



## **BM72 - MALTA**

### **Statement on the experiences and rights of LGBT+ students**

This statement has been written and prepared by the LGBT+ group within ESU, however it is being proposed by the Executive committee so the Statutory requirements are respected.

#### **Introduction:**

LGBT stands for Lesbian, Gay, Bisexual, and Trans, whilst the + refers to other possible forms of sexual and gender identity and expression.

Despite increased legislative protection, students in higher education who identify as LGBT+ still face unique challenges, such as barriers to participation, under-representation, and in many cases, continued discrimination, harassment, bullying and violence. ESU recognizes the efforts made by LGBT+ student movement from other countries. We acknowledge the progress made there, determining us to try to implement good practice examples from those countries.

Hard-won freedoms and safeguards for LGBT+ people across Europe need to be protected, and fought for where they do not exist. As international evidence shows, these rights and protections can easily be reneged. Now more than ever, ESU and the student movement must strive to protect the rights of our LGBT+ students and work for a world where students can participate without limitation in their educational institutions and communities, so they can rise to their full potential, while enjoying respect, celebration and positive recognition.

ESU has long stood for the values of inclusivity and tolerance, and stands strongly against any form of discrimination or harassment that LGBT+ students face within our higher education systems and our student movement. Furthermore, in ESU's belief in the right for all to have ensured access to higher education for all, there is a need to address the unique barriers and challenges that LGBT+ students face. This can be done through accessible structures and resources of our institutions and inclusive learning content.

The student movement needs to realize the oppressed position of LGBT+ students and consider this in our own policy-making and discussions. LGBT+ students are more likely to be directly and indirectly discriminated against in student housing, to face barriers to accessing student support and often do not receive equal treatment. ESU must then consider these factors simultaneously, as well as their implications for the well-being of LGBT+ students, and their experiences of higher education, and therefore recognize LGBT+ students as a disadvantaged group in education politics. ESU believes that the EU should fund research on LGBT+ students' conditions at the European level.

The European Students' Union (ESU) is being used to refer to "ESIB - The National Unions of Students in Europe" Belgian asbl BE0890.019.936, due to the fact that both legal entities are going through a merging process. Likewise the visual identity of ESU is being used instead of the one from ESIB.

**Barriers faced by LGBT+ students to accessing and succeeding in education:**

ESU recognises that LGBT+ students face multiple barriers to not only accessing education, but to accessing the necessary resources, facilities and support systems to help them succeed in and even finish their degrees. LGBT+ students have a higher dropout rate, and are more likely to reconsider their educational path due to fears about fitting in, difficulties with family relationships, financial difficulties, and health issues.

In educational systems with high costs attached to studying- such as tuition fees, or living costs- many students have to rely on monetary support from their families to meet such costs. However, many LGBT+ students find themselves cut off from family support – or estranged- when they come out, which means they are not able to access financial support from their family. This can have a big impact on their ability to afford their time in education, and can lead to many LGBT+ students dropping out of the formal education system. Furthermore, in educational systems with government provided student financial support systems, the provision and level of financial support available is often dependent on the parental income level of the student. This means that in situations of estrangement, LGBT+ students are not able to access government support, despite not being in receipt of any family support, if their eligibility is still determined by their parental income level. ESU believes that governments should ensure that eligibility for financial support is not determined solely by the parental income of the student. Furthermore, students who do not live with their parents should get financial support independent from parental income.

LGBT+ students are much more likely to experience mental health problems, such as depression and anxiety, and have higher rates of suicide than their non-LGBT+ peers. This has obviously detrimental implications for the ability of LGBT+ students who experience mental health problems to concentrate on their studies, and to succeed within the formal education system. Student engagement and attending social, academic or political associations, groups and societies has been proven a preventive measure for mental health issues. It is therefore important that higher education institutions ensure that all student associations are discrimination free and safe spaces for LGBT+ students to attend. LGBT+ students are also often less likely to access the support services which are available, such as counselling and mental health. Barriers also exist for LGBT+ students to address their issues to their tutors and institution staff, due to fear of discrimination, or because they may have to “come out” to their institution. Student support services are often the first thing to face budget cuts in times of austerity - ESU calls on governments to ensure higher education is well funded, to enable universities to provide accessible and well-resourced student support services. In addition, ESU believes it is crucial that universities prioritise accessible and well-resourced student support services for all students.

Higher education institutions should provide LGBT+ support services, to help both students and those who want to apply to a higher education institution. Advice and guidance should be available as LGBT+ students are more likely to have questions regarding accommodation and other student services. The learning environment and the higher education institutions staff should be as inclusive as possible.

**Specific barriers faced by Trans students**

Trans is an umbrella term that relates to a large range of gender identities. Trans students may not completely identify with their gender assigned at birth and could choose to transition. They may for example have a binary gender, identify as non-binary or not identify with any gender.

Whilst the needs of Trans students are considered within the wider LGBT+ campaign, it's important to recognise that they face specific difficulties within higher education. ESU believes that due to a lack of recognition of their identity, Trans students face more complex and often profound barriers to their participation, and are more likely to face discrimination. ESU believes that institutions, and governments, have a responsibility to address the potential barriers to Trans students' participation. For example, Trans students may face difficulties when using gendered facilities- such as having to use a bathroom that does not reflect the gender they identify with, as they're still seen as their assigned gender- which can have implications on their feeling of being welcomed, and on their safety. Institutions should ensure gender-neutral facilities are available, in order for all students to be able to use them safely, without fear of being misgendered or outed. Difficulties with self-recognition and the need for identification in higher education can also cause struggles on different levels for Trans students - for example when they may wish to change their name. Institutions and governments should facilitate the changing of names on institutional documents whilst also ensuring the confidentiality of students is maintained. Institutions should ensure that students are able to easily change the name on the communications between the university and the student, even if the name on their official documentation may differ, so that they don't have to wait for the formal documentation to change to have their chosen name reflected in everyday use. In institutions where students have to state their gender, they should also have access to non-binary options they can choose from.

#### **Protecting LGBT+ students from bullying and harassment within education.**

**The term "liberation" refers to the seeking of equal status and freedom from all forms of oppression. It reflects marginalised groups that face oppression in society today; including women, LGBT+, ethnic/national minorities, and Disabled people. The struggle for equality is about liberation and freedom – freedom from discrimination in every area of life and freedom from fear of violence and prejudice that we can face because of our identities. Liberation is the idea that those who face oppression should be the ones to decide how to tackle that oppression. Liberation is important because discrimination against students' identities can affect their participation, achievement, retention and progression in education.**

Homophobic attitudes, harassment and bullying of LGBT+ students are sadly prevalent throughout higher education - both inside and outside of the classroom, and perpetuated by other students, staff and higher education institutions themselves. Such harassment and negative experiences within the learning environment can lead to low levels of confidence, and impact on LGBT+ students' stress levels and ability to concentrate, having a detrimental impact on the achievement of LGBT+ students. LGBT+ students are also likely to self-exclude from social and academic spaces, having an impact on their ability to fully participate in their educational experience. ESU believes that governments, higher education institutions, and the student movement, have a responsibility to ensure that learning environments are inclusive spaces, free from harassment and homophobic attitudes. If teaching staff and support staff are not equipped to deal with these incidents, these students may feel excluded, and LGBT+ students are less likely to feel comfortable to express their sexual identity or gender expression for fear of discrimination. Higher education institutions should have specific zero tolerance policies regarding LGBT+ phobic behaviour, harassment and bullying - from both staff and students. It needs to be clear procedures on how to address such issues, and well-advertised points of contact within the institutions for students and staff to report acts of harassment, bullying, and discrimination. Higher education institutions should facilitate and support the training of teaching and support staff in issues of liberation, diversity and equality, and be equipped with strategies for dealing with such incidents. Higher education institutions should be given the resources needed for this and should ensure they have policies for staff on equality and inclusion. This recognises the right of staff to be protected within their workplace for their own identity as LGBT+.

ESU also calls on governments to ensure that legislation is in place to protect students and staff from LGBT+ discrimination within and by higher education institutions, with designated external bodies available to report such incidents.

Furthermore, many institutions do not allow the existence of LGBT+ societies or groups, and such groups can face discrimination, while **also being affected by lack or removal** of funding. Such groups are essential for the support of LGBT+ students in education, and ESU believes institutions have a responsibility to facilitate their existence.

#### **Issues faced by LGBT+ students in Student Housing:**

Accessible and affordable student housing is important for the wellbeing of students, as well as an important part of the student experience and identity. ESU deems it essential that the housing feels safe and welcoming for all genders and sexualities. University accommodation is often cited as places prevalent for homophobic and transphobic bullying. Institutional zero tolerance policies for bullying and harassment should be made clear during the induction process and within university accommodation, and there should be clear policies for dealing with incidents within halls of residence.

LGBT+ students also face additional barriers on the ordinary housing market compared with other students. ESU recognises that while most students struggle with housing scarcity, unaffordable rent and the risk of fraud, LGBT+ students have to deal with the risk of homophobic landlords or neighbours and the additional housing price that comes with the wish for increased privacy, if they are not comfortable living with others whom they do not know, because of the risk of prejudices.

ESU calls on governments to actively fight discrimination in student housing and establish procedures for reporting of discrimination within the housing market. Furthermore, it is important to ensure that there is a variation of housing possibilities in order to accommodate the needs of different student groups.

Higher education institutions should promote the existence of LGBT+ groups to the potential students, providing at the same time both advice and guidance about their rights and facilities in the higher education institutions. A guide containing frequently asked questions (FAQ) about LGBT+ student life could be issued by the higher education institutions.

#### **LGBT+ refugees**

ESU has long stood for the belief in all students to access and succeed in education, including those who are displaced or seeking refuge. Many refugee students have been forced to flee due to the threat of persecution, or even death, for being LGBT+. This means that they face particular and multiple barriers and discrimination within education - as refugees, and LGBT+ students.

Many refugees who are LGBT+ are required by their host countries to 'prove' their sexuality, which can be both discriminatory and humiliating. Furthermore, many countries do not recognise the dangers LGBT+ refugees face when considering refugee status. LGBT+ students often face the threat of deportation, and in many instances, this can mean imprisonment or even death. ESU believes that all countries have a responsibility to provide safe refuge to those fleeing persecution as a result of their sexual orientation, with policies which don't place the burden of responsibility on the refugee to 'prove' their sexual orientation. Within higher education, institutions should be aware of the unique difficulties faced by LGBT+ students, and put in the necessary measures to support them.

**Underrepresentation of LGBT+ students within the learning process;**

In most higher education systems, the content of the courses delivered does not reflect the lived experiences, or the needs of the students studying them, and LGBT+ related themes are less likely to be raised in such classrooms. For example, in most medical studies LGBT+ rights and raising awareness on the needs of LGBT+ people are not included. Another example are curriculums that are entirely heteronormative in their content. This means that what is taught in our universities does not reflect on the diverse group of students who study within them. An educational system that has a diverse curriculum, and which embeds learning about the principles of and understandings of liberation within it, will help ensure our teaching and learning is reflective of its learners, meaning they can identify with what they are learning. This is what is called a liberated learning experience.

A liberated learning experience is important in tackling retention of students and can help ensure students who identify as LGBT+ succeed in higher education. If students are able to see their own lived experiences reflected in the courses they study- through the curriculum and the narratives espoused- they are more likely to participate actively, engage with their learning and consequently succeed. Furthermore, it is of utmost importance that students can identify with the academic staff of their higher education institutions. ESU calls on higher education institutions to work on removing existing bias in the recruitment procedures in order to ensure a higher degree of diversity within their academic staff.

Not only does a liberated learning help with the retention and success of LGBT+ students, it can also be used to tackle inequality in society. ESU believes that through embedding learning about liberation within the curriculum, and promoting an active understanding of its impact, we can ensure that students are graduating with the values and understandings necessary to understand diversity and its place in the world. This then also helps to empower all learners in higher education to understand and actively challenge oppression- structurally and in society more generally.

Since LGBT+ students are not only facing discrimination because of their sexual orientation or gender identity, ESU recognizes that there can be multiple forms of discrimination or oppression in the concept of intersectionality. Therefore, ESU tries to fight against all forms of discriminations.

**An inclusive movement**

When addressing the issues and barriers that LGBT+ students face, it is important to reflect on the inclusivity of our own student movement. ESU has long stood for the values of inclusivity and tolerance, and we must ensure we not only preach these values, but create the space to address the issues faced by LGBT+ students within our own movement. ESU should work to address the issues and barriers LGBT+ students face, whilst continuously seeking to improve conditions for LGBT+ students within ESU. ESU believes that liberation means that those students who identify within a group should have the space to define their own needs and work on their own liberation on their own terms. Providing a closed and safe space for this to take place is important, and so ESU commits to ensuring that at all our events, a closed and safe LGBT+ group meeting will take place. ESU will also guarantee that the existence of this space is well communicated in advance of events, in order to ensure that they are open and accessible to all, whilst also taking steps to safeguard the anonymity of the meetings.

ESU will support students' unions in ensuring that all underrepresented groups, including LGBT+, are recognised, represented and protected within their own unions, and work towards tackling the specific barriers and discriminations they may face within the student movement. This includes supporting unions to have anti-discrimination policies within their own unions to address such issues, as well as taking proactive steps to tackle the barriers LGBT+ students may face within their educational system.

The student movement and the education institutions have to acknowledge and act in accordance to the power and responsibility these organisations hold concerning their role in society. This means that these organisations should lead by example by striving to create organisational cultures based on equality and inclusiveness, while also using their position in society to actively promote equality and tolerance.