Strong fundamental rights framework must be part of the next strategic agenda for the EU

News, Civil Rights and Freedom, Council of Europe, European Union

Open Letter to the European Council regarding the EU's strategic agenda for 2019-2024: Strong fundamental rights framework must be part of the next strategic agenda for the EU

Prior to EU leaders' meeting in Brussels on 21-22 June, ILGA-Europe call on the European Council to include a strong and explicit commitment to the protection of the rule of law and fundamental rights in the strategic agenda 2019-2024 with this open letter:

On 20-21 June, EU leaders will meet in Brussels to adopt the EU's strategic agenda for 2019-2024, which will be used to plan the work of the European Council as well as provide the basis for the work programmes of the European Parliament and the European Commission.

The adoption of the strategic agenda is a key moment for the EU to reaffirm in strong terms its commitment to defending rule of law in the EU and the fundamental rights and freedoms of its people, and to protecting them from existing risks and emerging threats. However, drafts of the strategic agenda that have been circulating omit any specific mention of the protection of fundamental rights and the rule of law within the EU, instead focusing on protecting borders and promoting democracy and human rights in the world. This is not enough, considering the challenges to human rights people face within EU borders. As existing laws and policies disappear, countries are moving backwards for the first time in the 10 year history of the Rainbow Map, ILGA-Europe's annual benchmarking tool ranking 49 countries in Europe on their LGBTI equality laws and policies – resulting in an increasingly unsafe and unsustainable environment for LGBTI organisations and human rights defenders in a growing number of countries.

Challenges to human rights in general, and the human rights of LGBTI people in particular, have increased significantly in the EU. We see that the rise in populism and hateful and divisive public discourses are having a real impact on the lives of minorities and marginalised communities, including LGBTI people. Marginalised people across the EU feel under increasing pressure, and are experiencing a resurgence of hatred directed against them and their communities. We are observing an increase in the number of reported incidents of LGBTI-phobic hate speech and hate crimes. We are documenting more violations of the freedom of assembly and freedom of speech within the EU. Well-resourced and organised movements are actively working to curtail human rights in Europe and globally, especially with regard to LGBTI human rights and equality, women's rights, and sexual and reproductive health and rights (SRHR), as highlighted by the European Parliament Resolution adopted in February 2019. The intensely hostile and violent climate these groups create have a real impact, turning back time when it comes to the achievements on women's rights and LGBTI rights, as well as regarding the safety and freedoms of civil society.

In this context, we need the EU to ensure the fundamental rights of people living in Europe. EU institutions have a duty to act to ensure that the values set out in the EU Treaties and the Charter of Fundamental Rights are upheld across the Union and for everyone, including LGBTI people. This is the call made by the European Parliament as well as 19 Member States, in their respective Resolution and Joint Non-Paper calling for adoption of a comprehensive strategy to address discrimination and hatred against LGBTI people.

ILGA-Europe thus call on the European Council to include a strong and explicit commitment to the protection of the rule of law and fundamental rights in the strategic agenda 2019-2024, including a specific EU Strategy on LGBTI human rights and equality as well as a strong strategy on gender equality, as called for by a clear majority of Member States and the European Parliament. “Promoting the interests of our citizens” and “protecting citizens and freedoms” as the draft agenda states, can only be done if the EU institutions make concrete and clear commitments to working on protecting and advancing fundamental rights for all over the next five years.

We remain at your disposal to provide any further information that may be required.