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Combating rising hate against LGBTI people in Europe

Reply to Recommendation¹: Recommendation 2220 (2022)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 2220 \(2022\)](#) “Combating rising hate against LGBTI people in Europe” and forwarded the text to the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI), the European Committee on Crime Problems (CDPC) and the European Commission against Racism and Intolerance (ECRI), for information and possible comments.
2. The Committee deplores the increase in hate speech, violence and hate crime against LGBTI people, communities and organisations across many member States, as well as the backsliding in progress towards LGBTI equality, as set out in Assembly [Resolution 2417 \(2022\)](#) and in the Opinion of the Venice Commission to which the Assembly refers in paragraph 3.1 of its recommendation. The Committee agrees with the Assembly that governments and parliaments in Council of Europe member States should tackle hatred and discrimination against LGBTI people with renewed energy and urgency.
3. For this reason, the Committee has taken numerous steps to strengthen its own activities to protect and promote the rights of LGBTI persons in Europe and to ensure that adequate resources are allocated to this work (paragraphs 2 and 3.2 of the Assembly’s recommendation). At its Ministerial Session in Turin on 20 May 2022, the Committee of Ministers adopted Recommendation [CM/Rec\(2022\)16](#) to member States on combating hate speech, which includes a particular focus on the online environment. Building on this, the Committee of Ministers has tasked the CDPC and the CDADI with preparing a draft recommendation to member States on combating hate crime including its investigation and victim support by the end of 2023.
4. Moreover, the Committee has entrusted the CDADI with a significant number of tasks related to the equality of LGBTI persons over the next four years. A new Working Group on sexual orientation, gender identity, gender expression and sex characteristics (GT-ADI-SOGI) will undertake a comprehensive review of implementation of Recommendation [CM/Rec\(2010\)5](#) on measures to combat discrimination on grounds of sexual orientation or gender identity, including an annual thematic dimension (paragraph 3.3 of the Assembly’s recommendation). The Committee informs the Assembly that it took note of a first thematic implementation review on the subject of legal gender recognition in July 2022.² A draft Committee of Ministers’ recommendation on the equality of rights of intersex persons should also be prepared by 2025. The possible setting up of a SOGI-related sub-committee is under consideration in the framework of the Programme and Budget 2022-2025 – adjustments to 2023.
5. The Committee also notes that, in the context of its standard-setting work, and following ten years of monitoring the situation of LGBT(I) people, ECRI has committed to adopting a new General Policy Recommendation on combating intolerance and discrimination against LGBTI persons in 2023. The Committee of Ministers looks forward to the results of the important endeavours highlighted above.

1. Adopted at the 1447th meeting of the Ministers’ Deputies (3 November 2022).

2. The delegations of Bulgaria and Poland made statements on this thematic implementation review.



6. Finally, the Committee takes this opportunity to recall that the Council of Europe is implementing a range of co-operation programmes to support member States in combating discrimination, hate speech and hate crime on grounds of sexual orientation and gender identity. It encourages member States to take part in these programmes on a voluntary basis and to continue providing support to them.