

**ILGA-Europe Executive Director Evelyne Paradis' speech
at the launch of Rainbow Package 2016, IDAHOT Forum,
Copenhagen, 10 May 2016**

Once again, ILGA-Europe is very grateful for the opportunity to launch its Rainbow Package at the opening of the IDAHOT Forum this year.

For the fourth time, it is an honour and a privilege to present the Rainbow Europe Package (our Map, Index and Annual Review) in the presence of ministers, allies from intergovernmental organisations and governments, colleagues and friends from civil society, and this year, in particular, in the presence of HRH Crown Princess of Denmark.

We thank the Danish government for inviting ILGA-Europe and giving me the podium, not just because they keep the tradition set by the Dutch Government at the first IDAHO Forum in 2013, but because this is the event where our annual benchmarking and reporting exercise takes all its meaning. For what better place is there to present the annual state of play of human rights and equality for lesbian, gay, bisexual, trans and intersex (LGBTI) people in Europe than with European and national policy-makers, civil society and allies from different sectors who come together for the precise purpose of making change happen.

I know most of you are a bit impatient to see where your country ranks this year on our Rainbow Index, but I will keep the suspense for a few more moments. I want to say a few words about the picture painted on our Rainbow Map (in terms of the existing legal and policy situation in Europe) and through our Annual Review (which looks at political and social developments). Again this year, the picture is a very mixed one.

When we sat down at ILGA-Europe to look at our Rainbow Europe package a few weeks ago and take stock, we identified three distinct trends in Europe:

- 1) There are countries we can and should celebrate for demonstrating leadership by introducing **standard-setting** legal and policy equality measures, and by taking **concrete steps** to translate these measures into practice
- 2) There are unfortunately too many countries that are still of grave concern, not because we don't see any move upward on the equality index but primarily because they are going backwards by actively targeting LGBTI people with **restrictive laws**.
- 3) The bigger group of countries, many countries who are now **standing still**, including some traditionally seen as progressive; countries which don't seem to progress on the equality benchmark, countries who are allowing themselves to fall behind.

So before I reveal the map, I want to ask you to take 5 seconds to ask yourselves two questions:

- 1) where do you think your country is situated on the Rainbow Map in terms of the legal and policy situation of the human rights of LGBTI people?
- 2) And what do you expect will be the overall analysis of the state of play for LGBTI people in your country provided in our Annual Review?

So....here is ILGA-Europe's **2016 Rainbow Map** – as you search for your country on the map and identify its colour, ask yourself if you are surprised by what you see, and if you are, think about why that is.

Hopefully, by the end of my comments, you will have a few insights on how to answer these questions, and how you can start or continue making a difference in your country.

By now, I think many of you know that we have a new No 1 this year: Malta, leading ahead of Belgium and the UK (now in 3rd place). Malta's story is hopefully an inspiration for many in the room as when we met just two years ago in Valletta at the 2nd IDAHO Forum, Malta was ranked 11th. We also want to note that our hosts, Denmark, have risen to 4th place on the Rainbow Index.

Bottom three: Armenia and Russia at 7 %, Azerbaijan at 5% (Armenia lost points because of its introduction of a constitutional limitation on marriage)

*Notable movers: **Greece: 19%, Ireland: 15% (not just because of marriage equality but most points gained related to legal gender recognition), Cyprus: 14%***

We will have time over the coming days to go into a lot more details about why countries like Ireland, Greece and Cyprus have moved so much. To summarize what is making the difference, here are five areas that help explain the movements upwards and downwards on our Rainbow Index:

- new benchmarks are on **intersex**: for now only Malta prohibits medical intervention without informed consent and started to include intersex explicitly in its legislation and policy. Over the coming years, it is very clear that countries will move on the benchmark based on how they take legal and policy measures to protect the rights of intersex people
- For the past five years, the gap between countries has been significantly explained by the existence or absence of legal and policy measures on the human rights of **trans people**:
 - are trans people protected by non-discrimination laws and hate crime legislation? Sexual orientation is explicitly mentioned but gender identity is not always included.
 - Are there any requirements attached to legal gender recognition, such as medical diagnosis, sterilisation, divorce, age restrictions...?
- Under our **Family** criteria, we look at recognition of couples as well as parenting rights. Are there provisions to enable same-sex couples to adopt jointly or for second-parent adoption? Are there provisions for automatic second-parent adoption or access to medically assisted reproduction as a couple?
- **National action plans** – countries gain points if they introduce detailed plans, with clear timelines and allocation of responsibility, allocation of resources, and a review process.
- **Countries losing points this year**: violence at public events and constitutional limitations on marriage equality.

Beyond what the Rainbow Map tells us in terms of the state of play of laws and policies in Europe, what the Map and the Annual Review tell us, perhaps even more importantly, is what is needed to create **meaningful and effective change in the lived experienced of LGBTI people across Europe**. There are of course several factors influencing the changes that happen every year. Here, I want to share three reflections:

- 1) **Implementation is key**: This is not new. Governments must make sure that their laws actively improve the daily lives of LGBTI people. Otherwise they are window-dressing and nothing more.
- 2) Creating sustainable change requires committed effort and political leadership. Contrary to popular belief, leadership on LGBTI equality is wavering in most parts of Europe. This is particularly concerning at a time when human rights in general are coming under severe pressure – either directly (with laws that restrict the rights of minority groups) or indirectly (by hampering the work of LGBTI activists and NGOs). At the moment, we can count only on a handful of decision-makers in Europe who understand that **change does not happen overnight** and more importantly that it is not inevitable, nor irreversible.
- 3) Which brings me to my third point: after a few years of rapid and at times admittedly impressive change, we are now confronted by the **‘complacency curse’**. There is an inherent risk in easing off after achieving successes in one area of LGBTI equality. Firstly, because legislating for equality in one area like marriage equality, is by no means the same as achieving equality for all LGBTI people. This is only one part of the equality agenda.

But secondly, because change has never been, and will never be, a linear or irreversible process. A very good friend of ILGA-Europe and the European LGBTI movement, Lord Michael Cashman, said at one of our events last year: “When we think the job has been done, when we think we’ve achieved equality, that is when we are at our most vulnerable”.

As we gather at this Forum, I will encourage all of us to seek to answer these questions:

- What is holding me, my colleagues, my government or my organisations back from meaningfully advancing equality?
- What will I/we commit to doing differently as soon as we get back home, so that when we meet again next year, the Rainbow Europe Map is a lot greener in many more parts of Europe?

Thank you.