First Review of The Committee of Ministers of the Council of Europe Recommendation on LGBT Rights – 2013

In 2010, the Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity established the gold standard of LGBT rights in Europe.

Report, Council of Europe

Agreed unanimously by the 47 Council of Europe member states, it was the first and only agreement between governments to combat discrimination against LGBT people in Europe. Although not legally binding, it was based solidly on existing legally binding international and European human rights obligations. Member states therefore have a clear duty to implement its measures. It has been widely used by states and civil society alike in an effort to improve the lives of LGBT people in Europe.

It was also agreed to review the implementation progress of member states on a regular basis. The first review of the implementation took place in 2013, the second in 2018. The reviews are a crucial movement to assess progress made, but also to identify gaps in implementation that need to be tackled more comprehensively. The reviews are not only an important reminder for member states, but also inform the work of the Council of Europe in supporting the protection of LGBTI rights through its work.

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At the time of the first review, civil society organisation had not been officially invited to submit to contribute to the review, but nevertheless many did.

ILGA-Europe supported LGBTI organisations in 16 Council of Europe member states in preparing implementation reports. The countries involved are Bosnia-Herzegovina, Cyprus, the Czech Republic, Estonia, Georgia, Hungary, Italy, Lithuania, FYR Macedonia, Montenegro, Poland, Portugal, Romania, the Russian Federation, Serbia and Ukraine. Find all the country reports to the right.

The overall assessment was that while there were signs of actions towards implementation in five countries starting to be taken(Italy, Montenegro, Poland, Portugal and Serbia), in 11 countries, little or no action had been taken to implement the Recommendation. ILGA-Europe therefore issued a strong call for substantive efforts by all member states to implement the Recommendation, and for the Council of Europe to increase its support to member states for this purpose.

Summary of the findingsDownload