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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

Implementation of the 2020-2025 LGBTIQ equality strategy

Striving for LGBTIQ equality

It is the moment to show [the young generation] that we can build a continent where you can be who you are, love who you want, and aim as high as you want.

Ursula von der Leyen (President of the European Commission)

State of the Union speech, 13 September 2023

On 12 November 2020, the European Commission adopted the LGBTIQ¹ equality strategy for 2020-2025², the first-ever strategic framework at EU level to specifically address the inequalities and challenges affecting LGBTIQ people. The strategy contributes to building a Union of Equality³, one of the key priorities of the European Commission, as outlined by President Ursula von der Leyen in her political guidelines in 2019. The strategy is based on a vision of Europe where people, in all their diversity, are equal – where they are free to pursue their life regardless of their sexual orientation, gender identity/expression or sex characteristics⁴. It complements existing and upcoming initiatives to promote the EU dimension of equality⁵ across all grounds of discrimination and in all areas of life.

Social acceptance of LGBTIQ people has steadily increased across the EU since the Commission adopted the strategy. According to the 2023 special Eurobarometer on discrimination in the EU⁶, Europeans are now more likely than in 2019 to feel comfortable having a lesbian, gay or bisexual colleague — 75% of those polled, up 3 percentage points (pps) — or if one of their children were in a same-sex relationship (59%, up 4 pps). These figures are lower, however, when it comes to trans and intersex people.

Similarly, the findings of the third LGBTIQ survey⁷ of the European Union Agency for Fundamental Rights (FRA) show that LGBTIQ people are more open about their sexual orientation, gender identity or sex characteristics in their social environment than in 2019

¹ In line with the LGBTIQ equality strategy, LGBTIQ people are here defined as people: who are attracted to others of their own gender (lesbian, gay) or any gender (bisexual); whose gender identity and/or expression does not correspond to the sex they were assigned at birth (trans, non-binary); who are born with sex characteristics that do not fit the typical definition of male or female (intersex); or whose identity does not fit into a binary classification of sexuality and/or gender (queer)

² [Communication from the Commission on Union of Equality: LGBTIQ Equality Strategy 2020 – 2025](#), 12 November 2020, COM (2020) 698.

³ The other Union of Equality strategies include: the gender equality strategy 2020-2025 (COM(2020)152), the strategic EU framework for Roma equality, inclusion and participation (COM(620)2020), the EU anti-racism action plan 2020-2025 (COM(2020)565) and the strategy on the rights of persons with disabilities (COM(2021)101).

⁴ COM (2020) 698, p. 22.

⁵ These initiatives include: the EU strategy on victims' rights (COM(2020)258), [the European Pillar of Social Rights](#); the strategy on the rights of the child (COM(2021)142) and the strategy on combating antisemitism (COM(2021)615).

⁶ *Special Eurobarometer 535: Discrimination in the European Union* (April-May 2023, QB6R.2).

⁷ FRA, [LGBTIQ at a crossroads: progress and challenges](#) (14 May 2024).

(52%, +6 pps), with this trend more evident for trans, non-binary, gender diverse and intersex respondents.

At the same time, according to the FRA survey, unreported incidents of discrimination, violence and harassment were common among the respondents, coupled with a prevailing lack of confidence in governmental efforts to counter prejudice and intolerance. Only one in four (26%) respondents considers that the government of the country in which they live effectively combats prejudice and intolerance against LGBTIQ people, which shows a notable decrease when compared with the findings of the 2019 survey (33%).

According to the stakeholders consulted by the Commission for this report, LGBTIQ-phobic hate is aggravated by the rise of anti-gender and anti-LGBTIQ narratives. As the FRA survey attests⁸, most LGBTIQ people (63%) have encountered often or always hateful statements about the LGBTIQ community online, most often referencing LGBTIQ propaganda or ‘gender ideology’. This has translated into a considerable increase in hate-motivated harassment, targeting trans, non-binary, gender-diverse and intersex people in particular.

In order to step up EU efforts to fight hatred in all its forms, including against LGBTIQ people, in December 2023, the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy adopted a Joint Communication titled ‘No place for hate: a Europe united against hatred’⁹.

This report provides an assessment of how the current strategy has been put into practice. It analyses how the situation of LGBTIQ people has evolved in the EU, what progress has been made, and which areas require greater focus to fully implement the strategy by 2025. The report also provides an overview of developments at national level (including, where applicable, national action plans) and on the consultations carried out with key stakeholders.

Consultation activities included: (i) a call for evidence on the Have Your Say portal¹⁰; (ii) targeted consultations with 43 stakeholders, including Member States and LGBTIQ civil society organisations; (iii) a meeting with LGBTIQ umbrella organisations, in the framework of the Commission’s regular dialogue with civil society; (iv) a dedicated discussion in the LGBTIQ equality subgroup^{11,12}.

The main conclusion of those consultation activities was that the strategy has been a milestone in strengthening LGBTIQ equality in Europe. The strategy provides a clear

⁸ As above.

⁹ Joint Communication, [No place for hate: a Europe united against hatred](#), 6 December 2023, JOIN(2023) 51.

¹⁰ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13927-2020-2025-LGBTIQ-equality-strategy-mid-term-review_en.

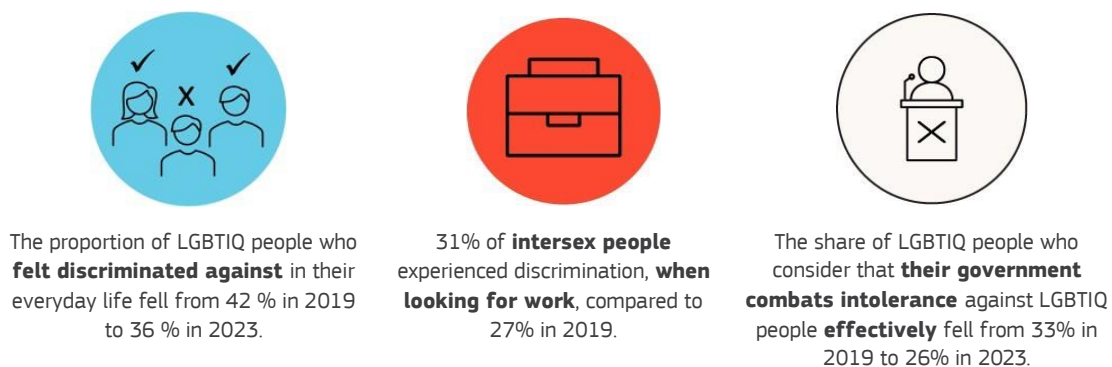
¹¹ More information about the LGBTIQ Equality Subgroup in Chapter V.

¹² More information on the consultation activities is included in the synopsis report available at: https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025_en.

political objective and commitment in favour of equality, and it has had a positive impact on the situation of LGBTIQ people across Europe.^{13,14}

This report also builds on the 2023 progress report¹⁵ on the implementation of the strategy and follows the strategy's structure, including a final chapter on delivering on the strategy.

I) Tackling discrimination against LGBTIQ people



Although discrimination against LGBTIQ people remains high, it is slowly decreasing across the EU. According to the 2023 FRA Survey, 36% of respondents felt discriminated against in their everyday life in the year before the survey compared to 42% in 2019. Trans and intersex people, however, continue to experience most discrimination.

The results of the consultation carried out prior to this report confirmed that the Commission should continue encouraging Member States to ensure legal protection against discrimination on the grounds of sexual orientation. The results also call for the extension of protection on several grounds in key areas including gender identity or expression and sex characteristics.

The adoption in May 2024 of Directives 2024/1499¹⁶ and 2024/1500¹⁷ establishing **binding standards for equality bodies** (i.e. the national bodies which support victims of

¹³ In February 2024, the European Parliament adopted a [resolution on the implementation of the EU LGBTIQ Equality Strategy 2020-2025](#) (2023/2082(INI)). The resolution welcomes the strategy and its recent progress report and calls on all Member States to adopt national LGBTIQ action plans and strategies.

¹⁴ In May 2024, 20 Member States signed a [ministerial declaration](#) committing themselves, together with 12 non-EU countries, to engage with the European Commission on a future renewal of the LGBTIQ equality strategy. Also, 18 Member States and the Co-Presidents of the LGBTI Intergroup of the European Parliament signed a [declaration](#) in May 2024 inviting the Commission to formulate a new LGBTIQ strategy for the new Commission mandate that includes appropriate initiatives, targeted actions and policies, as well as clear targets and indicators to conduct impact assessments.

¹⁵ [Progress report on the implementation of the LGBTIQ Equality Strategy 2020-2025.](#)

discrimination) marked significant progress in tackling discrimination against LGBTIQ people. They extend the remit of the equality bodies to discrimination based on sexual orientation in the field of employment and occupation and aim to ensure that the equality bodies can contribute effectively to the enforcement of the EU Equality Directives¹⁸ following up on a 2021 report on the application of the Employment Equality Directive¹⁹.

To close a major gap in EU legislation on non-discrimination, the adoption into law of the **proposed equal treatment directive**²⁰ remains a priority for the Commission. The directive would extend the scope of legal protection against discrimination based on sexual orientation beyond the area of employment and occupation as is currently regulated in the Employment Equality Directive²¹. The proposal is still in negotiation in the Council as the required unanimity has not yet been reached.²²

The legal protection against discrimination was further reinforced addressing the challenges of new technologies. The **Artificial Intelligence (AI) Act** adopted in June 2024 prohibits putting into service AI systems that use biometric data to categorise natural persons based on their sexual orientation²³.

In addition, in 2022 the Commission rolled out the #RightHereRightNow campaign on the EU Charter of Fundamental Rights, with key messages and visuals on non-discrimination based on sexual orientation and linking to concrete redress mechanisms in all EU Member States.

The Commission has fostered diversity and inclusion in the workplace, a key issue identified by stakeholders in the consultation, through the **EU Platform of Diversity Charters**²⁴. In the

¹⁶ [Council Directive \(EU\) 2024/1499 of 7 May 2024 on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in matters of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services](#) (OJ L, 2024/1499, 29.5.2024).

¹⁷ [Directive \(EU\) 2024/1500 of the European Parliament and of the Council of 14 May 2024 on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation](#) (OJ L, 2024/1500, 29.5.2024).

¹⁸ This legislation was also announced in the EU anti-racism action plan, and the EU Roma strategic framework for equality, inclusion and participation.

¹⁹ [Report on the application of Council Directive 2000/43/EC \('the Racial Equality Directive'\) and of Council Directive 2000/78/EC \('the Employment Equality Directive'\)](#), 19 March 2021, COM(2021) 139.

²⁰ [Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation](#), 2 July 2008, COM(2008) 426.

²¹ [Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation](#) (OJ L 303, 2.12.2000, p. 16).

²² Latest progress report of June 2024: <https://data.consilium.europa.eu/doc/document/ST-9043-2023-INIT/en/pdf>.

²³ [Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence \(artificial intelligence act\)](#) (OJ L, 2024/1689, 12.7.2024).

²⁴ [EU Platform of Diversity Charters](#).

framework of the sharing of experiences and good practices through the Platform, in 2021 the Commission organised two workshops on LGBTIQ equality and on trans and intersex inclusion.

As for the Commission's own staff, putting the commitment to an inclusive and discrimination-free working environment into practice, the Diversity and Inclusion Office, created in 2021, maintains a regular dialogue with trade unions and with the Égalité staff association²⁵. The Commission also provides support and guidance for LGBTIQ staff under the **Commission's 2023-2024 diversity and inclusion action plan**²⁶, including counselling, and legal and administrative support.

In the field of health, the Commission took action to address the gaps in research relevant to LGBTIQ people, by launching a call for proposals on access to health and care services for people in vulnerable situations²⁷ in the **2023-2024 work programme of Horizon Europe**^{28,29}, with a total indicative budget of EUR 30 million.

In addition, **Europe's beating cancer plan** is committed to considering the situation of vulnerable groups, including LGBTIQ people. The European Cancer Inequalities Registry (ECIR)³⁰ is a flagship initiative of this plan that aims to identify trends and disparities in cancer prevention and care, including inequalities faced by vulnerable groups.

In the context of the work to achieve the **European Education Area (EEA)** by 2025³¹, in 2023 the Working Group on Equality and Values in Education and Training³² published an issue paper³³ on tackling discrimination based on sexual orientation, gender identity or expression, and sex characteristics. This paper highlights inspiring practices and encourages Member States to improve safe and inclusive education for LGBTIQ children and young people. In May 2024, the expert group on supportive learning environments for groups at risk of underachievement and for supporting well-being at school published two sets of guidelines

²⁵ Égalité is an association for LGBTI+ staff working within the EU institutions. It was set up in 1993 to combat any form of discrimination based on sexual orientation, gender identity, gender expression or sex characteristics.

²⁶ [Fact Sheet on the Diversity and inclusion in the workplace Action Plan 2023-2024.](#)

²⁷ <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/topic-details/horizon-hlth-2024-care-04-04-two-stage>.

²⁸ https://research-and-innovation.ec.europa.eu/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe_en.

²⁹ <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/topic-details/horizon-hlth-2024-care-04-04-two-stage>.

³⁰ [European Cancer Inequalities Registry \(ECIR\).](#)

³¹ [Commission Communication of 30 September 2020 on achieving the European Education Area by 2025 and Council resolution of 26 February 2021 on a strategic framework for European cooperation in education and training towards the European Education Area and beyond \(2021-2030\).](#)

³² [Working groups of the EEA strategic framework | European Education Area \(europa.eu\).](#)

³³ [Tackling different forms of discrimination in and through education and training.](#)

on wellbeing and mental health at school³⁴. These included recommendations on protecting LGBTIQ children from various forms of violence and ensuring that they are not marginalised or excluded, and a specific action for schools on addressing possible stereotypes and misconceptions about LGBTIQ individuals.

In the field of research, a report³⁵ published by the Commission in 2022 in the context of the 2022-2024 **European Research Area** policy agenda provides an overview of emerging practices and policies at national and at EU level to support inclusion and equal opportunities for students, researchers and staff from marginalised groups, including the LGBTIQ community, and encourages national actions supported by Horizon Europe. A number of relevant projects are already under way^{36,37}.

On 11 June 2024, the **pact on migration and asylum** entered into force³⁸. It contains specific reception and procedural safeguards for vulnerable applicants for international protection. Moreover, the 2021-2027 action plan on integration and inclusion³⁹ recognises that LGBTIQ migrants can face multiple forms of discrimination and aims to build synergies with the LGBTIQ equality strategy.

The Commission also continued to work with the European Union Agency for Asylum (EUAA) and the Member States to make sure that the necessary resources and expertise are available so that vulnerable applicants are identified as soon as possible and referred to those who can provide adequate support⁴⁰. In particular, the EUAA is developing a **training path**⁴¹ targeted at asylum and reception authorities **on applicants with a diverse sexual orientation, gender identity or expression, or sex characteristics**. In addition, the EUAA is preparing **a practical guide** to support EU+ countries⁴² in considering the specific needs and characteristics of LGBTIQ applicants.

³⁴ [Guidelines for school leaders, teachers and educators to address wellbeing and mental health at school](#) and [Guidelines for policymakers to address wellbeing and mental health at school](#).

³⁵ [Approaches to inclusive gender equality in research and innovation \(R & I\)](#).

³⁶ <https://inspirequality.eu/>.

³⁷ <https://genderaction.eu/>.

³⁸ [Communication from the Commission on a New Pact on Migration and Asylum](#), 23 September 2020, COM(2020) 609.

³⁹ [Communication from the Commission Action plan on Integration and Inclusion 2021-2027](#), 24 November 2020, COM(2020) 758.

⁴⁰ <https://lsa.euaa.europa.eu/euaa-products>.

⁴¹ <https://euaa.europa.eu/training-catalogue/applicants-diverse-sogiesc>.

⁴² Member States of the European Union and associated countries.

II) Ensuring LGBTIQ people's safety



55% of LGBTIQ people experienced **hate-motivated harassment** in 2023, compared to 37% in 2019.



The share of LGBTIQ people who suffered from **bullying in school** increased from 46% in 2019 to 67% in 2023.



The share of LGBTIQ people who consider that **their government combats intolerance** against LGBTIQ people **effectively** fell from 33% in 2019 to 26% in 2023.

Since the adoption of the LGBTIQ equality strategy, there has been a significant increase in hate-motivated harassment targeting LGBTIQ people (with 55% of them reporting that they had experienced this, up 18 pps), and of physical and sexual attacks reported in most EU countries, particularly affecting trans, non-binary, gender-diverse and intersex people. Data collected through the 2023 EU survey on the use of information technology in 23 Member States showed that 18% of respondents have reported hostile or degrading messages online, which they believed were attacking or targeting people because of their sexual orientation⁴³.

In December 2021, the Commission adopted a Communication, accompanied by a proposal for a Council decision, to **include hate speech and hate crime in the list of 'EU crimes'** under Article 83(1) of the Treaty on the Functioning of the European Union. Once the Council decision is adopted, the Commission will be able to propose secondary legislation to ensure the protection of all individuals and groups at risk of experiencing hate crime and hate speech.⁴⁴ Discussions in the Council are ongoing, with a view to reaching the unanimity required for adoption.

The **High-Level Group on combating hate speech and hate crime** adopted guidance for national authorities to encourage the reporting of hate crimes, promote collaboration between law enforcement and civil society organisations, and improve the recording and collecting of data on hate crimes, including on bias-motivated crimes against LGBTIQ people. Member States can also draw on technical assistance and capacity building on hate crime offered by

⁴³ Eurostat ([isoc_ci_hm](#)).

⁴⁴ Current EU law, the [Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law](#) (OJ L 328, 6.12.2008, p. 55), requires the criminalization of hate speech only on the grounds of racism and xenophobia.

the FRA, or the OSCE Office for Democratic Institutions and Human Rights and funded by the Commission⁴⁵.

The Commission has continued to cooperate with the **EU Agency for Law Enforcement Training (CEPOL)**, in the High-Level Group on combating hate speech and hate crime and its various working groups, including the one focused on training for law enforcement. In April 2024, CEPOL and the Commission organised a conference with representatives from law enforcement agencies across the EU to improve their capacity to respond to hate crime and hate speech, including against LGBTIQ people.

The Commission is also working towards the adoption by the legislators of the proposal to revise the **Victims' Rights Directive**⁴⁶, published on 12 July 2023. The proposal aims to further strengthen the rights of victims of crime in the EU, including the rights of vulnerable victims, such as victims of anti-LGBTIQ hate crime.

In addition, the Commission ran the “Eyes open” campaign in 2023 to raise awareness about victims' rights and to promote specialist support and protection for victims with specific needs, such as victims of anti-LGBTIQ hate crime.

In May 2024, the EU legislator adopted the **Directive on combating violence against women and domestic violence**⁴⁷. This Directive acknowledges that lesbian, gay, bisexual, trans or intersex people face a greater risk of experiencing gender-based violence and requires Member States to provide specific support and targeted preventive measures to such victims.

In April 2023, the Commission adopted a **Recommendation on developing and strengthening integrated child protection systems, in the best interest of the child**⁴⁸. Member States are encouraged to take appropriate measures to ensure that children are always treated without any discrimination and in a manner that protects their dignity and to ensure their protection, particularly in the context of the LGBTIQ Equality Strategy.

The EU is committed to ensuring a safer online environment for LGBTIQ people. The **Digital Services Act**⁴⁹ tackles any false or manipulated information that is intended to cause harm to users at risk of hate speech or discrimination, including LGBTIQ people. As the Commission continues to implement the Digital Services Act, it will pay special attention to

⁴⁵ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-hate-speech-and-hate-crime_en

⁴⁶ COM(2023) 424, 12.7.2023.

⁴⁷ [Directive of the European Parliament and of the Council on combating violence against women and domestic violence](#), (OJ L, 2024/1385, 24.5.2024).

⁴⁸ [Commission Recommendation on developing and strengthening integrated child protection systems in the best interests](#), 23 April 2024, C(2024) 2680.

⁴⁹ [Regulation \(EU\) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services \(Digital Services Act\)](#) (OJ L 277, 27.10.2022, p. 1).

assessing gender and intersectionality-related risks on online platforms and to ensuring that such risks are reduced.

The online platforms that signed up to the 2016 **Code of conduct on countering illegal hate speech online** are currently revising this Code in order to strengthen its capacity to prevent hate speech and to integrate it in the framework of the Digital Services Act. The Code will continue to be monitored, including with the help of a network of civil society organisations, many of which are working on tackling anti-LGBTIQ hate speech.

In addition, the Commission is closely monitoring the implementation in the Member States of the revised **Audiovisual Media Services Directive**⁵⁰. The Directive strengthens protection against content that incites hatred or violence and bans commercial audiovisual communications that include or promote any type of discrimination, including on the grounds of sex or sexual orientation.

The Commission is facilitating effective and non-discriminatory access to justice for all through **funding** under the **justice programme**. For instance, the Commission provides funding to train justice professionals in civil law, criminal law and fundamental rights (such as non-discrimination), in line with the 2020-2025 EU strategy on victims' rights⁵¹. Supported projects have helped to strengthen legal protection for LGBTIQ people against hate crime, hate speech and violence⁵², as well as to improve conditions for LGBTIQ people who are in detention⁵³.

Complementary to the financial support provided by the justice programme in the area of justice, the **citizens, equality, rights and values (CERV) programme** offers strong support to fight discrimination against LGBTIQ people and promote LGBTIQ-equality and fundamental rights. In 2023-2024, the Commission allocated EUR 32 million under two dedicated calls for proposals to support civil society organisations in capacity building and to promote the implementation of the Charter of Fundamental Rights, including through protecting LGBTIQ rights and fighting anti-LGBTIQ hate crime and hate speech⁵⁴. One of

⁵⁰ [Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services](#) (OJ L 95, 15.4.2010, p. 1).

⁵¹ Communication from the Commission: EU Strategy on victims' rights (2020-2025), 24 June 2020, COM(2020) 258.

⁵² For instance, the project "Counter Hate: Improving the assistance of victims of hate crimes through a victim-centred and intersectional approach" has contributed to the assistance to victims of hate crimes including LGBTIQ victims by ensuring that legislation and policies establish a victim-centred and intersectional approach and by improving between professionals of information on successful measures. More information is available at: [EU Funding & Tenders Portal](#).

⁵³ For example, the project 'LGBTIQ Detainees' focuses on strengthening the rights of LGBTIQ detainees in the LEU by mapping the existing legal and policy framework applicable to them. More information is available at: [EU Funding & Tenders Portal](#).

⁵⁴ [CERV-2023-CHAR-LITI call for proposals](#).

the four priorities of the call to promote equality and to fight against racism, xenophobia and discrimination (EUR 20 million in 2023) focussed on fighting discrimination against LGBTIQ people and promoting LGBTIQ equality. The Commission also co-funded a project implemented by the Council of Europe to combat anti-LGBTIQ violence and hate speech and strengthen awareness-raising and fact-based narratives about LGBTIQ persons.

Finally, following up on its commitment to protect and promote LGBTIQ people's physical and mental health, on 7 June 2023, the Commission adopted a **Communication on a comprehensive approach to mental health**⁵⁵. The Communication underlines that tailored care should be provided to people in vulnerable situations, including LGBTIQ people.

III) Building LGBTIQ inclusive societies



The share of LGBTIQ people who avoid **holding hands in public** fell from 61% in 2019 to 54% in 2023.



21 Member States had **marriage equality** in 2023, compared to 13 in 2019.



Legal gender recognition based on self-determination applied in 11 Member States in 2023, compared to 4 in 2019.

While these figures show a positive trend, differences in legal provisions between Member States may also lead to discriminatory treatment of LGBTIQ people. For instance, family ties may not be recognised when rainbow families cross the borders of Member States. According to the FRA's 2023 Survey⁵⁶, 14% of respondents in LGBTIQ-parented families faced problems in having their parenthood legally recognised in another Member State.

The Commission has pledged to ensure the correct application of the rules on free movement of people to all EU citizens, including LGBTIQ people and their families. Revised **guidelines on free movement**⁵⁷ were published as part of a package to celebrate the 30th anniversary of EU citizenship rights in December 2023. They reflect the diversity of families and help make it easier for all families, including rainbow families, to exercise their free movement rights. The guidelines also recall that the terms of the Free Movement Directive are gender neutral.

⁵⁵ [COM\(2023\)298](#).

⁵⁶ [LGBTIQ at crossroads: progress and challenges](#).

⁵⁷ [Guidance on the right of free movement of EU citizens and their families](#) (C/2023/1392).

The Commission will continue to ensure the correct implementation of the **rules on free movement**. This includes dialogues with Member States on the implementation of the judgments in the *Coman*⁵⁸ and *VMA*⁵⁹ cases, in which the Court of Justice clarified some aspects of the Free Movement Directive⁶⁰ in relation to rainbow families.

To protect and reinforce the rights of all children in cross-border situations, in December 2022, the Commission adopted a **proposal for a regulation⁶¹ to facilitate the recognition in a Member State of parenthood established in another Member State**, by harmonising the Member States' rules of private international law. The proposal covers the recognition of the parenthood of all children irrespective of how they were conceived or born, and irrespective of their type of family, thus including the recognition of the parenthood of a child with same-sex parents as established in another Member State. Negotiations in the Council on the proposed legislation – which requires unanimity – are ongoing.

The **CERV programme** has financed projects and invested in long-term partnerships to advance the rights of LGBTIQ people and combat harmful practices against them. In 2021-2024, under the EQUAL call for proposals, the Commission awarded EUR 5 million to 24 projects to promote the rights of LGBTIQ people. EU funding was also awarded to several projects addressing discrimination and violence from an intersectional perspective⁶², including against LGBTIQ people.

In the same period, the Commission also concluded **4-year framework agreements** with European LGBTIQ umbrella organisations⁶³. In the first 3 years of implementation of the LGBTIQ equality strategy, these partners received financial support of around EUR 12.4 million. Some of these organisations act as funding intermediaries and have provided

⁵⁸ CJEU Case C-673/16, *Coman*, 5 June 2018, ECLI:EU:C:2018:385. In this judgment, the Court of Justice ruled that the term 'spouse' (as used in the Free Movement Directive) also applies to a person of the same sex as an EU citizen to whom he or she is married.

⁵⁹ CJEU Case C-490/20, *V.M.A. v. Stolichna obshtina, rayon 'Pancharevo'*, 14 December 2021, ECLI:EU:C:2021:296. In this judgement, the Court of Justice held that EU Member States are required to recognise – for the purposes of EU free movement law – the familial ties established in another EU Member State between a child and her parents who are a same-sex couple.

⁶⁰ [Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States](#) (OJ L 158, 30.4.2004, p. 77).

⁶¹ [Proposal for a Council Regulation on jurisdiction, applicable law, recognition of decisions and acceptance of authentic instruments in matters of parenthood and on the creation of a European Certificate of Parenthood](#), 7 December 2022, COM(2022) 695.

⁶² For example, the [child call](#) promotes LGBTIQ-equality via an intersection perspective by promoting the rights of all children. The [Charter and Litigation](#) call contributes as well via an intersectional approach to LGBTIQ-equality.

⁶³ Europe Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA-Europe), Transgender Europe (TGEU), Organisation Intersex International Europe (OII Europe), The International Lesbian, Gay, Bisexual, Transgender and Queer and Intersex Youth and Student Organisation (IGLYO), EuroCentralAsian Lesbian Community (EL*C).

financial support directly to their local and regional member organisations, which might not have the capacity to access EU funding directly. In addition, the Regulation of the CERV programme identifies EQUINET, the European Network of Equality Bodies, as a strategic partner and multiplier for equality, including LGBTIQ equality.

The Commission continues to maintain and encourage **structured, open dialogue and consultation with civil society** to engage them in the implementation of the strategy. In March 2024, the Commission organised the third roundtable discussion with LGBTIQ umbrella organisations on the implementation of the strategy.

IV) Leading the call for LGBTIQ equality around the world

In many parts of the world, LGBTIQ people continue to experience serious rights violations and abuses, including persecution, incarceration or even murder or the death penalty. This was the case also in Russia's war of aggression against Ukraine: LGBTIQ people were more exposed than others to severe hardship during the journey from Ukraine, including physical attacks with or without weapons, threats of physical assault, humiliation and intimidation⁶⁴.

The EU has continued to support LGBTIQ people around the world, in particular those experiencing violence and abuse. In line with the 2020-2024 action plan on human rights and democracy⁶⁵, and with the EU guidelines to promote and protect the enjoyment of all human rights by LGBTI people⁶⁶, the human rights of LGBTIQ people were raised in **human rights dialogues** with countries in all regions.

The human rights of LGBTIQ people are also systematically assessed in the reports under the EU's **Enlargement package** and raised with countries in meetings under the Stabilisation and Association Process with the Western Balkans and under the EU-Türkiye Association Agreement. They are also raised in dialogues with partner countries benefiting from the EU's Generalised System of Preferences and the Everything but Arms scheme, and in meetings at working level between the Commission and national authorities, civil society organisations and academics.

The EU continues to provide funding to civil society organisations and human rights defenders under the **Instrument for Pre-Accession Assistance** and the thematic programme on human rights and democracy associated with the **Neighbourhood, Development and International Cooperation Instrument**. For instance, EUR 15 million was earmarked to

⁶⁴ EU Agency for Fundamental Rights (FRA), [Fleeing Ukraine: Displaced people's experiences in the EU](#), Publication Office, 2023.

⁶⁵ [EU Action Plan on Human Rights and Democracy 2020-2024](#).

⁶⁶ [EU Guidelines to Promote and Protect the Enjoyment of all Human Rights by LGBTI Persons](#).

promote equality, inclusion and diversity under the 2022-2024 thematic programme on human rights and democracy⁶⁷. The EU offers a rapid response mechanism to protect individual LGBTIQ human rights defenders who are at risk. The **EU Human Rights Defenders Mechanism managed by the Protect Defenders Facility**^{68,69} continues to provide funding for emergency grants, temporary relocation, capacity building and training.

The outcome of dedicated EEAS work analysing instances of **foreign information manipulation and interference (FIMI)** that target LGBTIQ people is laid out in a report⁷⁰ that aimed to help the defender community understand the nature of FIMI as well as the tactics, techniques and procedures used to target the LGBTIQ+ community and expressed support for further work on this issue. The report found that there remains an urgent need for more research on FIMI targeting LGBTIQ+ and its impact on local communities and the wider democratic process.

The **decriminalisation of consensual same-sex sexual acts** has remained a goal of the EU's external relations. For instance, the High Representative/Vice President condemned the promulgation of Uganda's 2023 Anti-Homosexuality Act⁷¹, stating that this law is contrary to international human rights law and to Uganda's obligations under the African Charter on Human and People's Rights. The EU continued to monitor developments through its Delegations in countries where similar laws were proposed and conducted bilateral outreach in these countries.

In March 2023, the EEAS adopted the **2023-2025 agenda for diversity and inclusion**⁷², which outlines objectives for action both within the EEAS and outside the EU, and focuses on mainstreaming non-discrimination by promoting universal human rights in multilateral forums.

⁶⁷ [Commission implementing decision on the financing of the multiannual action plan for the thematic programme on human rights and democracy for 2022-2024](#), 25 July 2022, C(2022) 5452.

⁶⁸ It is a consortium of twelve international non-governmental organisations working in the field of protection for human rights defenders at risk.

⁶⁹ Before 2022 via the European Instrument for Democracy and Human Rights.

⁷⁰ https://www.eeas.europa.eu/eeas/fimi-targeting-lgbtqi-people_en?s=73.

⁷¹ https://www.eeas.europa.eu/eeas/uganda-statement-high-representative-josep-borrell-promulgation-anti-homosexuality-bill_en.

⁷² https://www.eeas.europa.eu/eeas/diversity-and-inclusion-agenda-eeas-2023-2025_en.

V) Delivering on the strategy: making full use of EU initiatives

1. Better equality mainstreaming

To achieve the objectives set out in the strategy, the Commission combined the targeted actions outlined in the strategy with **better mainstreaming of equality issues**, to ensure that combating discrimination affecting LGBTIQ people and promoting equality are integrated into all EU policies, legislation and funding programmes.

In the area of transport, a Handbook for Equality Mainstreaming⁷³ has been published to help staff and interested stakeholders apply an equality dimension in transport policies and related activities and to ensure increased attention to the safety concerns of particular groups of transport users, including LGBTIQ people.

Member States must ensure that they manage EU funds in compliance with the **horizontal enabling condition** related to the Charter of Fundamental Rights. Member States must fulfil the enabling conditions⁷⁴ throughout the programming period of the funds.

To ensure that EU-funded programmes respect equality principles and comply with EU law, the Commission has proposed to add ‘incitement to discrimination, hatred or violence’ as an explicit new ‘situation of exclusion’, as part of the revision of the **Financial Regulation**^{75 76}. If a ‘situation of exclusion’ applies to an organisation, the Commission may launch a procedure to exclude it from participating in award procedures and take any measures necessary to protect the financial interest of the EU, such as by suspending or terminating any ongoing legal commitments. The Council and the European Parliament reached a provisional agreement on the revision of the Regulation in December 2023.

The Commission has stepped up its efforts to mainstream LGBTIQ equality in the field of data collection. The Commission was supported in this task by the FRA and the European Institute for Gender Equality (EIGE), who contributed regularly to the **collection of reliable and comparable equality data** and contributed their expertise to help design and carry out data collection in the Member States. For instance, the FRA’s 2021 survey on Roma in 10 European countries included information on experiences of discrimination based on sexual orientation and gender identity⁷⁷.

⁷³ [Handbook for equality mainstreaming at DG MOVE](#) (May 2024).

⁷⁴ Under the Common Provisions Regulation: [Regulation \(EU\) 2021/1060 of the European Parliament and of the Council of 24 June 2021](#) (OJ L 231, 30.6.2021, p. 159).

⁷⁵ [COM\(2022\)223](#).

⁷⁶ It must be noted that this new provision of the Financial Regulation does not apply to shared management.

⁷⁷ FRA, [Roma in 10 European countries. Main results](#), 2022.

In addition, the FRA and the EIGE continuously provide Member States with **technical assistance and methodological support** to design and implement the collection of data about LGBTIQ people. Practical guidance, such as the 2023 guidance note on the collection and use of data for LGBTIQ equality⁷⁸ will help Member States to improve the collection of data disaggregated by sexual orientation, gender identity, gender expression and sex characteristics.

In June 2023, Eurostat created an **equality and non-discrimination statistics task force** to make progress on the collection of harmonised equality data, with a focus on specific grounds of discrimination that are difficult to measure (e.g. religion or belief, racial or ethnic origin, or sexual orientation and gender identity). The task force aims to complete its work by the end of 2026.

To ensure the maximum impact of the LGBTIQ equality strategy during the remaining period of its implementation, the stakeholders that were consulted identified two particular areas to focus on. The first is to improve data collection to plan and implement more effective policies. To this end, the subgroup on equality data is working hand-in-hand with the Eurostat equality statistics task force on collecting better and more comparable statistics on equality. The Commission is also working with the subgroups on equality data and on LGBTIQ equality to create synergies in their work, particularly as regards developing tools to support Member States in the development, implementation and monitoring of national LGBTIQ strategies and action plans.

The second area to focus on is to give greater visibility to actions on LGBTIQ equality, as many stakeholders, including national LGBTIQ organisations, local authorities and the public are not aware of the existence of the strategy. For this purpose, a new section on actions for LGBTIQ equality⁷⁹ was added on the webpage on the Commission's political priorities. Reflections are also ongoing on how to improve the dissemination of relevant information, for instance via a dedicated newsletter to provide updates on the implementation of the LGBTIQ equality strategy.

At the local level, the Commission continues to support and promote cities' efforts to put in place robust inclusion policies, through the annual **European Capitals of Inclusion and Diversity Awards** which had three editions so far. In April 2023, the second edition of the Awards took place. Three European cities and regions were recognised for their initiatives to foster LGBTIQ equality locally by receiving a special award⁸⁰.

⁷⁸ [Guidance note on the collection and use of data for LGBTIQ equality.](#)

⁷⁹ [Actions for LGBTIQ equality - European Commission \(europa.eu\).](#)

⁸⁰ [Winners of the 2023 Inclusion and Diversity Awards \(europa.eu\).](#)

2. State of play of national action plans and strategies

The Commission's strategy explicitly encourages Member States to adopt national action plans. The objective is to step up protection against anti-LGBTIQ discrimination, to ensure follow-up at the national level of the objectives and actions set out in the LGBTIQ equality strategy and to complement this with measures to advance LGBTIQ equality in the areas for which Member States are competent.

To date, 12 Member States – **Belgium**⁸¹, **Denmark**⁸², **Germany**⁸³, **Ireland**⁸⁴, **Greece**⁸⁵, **France**⁸⁶, **Italy**⁸⁷, **Luxembourg**⁸⁸, **Malta**⁸⁹, **the Netherlands**⁹⁰, **Portugal**⁹¹ and **Sweden**⁹² – have national strategies or action plans in place⁹³. These 12 Member States replied to the online questionnaire for the targeted consultation, providing additional information on the design, implementation, monitoring and evaluation of their national strategies and action plans.

Furthermore, **Spain** is preparing two strategies: a national strategy on equal treatment and non-discrimination of LGBTI people, and a national strategy on the social inclusion of trans people. Also, as explained in the thematic report of the European Equality Law Network⁹⁴, **Cyprus** is planning an LGBTIQ equality action plan, which would be part of its broader 2021 national human rights strategy. The thematic report identifies some recurring themes in the objectives and measures included in national action plans and strategies. These include awareness-raising, data collection, well-being and healthcare, combating discrimination and violence, recognition of rainbow families, improving procedures for legal gender recognition, mainstreaming LGBTIQ equality in all policies and promoting LGBTIQ rights in foreign policy. Also, all national action plans and strategies pay attention to intersectionality or to the most vulnerable groups of LGBTIQ people.

⁸¹ See: [Pour une Belgique LGBTIQ+ Friendly - Plan d'Action Fédéral 2021-2024](#).

⁸² See: [Plads til forskellighed i fælleskabet – LGBT+ handlingsplan 2022-2025](#).

⁸³ See: [Aktionsplan „Queer leben“](#).

⁸⁴ See: [LGBTI+ Inclusion Strategy 2019-2021](#).

⁸⁵ See: [Εθνική Στρατηγική για την Ισότητα των ΛΟΑΤΚΙ+](#).

⁸⁶ See: [Plan national pour l'égalité, contre la haine et les discriminations anti LGBT+ \(2023-2026\)](#).

⁸⁷ See: [Strategia Nazionale LGBT+ 2022-2025](#).

⁸⁸ See: [Plan d'action national pour la promotion des droits des personnes lesbiennes, gays, bisexuelles, transgenres et intersexes](#).

⁸⁹ See: [LGBTIQ+ Equality Strategy & Action Plan 2023-2027](#).

⁹⁰ See: [Emancipatienota 2022-2025](#).

⁹¹ See: [Resolução do Conselho de Ministros n.º 61/2018, de 21 de maio](#).

⁹² See: [Action plan for equal rights and opportunities for LGBTIQ people](#).

⁹³ Additional information on those particular national action plans and strategies is provided in the thematic report of the European Equality Law Network. See: P. Cannoot and C. Van de Graaf (2023), [Charting progress: A comparative analysis of national LGBTIQ equality action plans in the EU](#).

⁹⁴ P. Cannoot and C. Van de Graaf (2023), [Charting progress: A comparative analysis of national LGBTIQ equality action plans in the EU](#), provides in depth analysis of all 12 dedicated national action plans or strategies in place, and of the particular cases of Spain and Cyprus.

Based on the responses from Member States during the consultation process, over two thirds of those with a national action plan or strategy have a permanent governmental LGBTIQ coordination structure. Member States also provide structural funding for LGBTIQ civil society organisations and have a specific budget allocation, timetable and responsibilities to implement their LGBTIQ policies. Two thirds of respondents with a national action plan or strategy have developed indicators or targets to assess the implementation of LGBTIQ policies. In this regard, many respondents indicated that there is room to improve the collection of data on LGBTIQ equality in the framework of the LGBTIQ equality strategy.

Most Member States with a national action plan or strategy have indicated that monitoring and evaluation mechanisms are in place at national level, although the procedural frameworks differ⁹⁵. More than half of the respondents said that policy makers and civil society were involved in monitoring and evaluation.

In May 2021, the LGBTIQ equality subgroup was set up under the High-Level Group on non-discrimination, equality and diversity to strengthen the implementation of the strategy. The FRA contributes to its work, and the subgroup cooperates with civil society and international organisations. The creation and work of the subgroup was welcomed in the consultations for the preparation of this report.

The LGBTIQ equality subgroup prepared the **guidelines for strategies and action plans to enhance LGBTIQ equality**⁹⁶ to support Member States' efforts to affirm LGBTIQ equality in a strategic and evidence-based manner⁹⁷.

The Commission continues to encourage all Member States to adopt national action plans to strengthen LGBTIQ equality. Exchanges of good practices and discussions in the LGBTIQ equality subgroup will help Member States in the adoption, implementation, monitoring and evaluation of their national action plans and strategies.

3. Monitoring of implementation of EU law

In its role as 'guardian of the Treaties', the Commission continued to monitor the implementation of EU law in the Member States and initiated **infringement procedures** in cases where EU law has been breached. In July 2022, the Commission referred Hungary to the Court of Justice of the EU over national rules that discriminate against people based on

⁹⁵ The thematic report provides additional information on specific monitoring and evaluation procedures in place in all the Member States that were analysed.

⁹⁶ [Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality](#) (April 2022).

⁹⁷ Overall, based on the consultations carried out with Member States, the guidelines are seen as an important policy tool that brings added value to the work of the different stakeholders. The main results of the consultation process with Member States on national action plans are described in more detail in the synopsis report available at: https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025_en.

In 2019-2020, around 197 local and regional governments in Poland adopted resolutions with the stated aim to protect families and children from ‘LGBT ideology’ and declared local areas as ‘LGBT-free zones’. In July 2021, the Commission opened an infringement procedure because Poland had failed to respond appropriately to the Commission’s inquiry about the nature and impact of such zones. In January 2023, the Commission closed the infringement procedure as the Polish authorities have since provided the information requested.

The implementation of the LGBTIQ equality strategy is having a positive impact on the situation of LGBTIQ people in Europe. It helps mainstreaming LGBTIQ equality across different policy areas, with an intersectional perspective.

The Commission will continue to work closely with Member States and all stakeholders on the implementation of the strategy. It will continue to support the EU legislators in their work to adopt the pending legislative proposals in the area of LGBTIQ equality. In its role of guardian of the Treaties, the Commission will continue to ensure the correct implementation and enforcement of the EU legislation protecting the rights of LGBTIQ people.

To date, 12 Member States have national strategies or action plans in place. Most of them acknowledge that the LGBTIQ equality strategy added value to the efforts at national level, in many different areas. The Commission will continue to encourage Member States to adopt national action plans to strengthen LGBTIQ equality. Cooperation with Member States will be reinforced, exchanging good practices in the development and implementation of national action plans.

Finally, the Commission will continue to support, including through EU funding, the activities and projects of civil society organisations, in line with the objectives set by the strategy.

⁹⁹ Action brought on 19 December 2022, *European Commission v Hungary*, C-769/22 (OJ C 54, 13.2.2023, p. 16).

Although the EU and its Member States have made significant progress in advancing a Union of Equality, there is still a long way to go to build a welcoming and equal society for all. Progress towards LGBTIQ equality is fragile and not irreversible. The COVID-19 crisis and Russia's war of aggression against Ukraine have deepened polarisation in society, including on LGBTIQ rights. This polarisation threatens to undermine hard-won progress. It is crucial for the EU to remain vigilant and to continue to work with Member States, including in its foreign policy, to protect the rights of LGBTIQ people.

In the political guidelines for the next European Commission 2024-2029¹⁰⁰, President von der Leyen announced an updated strategy on LGBTIQ equality, as part of the ongoing efforts to build a Union of equality.

¹⁰⁰ [Political guidelines for the next European Commission 2024-2029](#).