



COUNCIL OF EUROPE

The Working Group on SOGIESC of the Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI) met three times throughout the year to [progress](#) on its deliverables, including a thematic review of the Committee of Ministers Recommendation (2010)5 on the rights of LGBT people, a comprehensive review of the same Recommendation, and the development of a Recommendation focused on the rights of intersex people, expected to be adopted in 2025.

In September, the European Commission against Racism and Intolerance (ECRI) released their [General Policy Recommendation No. 17](#), which focuses on protecting the rights of LGBTI people.

In December, the Committee of Ministers [adopted a new budget](#), which changed the status of the Working Group on SOGIESC of the Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI), creating a new Expert Committee on SOGIESC (ADI-SOGIESC), also housed in CDADI, with a significantly increased budget for its work starting from 2024, as well as new deliverables, including a Council of Europe Strategy on the rights of LGBTI people.

ASYLUM

On 22 May, the Parliamentary Platform on the rights of LGBTI people in Europe of the Parliamentary Assembly of the Council of Europe (PACE LGBTI Platform) hosted a [conference in the Belgian Parliament on LGBTI asylum seekers and refugees](#).

On 4 December, the [HELP course on LGBTI persons in the Asylum Procedure](#) took place in a hybrid format.

BIAS-MOTIVATED SPEECH

In its monitoring of [Cyprus](#), ECRI noted that the country had not taken up its previous recommendation to include SOGI as grounds for enhanced sanctions for hate speech, and recommended that a comprehensive method for monitoring hate speech incidents be developed. [Georgia](#) received a similar recommendation.

In March, ECRI released its monitoring report of [Hungary](#), noting the recent increase of political speech that is “highly divisive and [with] antagonistic overtones” regarding LGBTI issues, including from high level and senior politicians. In this regard, ECRI recommended that political leaders take prompt action against LGBTI-phobic hate speech and that elected bodies and political parties take up the issue in their codes of conduct. Further ECRI recommended, as a priority, that authorities enhance the capacity of law enforcement to respond to LGBTI-phobic hate speech and hate crimes.

In June, in its monitoring of Azerbaijan, ECRI recommended that public figures be encouraged to take firm positions against anti-LGBTI hate speech, and that elected bodies adopt codes of conduct for their members, and that the government set up an inter-institutional working group to tackle hate speech and implement, as a matter of priority, monitoring mechanisms on the same.

In October, the Steering Committee on Anti-Discrimination, Diversity, and Inclusion (CDADI) published a [study](#) on hate speech that occurred in Europe during crises in recent years, including against LGBTI people.

BIAS-MOTIVATED VIOLENCE

In March, the Commissioner for Human Rights [called on authorities](#) in Bosnia and Herzegovina to accept the rights of LGBTI people and bring the perpetrators of the attack in Banja Luka to justice.

On 26 April, a [side event](#) was held at the Parliamentary Assembly of the Council of Europe, hosted by Béatrice Fresko-Rolfo in collaboration with EL*C and the support of the Icelandic Presidency of the Council of Europe, on violence and discrimination faced by LBQ women, related to a forthcoming report on the issue. In December, a [hearing](#) was held by the Committee on Equality and Non-discrimination in development of this report.



On 31 May, the General Rapporteur on the rights of LGBTI people [released a statement](#) on police harassment of LGBTI people in Azerbaijan.

In June, ECRI recommended to [Azerbaijan](#) that it provide training for law enforcement on how to deal with anti-LGBTI acts of violence. [Georgia](#) received a recommendation to set up a specialised unit in law enforcement for these cases.

In October, the Steering Committee on Anti-Discrimination, Diversity, and Inclusion (CDADI) released a [report](#) on their thematic assessment of the implementation of the Committee of Ministers Recommendation (2010)5, focused on hate crime legislation.

BODILY INTEGRITY

On 26 January, the Icelandic Presidency of the Council of Europe hosted a half-day conference on intersex issues, where the Prime Minister of Iceland, the Commissioner for Human Rights, the Deputy Secretary General of the CoE, the President of PACE, and the PACE General Rapporteur on the rights of LGBTI people spoke alongside intersex civil society. The following day, the [first civil society consultation](#) to develop the forthcoming Committee of Ministers Recommendation on the rights of intersex people was held. The first meeting of the Drafting Group for the Recommendation - which includes Member States, civil society, and representatives from the Council of Europe - met in October.

On 16 February, Dunja Mijatovic, the CoE Commissioner for Human Rights, released a [human rights comment on conversion practices](#) (so-called “conversion therapies”), calling for: 1) collecting data on SOGIE conversion practices; 2) ensuring accountability through enforceable bans with consequences for perpetrators; 3) bans of advertising these practices, 4) support and rehabilitation services for victims; 5) efforts to raise awareness of the negative consequences of these practices for LGBTI people. The Commissioner [presented her human rights comment](#) in a meeting of the PACE Parliamentary Platform for the rights of LGBTI people in Europe on 12 October.

In June, ECRI released its [Annual Review](#), noting progress in a limited number of Member States in banning conversion practices and intersex genital mutilation. The report also notes frequent reports of anti-LGBTI hate speech and attacks, and difficulties in exercising the rights to freedom of expression and assembly.

ECRI released its monitoring reports of [Armenia](#), [Azerbaijan](#), [Georgia](#), [Hungary](#), [Luxembourg](#), [North Macedonia](#), and [Poland](#) recommending that steps be taken to protect intersex infants and children from “medically unnecessary sex ‘normalising’ surgery and other treatments” without their consent. ECRI also recommended that [Iceland](#) ensure data collection regarding interventions on intersex children as they implement their ban.

ECRI noted in its Interim Follow-up Conclusions on Norway that first steps had been taken in terms of protecting the bodily integrity of intersex persons by conducting a review of current practices in the country.

On 26 October, the [Commissioner tweeted](#) and the [LGBTI General Rapporteur released a statement](#) to acknowledge Intersex Awareness Day.

DATA COLLECTION

ECRI noted in its monitoring reports of [Armenia](#) and [Poland](#) the need for the collection of LGBTI-inclusive equality data and engagement with civil society regarding the situation of LGBTI people and their families.

EDUCATION

In its monitoring of [Armenia](#), [Cyprus](#), and [Poland](#), ECRI recommended that the governments ensure that teachers are trained on SOGI issues, that SOGI content be added to sex education textbooks, and that there should be zero tolerance



for anti-LGBTI incidents in schools. [Azerbaijan](#) and [Luxembourg](#) received recommendations to set up a system to monitor and counter anti-LGBTI incidents in schools.

EQUALITY AND NON-DISCRIMINATION

In its monitoring of [Cyprus](#), ECRI recommended implementing non-discrimination protections on the grounds of SOGISC in the constitution. ECRI recommended that [Poland](#) initiate legislative amendments to add SOGISC as a prohibited ground in the Criminal Code.

The [HELP course on anti-discrimination](#), including on the grounds of SOGI, was released on 22 March.

FAMILY

In September, ECRI recommended that [Luxembourg](#) ensure automatic parenthood recognition where assistive reproductive technologies are used.

On 13 November, the Commissioner [welcomed](#) the adoption of civil partnership legislation in Latvia.

In March, ECRI released its monitoring report of Hungary, recommending that it adopt advice from the European Court of Human Rights and the Venice Commission in regards to the so-called “anti-propaganda law”.

During the year the European Court delivered a number of judgments reiterating Council of Europe States’ positive obligation under the ECHR Article 8 (Right to Private and Family Life) to ensure legal recognition and protection for same-sex couples by putting in place a “specific legal framework”. Starting with the Grand Chamber judgement in *Fedotova and Others v Russia* in January, the Court applied same reasoning in similar cases brought against Romania (*Buhuceanu and Others v Romania* in May), Ukraine (*Maymulakhin and Markiv v Ukraine* in June), and Bulgaria (*Koilova and Babulkova v Bulgaria* in September). These judgements confirm the obligation on all CoE Member states to ensure same-sex families have adequate means for recognition and protection of their unions.

FREEDOM OF EXPRESSION, ASSEMBLY, AND ASSOCIATION

The Commissioner [called for protections of democratic freedoms](#), including for LGBTI people, around the Turkish elections and [tweeted](#) regarding threats to Tbilisi Pride in Georgia.

In October, the General Rapporteur on the rights of LGBTI people released a report on obstacles to freedom of expression and assembly for LGBTI people in the Council of Europe region. In preparation of this report, the General Rapporteur conducted country visits to Hungary and Poland, [met with Turkish activists](#), and held a [hearing](#) in June.

In September, ECRI recommended to Poland that it ensure freedom of assembly for LGBTI organisations and refrain from actions that target LGBTI civil society, and that it refrain from implementing age restrictions on access to LGBTI-related materials.

HEALTH

In June, ECRI recommended that [Armenia](#) provide training for healthcare providers on LGBTI issues, specifically regarding the depathologisation of homosexuality.

In October, November, and December, the SOGI Unit hosted a series of roundtables on access to health for LGBTI people, including focused on trans-specific healthcare, care for older LGBTI people, sexual and reproductive health, mental health, and a European [roundtable](#) focused on the health of LGBTI people more generally, on 15 November. Additionally, a national review roundtable took place on 12 December in Bosnia and Herzegovina, with a special focus on trans-specific



healthcare. Reports on each of the thematic roundtables are expected in early 2024, and a larger thematic report in late 2024.

HUMAN RIGHTS DEFENDERS

The Commissioner for Human Rights released a [Roundtable report](#) on human rights defenders in March, specifically pointing to the “alarming rise in the anti-gender agenda [and] LGBTI-phobia” around the region, and the increased hate speech that LGBTI HRDs are subject to.

In June, the General Rapporteur on the rights of LGBTI people released a [statement](#) calling on the authorities in Azerbaijan to stop harassing LGBTI human rights defenders.

On 20 November, on Trans Day of Remembrance, the Commissioner [tweeted](#) about the need to protect trans human rights defenders from digital violence.

INSTITUTIONAL SUPPORT

In March, ECRI released its monitoring report of [Hungary](#), in which is called on the government, as a matter of priority, to review laws implemented during the “state of emergency” associated with the pandemic and their impacts on LGBTI people as well as their compliance with international human rights instruments.

On 26 April, the [Commissioner for Human Rights](#) and the [Council of Europe’s Inclusion and Anti-Discrimination Programmes Division](#) [tweeted](#) about Lesbian Visibility Day. The Icelandic Presidency of the Council of Europe also supported a [reception and a side event](#) in the Parliamentary Assembly of the Council of Europe focused on the rights of LBQ women.

On 11 May, the Government of Iceland hosted the [IDAHOT+ Forum](#) in Reykjavik, Iceland. During the Forum, Beatrice Fresko-Rolfo, the rapporteur for a forthcoming report on LBQ women, [spoke](#) on a panel about gender expression.

On 17 May, in recognition of IDAHOT+, 27 Member States of the Council of Europe signed a [Joint Ministerial Statement](#), recommitting to existing standards and calling for renewed support of the rights of LGBTI people across the region. The General Rapporteur on the rights of LGBTI people released a [statement](#) to mark the day and the Commissioner for Human Rights [issued a call](#) for States to work to end conversion practices.

On 30 June, the SOGI Unit participated in an [event](#) marking the one-year anniversary of EuroPride in Belgrade, Serbia. On the same day, the PACE LGBTI General Rapporteur [released a video](#) reflecting on current developments in the rights of LGBTI people.

The Commissioner for Human Rights delivered a [keynote speech](#) at the ILGA-Europe Conference in October, and representatives from the Office of the Commissioner for Human Rights, the Parliamentary Assembly, and the SOGI Unit attended and met with activists.

As part of the 16 Days of Action to End Violence Against Women, the PACE General rapporteur on the rights of LGBTI people [posted](#) about the need to protect LBQ women from violence and discrimination.

In December, the Commissioner released the [report](#) on her country visit to Italy, where she noted a number of legislative attacks on the LGBTI community in Italy, naming them as human rights violations, and called for the protection of everyone in the country from hate.

In its monitoring of [Azerbaijan](#), [Cyprus](#), [Hungary](#), [North Macedonia](#), and [Slovakia](#), ECRI recommended that the governments implement, as a matter of priority, national action plans on LGBTI issues, with associated budgets. This



recommendation will be monitored under interim follow-up measures. In its Interim Follow-up Conclusions on [Norway](#), ECRI noted that a national action plan had been adopted as recommended in 2021. GREVIO also recommended adoption of a national action plan in [North Macedonia](#).

INTERSECTIONALITY

In its [baseline report on Liechtenstein](#), GREVIO noted that LGBTI women face particular barriers in accessing services in the context of gender-based violence, that there are no studies on their experiences, and that law enforcement does not receive targeted training.

LEGAL GENDER RECOGNITION

During the January session of PACE, 21 members signed a [written declaration](#) calling on the UK to reverse its decision to block the self-determination-based legal gender recognition (LGR) reform passed in late 2022 in Scotland.

In February, the Commissioner for Human Rights congratulated [Spain](#) and [Finland](#) on their adoptions of LGR models based on self-determination.

In March, ECRI released its monitoring report of [Hungary](#), recommending that Hungary take legislative steps to ensure that there is a mechanism to access LGR. In June, ECRI also encouraged [Armenia](#) and [Georgia](#) to clarify the procedure for LGR and [Azerbaijan](#) to amend the procedure to be in line with Council of Europe standards. In September, [Poland](#) received a recommendation to remove abusive requirements from LGR procedures.

On 19 April, the Commissioner wrote to the Parliament of the Slovak Republic calling for a bill which would result in a de facto ban on LGR passing through Parliament to be rejected; 23 PACE members also signed a [written declaration](#) on the same.

In July, the Commissioner [wrote](#) to the government of North Macedonia to adopt a legal gender recognition framework and execute the judgment of the European Court of Human Rights in the case of X v. “the former Yugoslav Republic of Macedonia”. In September, ECRI echoed these sentiments in their [monitoring report](#).