



COUNCIL OF EUROPE

BIAS-MOTIVATED SPEECH

The Parliamentary Assembly of the Council of Europe actively and repeatedly condemned bias-motivated speech and suppression of freedom of assembly during the year, through written declarations on 11 April regarding [Armenia](#), and on 3 October regarding [Poland](#), and a statement from the General Rapporteur on LGBTI [condemning](#) hate speech by politicians.

On 25 October, the Commissioner for Human Rights Dunja Mijatović gave a keynote speech at the ILGA-Europe Annual Conference 2019, condemning bias-motivated speech and drawing the link between hate speech and violence and hate crimes against LGBTI people.

In a press release following her visit to Bulgaria, on 2 December, Human Rights Commissioner Dunja Mijatović's office [called](#) on the Bulgarian government to confront misinformation campaigns surrounding the failed ratification of the Istanbul Convention, and more recently the Child Protection Strategy, and to increase public awareness and understanding to ensure protections against gender-based violence and the protection of children.

BODILY INTEGRITY

ILGA-Europe and the General Rapporteur on LGBTI hosted a [side-event](#) to the Parliamentary Assembly of the Council of Europe on 2 October, to introduce parliamentarians to the legal and policy principles of human rights law for bodily integrity and bodily autonomy based on sex characteristics.

The European Commission against Racism and Intolerance (ECRI) further expanded its investigative focus to explicitly [include](#) intersex issues during the sixth cycle.

EQUALITY AND NON-DISCRIMINATION

On 5 November, the French Presidency of the Council of Europe organised a debate in the Council of Ministers on LGBTI rights in Europe. The debate was opened by the statement of the Council of Europe Secretary General Buric, and throughout the debate, a large number of Council of Europe member states spoke out in favour of a strong engagement of the Council of Europe in protecting LGBTI rights across Europe, including the setting up an anti-discrimination Committee, mandated to oversee the periodical review of the Committee of Minister Recommendation (2010) 5.

On 29 November, the Steering Committee for Human Rights (CDDH) [adopted](#) the [report](#) prepared by the SOGI Unit on the review of the Committee of Ministers Recommendation (2010)5, on measures to combat discrimination on grounds of sexual orientation or gender identity. The report was transmitted to the Committee of Ministers for further review and action.

FAMILY

In April, the European Court of Human Rights in Strasbourg published an [advisory opinion](#) that supports the legal ties of children born through surrogacy to their intended parents. Many LGBTI activists hope that this will help to justify an easier co-parent recognition.

FREEDOM OF ASSEMBLY

The Parliamentary Assembly of the Council of Europe issued a written [declaration](#) on the right to freedom of assembly in Turkey on 28 June, calling for reversal of Pride bans and state protection for Pride participants.

On 16 July, the European Court of Human Rights delivered its judgment in the [Zhdanov and others v. Russia](#) case, affirming that the refusal of the Russian authorities to register two LGBT organisations, violated their right to access to justice and freedom of assembly, and is discriminatory.



FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

On 15 January, Frank Schwabe (SOC, Germany), rapporteur on the continuing need to restore human rights and the rule of law in the North Caucasus region, and Piet De Bruyn (NR, Belgium), General Rapporteur on the rights of LGBTI people and former rapporteur on persecution of LGBTI people in the Chechen Republic (Russian Federation), condemned the most recent attacks on the LGBTI community in Chechnya, during which two people were reportedly tortured to death and around 40 were detained by the authorities. Schwabe made a visit to the region as part of the preparation of a report and resolution on these issues, expected in early 2020.

On 4 February, Human Rights Commissioner Dunja Mijatović called on Russia's law enforcement and investigative authorities to ensure the safety of Igor Kochetkov, Director of the Russian LGBT Network, and to investigate the recent threats against him. The threats were made after Kochetkov publicly spoke about the persecution of LGBTI people in Chechnya, including about alleged arrests and ill-treatment reportedly resulting in two deaths. She also urged the authorities to investigate alleged human rights violations against LGBTI people in Chechnya.

On 11 March, the Council of Europe's anti-torture Committee (CPT) issued a public statement calling on Russia to properly investigate and respond to wide-spread torture and ill-treatment by law enforcement in Chechnya and the North Caucasus region. The CPT made reference to its 2018 report detailing its findings during its 2017 visit in the North Caucasus. It noted with concern, Russia's ongoing failure to cooperate with the Committee.

On 10 April, the Parliamentary Assembly of the Council of Europe produced a written declaration condemning entrapment, forced medical examinations and illegal detention.

HEALTH

On 3 October, the Parliamentary Assembly of the Council of Europe produced a written declaration calling on Member States to implement ICD-11 in full and with all due speed, supporting the depsychopathologisation of trans people and identities included in this revision.

LEGAL GENDER RECOGNITION

On 19 January, the European Court of Human Rights published its judgment in the X v. the former Yugoslav Republic of Macedonia case, establishing that the lack of a clear legal framework on gender recognition is a violation of trans people's right to private and family life. Regrettably, the Court did not rule on the arbitrary and invasive requirement of sterility that the authorities claimed would be necessary for legal transition. The judgment has not been implemented and Person X's documents remain unchanged.