



Recommendation 1915 (2010)¹

Final version

Discrimination on the basis of sexual orientation and gender identity

Parliamentary Assembly

1. Referring to its [Resolution 1728 \(2010\)](#), the Parliamentary Assembly commends the Committee of Ministers for its recommendation on measures to combat discrimination based on sexual orientation or gender identity (CM/Rec(2010)5).
2. The Assembly considers that the Council of Europe has the duty to promote a clear message of respect and non-discrimination. In addition, the Council of Europe is particularly well placed to develop human rights standards, offer expertise and advice and serve as a forum for discussion on issues related to discrimination on the basis of sexual orientation and gender identity.
3. Consequently, the Assembly recommends that the Committee of Ministers:
 - 3.1. monitor the implementation of its recent recommendation to member states on measures to combat discrimination on grounds of sexual orientation or gender identity;
 - 3.2. define further Council of Europe action in this field, in particular:
 - 3.2.1. instruct a relevant Council of Europe body to review and address issues related to discrimination on the basis of sexual orientation and gender identity in member states, and provide it with the necessary resources to carry out this task;
 - 3.2.2. further mainstream issues relating to discrimination on the basis of sexual orientation and gender identity in its activities, and disseminate the case law of the European Court of Human Rights on sexual orientation and gender identity, including through publications and training materials;
 - 3.2.3. in the framework of its work on children and violence, address in particular the issue of homophobic and transphobic bullying at school;
 - 3.2.4. further develop anti-discrimination and awareness-raising programmes fostering tolerance, respect and understanding of lesbian, gay, bisexual and transgender people and, in particular, organise a campaign to combat discrimination on the basis of sexual orientation and gender identity;
 - 3.3. instruct the Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) to include in the future Council of Europe convention the severest and most widespread forms of violence against women, in accordance with Assembly [Recommendation 1847 \(2008\)](#) on combating violence against women: towards a Council of Europe convention, and to recognise that lesbian, bisexual and transgender women face an increased risk of gender-based violence (in particular rape, sexual violence and harassment, as well as forced marriages) and provide protection commensurate with this increased risk.

1. *Assembly debate* on 29 April 2010 (17th Sitting) (see [Doc. 12185](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Gross; and [Doc. 12197](#), opinion of the Committee on Equal Opportunities for Women and Men, rapporteur: Mrs Memecan). *Text adopted by the Assembly* on 29 April 2010 (17th Sitting).

