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From:	Presidency
To:	Delegations
Subject:	Summary report of the High-Level Conference on LGBTIQ Equality in the European Union, 12 April 2023

Delegations will find attached, the Summary report of the Presidency High-level Conference on LGBTIQ Equality in the European Union which took place on 12 April 2023.

Summary report of the High-Level Conference on LGBTIQ Equality in the European Union, 12 April 2023

1. Introduction

In the EU, equal treatment is a fundamental right. Still, reports on violence, harassment, and discrimination against LGBTIQ people persist throughout the Union. The institutions of the EU, together with Member States, share a responsibility to protect fundamental rights and to ensure equal treatment and equality for all.

In November 2020, the European Commission adopted the first ever LGBTIQ Equality Strategy (2020-2025). The strategy shows the Commission's commitment to building a Union of Equality and bringing together Member States and other actors at all levels in a common endeavour to address discrimination against LGBTIQ people.

To this end, on 12 April the Swedish Presidency hosted a high-level conference on LGBTIQ equality in the European Union, in co-operation with the European Commission. The main aim of this conference was to take stock of progress as we are now halfway through the implementation of the LGBTIQ Equality Strategy. Approximately 150 participants including national experts, representatives from EU institutions, civil society and other relevant stakeholders from about 20 Member States met to share experiences and good practices in order to strengthen and to identify possible improvements in the work towards securing LGBTIQ equality and non-discrimination more effectively by 2025. With this as a starting point, the agenda consisted of keynote speeches, panel discussions and breakout sessions allowing for participants to take active part in sharing their knowledge, expertise, and experiences throughout the conference.

2. Summary report of the conference

2.1 Plenary: Opening remarks

The conference was opened by **Paulina Brandberg**, Swedish Minister for Gender Equality and Working Life who stressed that human rights are universal and for everyone, irrespective of who you love or who you are, and that respect for diversity and equality lies at the very core of the Union. Minister Brandberg also pointed out that in recent years there has been a backlash and a rise in malign disinformation and anti-LGBTIQ rhetoric opposing LGBTIQ equality, and that LGBTIQ people suffer disproportionately from hate crime, hate speech and violence. She said that robust and resilient structures are especially important tools for tackling these attacks.

In her keynote speech **Helena Dalli**, Commissioner for Equality, acknowledged the work under Swedish Presidency to achieve a clear position in Council on the safety of LGBTIQ people in the EU while recognising the danger that LGBTIQ people face, adding that the Union's progress is not good enough. Commissioner Dalli further stated that equality must be a reality everywhere and that the proposal for a horizontal equal treatment directive remains a priority in this regard, together with the proposals to strengthen the role and independence of equality bodies. In addition, Commissioner Dalli emphasised that it is high time to take stock of progress on the implementation of the LGBTIQ Equality Strategy and to identify where there is a need to do more. Lastly, she stressed that the current Commission will not rest in its work to make equality a reality for all and that she counts on continued support as we build a union where LGBTIQ people can be who they are and love who they want.

In his keynote speech **Michael O'Flaherty**, Director of the EU Agency for Fundamental Rights (FRA), stated that surveys conducted by FRA repeatedly show that there is still no European street where more than half of LGBTIQ people are willing to walk holding hands with their partner. Mr O'Flaherty also emphasised that recent evidence shows that members of the LGBT community are hit particularly hard by crises in our society, such as the current situation of deep economic inequality, the COVID-19 pandemic and the involuntary displacement of millions of people from Ukraine. Furthermore, he highlighted reports of an increased level of pressure imposed on civil society across several EU Member States. Mr O'Flaherty stressed that this situation was an existential issue and that it would not be possible to build better, fairer countries without partnership and cooperation with a thriving civil society.

2.2 Plenary: Taking stock of progress

2.2.1 Presentations and panel session

Setting the scene for the discussions, **Susanne Knöfel** and **Nadege Defrère** from the European Commission presented a progress report on the implementation of the LGBTIQ Equality Strategy 2020-2025 that took stock of the implementation since its adoption in 2020 until February 2023. The report followed the same structure as the strategy, which sets out a series of targeted actions across four pillars: tackling discrimination against LGBTIQ people, ensuring LGBTIQ people's safety, building LGBTIQ inclusive societies and leading the call for LGBTIQ equality around the world. It was stressed that a vast majority of the measures contained in the strategy have either already been implemented or that implementation is well under way, with more than 90 measures put into action during this period. These included over 10 measures related to legal acts, of which the presentation put special emphasis on three: the proposals for two new EU Directives on standards for Equality Bodies, the proposal for an initiative to extend the list of 'EU crimes' to hate speech and hate crime and a proposal for a regulation aimed at harmonising, at EU level, the rules of private international law relating to parenthood.

More than 20 reports and guidelines were published and adopted during this period. For example, guidelines on national action plans were adopted by the High-Level Group on Non-Discrimination, Equality and Diversity and guidelines for professional authorities on hate crime were adopted by the High-Level Group on Combating Hate Speech and Hate Crime.

The presentation further highlighted progress related to expert bodies and funding programmes, with examples such as the Citizens, Equality, Rights and Values (CERV) programme, Erasmus+ and the European Solidarity Corps, with the latter running more than 100 projects focusing on LGBTIQ equality. It also highlighted several awareness raising campaigns that had taken place during this period: the victims' rights campaign and the campaign on the Charter as well as IDAHOT and diversity month.

A number of good practices and other projects were also mentioned, among them the ongoing study on Intersex People in the EU being prepared for the Commission with findings being published in the coming months, the LGBTIQ Equality Subgroup and the European Capitals of Inclusion and Diversity Award as well as the support that EU has given to Ukraine and LGBTIQ Ukrainians.

Following the presentation, **Evelyne Paradis** from ILGA Europe gave an impulse statement on reflections from the ground, emphasising that the EU is at a key point for the implementation of the strategy. Evelyne presented four concrete points of suggested action. Firstly, resourcing the work of the institutions should be placed at the centre of the conversation. Secondly, pushing for integration of the word LGBTIQ across the Commission and the other institutions is vital. Thirdly, there is a need to enhance the structured and ongoing cooperation with civil society. Lastly, in the strategy's remaining run time, gender must be placed at the core of conversations and cut across all policies.

This session was followed by a panel discussion, with representatives from the Commission, the European Parliament, Organisation Intersex International Europe and International LGBTIQ Youth and Student Organisation as well as the Swedish Presidency of the Council of the European Union.

Several dimensions were touched upon during the discussion. This included the role of the Commission, the European Parliament and Member States in implementing the strategy as well as other LGBTIQ policies, in particular the inclusion of LGBTIQ youth, the situation and rights of intersex people and to what degree the strategy incorporates these. Three key dimensions underpinned the discussion.

Firstly, the importance of structure and substance. It was pointed out that the promotion of LGBTIQ issues is a shared responsibility between the Member States, the institutions, and governments. Creating permanent, long-term structures was described as key. The EU strategy, national strategies and the introduction of a European Commissioner for Equality were mentioned as positive examples of substance with a long-term approach. However, it was pointed out that these examples should not be seen as definite or be taken for granted and that the composition of the new Commission after the elections in 2024 should continue to include a Commissioner for Equality.

Secondly, mainstreaming LGBTIQ issues and incorporating an intersectional approach. It was pointed out that when the above structures are put in place, LGBTIQ dimensions must be mainstreamed into all policy areas. It was also highlighted that LGBTIQ people often experience discrimination and harassment based on intersecting grounds. Therefore, an intersectional approach was described as vital during any future work at national, EU and international levels.

Lastly, the need for data collection and long-term funding. It was pointed out that reliable and operational funding is essential for creating stability and sustainability and that many civil society organisations struggle with their resources. A shift from project funding to core funding for civil society organisations was suggested. It was also highlighted that equality data is a prerequisite when planning, implementing, monitoring, and assessing LGBTIQ equality and that additional funding would allow for more and better data collection.

2.3 Breakout sessions

During the afternoon session, four parallel breakout sessions took place covering harmful practices affecting LGBTIQ people, LGBTIQ equality in working life, national action plans and strategies for LGBTIQ equality and knowledge-based policymaking with a focus on LGBTIQ youth and education.

2.3.1 Breakout session 1: Harmful practices affecting LGBTIQ people

Some of the examples of harmful practices with severe risk of physical and mental health repercussions affecting LGBTIQ people that were mentioned included conversion practices, forced medicalisation of trans persons and non-vital surgery or medical intervention on intersex persons. The need to change the norms behind these practices, embodied in the widespread backlash and narratives against LGBTIQ rights, was broadly addressed as a fundamental challenge. References were made to actors underpinning the backlash and to the important role of social media.

Several actions to change the norms and to delegitimise harmful practices were identified. While acknowledging the importance of legal bans and efficient implementation, the need for a comprehensive approach was endorsed as essential. Awareness raising efforts and education were mentioned as key elements. Furthermore, the need for strategies to disrupt the financing of these practices was emphasised as were the need to abolish administrative structures facilitating these practices and the importance of continued support to civil society. In this context, bringing NGOs representing diverse perspectives together was given as an example of good practice for changing attitudes and norms.

Moreover, it was pointed out that challenges in relation to changing legal gender remain despite important steps such as the WHO declassification of trans identities as an illness. In this regard, participants raised the importance of accountability, for example by public apologies for injustices in the past, such as sterilisation requirements (in legal gender recognition).

2.3.2 Breakout session 2: LGBTIQ equality in working life

A number of work environment risk factors for LGBTIQ people were mentioned during the presentations. For example, many workplaces have a heteronormative climate which can make it hard for LGBTIQ people to be open about their identity or sexuality. Less openness is associated with lower levels of job satisfaction, commitment, and well-being among others. Discrimination was considered to be a major risk factor, which can manifest itself through harassment and bullying. This can in turn lead to increased stress, mental health conditions, lower self-esteem, and reduced ability to work.

Various anti-discrimination measures were mentioned during the presentations and discussions, such as the importance of top management engagement, support from colleagues, LGBTIQ networks, organisational competence, informal and formal communication, and the possibility of having an individual gender transition plan. The need to strengthen equality bodies was raised as was the importance of increasing the number of investigations that look into workplace discrimination. Furthermore, leaders were encouraged to invest time in order to understand how their influence can best be used.

2.3.3 Breakout session 3: National action plans and strategies for LGBTIQ equality

Several examples were given to ensure that national action plans and strategies are kept relevant, sustainable, and up-to-date during their implementation period. Examples included constant monitoring and feedback from civil society along with flexibility and adaptability in the plans and strategies. Measurable and specific long-term and short-term goals, as well as concrete and targeted measures, were mentioned as significant elements.

The importance of having access to relevant data before designing policy was emphasised, in order for policy to be based on evidence. Methods of how to collect data on less visible groups, in which persons are often more exposed to violence and discrimination, were discussed. Intersectionality as a perspective in data collection and policy making was identified as a key element and it was stressed that both quantitative and qualitative data are often needed. Several examples of good practises and challenges from different Member States were addressed, for instance regarding implementation, organisation, civil society participation and data collection.

2.3.4 Breakout session 4: Knowledge-based policymaking with a focus on LGBTIQ youth and education

A number of issues that are common among LGBTIQ youth were highlighted. For example, young LGBTIQ people often suffer from mental health issues and loneliness, and are at higher risk of being victims of hate crimes. It was also mentioned that many LGBTIQ youth are subject to bullying in schools and at university, with stereotypes being one of the underlying causes. Additionally, the facts that awareness among teachers is low overall and that there is a lack of systematic training in school for both teachers and students were listed as problematic. It was also mentioned that some LGBTIQ youth end up homeless as a result of being rejected by their families.

Several proposals for actions were mentioned in order to change the norms and to minimise the risk of the above examples becoming reality. It was pointed out that structural challenges should be addressed using a holistic approach and that children and young people should be consulted and involved in all processes. The importance of assessing, evaluating, and scaling up the work that is already being done was highlighted. Equality data was mentioned as crucial in this regard. Furthermore, the need to take onboard an intersectional perspective and to tailor actions so that they are adjusted to specific groups with specific needs was emphasised. Lastly, it was stressed that the general approach needs to be based on solidarity and value-based communication in order to get more allies onboard. All of the above must build on knowledge-based action plans, while making sure that youth voices are included and consulted.

2.4 Plenary: Closing session

2.4.1 Conclusions of the day: Lessons learned and future topics

Reflections and reporting from the breakout sessions were discussed in plenary. Rapporteurs from each session gave several country-specific examples related to the various topics. Some dimensions were given particular note such as the importance of incorporating an intersectional perspective, examples of how to tackle the backlash in the debate as well as the importance of facilitating spaces for conversation and exchange of good practices.

2.4.2 Closing and looking ahead

In the closing session, **Paulina Brandberg**, Minister for Gender Equality and Working Life, said that she felt inspired by the commitment, determination and knowledge that had been gathered at the conference, and was hopeful that some of the questions may be revisited during the incoming Spanish Presidency's conference on LGBTIQ equality. Ms Brandberg stressed that it was vital that both EU institutions and Member States continue to stand up for equal treatment and fundamental rights everywhere and at all times.

The incoming Spanish Presidency, represented by **Ángela Rodríguez**, Secretary of State for Equality and against Gender Violence, closed the conference saying that the establishment of data collection mechanisms that allow for rigorous mapping as well as mechanisms that guarantee the safety of LGBTIQ people is crucial. Ensuring the mobility of LGBTIQ families and strengthening financial support to international NGOs were also identified as being key. Ms Rodríguez pointed out that a Europe of diversity, freedom, and equality for all is closer than ever before, although a backlash is taking place at the same time. Being vigilant and putting European values at the forefront were presented as important actions. The Secretary of State made reference to the Presidency conference on LGBTIQ Equality due to take place in July 2023, with the aim of continuing the journey towards real and effective equality and the full rights of all persons to be who they are.