.eu/newsroom/just/redirection/document/75196.

[48] Annual Review 2018: ILGA-Europe, p. 27.

[49] "Combating Hate Speech and Hate Crime.," European Commission, 2019, https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combatting-discrimination/racism-and-xenophobia/combating-hate-speech-and-hate-crime_en.

[50] "Annual Review 2020: ILGA-Europe," ILGA-Europe, 2020, https://www.ilga-europe.org/report/annual-review-2020/.

[51] "EU Strategy on Victims' Rights (2020-2025)," European Commission, 2019, https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/criminal-justice/protecting-victims-rights/eu-strategy-victims-rights-2020-2025_en.

[52] Annual Review 2018: ILGA-Europe.

In 2021, the European Commission launched the 'Roadmap on Inception Impact Assessment on Gender-based and domestic violence' initiative, aligning with its commitments under the Gender Equality Strategy and the LGBTIQ Equality Strategy. This initiative explored possible legislative and non-legislative options to address gender-based and domestic violence, including the prevention of harmful practices. The Commission also launched a public consultation on expanding the list of EU crimes to include hate speech and hate crime, proposing the addition of grounds such as sexual orientation, gender identity, disability, and age.[53]

In 2022, the Fundamental Rights Agency facilitated the Working Group on Hate Crime Recording, Data Collection, and Encouraging Reporting. This group developed 'Key Guiding Principles on Encouraging Hate Crime Reporting: The Role of Law Enforcement and Relevant Authorities'[54] based on evidence collected from members of the Working Group. The principles aimed to improve hate crime reporting and included consultation with national authorities and civil society organizations. Furthermore, the European Parliament adopted recommendations urging the European Commission to identify gender-based violence as a new area of crime and extend the list of Eurocrimes to combat hate and violence. The Parliament emphasized the inclusion of sexual orientation, gender identity, and expression as grounds for protection against hate crime.[55]

Overall, these developments and initiatives reflect efforts to improve data collection, training, and support systems, as well as address various forms of discrimination and violence against LGBTI individuals within the European Union. They also prove, on the other hand, that, although small steps have been made on the policymaking level, legal and judicial enforcement is far to be implemented yet.

1.3.4. Council of Europe

In the regional human rights field, the European Convention on Human Rights (ECHR) has been instrumental in advancing LGBT rights in Europe. While it has not specifically focused on combating hate crimes based on sexual orientation and gender identity, the European Court of Human Rights has made landmark rulings that have contributed to the protection of LGBT individuals. It has established minimum standards regarding bias motivation in crimes.[56] It emphasizes the duty of state authorities to investigate and consider bias motivation as an aggravating factor during prosecution and sentencing. The

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[53] "Annual Review 2022: ILGA-Europe.," ILGA, 2022, https://www.ilga-europe.org/report/annual-review-2022/.

[54] "Encouraging Hate Crime Reporting — The Role of Law Enforcement and Relevant Authorities.," Fundamental Rights Agency, 2022, https://fra.europa.eu/sites/default/files/fra_uploads/fra-2021-hate-crime-reporting_en.pdf.

[55] "Annual Review 2023: ILGA-Europe," ILGA, 2023, https://www.ilga-europe.org/report/annual-review-2023/.

[56] Sweibel and Van Der Veur, 2009, p. 506-507

court has also emphasized the state's responsibility to protect participants in gay pride marches from homophobic violence, ensuring the effective enjoyment of freedom of assembly.[57]

The Parliamentary Assembly of the Council of Europe (PACE) has issued recommendations concerning LGBT rights, but they do not specifically address hate crimes. PACE members have raised questions regarding hate-motivated actions during bans on gay pride events. In response to motions, PACE assigned a committee to draft a report on discrimination based on sexual orientation and gender identity, including measures to combat hate crimes.[58]

The Committee of Ministers of the Council of Europe has taken steps to combat discrimination based on sexual orientation and gender identity.[59] It established the Committee of Experts on Discrimination on grounds of Sexual Orientation and Gender Identity (DH-LGBT)[60] to draft a recommendation[61] addressing hate crimes. The recommendation called for effective investigations into hate crimes, particularly those involving law enforcement, and holding perpetrators accountable. The draft recommendation has been later reviewed by the Steering Committee for Human Rights, which activities were conducted overall from 2009 to 2013, and produced a report including the questionnaire for the implementation of the Recommendation and replies by States, Amnesty International, ILGA-Europe and the FRA.[62] While this represented a significant political advancement in combating hate crimes against sexual and gender minorities in Europe, recommendations are not legally binding, therefore this was yet not a powerful instrument of protection from a legal point of view.

Most of the measures that have been taken by the Council of Europe concern to the ground of response policies. In 2017, for instance, the SOGI Unit launched a manual titled "Policing Hate Crime against LGBTI persons: Training for a Professional Police Response"[63] which has been used in various training events for police trainers and officers.[64]

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[57] ECHR *Baczkowski and others vs Poland*, Reports 2007-VI, No. 15423/06 (European Court of Human Rights May 3, 2007).
[58] Sweibel and Van Der Veur, 2009, p. 508.
[59] Sweibel and Van Der Veur, 2009, p. 509.
[60] More information about the Committee of Experts on Discrimination on grounds of Sexual Orientation and Gender Identity can be found at: https://www.coe.int/en/web/human-rights-intergovernmental-cooperation/work-completed/dicrimination-on-lgbt.
[61] "Recommendation CM/Rec(2010)5 of the Committee of Ministers to Member States on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity," Council of Europe, March 31, 2010, https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cf40a.
[62] *REPORT on the Implementation of the Committee of Ministers' Recommendation CM/Rec(2010)5 on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity* (Council of Europe, 2013).
[63] "Policing Hate Crime against LGBTI Persons: Training for a Professional Police Response," Council of Europe Publishing, 2017, https://edoc.coe.int/en/lgbt/7405-policing-hate-crime-against-lgbti-persons-training-for-a-professional-police-response.html.
[64] Annual Review 2018: ILGA-Europe.

The role of the European Court of Human Rights has been crucial lately more than ever. In 2021, judging the case of *Sabalic v Croatia*[65], the European Court of Human Rights found a violation of Articles 3 and 14 of the European Convention. The court highlighted the authorities' failure to respond effectively to a homophobic attack, emphasizing the need for adequate protection against ill-treatment based on sexual orientation. In *J.L. v. Italy*[66], moreover, the ECHR held that Italian authorities failed to adequately protect the rights of a bisexual individual who was a victim of gang rape. The court emphasized the importance of the judgment's wording and the need to address secondary victimization. These cases reflect the European Court's role in addressing violations of human rights concerning LGBTIQ+ individuals and the importance of effective protection against discrimination and violence based on sexual orientation and gender identity.[67]

Overall, it is safe to state that action towards the protection of sexual and gender minorities from bias-motivated crimes has been slow and unsatisfactory both on international and European level, focusing mainly on response policies and protection of the victims, rather than prevention of hate crimes or legal and judicial enforcement. This framework highlights how easy it is, for European states, to detract from responsibility on preventing hate crimes towards LGBTIQ+ people, making it difficult for them to report this type of crimes to authorities and creating an unsafe space for sexual and gender minorities, especially in countries with a strong political and ideological system that contrast freedom of sexual orientation and gender identity.

1.4. The Swedish and Italian domestic legal background

To investigate if and how human rights education from a gender mainstreaming perspective influences the prevention of hate crimes within a domestic system, it is necessary to analyse the main features of national law and state policies regarding this issue. In this comparative study, the choice fell on two states that have historically paid different attention to gender equality and to discrimination and violence against gender and sexual minorities, Sweden, and Italy.

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[65] *Sabalic v Croatia,* App. no. 50231/13 (ECtHR, 4 December 2007).
[66] *J.L. v. Italy*, App. no. 5671/16 (ECtHR, 27 May 2021)
[67] Annual Review 2022: ILGA-Europe.

1.4.1. Sweden

In the Swedish context, hate crime is a term that encompasses various legal provisions related to unlawful discrimination and agitation against specific population groups. "Agitation against a population group"[68] refers to instances where individuals threaten or display contempt towards a particular group, such as a racial minority. Unlawful discrimination occurs when individuals are denied access or use of services provided by public or private entities. Additionally, Sweden's hate crime legislation includes sentence enhancements for offenses in the criminal code if the motive behind the offense was to insult a person or population group based on factors like race, colour, national or ethnic origin, religious belief, sexual orientation, transgender identity or expression, or similar circumstances.[69] It was introduced in 1994 and originally did not explicitly include sexual orientation as a protected characteristic. However, sexual orientation was added in 2002, and it was clarified that "another similar circumstance" could include rights violations based on transvestitism, transsexualism, and, from 2018, transgender identity or expression. The legislative history recognizes that intersex individuals are covered by the possibility of enhanced penalties under the scope of "another similar circumstance," although it is acknowledged that intersex primarily relates to gender and may not fit directly within the characteristic of transgender identity or expression.[70]

However, further research, better if conducted from an intersectional perspective, is needed to specifically examine the experiences of particularly vulnerable groups, especially in the case of multi-level discriminated characteristics, such as socio-economic class, or disability.[71]

Relevant research published by Tiby in 2007 provided a comprehensive understanding of homophobic hate crimes in Sweden through an analysis of reported crimes. The study examined various aspects of bias-motivated crimes, including the individuals involved, the locations where they occurred, and the timing of incidents. Additionally, the study investigated how hate crimes are prioritized within the criminal justice system and the effectiveness of sentence enhancements provided for in the Penal Code. One of the main reasons why this research was crucial is that it focused on understanding what constitutes a hate crime and the actors responsible for defining these crimes, based on data from hate

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[68] Swedish Criminal Code, Chapter 16, Section 8
[69] Swedish Criminal Code, Chapter 29, Section 2.7
[70] "Sweden Adopts Hate Crime Legislation Protecting Trans People," RFSL, 2020, https://www.rfsl.se/en/aktuellt/sweden-adopts-hate-crime-legislation-protecting-trans-people/.
[71] Mika Hagerlid, "Discursive Constructions of Race and Gender in Racial Hate Crime Targeting Women in Sweden," *NORA - Nordic Journal of Feminist and Gender Research* 31, no. 1 (2022): 49–61, https://doi.org/10.1080/08038740.2022.2076738.

crimes recorded by the police.[72] The most significant aspect of this study regarding the present analysis the crucial role of the police data collection. Furthermore, the findings show that only a small percentage of reported offenses result in verdicts, which can be attributed to factors such as varying criteria for registering offenses and challenges in gathering evidence. Additionally, there is a discrepancy in the definition and interpretation of hate crimes between the police, prosecutors, and courts.[73] This lack of understanding homophobic and transphobic hate crimes and of methodological homogeneity in collecting data suggests a fragmented and probably biased preparation by the main institutional figures that LGBTI+ people encounter in reporting hate crimes.

However, albeit in a fragmented and improvable way, it should be recognized that Sweden still systematically collects data on hate crimes. The Swedish National Council for Crime Prevention (Brottsförebyggande rådet or Brå for short)[74] publishes biannually the statistics on police reports with identified hate crime motives. Brå's website reports that "xenophobic and racist hate crimes (55 percent) were the most common among the reported hate crimes in 2020, followed by hate crimes against religious groups (17 percent) and LGBTQI-related hate crimes (13 percent). In addition, 15 percent of the reported hate crimes were judged to be unspecified hate crimes".[75] This last published report also revealed that homophobic hate crimes primarily targeted men and were diverse in terms of the crime category, location, and the relationship between the perpetrator and the victim. On the other hand, transphobic hate crimes often occurred in digital environments, particularly through direct communication channels like chat, text messages, and phone calls. These crimes affected women slightly more frequently than men, and the crime categories varied. The other LGBTQI-related hate crimes were mostly general anti-LGBTQI offenses, such as threats or vandalism targeting Pride events and LGBTQI organizations, as well as theft and damage of pride flags. In a few cases, a biphobic motive was also identified.[76]

Tiby's study also highlighted the crucial role of prosecutors in defining hate crimes. According to the mentioned research, the analysis of court judgments provides insights into the descriptions of offenses found in police reports, but it is important to remember that court judgments may reflect the court's assessment of the evidence and descriptions presented during the trial, rather than reflecting the

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[72] Eva Tiby, "Constructions of Homophobic Hate Crimes: Definitions, Decisions, Data.," *Journal of Scandinavian Studies in Criminology and Crime Prevention*, no. 2 (2007): 114–37, https://doi.org/10.1080/14043850701686196.
[73] Tiby, 2007.
[74] "Brottsförebyggande Rådet," Brottsförebyggande rådet, accessed 2023, https://bra.se/bra-in-english/home.html.
[75] "Hate Crime," Brottsförebyggande rådet, accessed 2023, https://bra.se/bra-in-english/home/crime-and-statistics/hate-crime.html.
[76] "LGBTQI-related hate crimes," Brottsförebyggande rådet, accessed 2023, https://bra.se/bra-in-english/home/crime-and-statistics/hate-crime.html.

exact details of the incidents. In this sense, prosecutors play a critical role in deciding whether to pursue hate crime charges based on the motivations identified in the police reports, but they have discretion in making this decision.[77] This aspect is relevant for the present study, as it highlights the importance of an organic and systematic training of the various institutions, whose decisions have, firstly, a strong impact on the levels of protection guaranteed to the victims, and secondly place go to create new foundations for law and policy enforcement and implementation.

Elaborating more about law and policies on bias-motivated crimes the Swedish Government has taken active measures to address LGBTIQ+ issues. In 2020, an action plan specifically focused on safeguarding the rights of LGBTIQ+ individuals was introduced, emphasizing the importance of creating a safe environment for everyone in Sweden. The action plan acknowledges that LGBTIQ+ individuals face a higher risk of discrimination, harassment, threats, and violence, and it recognizes the unique challenges faced by certain subgroups within the LGBTIQ+ community.[78]

To combat hate crimes, special democracy and hate crime groups have been established within the police force in Stockholm, Gothenburg, and Malmö. These groups investigate hate crimes, provide support to victims, conduct educational initiatives, and implement security and trust-building measures. Each local public prosecution office is required to have a prosecutor specializing in hate crime-related matters. The Swedish Prosecution Authority provides guidance, information materials, and training sessions to support hate crime prosecutors throughout the country. Efforts are made to enhance knowledge about hate crimes among prosecutors and police officers through training courses and webinars.[79] Civil society organizations, including the national LGBTIQ+ organization RFSL, contribute to training employees in the legal system about hate crimes and offer support services to victims.[80]

Overall, throughout the years, Sweden has implemented comprehensive measures, including legislation, strategies, action plans, specialized police units, and training programs, to combat hate crimes and ensure the protection of sexual and gender minorities' rights. However, there is clearly a strong need for more institutional training on the topic of bias-motivated crime.

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[77] Tiby, 2007, p.128.
[78] "Action Plan for Equal Rights and Opportunities for LGBTIQ PEOPLE," Regeringskansliet, 2020, https://www.government.se/information-material/2021/11/action-plan-for-equal-rights-and-opportunities-for-lgbtiq-people/.
[79] Nordic Council of Ministers, 2021.
[80] "RFSL's Support Service," RFSL, accessed 2023, https://www.rfsl.se/en/organisation/stod/rfsl-stodmottagning/.

1.4.2. *Italy*

The Italian situation regarding hate crimes against gender and sexual minorities appears even more daunting than the Swedish and the European average. Before 2018, the Italian Penal Code did not have an official definition of hate crimes. The only existing legislation on the subject was the Mancino Law ("Urgent measures on racial, ethnic and religious discrimination").[81] This law was incorporated into the Penal Code with the Legislative Decree no. 21/2018[82], which introduced a new section called "Crimes Against Equality" in the Penal Code, specifically dealing with crimes against individual liberty. However, the hate crime provisions in the Penal Code do not include sexual orientation and gender identity as grounds for enhanced penalties. Over the years several attempts have been made to introduce the SOGI element into the bias motives criminalized by law, each without success. Both the Parliament, in its various compositions, and the governments that have followed, have shown extreme reluctance to protect LGBTIQ+ people from bias-motivated crimes, often motivating these decisions not only with political conservatism, but with openly homophobic and transphobic public and official statements, demonstrating how deeply rooted were, in fact, those biases that the proponents of the various bills tried to overcome.

For instance, in 2009, a bill was prepared to recognize bias based on sexual orientation or gender identity as a general aggravating circumstance, but it was deemed unconstitutional by the Chamber of Deputies. In 2013, another bill was proposed to extend the protection of the Mancino Law to sexual orientation and gender identity, which was approved by the Chamber of Deputies but not presented to the Senate before the end of the legislature.[83]

The latest notable debate on amending the Penal Code to include anti-LGBT crimes started in July 2020. The amendment, known as the "Zan Bill" (after the surname of the first signer of the bill, Alessandro Zan), aimed to introduce sexual orientation, gender identity, misogyny, violence against women, and violence against people with disabilities as protected grounds in hate speech and hate crime legislation, thus expanding the scope of application of the Mancino Law. The bill sparked a national debate and divided the country, with far-right organizers arguing against it on the grounds of freedom of speech, and some trans-exclusionary feminists opposing the inclusion of 'gender identity'. On the other side, many politicians and activists supported the law, and an international petition gathered significant

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[81] Law no. 205/1993
[82] Legislative Decree no. 21/2018
[83] Paola Parolari, "Filling the Gaps: Combating Anti-LGBT Hate Crimes in Italy in the Silence of Law.," essay, in *Running through Hurdles: Obstacles in the Access to Justice for Victims of Anti-LGBTI Hate Crimes.*, ed. Giacomo Viggiani (Warsaw: Lambda Warsaw Association, 2018), 177–95., p.177.

support.[84] The bill was approved by the Chamber of Deputies but was rejected by the Senate vote. What is most interesting for the present analysis is that one of the main reasons for the opposition to the bill was the presence of Article 8, no. 2-bis, stating:

> "(…) the office elaborates every three years a national strategy for the prevention and contrast of discrimination for reasons related to sexual orientation and gender identity. The strategy bears the definition of objectives and the identification of measures relating to education and training, work, safety, too with reference to the prison situation, communication, and the media. The strategy is developed in the framework of a consultation of local administrations, trade organizations and associations engaged in combating discrimination based on sexual orientation and gender identity and identifies specific interventions aimed at preventing and combating the emergence of phenomena of violence and discrimination based on orientation sexual and gender identity."

Indeed, the possibility to implement education and training tools has been deeply ostracized and rejected by most Parliamentary members, which offers an insight into the Italian legislative and political debate surrounding LGBTIQ+ rights. After the failure of the Zan law in 2021, anti-LGBT hate crimes have persisted in Italy.[85]

The lack of hate crime legislation covering sexual orientation and gender identity contributes to under-reporting, as these crimes are not properly recognized. Reporting anti-LGBT hate crimes is a challenge in Italy, with underreporting resulting from distrust of the police and internalized homophobia/transphobia. There are no established protocols or guidelines for reporting, and specialized police units or liaison officers for anti-LGBT hate crimes do not exist.[86] Being the police the last resort for victims who need to report a bias-motivated crime based on SOGIESC[87], third-party reporting options would be desirable. They refer to the possibility of filing a report with entities other than the police, such as LGBT associations, that have an official collaboration protocol with the police.[88] Italy has transposed the Victims' Directive, but it lacks guidance on establishing support services for victims. Currently, there are no victim support services specifically available for LGBT victims, and NGOs aiding victims lack financial support from the state. This inadequate access to support services may lead to infringement proceedings by the European Commission against Italy.[89]

Law enforcement professionals recognize LGBTIQ+ victims of bias-motivated crimes as vulnerable, but guidelines for preventing secondary victimization are almost absent. The Code of Penal

[84] Annual Review 2021: ILGA-Europe.
[85] Annual Review 2023: ILGA-Europe.
[86] Parolari and Viggiani, 2018, p. 183.
[87] Sexual Orientation, Gender Identity and Expression and Sex Characteristics.
[88] Giacomo Viggiani, "Quando l'odio (Non) Diventa Reato. Il Punto Sul Fenomeno Dei Crimini d'odio Di Matrice Omotransfobica in Italia.," *GenIUS - Rivista Di Studi Giuridici Sull'orientamento Sessuale e l'identità Di Genere.*, 2020.
[89] Parolari and Viggiani, 2018, p. 186.

Procedure outlines victims' rights, but specific measures for protecting victims and addressing secondary victimization are needed. Referral to special units for vulnerable victims is suggested, but these units are not specifically for anti-LGBT hate crime victims. Good practices exist, but their implementation depends on individual professionals.[90] There is no systematic approach to addressing hate crimes towards sexual and gender minorities in Italy's penal and judicial systems and protection measures for victims are often ineffective. However, it is acknowledged that these measures for women are not fully implemented. There is a lack of protocols or guidelines for recording anti-LGBT hate crimes, and official data and statistics on these crimes are deficient.[91]

One tool for reporting and data collecting in Italy is represented by OSCAD.[92] Formed in 2010 under the Public Security Department in Italy, OSCAD is an agency dedicated to assisting victims of discrimination offenses, particularly hate crimes. It can be contacted via email by individuals who have experienced discrimination based on race/ethnicity, religion, sexual orientation/gender identity, or disability. Upon receiving a discrimination report, OSCAD takes targeted actions at the local level, involving the National Police and Carabinieri, and closely monitors the progress of the case.

OSCAD is engaged in various activities to combat discrimination. It establishes partnerships with organizations dedicated to this cause, analyses the phenomenon of discrimination based on collected data, organizes training programs for law enforcement officers, collaborates with national and international institutions, conducts advertising campaigns through media and local law enforcement, and participates in awareness-raising initiatives, including school campaigns.

It is important to note that reporting to OSCAD does not replace the formal process of filing a crime complaint with law enforcement authorities. OSCAD maintains relations with various associations and institutions combating discrimination to facilitate the filing of complaints and combat under-reporting. The data collected by OSCAD is shared with the OSCE for their annual report on hate crimes in Italy.[93] The statistics cover the years 2010 to 2021 and provide information on the number of reported hate crimes for different categories such as race/ethnicity/nationality, religious belief, sexual orientation, gender identity, and disability. The data is further categorized by specific types of offenses. Although data communicated to the OSCE does not have statistical value due to limitations in distinguishing

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[90] Parolari and Viggiani, 2018, p. 187.
[91] Parolari and Viggiani, 2018, p. 188.
[92] "Observatory for Security against Acts of Discrimination.," Ministero dell'Interno, accessed 2023, https://www.interno.gov.it/sites/default/files/allegati/oscad_versione_english.pdf.
[93] "OSCE Office for Democratic Institutions and Human Rights (ODIHR)," HCRW, February 14, 2023, https://hatecrime.osce.org/italy.

specific discriminatory motives, OSCAD plays a crucial role in addressing discrimination offenses and hate crimes in Italy by facilitating reporting, coordinating law enforcement efforts, and promoting awareness and training initiatives.[94]

In March 2021, OSCAD, in collaboration with CSO CILD and the Advocacy for LGBTI Rights-Lenford Network, organized a two-day training course for 33 officers (18 from the state police and 15 from the Carabinieri Corps). The training aimed to equip them with the skills to implement the "Policing Hate Crimes Against LGBTI Persons" manual, developed as part of a Council of Europe project. Additionally, in the same year, a coordination center established by UNAR (National Office Against Racial Discrimination) produced an initial draft of a national strategy for LGBTI individuals for the period of 2021-2025. This strategy aims to address and support the rights and well-being of LGBTI individuals in Italy.[95]

Ultimately, this analysis demonstrates that Italy is in a position of strong conservatism towards gender and sexual minorities. Widespread prejudices regarding this category lead to a scarcity of law and policy enforcement tools in the event of bias-motivated crimes against LGBTIQ+ people and to an evident difficulty of counting on an effective data collecting system, given the lack of trust in the institutions. It is therefore necessary to implement not only criminal law measures, which are no longer sufficient by themselves, but also awareness-raising and training activities that encourage victims to come forward and report.[96]

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[94]   "Observatory   for   Security   against   Acts   of   Discrimination", https://www.interno.gov.it/sites/default/files/allegati/oscad_versione_english.pdf.

[95] "Strategia Nazionale LGBT+ 2022 2025 ," UNAR - Ufficio Nazionale Antidiscriminazioni Razziali A Difesa delle Differenze,   October   5,   2022, https://www.unar.it/portale/documents/20125/113907/Strategia+nazionale+LGBTI%2B+2022+rev+A.pdf/8f04f55a-ee93-92b5-2bf3-d5bd59e7c163?t=1665040970207.

[96] Viggiani, 2020, p. 19.

2. GENDER MAINSTREAMING AND HUMAN RIGHTS EDUCATION IN ITALY AND SWEDEN

2.1. Gender Mainstreaming

2.1.1. General framework

Gender Mainstreaming refers to a comprehensive set of laws and strategies that strive to achieve equal rights for all genders. Its objective is to incorporate a gender-focused approach into the planning, design, implementation, monitoring and evaluation of policies, regulatory measures, and budget allocation. The notion of gender mainstreaming was initially introduced during the 1985 Nairobi World Conference on Women[97]. It was later incorporated as a strategic approach within global policies on gender equality, specifically through the Beijing Platform for Action[98], which was adopted at the 1995 Fourth United Nations World Conference on Women in Beijing. Since then, it has been widely embraced to broadly advance gender equality, and in 1998 the Council of Europe defined gender mainstreaming as: "The (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policymaking."[99]

Since 1997, the Assistant Secretary-General and Special Adviser to the Secretary-General on Gender Issues and the Advancement of Women have been entrusted with the responsibility of facilitating and supervising the implementation of policy mandates related to gender mainstreaming within the United Nations. While UN Women primarily provides advisory and supportive aid, the Special Adviser's role extends throughout the entire UN system. The Office of the Special Adviser has initiated several measures to promote, facilitate, and support the integration of gender mainstreaming across the United Nations. This encompasses conducting consultations with senior management in various UN entities and developing methodologies, tools, and informative materials to raise awareness about the advantages of incorporating gender perspectives into work programs throughout the UN system, including within Secretariat departments. Rather than implementing gender mainstreaming on behalf of other entities,

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[97] "1985 Nairobi World Conference on Women," United Nations, accessed 2023, https://www.un.org/en/conferences/women/nairobi1985.

[98] "Beijing Declaration and Platform for Action, Beijing +5 Political Declaration and Outcome," UN Women – Headquarters, 2015, https://www.unwomen.org/en/digital-library/publications/2015/01/beijing-declaration.

[99] "What Is Gender Mainstreaming?" Gender Equality, Council of Europe, accessed 2023, https://www.coe.int/en/web/genderequality/what-is-gender-mainstreaming.

their aim is to encourage all parts of the United Nations to incorporate gender perspectives into their work programs, as stipulated by the Platform for Action, ECOSOC Agreed Conclusions 1997/2[100], and other intergovernmental mandates. However, while gender mainstreaming remains a crucial approach for promoting gender equality in research, legislation, policy development, and practical initiatives, there is also a recognized need for targeted interventions to address persistent discrimination and inequality between women and men.[101] The definition of gender mainstreaming adopted by the Council of Europe expands on the transformative potential of the approach, which serve as a complementing tool to strategy recommended by the Beijing agreement.[102]

While the international community highlights the importance of gender mainstreaming in policy and program impacts, a comparative study conducted in 2013 on five countries has argued that this instrument has reached its limits and cannot be effective if detached from an intersectional and inclusive perspective.[103] Hence, it is safe to state that not only gender mainstreaming should encompass queer instances, but it should do that in different contexts, responding to the numerous complexities of social structures.[104] The goal should essentially be to ensure that a gender perspective is fully integrated into all policymaking and decision-making processes[105] through an intersectional lens. The concept of equal opportunities should be extended beyond the usual policies for workplace equality, to justice, citizenship rights and social welfare policies.[106] Some scholars, in recent years, have radically and even revolutionarily changed the way gender issues are debated, both on a theoretical and practical level.[107] However, on both levels, and especially on a practical one, the European Union has faced a progressive increase in "anti-gender" policies. In a recent article, Alm and Engerbretsen analysed this phenomenon,

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[100] "ECOSOC Agreed Conclusions 1997/2" (Economic and Social Council, September 18, 1997), https://www.un.org/womenwatch/daw/csw/GMS.PDF.

[101] "UNWomen - Gender Mainstreaming," United Nations Entity for Gender Equality and the Empowerment of Women, accessed 2023, https://www.un.org/womenwatch/osagi/gendermainstreaming.htm.

[102] Jill Rubery et al., rep., Gender Mainstreaming in European Employment Policy (Manchester School of Management, 1998), p. 4.

[103] Olena Hankivsky, "Gender Mainstreaming: A Five-Country Examination," *Politics & Policy* 41, no. 5 (2013): p. 647-648, https://doi.org/10.1111/polp.12037.

[104] Hankivsky, 2013, p. 648.

[105] Isabella Crespi, "Gender Differences and Equality Issues in Europe: Critical Aspects of Gender Mainstreaming Policies," *International Review of Sociology* 19, no. 1 (2009): p. 174, https://doi.org/10.1080/03906700802614010.

[106] Crespi, 2009, p. 184.

[107] Judith Butler, "*Gender Trouble: Feminism and the Subversion of Identity*". (New York: Routledge, 1989), and Kimberlé Crenshaw, "*Intersectionality, Understanding Racism: Theories of Oppression and Discrimination*", 2021, 180–93, just to give a few examples.

by arguing that the only way to examine the intellectual and political implication of such ideologies and consequent policies, is using the tool of Queer Theories.[108]

From a human rights perspective, a gender-based analysis should permeate every aspect related to gender equality, not only the non-discrimination principle.[109] Although the European Convention on Human Rights and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence[110] have made significant contributions to gender-related policies, challenges still arise from the fragmentation of anti-discrimination rules within the EU system and the lack of active policies to ensure substantial equality.[111] However, promoting gender equality through public policies requires a comprehensive strategic framework, effective tools for gender integration, and political commitment, which can only be implemented by recognizing and addressing the evolving roles of women and LGBTIQ+ individuals.[112]

Nevertheless, forms of gender equality resistance should be studied, documented, and fully understood, in order to implement gender mainstreaming.[113] In addition, Hafner-Burton and Pollack advocate for the development of comparative research regarding gender mainstreaming in global governance, both throughout States and institutions.[114] Therefore, the present analysis focuses on the comparison between Swedish and Italian systems.

2.1.2. Sweden

Sweden historically holds a long democratic tradition of egalitarian planning and political awareness about gender-sensitive practices.[115] However, the Swedish experience reveals both achievements and challenges in integrating the gender perspective into governance.[116]

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[108] Erika Alm and Elisabeth Engebretsen Lund, "Anti-Gender Politics and Queer Theory.," *Lambda Nordica* 27, no. 3–4 (2023): p. 16, https://doi.org/10.34041/ln.v27.838.

[109] Dragica Vujadinović, Mareike Fröhlich, and Thomas Giegerich, Gender-Competent Legal Education (Cham: Springer International Publishing, 2023), p. 254.

[110] "Convention on Preventing and Combating Violence against Women and Domestic Violence.," Council of Europe - Treaty Office, 2011, https://www.coe.int/en/web/conventions/-/council-of-europe-council-of-europe-convention-on-preventing-and-combating-violence-against-women-and-domestic-violence-cets-no-210-translations.

[111] Vujadinović, Fröhlich and Giegerich, 2023, p. 298.

[112] Vujadinović, Fröhlich and Giegerich, 2023, p. 423.

[113] Emanuela Lombardo, "Resistance in Gender Training and Mainstreaming Processes.," essay, in The Politics of Feminist Knowledge Transfer Gender Training and Gender Expertise, ed. Lut Mergaert (Palgrave Macmillan, 2016), p. 43-45.

[114] Emilie Hafner-Burton and Mark A. Pollack, "Mainstreaming Gender in Global Governance.," European Journal of International Relations 8, no. 3 (2002): 339–73, https://doi.org/10.1177/1354066102008003002.

[115] Martin Zebracki, "Sex in the City: Gender Mainstreaming Urban Governance in Europe. the Case of Sweden and Italy.," Fennia - International Journal of Geography 192, no. 1 (2014): p. 54-55, https://doi.org/10.11143/7894.

[116] Diane Sainsbury and Christina Bergqvist, "The Promise and Pitfalls of Gender Mainstreaming. The Swedish Case.," International Feminist Journal of Politics 11, no. 2 (2009): p. 216, https://doi.org/10.1080/14616740902789575.

Significant strides have been taken within the Government Offices but remains in its early phase in other administrative agencies. To navigate the tension between mainstreaming and accountability, Sweden has established monitoring organizations to assist with implementation. Interestingly, mainstreaming has reinforced the gender equality policy machinery by underscoring the requirement for further support. The integration of a gender perspective into policies has increased awareness regarding the varying significance of different policies in achieving gender equality.[117]

Therefore, due to its historical and political background, it can be observed that Sweden is depicted overall as a successful case in gender mainstreaming implementation, often disregarding contradictory information that could provide a broader picture of the State's policies, which is essential to avoid advocating this specific approach and to develop better strategies both for Sweden and for other countries.[118]

However, even considering these premises, according to the most recent analysis conducted by the European Institute on Gender Equality, Sweden presents a robust legislative and policy framework in place to combat gender discrimination. The country's Constitution prohibits gender-based discrimination, and specific legislation has been enacted to promote equal rights and opportunities, using an intersectional approach that considers various aspects of identity. The overall objective of Swedish gender equality policy is to ensure equal power and influence for women and men in shaping society. To achieve these goals, Sweden employs gender mainstreaming as its primary strategy. This involves integrating a gender perspective into all areas of policy and decision-making, including the budget, law, and international work. The government has established the Division for Gender Equality and the Gender Equality Agency as key bodies responsible for promoting gender equality and mainstreaming. These bodies are involved in policy development, analysis, coordination, and monitoring progress. Sweden also has an independent equality body, the Equality Ombudsman, which works to combat discrimination and promote equal rights. The Ombudsman provides legal support, decides on discrimination complaints, and influences policies and legislation. Gender impact assessments are mandatory for policy development to ensure a gender-responsive approach. Gender budgeting incorporates a gender perspective into the budgetary process, and training is provided to government employees. Statistics are collected and disaggregated to monitor progress and inform decision-making. Sweden's efforts in promoting gender equality and mainstreaming are monitored through indicators and reporting

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[117] Sainsbury and Bergqvist, 2009.

[118] Renée Andersson, "The Myth of Sweden's Success: A Deconstructive Reading of the Discourses in Gender Mainstreaming Texts.," European Journal of Women's Studies 25, no. 4 (2017): 455–69, https://doi.org/10.1177/1350506817743531.

mechanisms. The government's commitment, resources allocated to gender equality bodies, gender mainstreaming practices, and production of disaggregated gender statistics are assessed to track progress and identify areas for improvement.

Overall, it is inferable that Sweden has a comprehensive approach to gender equality, with a strong legal framework, institutional structures, and a range of methods and tools to advance gender mainstreaming,[119] although with some strategically underestimated pitfalls.

2.1.3. Italy

Comparing to Sweden, Italy registers a significantly lower level of institutionalization of gender mainstreaming policies, partially because of lower educational levels among women, lower female political participation, and more male-streamed culture of urban governance in Italy.[120]

According to what European Institute for Gender Equality reports, Italy has progressively made progress in gender equality through its legislative and policy framework. The principle of equality between women and men is enshrined in the Italian Constitution. Legislative Decree No. 198 of 2006 established the National Code of Equal Opportunities between Women and Men, which consolidates laws on gender equality and promotes equal opportunities in various areas. Italy adopted an overall strategy for gender equality in 2021, focusing on work, income, competences, time, power, and the impact of COVID-19.

The Ministry for Rights and Equal Opportunities, along with the Department for Equal Opportunities, should play key roles in promoting gender equality at the governmental level. Italy also has an independent gender equality body, the National Equality Counsellor, which monitors employment conditions and equal treatment in the workplace.

Regional structures in Italy allow for regional legislation on gender equality, and local authorities are responsible for designing positive action plans to reduce gender inequality. Consultation with civil society organizations, including NGOs and women's associations, is an essential part of policy development in Italy.

Various methods and tools are used, including gender impact assessments, gender budgeting, training, and gender statistics. Gender impact assessments are mandatory when drafting laws and policies. Gender budgeting is carried out to assess the different impacts of policies on women and men.

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[119] "Gender Mainstreaming - Sweden," European Institute for Gender Equality, January 30, 2023, https://eige.europa.eu/gender-mainstreaming/countries/sweden.
[120] Zebracky, 2014, p. 55.

Training and awareness-raising initiatives exist, although they are not mandatory for all government employees. Gender statistics are collected and disaggregated by the National Statistical Institute.

Italy's progress in gender equality is monitored through indicators, with room for improvement in commitment to gender equality, gender mainstreaming structures, consultation processes, and the dissemination of gender statistics.

Overall, Italy has made efforts to promote gender equality, but there are areas where further action and coordination are needed to ensure full implementation and effectiveness of gender equality measures.[121]

It should be emphasized that gender policies in Italy are largely influenced by the strong Catholic sentiment of its inhabitants, which affects both the legislative and social spheres.
Indeed, a 2021 study demonstrated that church attendance influences the perception of heterosexual individuals regarding those belonging to queer communities, as the church's moral and cultural pressure often leads to exclusion of homosexuals. The research also highlighted that regional differences exist, with lower tolerance in southern Italy due to higher church attendance. Central and northern Italy instead shows greater tolerance and association presence, countering church pressure.[122]

2.2. Human Rights Education

2.2.1. General framework

Human rights education is crucial for preventing human rights violations and fostering a fair society that upholds the rights of all individuals. The United Nations High Commissioner for Human Rights is responsible for coordinating various initiatives in education and public information related to human rights. These efforts aim to raise awareness and enhance understanding of human rights principles. The Office of the High Commissioner focuses on key areas such as coordinating the World Programme for Human Rights Education, developing specialized materials and resources for education and training,

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[121] "Gender Mainstreaming - Italy," European Institute for Gender Equality, January 27, 2023, https://eige.europa.eu/gender-mainstreaming/countries/italy.
[122] Massimiliano Agovino, Massimiliano Cerciello, and Federica D'Isanto, "Religious Participation and Attitude towards LGBT+ Communities. The Case of Italy.," *Socio-Economic Planning Sciences* 78 (2021): 1–19, https://doi.org/10.1016/j.seps.2021.101071.

implementing capacity-building, sharing best practices, and providing technical cooperation. These activities are crucial for advancing human rights education on a global scale.[123]

The international community recognizes the important role of human rights education in advocating for and safeguarding human rights. Therefore, human rights education encompasses different elements, including knowledge, skills, values, attitudes, behaviour, and action and it is included in treaties, declarations, recommendations, resolutions, and guidelines adopted by intergovernmental forums, which require periodic updates.[124]

On a regional human rights-related level, the Council of Europe plays a significant role in enhancing human rights education. It recommends teaching human rights in schools to prepare young people for democratic societies. Several projects have been launched by the Council, such as Education for Democratic Citizenship and Human Rights Education to integrate human rights education into formal education. The Commissioner for Human Rights and the European Wergeland Centre are also actively involved in promoting human rights education. Within the EU, the FRA works to protect fundamental rights and raise public awareness.

An important focus is reserved to human rights education programs for youth, which offer opportunities for young people to engage in non-formal learning and explore human rights values. The Council of Europe's Directorate of Youth and Sport implements the Human Rights Education Youth Programme, which involves young people and youth organizations as educators and advocates for human rights. The programme facilitates training activities, develops educational resources, and promotes intercultural dialogue. The massive attention to youth is crucial primarily since the involvement of young people in human rights education contributes to their personal development and societal well-being.[125]

National developments in human rights education are shaped by global connections to educational and human rights organizations, as well as the influence of cultural globalization, expanding education, and the growth of the human rights movement.[126] However, while this general framework on human rights education highlights a broad attention by international democratic institutions, on a national level

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[123] "Human Rights Education and Training," OHCHR, accessed 2023, https://www.ohchr.org/en/resources/educators/human-rights-education-training#:~:text=Human%20rights%20education%20promotes%20values,a%20reality%20in%20each%20community.
[124] "The Right to Human Rights Education," OHCHR, 2014, https://www.ohchr.org/en/resources/educators/human-rights-education-training/right-human-rights-education.
[125] "Human Rights Education and Compass: An Introduction.," essay, in *COMPASS: Manual for Human Rights Education with Young People* (Strasbourg Cedex: Council of Europe Publishing, 2020), 16–27.
[126] Francisco O. Ramírez, David Suárez, and John W. Meyer, "The Worldwide Rise of Human Rights Education," *School Knowledge in Comparative and Historical Perspective*, 2007, 35–52, https://doi.org/10.1007/978-1-4020-5736-6_3.

there are a few discrepancies on how human rights education is incorporated in domestic systems, especially when it comes to a gender-oriented perspective.

2.2.2. Citizenship Education

Citizenship education activities are integrated by some countries into the formal school curriculum, while other countries leave the choice to individual schools, or enhance student involvement in school or class councils.

Three main curriculum approaches can be adopted: separate, integrated, and cross-curricular. The separate approach involves citizenship education as a distinct subject, while the integrated approach incorporates it into broader courses, and the cross-curricular approach infuses citizenship education throughout the entire curriculum. Some countries employ a mixed approach, combining integrated and specialized courses.

Furthermore, citizenship education can be either statutory or non-statutory, which grants different levels of autonomy to states, districts, municipalities, schools, and teachers, potentially resulting in some students not receiving citizenship education in their curriculum.

In many countries, both in the primary and in the secondary curriculum, citizenship education is commonly organized using integrated approaches that focus on children's holistic understanding of themselves in relation to various topics, especially social studies, or social sciences, and, specifically in the secondary curriculum, becomes closely linked to subjects such as history and geography. As students advance, the scope of subjects related to citizenship education might widen to encompass economics, law, commerce, and political sciences.

Italy and Sweden serve as examples of contrasting approaches. In Italy, there is a marked contrast between the open and participative climate within the hidden curriculum of schools and the non-participatory climate in the formal curriculum. Sweden, on the other hand, places great emphasis on the development of skills, attitudes, and knowledge related to citizenship education, and views the whole school community as a learning platform. Regarding assessment practices, while the lower secondary school leaving examination in Italy includes an oral combined test for civics, history, and geography, in Sweden, national tests for 12-year-old students serve different purposes for the government and the National Agency for Education.[127]

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[127] David Kerr, "Citizenship Education in the Curriculum: An International Review," The School Field 10, no. 3–4 (n.d.): 1–31.

The national situation becomes more complicated when analysing the way in which states incorporate a gender perspective into human rights education. Education plays a crucial role in promoting gender equality and has a significant impact on various aspects of society. Research has demonstrated that gender equality in education positively affects child well-being, development, women's employment, empowerment, and overall economic growth. On the other hand, gender disparities in educational access, achievement, and outcomes have negative consequences such as limited skills development, higher dropout rates, early marriage, reduced employment opportunities, and limited economic independence.[128]

Nonetheless, a strong resistance can be observed at both an individual and an institutional level all over Europe, which highlights that a feminist institutionalist approach is very much needed to the implementation of strategies that could address resistance to gender mainstreaming. This approach should include incentives and gender training to effectively implement curricular reforms and advance gender mainstreaming in higher education.[129]

This resistance is even more difficult to overcome when addressing development strategies for gender-oriented education in European primary and secondary schools, mainly because of the mass protests throughout all the continent concerning the so-called "gender theory" (or "gender ideology"). Critics of this theory express concerns about its impact on traditional values and the education system, representing a threat to traditional family structures and the concepts of masculinity and femininity, with the aim of bringing about a cultural revolution and a gender-neutral society, and allege that children are being subjected to sexualization and indoctrination through the promotion of this ideology. However, the European Court of Human Rights has emphasized that public schools are not obligated to avoid discussing issues that have a philosophical or moral foundation, and it is important to expose students to diverse perspectives and opinions while respecting the diversity of beliefs within the school community. In fact, avoiding morally controversial topics in schools can contradict the fundamental goals of education, which include fostering a pluralistic democratic society and promoting respect for diversity. The European Court of Justice also remarks that public education should prioritize the acquisition of scientific knowledge and that, since gender equality does not undermine the concept of equal human

[128] Sarah Fuller, "Education Diplomacy at the Intersection of Gender Equality and Quality Education," Childhood Education 95, no. 5 (2019): p. 71, https://doi.org/10.1080/00094056.2019.1663103.

[129] Tània Verge, Mariona Ferrer-Fons, and M José González, "Resistance to Mainstreaming Gender into the Higher Education Curriculum," European Journal of Women's Studies 25, no. 1 (2017): 86–101, https://doi.org/10.1177/1350506816688237.

rights and the understanding of gender as socially constructed is scientifically supported, a critical, scientifically proven, gender-oriented education is possible.[130]

Nevertheless, the integration of global citizenship education remains a complex and politically sensitive endeavour, requiring a progressive commitment by governments to human rights, peace, sustainability, social justice, and diversity.

2.2.3. Gender Equality Education in Sweden

Clearly following the same institutional path initiated with broad gender mainstreaming policies, sex education was made compulsory in Swedish schools in 1955, with the aim of promoting gender equality, preventing social problems, and addressing various sexual issues. However, the quality of sex education has varied over the years, leading to the need for national initiatives to strengthen this work and implement new educational strategies. The most recent version of it, introduced in the curriculum since 2011, covers a wide range of topics, including the historical perspective on sexuality, religious perspectives, literary descriptions, gender and sexuality display in media and advertising, and current legislation on relationships. The responsibility for teaching sex education falls on multiple teachers across different courses and subjects.[131]

According to a report of the Swedish National Agency for education ("*Skolverket*") three are key components of sex education in schools. Firstly, "Subject integration", which involves discussing gender equality, sexuality, and relationships in the context of various subjects to provide students with a comprehensive understanding. Secondly, "Everyday efforts", which involve seizing opportunities to address sex education in everyday school activities, both positive and negative, such as discussing moral issues or responding to incidents of harassment. Lastly, "Individual lessons or themed days" provide dedicated time for students to explore specific questions related to sex education, such as sexual and reproductive health, human rights, or gender equality.[132]

Together with primary and secondary schools, preschools in Sweden also have a role in promoting equal dignity and countering traditional gender patterns. The head of the preschool is responsible for ensuring a quality preschool environment and preventing discrimination. Similarly, the headteacher in

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[130] Roman Kuhar and Aleš Zobec, "The Anti-Gender Movement in Europe and the Educational Process in Public Schools," Center for Educational Policy Studies Journal 7, no. 2 (2017): 29–46, https://doi.org/10.26529/cepsj.168.

[131] "Sex Education Gender Equality, Sexuality and Human Relationships in the Swedish Curricula." (*Skolverket* - Swedish National Agency for Education, 2014), p. 5
https://www.skolverket.se/download/18.6bfaca41169863e6a65bd27/1553966490106/pdf3580.pdf

[132] "Sex Education Gender Equality, Sexuality and Human Relationships in the Swedish Curricula.", 2014, p.6.

compulsory schools is responsible for integrating sex education into different subjects and ensuring a gender perspective is applied in teaching content and organization.[133]

Sex education is encompassed in the teaching of fundamental values, democracy and citizenship education through the Swedish Education Act, which emphasizes the importance of education in accordance with democratic values, human rights, and equal dignity. Schools are expected to actively combat discrimination, promote empathy, and foster equal rights and opportunities for all students. The curriculum also highlights the need to develop students' ability to critically examine and assess information related to sex and human relationships. This process is carried out by three perspectives (About, Through and For):

"Children and pupils learn *about* equality, democracy, and human rights when they work with the fundamental values. Fundamental values are also instilled *through* democratic working methods, equal treatment, and efforts to actively combat violations against them. (…) Learning *for* democracy and human rights."[134]

Various organizations and authorities in Sweden, such as the Swedish Association for Sexuality Education (RFSU), non-governmental organizations, such as the Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights (RFSL) and the Swedish Youth Federation for Lesbian, Gay, Bisexual, Transgender & Queer Rights (RFSL Ungdom), and county councils, play a crucial role in supporting school staff with knowledge, teaching materials, and professional development in sex education.[135]

In the light of this report, it is possible to state that Sweden takes sex and gender education very seriously, emphasizing not only the merely biological or medical aspects, but providing an integrated and comprehensive education on the historical-cultural aspects to support well-being students and an in-depth and diverse understanding of gender equality and human rights. It should be also highlighted that the support of expert organizations in sexual and gender education not only provides diversified and useful skills from an educational point of view but creates an institutional and social network which is preparatory to data collection and the implementation of new strategies of policymaking.

Nevertheless, some shortcomings in sex and gender equality education, especially regarding LGBTIQ+ perspectives, have been also identified in Sweden, where a study of Swedish biology

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[133] "Sex Education Gender Equality, Sexuality and Human Relationships in the Swedish Curricula.", 2014, p.8.
[134] "Sex Education Gender Equality, Sexuality and Human Relationships in the Swedish Curricula.", 2014, p.10.

[135] "Sex Education Gender Equality, Sexuality and Human Relationships in the Swedish Curricula.", 2014, p.34.

textbooks reveals limited visibility and representation of different sexual orientations, bodies, and identities. The textbooks often reinforce stereotypical gender binaries and heteronormative assumptions, excluding non-binary understandings of bodies and sexualities. This exclusion increases the risk of harassment and discrimination, including various forms of hate speech, hate crimes and bullying, against LGBTQ+ young people. To promote equality and diversity, it is therefore crucial to reevaluate this content in Swedish biology textbooks, challenging binary gender assumptions, promoting fluid understandings of sexuality, addressing asexuality and disability, and enhancing the visibility of diverse bodies and sexual activities.[136] By critically examining and transforming learning materials, schools can not only create a safe and inclusive environment that supports students' learning and promotes equal rights for all, but also strengthen the foundations of a system of prevention from various forms of violence against gender and sexual minorities.

2.2.4. Gender Equality Education in Italy

The Italian situation regarding sex and gender education is, once again, more critical and fragmented than the Swedish one.

A very recent study concerning the evolution of sex education in Italy over the last 15 years has highlighted, first of all, the profound differences between Italian regions with respect to the implementation of programmes. Moreover, the study found that the most discussed topics in sex education courses were contraception, love, marriage, partnerships, family, biology, body awareness, puberty, anatomy, and HIV/AIDS and STDs. On the other hand, less attention was given to topics such as pregnancy and birth, mutual consent, human rights, online media, and disability. The historical, cultural and social dimensions that encompass the studies on sexuality and gender equality is severely lacking, with very relevant human rights-related topics like disability and mutual consent only addressed to secondary school students. Regarding the regional differences within Italy, the study found fewer sex education projects in central and southern regions compared to the northern regions. Discrepancies were also observed in the number and duration of projects within the 12 regions analysed. The reasons for these disparities were unclear, but they may be attributed to the success or failure of individual projects. Unfortunately, data on the effectiveness of the programs were unavailable.[137]

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[136] Hannele Junkala, Maria Berge, and Eva Silfver, "Diversity in Sex and Relationship Education – Limitations and Possibilities in Swedish Biology Textbooks," Sex Education 22, no. 5 (2021): 521–37, https://doi.org/10.1080/14681811.2021.1966407.

[137] Giuseppina Lo Moro et al., "Sex Education in Italy: An Overview of 15 Years of Projects in Primary and Secondary Schools," Archives of Sexual Behavior 52, no. 4 (2023): p. 1660, https://doi.org/10.1007/s10508-023-02541-6.

The lack of data and research on this topic in Italy makes it very difficult to fully investigate the reasons for this deep gap between regions, and the theory that charges the breach on the implementation policies of gender equality and the protection of sexual and gender minorities on purely religious or cultural reasons, appears at least incomplete. An economic analysis of this phenomenon is not the purpose of this thesis, but it would be desirable to conduct it elsewhere, investigating all the aspects of this issue.

Furthermore, the issue of gender inequality in education has often been increasingly overlooked and disregarded in Italy by national authorities and policymakers, who mistakenly believe that schools provide an environment free from sexual discrimination and where equality has been achieved. However, extensive research has revealed that the Italian education system reflects and reinforces traditional gender roles, leading to gender disparities in various aspects.[138] Addressing the issue of gender segregation in the Italian educational choices requires efforts to deconstruct gender stereotypes, provide guidance for both boys and girls, and reconsider educational materials to encourage diversified choices.[139]

This issue raises concerns about teachers' awareness of gender influences and their ability to promote equal opportunities. Although both male and female teachers in Italy have demonstrated the ability to critically examine the sexist foundations of education and develop strategies to foster equality, other problematic findings have emerged from research, such as gendered perceptions of students and persistent gender comparisons favouring boys. Teachers also expressed a lack of tools and capacity to address gender education and initiate concrete changes. Efforts are needed to re-examine academic programs, textbooks, and teaching materials and equip teachers with tools that will challenge stereotypes.[140]

Although the Italian ordinary education system have, as discussed, shown serious training shortcomings in human rights education and, in particular, gender equality and the protection of gender and sexual minorities, there are other tools that have proved to be most effective in this subject.

A 2021 study based on a two-year intervention involving 43 high school students, found that implementing the Youth Participatory Action Research (YPAR) project in schools led to positive changes in students' perception of their school environment, participation, and active citizenship. It also influenced teachers' views of students as capable civic actors. The study emphasized the importance of quality implementation and the involvement of multiple stakeholders in delivering citizenship education

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[138] Irene Biemmi, "Gender in Schools and Culture: Taking Stock of Education in Italy," Gender and Education 27, no. 7 (2015): 812–27, https://doi.org/10.1080/09540253.2015.1103841.
[139] Biemmi, 2015, p. 816.
[140] Biemmi, 2015, p. 820.

programs.[141] Overall, YPAR proved to be an effective tool for empowering students and fostering active and engaged citizenship and, despite there is still a strong need for the implementation of a gender equality framework within the citizenship education national curriculum, it could be an outstanding instrument to support gender mainstreaming development, based on a learning-by-doing approach.

2.3. The circular connection between gender mainstreaming and human rights education

Based on the analysis conducted on the Swedish and Italian systems, although there is some confusion and several shortcomings among the available data, two elements can be observed.

The first is the existence of a connection between the implementation of national citizenship education programs including gender equality training tools and the development of gender mainstreaming measures at the national level in Sweden. Consequently, one could question which of human rights education and gender mainstreaming measures were born first in the Scandinavian state, but in the present case, although there are limitations and imperfections on both sides, sometimes not revealed by research, it seems that the two factors feed each other, in a sort of circular development.

The second element is that Italy, on the other hand, thanks to widespread Catholic conservatism and unfavourable historical, economic, and cultural events, is unfortunately still too far behind both as regards the development of an inclusive human rights education system, and of gender mainstreaming state policies that enjoy an intersectional perspective and also look at the rights of LGBTIQ+ people. The mechanism of influence between these two factors is circular as for the Swedish one, but in the Italian case there is still a profound systemic precariousness in these disciplines.

It can therefore be deduced that the circular development of human rights education and gender mainstreaming can (and here it is argued must) serve as a tool for implementing a system that, more broadly, can prevent or combat violence and hate crimes of misogynistic and homobitransphobic type.

However, it must be considered that the Swedish system cannot be taken as a virtuous example to be copied and pasted into other national systems, such as Italy, imposing a universal methodological vision, which the other states should passively accept. In the implementation of new measures, the historical, anthropological, sociological, and juridical elements that characterize each single state must be taken into consideration, evaluating both the resources and the problems.

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[141] Cinzia Albanesi et al., "School Citizenship Education through YPAR: What Works? A Mixed-Methods Study in Italy," Journal of Adolescent Research 38, no. 1 (2021): 143–77, https://doi.org/10.1177/07435584211035564.

3. A CRITICAL APPROACH TO HUMAN RIGHTS EDUCATION FOR THE PROTECTION OF SEXUAL AND GENDER MINORITIES.

In the last two chapters of this thesis a circular connection between hate crimes and gender equality policies, and between gender mainstreaming and human rights education, has been demonstrated. The aim of this third chapter is, instead, to question which theoretical framework could outline a gender equality and human rights-based education system to prevent hate crimes towards sexual and gender minorities.

Hence, human rights education will be conceptualized from a theoretical perspective and a few philosophical approaches will be analysed to critically investigate which one can be the best in 2023. It should be considered, in fact, that this will be a critical approach to human rights education, for what it represents in this historical moment and based on the instances of the countries that have been used as case studies.

3.1. Conceptualization of Human Rights Education

The concept of education is seen as a way to resist the influence and control of different entities, including the state, civil society, intergovernmental regimes, and multinational corporations. Human rights education is considered an independent, decolonizing, deglobalizing, and heretical project that challenges-imposed knowledge and promotes learning as an act of rebellion. However, the ideological orientation of HRE programs is shaped by power dynamics, inequality, and the desired outcomes of different stakeholders. This ideological diversity influences the content, teaching methods, and objectives of HRE initiatives.[142]

For human rights education to become a tool of positive social change, it is important to consider the concept of "agency".[143] Human rights education, and in particular gender equality education, in fact, should not only cross the school curriculum, but must be integrated into a broader project, which focuses on the development of a social justice system. For this to happen, therefore, it is necessary to consider the potential of the social initiative which, as analysed in the previous chapters, has already often filled gaps in national programming in the field of human rights education and gender mainstreaming.

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[142] Monisha Bajaj, "Human Rights Education: Ideology, Location, and Approaches," *Human Rights Quarterly* 33, no. 2 (2011): p. 506, https://doi.org/10.1353/hrq.2011.0019.

[143] Monisha Bajaj, "Conceptualizing Transformative Agency in Education for Peace, Human Rights, and Social Justice.," *International Journal of Human Rights Education* 2, no. 1 (2018): 1–21.

Conceptualizing "transformative agency", Bajaj argues that human rights education could also include afterschool or co-curricular, community-based, and summer programs.[144] Moreover, she emphasized the possibility to start peace, human rights, and social justice at an early age, "with more ability of young people to explore systemic inequalities and violence"[145]. The concept of transformative agency therefore places at the core of the discourse the ability of young people to be not only recipients of gender equality education programs, but also subjects driving sustainable democratic initiative.

In order to be structured in an innovative way, however, human rights education should take into consideration the temporal and spatial dimension within which it operates. If thinking of a global education may seem tempting at first glance, it does not take into account the different relationships between knowledge and power within single social contexts. In the twentieth century, critical scholarship became preoccupied with examining these relationships, ultimately recognizing that the scientific methods used in the social sciences to establish absolute truths had contributed to division and dehumanization during state building and territorial expansion. The developments had three significant implications for the study of global citizenship education: the examination of knowledge production itself, the centrality of language and meaning, and the recognition of knowledge as a site of power and politics.[146] This theoretical effects are especially crucial to understand why human rights education have such a relevance in the debate about pursuing gender equality and preventing the victimization of sexual and gender minorities, since research on this matter should not only be based on quantitative data, which are often insufficient and biased, but should also focus on a qualitative analysis of the historical, social, cultural, legal, political, economic, and even linguistic elements which compound to each other leading to hate crimes towards LGBTIQ+ people. Human rights education would act, in this context, as a key element of policymaking, starting not only from the primary educational context, the school, but from a more conscious democratic participation oriented towards gender equality and social justice.

It is essential, however, for nurturing the agency of citizens to actively engage in gender equality in pluralistic and democratic human rights education programs, to address controversies and moral dilemmas, which are often avoided in general education, through reflective, critical, and dialogical pedagogy. Ignoring them would mean disregarding the ethical and political significance inherent in

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[144] Bajaj, 2018, p. 4-5.
[145] Bajaj, 2018, p. 16.
[146] April R. Biccum, "Editorial: Global Citizenship Education and the Politics of Conceptualization," *International Journal of Development Education and Global Learning* 10, no. 2 (2018), p. 120 https://doi.org/10.18546/ijdegl.10.2.01.

human rights education.[147] a dialogical pedagogy is crucial and should encompass three forms of dialogical justification: ethical dialogue, moral dialogue, and critical dialogue. Ethical dialogue involves interpreting and understanding the ethical values that underlie human rights claims within the collective self-understanding of a social group. Moral dialogue focuses on reaching mutual agreement on moral principles under fair conditions, where valid moral norms are justified through shared reasons. Critical dialogue entails critically analysing and challenging unjustified justifications that support human rights abuses, as well as understanding power dynamics within society.[148]

3.2. The Universalism v. Cultural Relativism *impasse*

In the past thirty years, there has been a conflict between two contrasting viewpoints regarding human rights: universalism and cultural relativism. Universalists advocate for a universal set of human rights standards that should be applicable irrespective of cultural differences. On the other hand, cultural relativists argue that morality and human rights are relative to specific social and historical contexts, suggesting that different cultures may have varying conceptions of what constitutes human rights.[149] Moreover, European classrooms are experiencing increasing diversity in terms of cultural, ethnic, religious, ideological, and gender backgrounds, which is nonetheless accompanied by entrenched national stereotypes, nationalist sentiments, historical perspectives, and contemporary tensions. Learners holding specific beliefs may feel marginalized when certain values, cultures, and religious faiths are portrayed as challenges to the universalization of human rights in human rights education. This situation is exacerbated by the repetitive focus on human rights violations in non-Western societies, suggesting that such violations are limited to certain regions of the world.[150]

Adami analysed, in 2014, that, in her study of political philosophy, Hannah Arendt gives an important contribution to the discourse surrounding pluralism in human rights education. She argues, in fact, that the value of being seen and heard by others arises from the diverse perspectives that each individual brings and that a plurality of narratives in human rights allows for a more comprehensive understanding of its meaning when different perspectives converge. Arendt's relational understanding of

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[147] Abraham Magendzo and Ángela Bermúdez, "Pensando La Educación En Derechos Humanos Desde Una Mirada Ética y Controversial," *Revista Latinoamericana de Derechos Humanos* 28, no. 2 (2018), https://doi.org/10.15359/rldh.28-2.1.

[148] Dale Snauwaert, "The Dialogical Turn in Normative Political Theory and the Pedagogy of Human Rights Education," *Education Sciences* 9, no. 1 (2019): p. 5-6, https://doi.org/10.3390/educsci9010052.

[149] Fuad Al-Daraweesh, "Human Rights and Human Rights Education: Beyond the Conventional Approach.," *Journal of Peace Education and Social Justice* 7, no. 1 (2013): p. 38.

[150] Rebecca Adami, "Re-Thinking Relations in Human Rights Education: The Politics of Narratives," *Re-Imagining Relationships in Education*, 2014, p. 293-295, https://doi.org/10.1002/9781118944707.ch8.

politics overall emphasizes the importance of plurality and storytelling in human rights education. Political freedom, according to Arendt, is not an isolated experience but is realized through collective political action and counternarratives play a crucial role in expanding the space for dialogue and action in educational settings that may be limited by nationalism, sexism, and racism.[151] While Arendt's viewpoint suggests that education should be kept separate from politics in order to provide children with the space to develop their creativity and engage in playful activities, she acknowledges that there is a potential danger that arises when adults in positions of authority within the educational system fail to reflect upon and take responsibility for the political dimension of their words and actions in relation to each unique individual. Therefore, according to the philosopher, educators must be mindful of the impact their teaching methods, language, and overall pedagogical approach can have on students' understanding of politics and their engagement with the broader political realm. Arendt emphasises the concept of youth agency, highlighting the importance of respecting and integrating their voices into the educational process.[152]

As Al-Daraweesh emphasizes, broadening the scope of human rights education beyond a single tradition and exploring diverse epistemological manifestations is crucial. Again, the understanding of human rights cannot disregard the specific historical and cultural experiences of different contexts to ensure its validity and relevance. This approach recognizes that the understanding and interpretation of human rights can vary across different cultures and societies. The author therefore argues that there is room for further studies to explore the relationship between relationalism, which emphasizes the importance of relationships and interactions, and traditions of justice, challenging the dichotomy between universalism and cultural relativism in favour of a human rights education that considers diverse epistemological manifestations. According to Al-Daraweesh, by recognizing the importance of historical and cultural experiences, human rights education can be more inclusive and relevant.[153]

Consequently, overcoming the traditional conceptualizations of human rights education is essential to incorporate gender mainstreaming in it and, more broadly, in policymaking, ensuring protection for people of all genders and sexual orientations.

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[151] Adami, 2014, p. 304.

[152] Hannah Arendt, Between Past and Future: Eight Exercises in Political Thought. (Harmondsworth: Penguin Books, 2006), p.174, op. cit. in Adami, 2014.

[153] Al-Daraweesh, 2013, p. 56-57.

3.3. Cosmopolitanism

Cosmopolitanism is a perspective that recognizes the interconnectedness of humanity and promotes the idea of a global community or "human family" and is incorporated in humanist principles and norms, emphasizing equality and celebrating diversity.[154]

In response to the challenges posed by globalization, cosmopolitanism has gained significant attention as a theoretical framework in education. However, its application in education has primarily focused on its moral dimension, emphasizing openness, mutual understanding, and connecting with diverse others. There is now a growing recognition of the need for critical cosmopolitan approaches that go beyond a neutral perspective, calling for an analysis of power dynamics, privilege, and oppression within the cosmopolitan framework. By adopting a cosmopolitical framework, education challenges the liberal understanding of cosmopolitanism as an ethical universalism, recognizing the multiplicity and contingency of human interactions and understanding that mobility and new relationships can lead to both prejudice and solidarity. The focus of critical cosmopolitanism in education extends, therefore, to understanding how social, political, and economic structures contribute to present-day inequalities and historical legacies.[155]

Unfortunately, the promotion of cosmopolitan perspectives has often been overshadowed by education systems that prioritize narrow, nationalistic notions of citizenship, excluding many residents who do not meet legal requirements for national citizenship. The concept of "cosmopolitanization" recognizes the intertwining of the local and the global in globalization, allowing people to perceive global issues as part of their everyday experiences.[156]

Global citizenship education challenges the notion that citizenship is exclusively tied to a single national identity. However, it also acknowledges that formalized language learning may perpetuate colonial imaginaries, hindering productive intercultural communication. A cosmopolitan perspective rooted in human rights emphasizes the similarities between human beings rather than focusing on differences. This perspective should influence the approach and content of language education, reframing it as a cosmopolitan and intercultural experience rather than merely an international one.[157]

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[154] Hugh Starkey, "Challenges to Global Citizenship Education: Nationalism and Cosmopolitanism.," essay, in *Global Citizenship in Foreign Language: Education Concepts, Practices, Connections*. (New York: Routledge, 2023), p. 65-66.
[155] Amy Stornaiuolo and T. Philip Nichols, "Cosmopolitanism and Education," *Oxford Research Encyclopedia of Education*, 2019, https://doi.org/10.1093/acrefore/9780190264093.013.252.
[156] Starkey, 2023, p. 67-68.
[157] Stornaiuolo and Nichols, 2019, p. 74-75.

Cosmopolitan practice is generally guided by a commitment to social justice, which involves actions that promote fairness, challenge injustice, and support marginalized groups. Different models of cosmopolitanism offer varying approaches to its application, emphasizing local traditions, hybridity, relationality, and critical engagement.[158]

A transformative approach to human rights education would, on the other hand, value diversity and aim to foster deep relationships among individuals. To achieve this, Becker suggests challenging the dominance of Eurocentric perspectives and disrupting traditional ontologies and epistemologies, creating spaces that allow marginalized voices and alternative forms of knowledge to be heard and validated. This decolonial approach recognizes the importance of pluralism and the coexistence of multiple knowledges.[159]

The concept of cosmopolitanism has been heavily criticized for being disseminated through colonialism and the Eurocentric international system, especially in relation to diversity and inclusion. According to Bakare, cosmopolitanism presents severe pitfalls, since it extends beyond social interactions and spatial exchange, encompassing transnational, universal, and cross-border ideas that promote inclusiveness and global perspectives. The author, in fact, argues that the lack of consensus on the definition and components of cosmopolitanism complicates the creation of a cosmopolitan community. He also argues that, despite the essence of cosmopolitanism lies in recognizing moral equality and the obligation to treat fellow human beings with respect and fairness, the existing global system, which is characterized by selective justice and the dominance of powerful states, undermines the very core of cosmopolitanism. Therefore, he emphasizes that, for cosmopolitanism to reach its global effectiveness, there is a need for inclusive and transparent global structures and institutions that represent diverse world identities.[160]

For the purpose of this thesis, it is useful to underline that this critical narrative regarding cosmopolitanism can help enrich the debate regarding human rights education and prevention policies regarding hate crimes against gender and sexual minorities in Sweden and Italy. Indeed, as has been highlighted, the difficulty of outlining national policies up to the target group's demands also stems from

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[158] -   Ronal Ridhoi and Hariyono, "Cosmopolitanism in Humanities and Social Sciences Education and Research.," essay, in *Embracing New Perspectives in History, Social Sciences, and Education: Proceedings of the International Conference on History, Social Sciences, and Education* (ICHSE 2021), Malang, Indonesia, 11 September 2021 (London; New York: Routledge, 2023), p. 1–7.

[159] Anne Becker, "Decolonial Human Rights Education: Changing the Terms and Content of Conversations on Human Rights.," *Human Rights Education Review* 4, no. 2 (2021): 49–68, https://doi.org/10.7577/hrer.3989.

[160] Najimdeen Bakare, "Contradictions of Cosmopolitanism: Impacts on Diversity and Inclusion.," *Anuario Mexicano de Asuntos Globales* 1, no. 1 (2023): 77–94, https://doi.org/10.59673/amag.v1i1.10.

the inability to read this phenomenon in the light of the different experiences that LGBTI+ people within the space-time and social contexts in analysis. This means that either protective measures are not developed, or that they are developed exclusively based on the experiences of "model states", such as Sweden. Therefore, while integrating a cosmopolitanist approach into the matter under consideration, it is desirable that critical, inclusive and decolonial approaches are taken into account to avoid running into the erroneous comparison, often overwhelming this debate, between "advanced northern European countries and backward southern European countries".

3.4. The Capabilities Approach to Human Rights Education

The capability approach, formulated by Amartya Sen, highlights the significance of freedom and the range of choices individuals have in shaping their quality of life. While Sen's approach has garnered attention from various fields, its application to education remains relatively unexplored. Sen's approach revolves around the concepts of functionings and capabilities. Functionings refer to the actual achievements or outcomes individuals attain, while capabilities denote their potential to achieve those functionings. Sen's framework considers well-being in terms of the freedom to achieve and the breadth of options available to individuals. Evaluating well-being entails examining the functionings people have accomplished, which reflects their real opportunities and the freedom they possess to make choices. Positive freedom, which entails the freedom to determine how one lives their life, is regarded as a dimension of well-being. By embracing the capability approach, educators can shift their focus from merely measuring inputs and outputs to considering the freedoms, opportunities, and choices that enable individuals to flourish within the educational context.[161] By Sen, education is viewed as an outcome of capability, focusing on specific knowledge and skills that enhance participatory freedom.[162]

Martha Nussbaum and Amartya Sen share similar concerns regarding human development, although they approach the subject with slight differences. Nussbaum places greater emphasis on the concept of "Central Human Capabilities" and supports the idea of universal capabilities and nations setting minimum thresholds for specific capabilities. In contrast, Sen focuses on capabilities, agency freedom, and the comparative ranking of different social arrangements. While there are similarities between Sen and Nussbaum, they also diverge from the ideas of John Rawls. Sen's approach differs from Rawls' in terms of prioritizing capabilities over primary goods and focusing on comparative rankings

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[161] Madoka Saito, "Amartya Sen's Capability Approach to Education: A Critical Exploration," *Journal of Philosophy of Education* 37, no. 1 (2003): p. 17–21, https://doi.org/10.1111/1467-9752.3701002.

[162] Elaine Unterhalter, "The Capabilities Approach and Gendered Education," *Theory and Research in Education* 1, no. 1 (2003): p. 11, https://doi.org/10.1177/1477878503001001002.

rather than defining a perfectly just society. He also suggests that individuals may have varying preferences for elements of a just society, but there can be agreement on a shared partial ranking among reasonable individuals.[163]

According to Unterhalter, Sen's approach to education has its limitations as it tends to oversimplify the complexities and varied impacts of education and schooling and it fails to address important factors such as language of instruction issues and how marginalized groups may experience limited freedom within educational environments. Moreover, the narrow focus on measurable outcomes like literacy restricts the understanding of education and schooling to their broader objectives, processes, and results.[164]

To grasp the concept of "social arrangements" within the capability's framework, a robust social theory is required. Without it, there is a risk of perceiving education as a contested space devoid of inequalities, always leading to expanded capabilities. Education is a multifaceted concept encompassing ideas, social relationships, institutions, and specific knowledge and skills. It is socially constructed, perpetuates inequalities, and undergoes constant scrutiny for transformation. Different social theories offer diverse perspectives on these tensions within education.[165]

Nevertheless, Sen's work still offers valuable insights for comprehending education within the capabilities' framework. It encourages a critical examination of educational policies, emphasizing the need to consider the diverse meanings and connotations associated with education and schooling, as well as their intended goals, methods, and outcomes.[166]

In her theorization of the capabilities approach Martha Nussbaum focused specifically on women and human development, considering the persistent gender inequalities in educational institutions and society. In 2003, Walker discussed Nussbaum's statement that matters of justice should be a priority in our examination of society and its educational arrangements, arguing that achieving social justice in education requires not only individual flourishing, but also collective solidarity.[167] According to Walker, there are conflicting perspectives on (higher) education, with a "thick morality" based on the common good and a "thin morality" rooted in competitive individualism and hierarchical divisions.[168] In this sense,

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[163] Caroline Sarojini Hart, "The Capability Approach and Education.," Cambridge Journal of Education 42, no. 3 (2012): p. 277, https://doi.org/10.1080/0305764x.2012.706393.

[164] Unterhalter, 2003, p. 12.

[165] Unterhalter, 2003, p. 18.

[166] Unterhalter, 2003, p. 12.

[167] Melanie Walker, "Framing Social Justice in Education: What Does the 'Capabilities' Approach Offer?," British Journal of Educational Studies 51, no. 2 (2003): p. 168-170, https://doi.org/10.1111/1467-8527.t01-2-00232.

[168] Walker, 2003, p. 171

Nussbaum proposes a "thick" morality that assesses the quality of life and emphasizes human flourishing. In the context of higher education, two significant capabilities ha highlighted: practical reason and affiliation. Practical reason involves critical reflection and life planning, while affiliation pertains to living with and recognizing others, engaging in social interactions, and embodying empathy and justice. These capabilities have implications for widening participation and pedagogical approaches in higher education. The application of the capabilities approach extends beyond formal and informal educational settings. However, empirical demonstrations through detailed descriptions, life narratives, and personal stories are necessary to substantiate its effectiveness.[169]

In this analysis I agree with Walker on the assumption that, on the one hand, the capabilities approach can represent a very valid methodological framework for the profound pedagogical value it embraces and for the attention to the qualities of human rights education users; on the other hand, Walker's theorization is also fair, however, considering that Nussbaum's view presents some shortcomings on the creation of content that can stimulate collective solidarity on issues of gender equality, lacking an analysis of the substantial differences between the various social contexts in which human rights education operates.

Once again, the need for an extensive analysis of the elements that a collective system embraces, of a legislative, political, economic, cultural, historical and social type, is highlighted. it is also necessary in this regard, in the opinion of the writer, that at the basis of a system that integrates gender equality and the protection of minorities, there is substantial attention to the dynamics of power that exist socially, rather than focusing exclusively on the development individual to build a collective justice system.

3.5. Intersectionality and its limits

This thesis has very often emphasized, so far, the great role that intersectionality has in the process of creation of a social justice system that ensure gender equality and protects sexual and gender minorities from bias-motivated crimes. The magnifying glass of intersectionality is in fact widely accepted in doctrine, especially in the theorization of systems oriented towards human rights and gender equality. Unfortunately, however, as it was widely discussed in the first and the second chapter, it is rarely concretely integrated into regulations and policies, especially national ones.

The link between intersectionality and feminist theories occurs as the notion of intersectionality is traditionally attributed to US jurist and civil rights activist Kimberlé Crenshaw, who is credited with

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[169] Walker, 2003, p. 177

coining the term in 1989.[170] The notion of intersectionality is crossed by both feminist theories and queer theories. Consistent with what queer theories affirm, gender and sexuality are far more complex than what is presented according to a binary view[171]. To set up a human rights education system that considers substantial gender equality, it is necessary to consider the intersectional approach that queer theories have had over the years in general.[172]

Although the United Nations Human Rights Treaty Bodies have adopted intersectionality to highlight the complex ways in which gender discrimination intersects with other forms of discrimination, the effectiveness of intersectionality in addressing the complexity it demands it has been increasingly debated. Some scholars argue that intersectionality has reached its theoretical limits and that inequality requires a more sophisticated approach.[173] It is, in fact, vital to question the effectiveness of intersectionality because, from a research point of view, it is necessary to investigate the strengths and weaknesses of the philosophical perspectives that are used to read social and legal phenomena, such as human rights education in this case.

While there are different interpretations of intersectionality, common themes emerge, including anti-essentialism, contextual understanding, and the mutually constitutive nature of social constructions of identity. A main theme on the construction of an intersectional perspective refers to ambivalence and multiple subjectivities, which are important aspects of understanding identity formation. Identities are complex and fragmented, influenced by various discourses and social practices. Ambivalence arises when individuals adopt conflicting subject positions, leading to a sense of contradiction and fragmentation. The process of identity formation involves negotiating these conflicting self-representations.[174] In the context of human rights education to prevent hate crimes towards sexual and gender minorities ambivalence is crucial to conduct an extensive intersectional analysis. Meyer argues that researchers should consider not only the type of violence but also the social position of queer individuals when examining the severity of anti-LGBT violence.[175]

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[170] Kimberlé Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics", *University of Chicago Legal Forum*, 1989, 139–68.
[171] Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity*. (New York: Routledge, 1989).
[172] Yvette Taylor, Sally Hines, and Mark E. Casey, *Theorizing Intersectionality and Sexuality* (Basingstoke: Palgrave Macmillan, 2010).
[173] Pok Yin S. Chow, "Has Intersectionality Reached Its Limits: Intersectionality in the UN Human Rights Treaty Body Practice and the Issue of Ambivalence," *Human Rights Law Review* 16, no. 3 (September 2016): p. 453
[174] Chow, 2016, p. 460.
[175] Doug Meyer, "Evaluating the Severity of Hate-Motivated Violence: Intersectional Differences among LGBT Hate Crime Victims," Sociology 44, no. 5 (2010): p. 991, https://doi.org/10.1177/0038038510375737.

There is concern that intersectionality is reduced to an "additive exercise" that assumes multiple identities necessarily lead to cumulative oppression. Instead, individuals with multiple identities may experience uncertainty and engage in cultural or religious practices that raise complex questions of agency, self, and identity. These moments of "ambivalence" involve mixed feelings and shifting subjectivities.[176] This aspect is extremely relevant for human rights education. In fact, investigating this ambivalence is useful for increasing the awareness of users who are trained to adopt tools for gender equality, understanding the complexities that can lead to forms of inequality and even to the increase of bias-motivated violence and hate crimes towards gender and sexual minorities. For instance, considering the role that socio-economic elements play in gender discrimination and violations of the rights of LGBTIQ+ people, makes these violations more visible, so *ad hoc* tools can be adopted to combat them. These complexities must be analysed and presented in a comparative key not only between states, as has been done for example in the first two chapters of this thesis, but also in studies on intra-national and local data and experiences, and between rural and urban areas.

Furthermore, the educational methodologies and tools that are used, as well as the policies and regulations, should be adapted to this type of approach, which in any case must always be questioned over time.

Ultimately, even though scholars fairly questioned the effectiveness of intersectionality, it can be safely stated that this approach still represents a "*conditio sine qua non*" for human rights education and the promotion of gender equality.

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[176] Chow, 2016, p. 480.

Conclusion

This thesis has examined the complex and multifaceted issues surrounding hate crimes against gender and sexual minorities, gender mainstreaming, and human rights education. By analysing the Swedish and Italian contexts, it gained valuable insights into the challenges and opportunities in addressing these issues and promoting a more inclusive and equitable society.

The prevalence of hate crimes targeting gender and sexual minorities is a significant concern in both Sweden and Italy. While Sweden has made notable progress in addressing these crimes through comprehensive legislation, data collection, and institutional support, Italy faces substantial challenges in legal enforcement, institutional support, and data collection related to hate crimes against gender and sexual minorities. It is clear that more must be done to combat these crimes and ensure the safety and well-being of targeted communities.

Gender mainstreaming has proven to be a crucial approach for promoting gender equality and addressing the specific needs and challenges faced by gender and sexual minorities. Sweden has demonstrated a strong commitment to gender mainstreaming, with a robust legislative and policy framework, institutional structures, and tools for promoting gender equality, but it still faces some pitfalls. On the other hand, Italy still has room for improvement in terms of institutionalizing gender mainstreaming policies, particularly due to factors such as lower educational levels among women, lower female political participation, and a more male-streamed culture of urban governance. It is essential for Italy to continue its efforts in promoting gender equality and creating an inclusive society for all. Furthermore, a strong gap emerges from the analysis on gender mainstreaming policies between Northern Italy and Southern Italy but, as has been discussed, a starting point for future research could be to investigate the historical and economic reasons for this gap, in order not to run into the risk of relegating the problem to the purely cultural sphere.

Human rights education plays a vital role in preventing human rights violations and promoting a fair and just society. Both Sweden and Italy recognize the importance of human rights education, but there are variations in its implementation and integration of gender perspectives. Sweden has implemented comprehensive sex and gender education programs in schools, covering a wide range of topics and involving various teachers and subjects. In contrast, Italy lacks comprehensive programs and needs to address the gaps in its approach to human rights education. Efforts should be made to ensure that education addresses gender stereotypes, promotes inclusivity, and provides students with the knowledge and skills necessary to navigate issues related to gender and sexual diversity.

The theoretical frameworks examined in this thesis, including intersectionality, cosmopolitanism, and the capabilities approach, offer valuable insights into understanding and addressing issues of gender equality, hate crimes, and human rights education. Intersectionality highlights the importance of recognizing and addressing the intersecting forms of discrimination and oppression that individuals may face. Cosmopolitanism challenges narrow conceptions of citizenship and emphasizes the interconnectedness of humanity. The capabilities approach emphasizes the importance of freedom and individuals' potential to achieve certain "functionings", highlighting the need for practical reason and affiliation in higher education. These theoretical frameworks provide valuable perspectives for designing strategies and interventions that promote equality, inclusivity, and social justice. Therefore, although various theoretical approaches have been alternatively used to ensure human rights education that can integrate a gender perspective (and therefore intervene on the prevention of bias-motivated crimes against sexual and gender minorities), a new method could consist in the encounter and co-existence of such approaches in an integrated rather than a conflicting way.

Ultimately, this research shows that there is a circular connection between solid human rights education, effective and intersectional gender mainstreaming policies and the prevention of hate crimes against sexual and gender minorities. Therefore, these three elements evolve proportionally. However, for future research, the need for a systematic and complete collection of data should always be underlined, in order not to risk resorting to stereotypes to explain these relationships.

A comprehensive legal and policy responses are needed to effectively address hate crimes and protect targeted communities. Institutional support, including data collection, training, and victim support, is crucial for creating a safe and inclusive society. Furthermore, there is a need for continued efforts in promoting gender mainstreaming and ensuring gender equality at all levels of society. Human rights education must be integrated into educational systems, addressing gender stereotypes, promoting inclusivity, and fostering a culture of respect for diversity.

To achieve these goals, collaboration among policymakers, educators, civil society organizations, and stakeholders is essential. By working together, they could effectively develop and implement strategies that prevent hate crimes, promote gender equality, and ensure the protection and well-being of gender and sexual minorities. This requires a steadfast commitment to human rights, equality, and social justice, as well as ongoing evaluation and improvement of policies and practices. Collective action is the key build a society where all individuals, regardless of their gender or sexual orientation, can live free from discrimination, violence, and prejudice.

BIBLIOGRAPHY

LITERATURE

Adami, Rebecca. "Re-Thinking Relations in Human Rights Education: The Politics of Narratives." *Re-Imagining Relationships in Education*, 2014, 126–42. https://doi.org/10.1002/9781118944707.ch8.

Agovino, Massimiliano, Massimiliano Cerciello, and Federica D'Isanto. "Religious Participation and Attitude towards LGBT+ Communities. The Case of Italy." *Socio-Economic Planning Sciences* 78 (2021): 1–19. https://doi.org/10.1016/j.seps.2021.101071.

Albanesi, Cinzia, Gabriele Prati, Antonella Guarino, and Elvira Cicognani. "School Citizenship Education through YPAR: What Works? A Mixed-Methods Study in Italy." *Journal of Adolescent Research* 38, no. 1 (2021): 143–77. https://doi.org/10.1177/07435584211035564.

Al-Daraweesh, Fuad, and Dale T. Snauwaert. *Human rights education beyond universalism and relativism: A relational hermeneutic for global justice*. New York, NY: Palgrave Macmillan, 2015.

Al-Daraweesh, Fuad. "Human Rights and Human Rights Education: Beyond the Conventional Approach." *Journal of peace education and social justice* 7, no. 1 (2013): 38–58.

Allen, Amy. "Solidarity after Identity Politics: Hannah Arendt and the Power of Feminist Theory." *Philosophy & Social Criticism* 25, no. 1 (1999): 97–118. https://doi.org/10.4324/9781315253657-18.

Alm, Erika, and Elisabeth Engebretsen Lund. "Anti-Gender Politics and Queer Theory." *lambda nordica* 27, no. 3–4 (2023): 7–19. https://doi.org/10.34041/ln.v27.838.

Anagnostou, Dia. "EU Policy and Gender Mainstreaming in Research and Higher Education: How Well Does It Travel from North to South?" *Overcoming the Challenge of Structural Change in Research Organisations – A Reflexive Approach to Gender Equality*, 2022, 73–89. https://doi.org/10.1108/978-1-80262-119-820221005.

Andersson, Renée. "The Myth of Sweden's Success: A Deconstructive Reading of the Discourses in Gender Mainstreaming Texts." *European Journal of Women's Studies* 25, no. 4 (2017): 455–69. https://doi.org/10.1177/1350506817743531.

Arendt, Hannah. *Between Past and Future: Eight Exercises in Political Thought.* Harmondsworth: Penguin Books, 2006.

Bajaj, Monisha. "Conceptualizing Transformative Agency in Education for Peace, Human Rights, and Social Justice." *International Journal of Human Rights Education* 2, no. 1 (2018): 1–21.

Bajaj, Monisha. "Human Rights Education: Ideology, Location, and Approaches." *Human Rights Quarterly* 33, no. 2 (2011): 481–508. https://doi.org/10.1353/hrq.2011.0019.

Bakare, Najimdeen. "Contradictions of Cosmopolitanism: Impacts on Diversity and Inclusion." *Anuario Mexicano de Asuntos Globales* 1, no. 1 (2023): 77–94. https://doi.org/10.59673/amag.v1i1.10.

Becker, Anne. "Decolonial Human Rights Education: Changing the Terms and Content of Conversations on Human Rights." *Human Rights Education Review* 4, no. 2 (2021): 49–68. https://doi.org/10.7577/hrer.3989.

Bellè, Elisa, Caterina Peroni, and Elisa Rapetti. "Fighting about (Sexual) Citizenship: Italy's 'Nature or Culture' Dilemma*." *Revista Crítica de Ciências Sociais*, no. 110 (2016): 73–98. https://doi.org/10.4000/rccs.6379.

Berglas, Nancy F., Norman A. Constantine, and Emily J. Ozer. "A Rights-Based Approach to Sexuality Education: Conceptualization, Clarification and Challenges." *Perspectives on Sexual and Reproductive Health* 46, no. 2 (2014): 63–72. https://doi.org/10.1363/46e1114.

Biccum, April R. "Editorial: Global Citizenship Education and the Politics of Conceptualization." *International Journal of Development Education and Global Learning* 10, no. 2 (2018). https://doi.org/10.18546/ijdegl.10.2.01.

Biemmi, Irene. "Gender in Schools and Culture: Taking Stock of Education in Italy." *Gender and Education* 27, no. 7 (2015): 812–27. https://doi.org/10.1080/09540253.2015.1103841.

Blondeel, Karel, Sofia de Vasconcelos, Claudia García-Moreno, Rob Stephenson, Marleen Temmerman, and Igor Toskin. "Violence Motivated by Perception of Sexual Orientation and Gender Identity: A Systematic Review." *Bulletin of the World Health Organization* 96, no. 1 (2017). https://doi.org/10.2471/blt.17.197251.

Brudholm, Thomas. "Hate Crimes and Human Rights Violations." *Journal of Applied Philosophy* 32, no. 1 (2014): 82–97. https://doi.org/10.1111/japp.12079.

Butler, Judith. *Gender trouble: Feminism and the subversion of identity*. New York: Routledge, 1989.

Callerstig, Anne-Charlott. "Gender Training as a Tool for Transformative Gender Mainstreaming: Evidence from Sweden." Essay. In *The Politics of Feminist Knowledge Transfer Gender Training and Gender Expertise*, 118–38. Palgrave Macmillan, 2016.

Campbell, Janine Anne. "The Moderating Effect of Gender Equality and Other Factors on Pisa and Education Policy." *Education Sciences* 11, no. 1 (January 1, 2021): 1–23. https://doi.org/10.3390/educsci11010010.

Chakraborti, Neil. "Re-Thinking Hate Crime." *Journal of Interpersonal Violence* 30, no. 10 (2014): 1738–54. https://doi.org/10.1177/0886260514548581.

Chow, Pok Yin. "Has Intersectionality Reached Its Limits? Intersectionality in the UN Human Rights Treaty-Body Practice and the Issue of Ambivalence." *Human Rights Law Review* 16, no. 3 (September 2016): 453–82. https://doi.org/10.2139/ssrn.2753549.

Cicchelli, Vincenzo, and Sylvie Octobre. "Introducing Youth and Globalization and the Special Issue: The Rise and Fall of Cosmopolitanism." *Youth and Globalization* 1, no. 1 (2019): 1–18. https://doi.org/10.1163/25895745-00101001.

Crenshaw, Kimberlé. "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. ." *University of Chicago Legal Forum*, 1989, 139–68.

Crenshaw, Kimberlé. "Intersectionality." *Understanding Racism: Theories of Oppression and Discrimination*, 2021, 180–93. https://doi.org/10.4135/9781071818671.n13.

Crespi, Isabella. "Gender Differences and Equality Issues in Europe: Critical Aspects of Gender Mainstreaming Policies." *International Review of Sociology* 19, no. 1 (2009): 171–88. https://doi.org/10.1080/03906700802614010.

Damiani, Valeria. "Introducing Global Citizenship Education into Classroom Practice: A Study on Italian 8th Grade Students." *Center for Educational Policy Studies Journal* 8, no. 3 (2018): 165–86. https://doi.org/10.26529/cepsj.556.

Dupont, Pier-Luc, Thomas Sealy, and Tariq Modood. "The Relation between Multiculturalism, Interculturalism and Cosmopolitanism in UK Diversity Politics." *Identities*, 2023, 1–20. https://doi.org/10.1080/1070289x.2023.2186622.

Franch, Sara. "Global Citizenship Education Discourses in a Province in Northern Italy." *International Journal of Development Education and Global Learning* 12, no. 1 (2020): 21–36. https://doi.org/10.14324/ijdegl.12.1.03.

Fuller, Sarah. "Education Diplomacy at the Intersection of Gender Equality and Quality Education." *Childhood Education* 95, no. 5 (2019): 70–73. https://doi.org/10.1080/00094056.2019.1663103.

Gallagher, Robina. "Redefining CEDAW to Include LGBT Rights: Incorporating Prohibitions against the Discrimination of Sexual Orientation and Gender Identity. ." *Southern California Interdisciplinary Law Journal* 29, no. 637 (2020): 637–58.

Hafner-Burton, Emilie, and Mark A. Pollack. "Mainstreaming Gender in Global Governance." *European Journal of International Relations* 8, no. 3 (2002): 339–73. https://doi.org/10.1177/1354066102008003002.

Hagerlid, Mika. "Discursive Constructions of Race and Gender in Racial Hate Crime Targeting Women in Sweden." *NORA - Nordic Journal of Feminist and Gender Research* 31, no. 1 (2022): 49–61. https://doi.org/10.1080/08038740.2022.2076738.

Hankivsky, Olena. "Gender Mainstreaming: A Five-Country Examination." *Politics & Policy* 41, no. 5 (2013): 629–55. https://doi.org/10.1111/polp.12037.

Hart, Caroline Sarojini. "The Capability Approach and Education." *Cambridge Journal of Education* 42, no. 3 (2012): 275–82. https://doi.org/10.1080/0305764x.2012.706393.

Hayter, Christopher S., and Daniel R. Cahoy. "Toward a Strategic View of Higher Education Social Responsibilities: A Dynamic Capabilities Approach." *Strategic Organization* 16, no. 1 (2016): 12–34. https://doi.org/10.1177/1476127016680564.

Javaid, Aliraza. "The Haunting of Hate: Rape as a Form of Hate Crime." *Sexuality & Culture* 24, no. 3 (2019): 573–95. https://doi.org/10.1007/s12119-019-09650-2.

Junkala, Hannele, Maria Berge, and Eva Silfver. "Diversity in Sex and Relationship Education – Limitations and Possibilities in Swedish Biology Textbooks." *Sex Education* 22, no. 5 (2021): 521–37. https://doi.org/10.1080/14681811.2021.1966407.

Kerr, David. "Citizenship Education in the Curriculum: An International Review." *The School Field* 10, no. 3–4 (n.d.): 1–31.

Kuhar, Roman, and Aleš Zobec. "The Anti-Gender Movement in Europe and the Educational Process in Public Schools." *Center for Educational Policy Studies Journal* 7, no. 2 (2017): 29–46. https://doi.org/10.26529/cepsj.168.

Lawrence, Frederick M. *Punishing hate: Bias crimes under American law*. Cambridge, MA: Harvard University Press, 1999.

Linander, Ida, Johanna Lauri, and Marcus Lauri. "Swedish LGBTQ Activists' Responses to Neo-Nazi Threats." *lambda nordica* 27, no. 3–4 (2023): 51–75. https://doi.org/10.34041/ln.v27.830.

Lo Moro, Giuseppina, Fabrizio Bert, Toni Cappelletti, Heba Safwat Elhadidy, Giacomo Scaioli, and Roberta Siliquini. "Sex Education in Italy: An Overview of 15 Years of Projects in Primary and Secondary Schools." *Archives of Sexual Behavior* 52, no. 4 (2023): 1653–63. https://doi.org/10.1007/s10508-023-02541-6.

Lombardo, Emanuela. "Resistance in Gender Training and Mainstreaming Processes." Essay. In *The Politics of Feminist Knowledge Transfer Gender Training and Gender Expertise*, edited by Lut Mergaert, 43–61. Palgrave Macmillan, 2016.

Magendzo, Abraham, and Ángela Bermúdez. "Pensando La Educación En Derechos Humanos Desde Una Mirada Ética y Controversial." *Revista Latinoamericana de Derechos Humanos* 28, no. 2 (2018). https://doi.org/10.15359/rldh.28-2.1.

McKay, Tasseli, Christine H. Lindquist, and Shilpi Misra. "Understanding (and Acting on) 20 Years of Research on Violence and LGBTQ + Communities." *Trauma, Violence, & Abuse* 20, no. 5 (2017): 665–78. https://doi.org/10.1177/1524838017728708.

McPhail, Beverly A. "Gender-Bias Hate Crimes." *Trauma, Violence, & Abuse* 3, no. 2 (2002): 125–43. https://doi.org/10.1177/15248380020032003.

Meyer, Doug. "An Intersectional Analysis of Lesbian, Gay, Bisexual, and Transgender (LGBT) People's Evaluations of Anti-Queer Violence." *Gender & Society* 26, no. 6 (2012): 849–73. https://doi.org/10.1177/0891243212461299.

Meyer, Doug. "Evaluating the Severity of Hate-Motivated Violence: Intersectional Differences among LGBT Hate Crime Victims." *Sociology* 44, no. 5 (2010): 980–95. https://doi.org/10.1177/0038038510375737.

Monaco, Salvatore. "Being Bisexual in Contemporary Italy: Between Stigma and Desire of Visibility." *International Journal of Sociology and Social Policy* 41, no. 5/6 (2020): 673–88. https://doi.org/10.1108/ijssp-05-2020-0157.

Pallotta-Chiarolli, Maria. *Bisexuality in education: Erasure, exclusion and the absence of intersectionality.* London, New York: Routledge, 2017.

Paolari, Paola. "Filling the Gaps: Combating Anti-LGBT Hate Crimes in Italy in the Silence of Law." Essay. In *Running through Hurdles: Obstacles in the Access to Justice for Victims of Anti-LGBTI Hate Crimes.*, edited by Giacomo Viggiani, 177–95. Warsaw: Lambda Warsaw Association, 2018.

Papastephanou, Marianna. "Cosmopolitanism and the Philosophy of Education." *Oxford Research Encyclopedia of Education*, 2020. https://doi.org/10.1093/acrefore/9780190264093.013.1270.

Picq, Manuela Lavinas, Markus Thiel, and Francine D'Amico. "LGBT+ and (Dis) United Nations. ." Essay. In *Sexualities in World Politics: How LGBTQ Claims Shape International Relations*, 55. Milton Park, Abingdon, Oxon: Routledge, 2015.

Rabrenovic, Gordana. "Introduction. Responding to Hate Crimes: New Challenges and Solutions." *American Behavioral Scientist* 51, no. 2 (2007): 143–48. https://doi.org/10.1177/0002764207303980.

Ramírez, Francisco O., David Suárez, and John W. Meyer. "The Worldwide Rise of Human Rights Education." *School Knowledge in Comparative and Historical Perspective*, 2007, 35–52. https://doi.org/10.1007/978-1-4020-5736-6_3.

Ridhoi, Ronal, and Hariyono. "Cosmopolitanism in Humanities and Social Sciences Education and Research." Essay. In *Embracing New Perspectives in History, Social Sciences, and Education: Proceedings of the International Conference on History, Social Sciences, and Education (ICHSE 2021), Malang, Indonesia, 11 September 2021*, 1–7. London ; New York: Routledge, 2023.

Rubery, Jill. Rep. *Gender Mainstreaming in European Employment Policy*. European Commission T, 1998.

Sainsbury, Diane, and Christina Bergqvist. "The Promise and Pitfalls of Gender Mainstreaming. The Swedish Case." *International Feminist Journal of Politics* 11, no. 2 (2009): 216–34. https://doi.org/10.1080/14616740902789575.

Saito, Madoka. "Amartya Sen's Capability Approach to Education: A Critical Exploration." *Journal of Philosophy of Education* 37, no. 1 (2003): 17–33. https://doi.org/10.1111/1467-9752.3701002.

Snauwaert, Dale. "The Dialogical Turn in Normative Political Theory and the Pedagogy of Human Rights Education." *Education Sciences* 9, no. 1 (2019): 52. https://doi.org/10.3390/educsci9010052.

Sobe, Noah W. "Rethinking 'cosmopolitanism' as an Analytic for the Comparative Study of Globalization and Education." *Current Issues in Comparative Education* 12, no. 1 (2009): 6–13. https://doi.org/10.52214/cice.v12i1.11435.

Starkey, Hugh. "Challenges to Global Citizenship Education: Nationalism and Cosmopolitanism." Essay. In *Global Citizenship in Foreign Language: Education Concepts, Practices, Connections.*, 62–78. New York: Routledge, 2023.

Starkey, Hugh. "Human Rights, Cosmopolitanism and Utopias: Implications for Citizenship Education." *Cambridge Journal of Education* 42, no. 1 (2012): 21–35. https://doi.org/10.1080/0305764x.2011.651205.

Stornaiuolo, Amy, and T. Philip Nichols. "Cosmopolitanism and Education." *Oxford Research Encyclopedia of Education*, 2019. https://doi.org/10.1093/acrefore/9780190264093.013.252.

Svedenmark, Sara, Malin Bolin, and Sara Nyhlén. "Old Wine in a New Bottle? – Interpreting Gender Mainstreaming in a Municipal Reorganisation." *Scandinavian Journal of Public Administration* 26, no. 4 (2022): 73–90. https://doi.org/10.58235/sjpa.v26i4.10585.

Swiebel, Joke, and Dennis van der Veur. "Hate Crimes against Lesbian, Gay, Bisexual and Transgender Persons and the Policy Response of International Governmental Organisations." *Netherlands Quarterly of Human Rights* 27, no. 4 (2009): 485–524. https://doi.org/10.1177/016934410902700403.

Szto, Courtney. "Serving up Change? Gender Mainstreaming and the UNESCO–WTA Partnership for Global Gender Equality." *Sport in Society* 18, no. 8 (2015): 895–908. https://doi.org/10.1080/17430437.2014.997583.

Tarozzi, Massimiliano, and Carla Inguaggiato. "Implementing Global Citizenship Education in EU Primary Schools: The Role of Government Ministries." *International Journal of Development Education and Global Learning* 10, no. 1 (2018): 21–38. https://doi.org/10.18546/ijdegl.10.1.03.

Taylor, Dr Yvette, Dr Sally Hines, and Mark E. Casey. *Theorizing intersectionality and sexuality*. Basingstoke: Palgrave Macmillan, 2010.

Tiby, Eva. "Constructions of Homophobic Hate Crimes: Definitions, Decisions, Data." *Journal of Scandinavian Studies in Criminology and Crime Prevention* 8, no. 2 (2007): 114–37. https://doi.org/10.1080/14043850701686196.

Tzankova, Iana I., Cinzia Albanesi, and Elvira Cicognani. "Perceived School Characteristics Fostering Civic Engagement among Adolescents in Italy." *Frontiers in Political Science* 3 (2021): 1–14. https://doi.org/10.3389/fpos.2021.611824.

Unterhalter, Elaine. "The Capabilities Approach and Gendered Education." *Theory and Research in Education* 1, no. 1 (2003): 7–22. https://doi.org/10.1177/1477878503001001002.

Verge, Tània, Mariona Ferrer-Fons, and M José González. "Resistance to Mainstreaming Gender into the Higher Education Curriculum." *European Journal of Women's Studies* 25, no. 1 (2017): 86–101. https://doi.org/10.1177/1350506816688237.

Viggiani, Giacomo. "Quando l'odio (Non) Diventa Reato. Il Punto Sul Fenomeno Dei Crimini d'odio Di Matrice Omotransfobica in Italia." *GenIUS - Rivista di studi giuridici sull'orientamento sessuale e l'identità di genere.*, 2020.

Vujadinović, Dragica, Mareike Fröhlich, and Thomas Giegerich. *Gender-Competent Legal Education*. Cham: Springer International Publishing, 2023.

Walker, Melanie. "Amartya Sen's Capability Approach and Education." *Educational Action Research* 13, no. 1 (2005): 103–10. https://doi.org/10.1080/09650790500200279.

Walker, Melanie. "Framing Social Justice in Education: What Does the 'Capabilities' Approach Offer?" *British Journal of Educational Studies* 51, no. 2 (2003): 168–87. https://doi.org/10.1111/1467-8527.t01-2-00232.

Zebracki, Martin. "Sex in the City: Gender Mainstreaming Urban Governance in Europe. the Case of Sweden and Italy." *Fennia - International Journal of Geography* 192, no. 1 (2014): 54–64. https://doi.org/10.11143/7894.

WEBSITES AND REPORTS

"1985 Nairobi World Conference on Women." UnWomen. Accessed 2023. https://www.un.org/en/conferences/women/nairobi1985.

"Action Plan for Equal Rights and Opportunities for LGBTIQ PEOPLE." Regeringskansliet, 2020. https://www.government.se/information-material/2021/11/action-plan-for-equal-rights-and-opportunities-for-lgbtiq-people/.

"Annual Review 2020: ILGA-Europe." ILGA-Europe, 2020. https://www.ilga-europe.org/report/annual-review-2020/.

"Annual Review 2022: ILGA-Europe." ILGA, 2022. https://www.ilga-europe.org/report/annual-review-2022/.

"Annual Review 2023: ILGA-Europe." ILGA, 2023. https://www.ilga-europe.org/report/annual-review-2023/.

"Beijing Declaration and Platform for Action, Beijing +5 Political Declaration and Outcome." UN Women – Headquarters, 2015. https://www.unwomen.org/en/digital-library/publications/2015/01/beijing-declaration.

"Brottsförebyggande Rådet ." Brottsförebyggande rådet. Accessed 2023. https://bra.se/bra-in-english/home.html.

"Combating Hate Speech and Hate Crime." European Commission, 2019. https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-

rights/combatting-discrimination/racism-and-xenophobia/combating-hate-speech-and-hate-
    crime_en.

"Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment."
    OHCHR, 1987. https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-
    against-torture-and-other-cruel-inhuman-or-degrading.

"Convention on Preventing and Combating Violence against Women and Domestic Violence." Council
    of Europe - Treaty Office, 2011. https://www.coe.int/en/web/conventions/-/council-of-europe-
    council-of-europe-convention-on-preventing-and-combating-violence-against-women-and-
    domestic-violence-cets-no-210-translations.

"Convention on the Elimination of All Forms of Discrimination against Women." United Nations, 1979.
    https://www.un.org/womenwatch/daw/cedaw/.

"Convention on the Rights of the Child." UNICEF, 1989. https://www.unicef.org/child-rights-
    convention.

"ECOSOC Agreed Conclusions 1997/2." Economic and Social Council, September 18, 1997.

"Encouraging Hate Crime Reporting ― The Role of Law Enforcement and Relevant Authorities."
    Fundamental Rights Agency, 2022. https://fra.europa.eu/sites/default/files/fra_uploads/fra-2021-
    hate-crime-reporting_en.pdf.

"EU LGBTI II - A Long Way to Go for LGBTI Equality." European Union Fundamental Rights Agency,
    2020. https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-1_en.pdf.

"EU Strategy on Victims' Rights (2020-2025)." European Commission, 2019.
    https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-
    rights/criminal-justice/protecting-victims-rights/eu-strategy-victims-rights-2020-2025_en.

"Fundamental Rights Report 2023." European Union Agency for Fundamental Rights, July 5, 2023.
    https://fra.europa.eu/en/publication/2023/fundamental-rights-report-2023.

"Gender Mainstreaming - Italy." European Institute for Gender Equality, January 27, 2023.
    https://eige.europa.eu/gender-mainstreaming/countries/italy.

"Gender Mainstreaming - Sweden." European Institute for Gender Equality, January 30, 2023.
    https://eige.europa.eu/gender-mainstreaming/countries/sweden.

"Gender-Based Hate Crime." OSCE. Accessed July 14, 2023. https://www.osce.org/odihr/480847.

"Goal 5 | Gender Equality." United Nations. Accessed 2023. https://sdgs.un.org/goals/goal5.

"Hate Crime Data Collection and Monitoring: A Practical Guide." OSCE, 2014.
    https://www.osce.org/odihr/datacollectionguide.

"Hate Crime Laws - Organization for Security and Co-Operation in Europe." OSCE, 2022. https://www.osce.org/files/f/documents/1/4/523940.pdf.

"Hate Crime." Brottsförebyggande rådet. Accessed 2023. https://bra.se/bra-in-english/home/crime-and-statistics/hate-crime.html.

"Human Rights Education and Compass: An Introduction." Essay. In *COMPASS: Manual for Human Rights Education with Young People*, 16–27. Strasbourg Cedex: Council of Europe Publishing, 2020.

"Human Rights Education and Training." OHCHR. Accessed 2023. https://www.ohchr.org/en/resources/educators/human-rights-education-training#:~:text=Human%20rights%20education%20promotes%20values,a%20reality%20in%20each%20community.

"ILGA-Europe - Annual Review 2018." Ilga-Europe, 2018. https://ilga-europe.org/files/uploads/2022/04/annual-review-2018.pdf.

"International Convention on the Elimination of All Forms of Racial Discrimination." OHCHR, 1966. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial.

"International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families." OHCHR, 1990. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers.

"International Covenant on Civil and Political Rights." United Nations, 1966. https://treaties.un.org/doc/Treaties/1976/03/19760323%2006-17%20AM/Ch_IV_04.pdf.

"International Covenant on Economic, Social and Cultural Rights." OHCHR, 1966. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights.

"Introducing Human Rights Education - Manual for Human Rights Education with Young People - Www.Coe.Int." Council of Europe. Accessed 2023. https://www.coe.int/en/web/compass/introducing-human-rights-education.

"Making Hate Crime Visible in the European Union: Acknowledging Victims' Rights." European Union Agency for Fundamental Rights, February 14, 2023. https://fra.europa.eu/en/publication/2012/making-hate-crime-visible-european-union-acknowledging-victims-rights.

"Observatory for Security against Acts of Discrimination." Ministero dell'Interno. Accessed 2023. https://www.interno.gov.it/sites/default/files/allegati/oscad_versione_english.pdf.

"OSCE Office for Democratic Institutions and Human Rights (ODIHR)." HCRW, February 14, 2023. https://hatecrime.osce.org/italy.

"Policing Hate Crime against LGBTI Persons: Training for a Professional Police Response." Council of Europe Publishing, 2017. https://edoc.coe.int/en/lgbt/7405-policing-hate-crime-against-lgbti-persons-training-for-a-professional-police-response.html.

"Recommendation CM/Rec(2010)5 of the Committee of Ministers to Member States on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity." Council of Europe, March 31, 2010. https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cf40a.

"RFSL's Support Service." RFSL. Accessed 2023. https://www.rfsl.se/en/organisation/stod/rfsl-stodmottagning/.

"Sex Education Gender Equality, Sexuality and Human Relationships in the Swedish Curricula." Skolverket - Swedish National Agency for Education, 2014.

"Strategia Nazionale LGBT+ 2022 2025 ." UNAR - Ufficio Nazionale Antidiscriminazioni Razziali A Difesa delle Differenze, October 5, 2022. https://www.unar.it/portale/documents/20125/113907/Strategia+nazionale+LGBTI%2B+2022+rev+A.pdf/8f04f55a-ee93-92b5-2bf3-d5bd59e7c163?t=1665040970207.

"The Right to Human Rights Education." OHCHR, 2014. https://www.ohchr.org/en/resources/educators/human-rights-education-training/right-human-rights-education.

"The Yogyakarta Principles." Yogyakartaprinciplesorg. Accessed 2023. https://yogyakartaprinciples.org/.

"Understanding the Needs of Hate Crime Victims." OSCE, 2020. https://www.osce.org/odihr/463011.

"Universal Declaration of Human Rights." United Nations, 1948. https://www.un.org/en/about-us/universal-declaration-of-human-rights.

"UNWomen - Gender Mainstreaming." United Nations Entity for Gender Equality and the Empowerment of Women. Accessed 2023. https://www.un.org/womenwatch/osagi/gendermainstreaming.htm.

"Using Bias Indicators: A Practical Tool for Police ." OSCE, 2019. https://www.osce.org/files/f/documents/8/9/419897_0.pdf.

"What Is Gender Mainstreaming?" European Institute for Gender Equality, September 14, 2016. https://eige.europa.eu/gender-mainstreaming/what-is-gender-mainstreaming?language_content_entity=en.

"What Is Gender Mainstreaming?" Gender Equality. Accessed 2023. https://www.coe.int/en/web/genderequality/what-is-gender-mainstreaming.

EU High Level Group on combating racism, xenophobia and other forms of intolerance. Accessed 2023. https://ec.europa.eu/newsroom/just/redirection/document/75196.

Rep. *Fundamental Rights Report*, 2023.

Rep. *REPORT on the Implementation of the Committee of Ministers' Recommendation CM/Rec(2010)5 on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity*. Council of Europe, 2013.

United Nations High Commissioner for Refugees. "UN Economic and Social Council Resolution 1997/2: Agreed Conclusions." Refworld. Accessed 2023. https://www.refworld.org/docid/4652c9fc2.html.

LEGAL REFERENCES

- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0057:0073:EN:PDF

- Law 25 June 1993, n. 205. Conversion into law, with amendments, of the decree-law of 26 April 1993, n. 122, containing urgent measures in the matter of racial, ethnic and religious discrimination. https://www.gazzettaufficiale.it/eli/id/1993/06/26/093G0275/sg

- Legislative Decree 1 March 2018, n. 21. Implementing provisions of the principle of delegation of the code reserve in criminal matters pursuant to article 1, paragraph 85, letter q), of the law of 23 June 2017, n. 103. (18G00046) https://www.gazzettaufficiale.it/eli/id/2018/03/22/18G00046/sg

- OSCE Ministerial Council, Decision 9/09, https://www.osce.org/files/f/documents/d/9/40695.pdf

- The Yogyakarta Principles, 2006