

What has the European Union done for LGBTIQ+ rights in 2019-2024?

European Commission

1. [LGBTIQ Equality Strategy 2020-25](#): The first ever **Strategy on LGBTIQ** adopted on 12 November 2020. It sets out a series of measures to step up action, to integrate LGBTIQ+ equality in all policy areas and to help lift the voices of LGBTIQ+ minorities. The Strategy is divided into four main areas of activity: (1) Tackling discrimination against LGBTIQ people, (2) ensuring LGBTIQ people's safety, (3) building LGBTIQ inclusive societies and (4) leading the call for LGBTIQ equality around the world. A progress report was published in April 2023, a mid-term review is due any moment (promised for early 2024).
2. In 2019, the European Commission created the post of the **Commissioner for Equality and Justice**. Strengthening Europe's commitment to inclusion and equality in all of its senses, irrespective of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The post is currently held by Helena Dalli.
3. Establishment of the **LGBTIQ Equality Subgroup** to improve the execution of the LGBTIQ Equality Strategy. The Subgroup started operating in May 2021. It developed the [Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality](#) in order to encourage meaningful action to strengthen protection of the rights of LGBTIQ people worldwide.
4. Legislation in progress:
 - Proposals on **standards for equality bodies** (([2022/0400\(COD\)](#)): provisional agreement reached; ([2022/0401\(APP\)](#)): EP gave its consent.
 - Artificial intelligence ([2021/016\(COD\)](#)) – relevant for LGBTIQ+ as the aim is also to prevent discrimination through AI; provisional agreement has been reached, see EPRS [legislative train file](#) for updates.
 - [Commission proposal](#) for the Council to extend the current list of 'EU crimes' under Article 83(1) TFEU to **cover hate speech and crime** - on hold in the Council. See EPRS [legislative train file](#) for updates.
 - Proposal for a **directive on violence against women**, which also mentions increased risk of violence faced by victims with intersectional discrimination. Almost completed, plenary April 2024, see EPRS [legislative train file](#) for updates.
 - Proposal for a **revision of the Victims Rights Directive**, on-going, awaiting committee decision in the EP. See [EPRS legislative train file](#) for updates.
 - [Proposal](#) for a **regulation harmonising** the Member States' rules of private international law relating to **parenthood**. Parliament was consulted on the proposal. Both LIBE and FEMM issued their opinions in autumn 2023. The Proposal is being discussed in Council.

5. **Monitoring the implementation of EU legislation:** The Commission [resolved in July 2022](#) to send Hungary before the EU Court of Justice due to a statute that it deemed to be discriminatory based on gender identity and sexual orientation. The case was filed with the EU Court of Justice in December 2022. As for Poland (infringement procedures as regards Poland's failure to respond to a Commission enquiry about 'LGBT-free zones'), the Commission closed the infringement procedure in January 2023, stating the Polish authorities have since provided the information requested. Moreover, the Commission insisted that the partnership agreement with Poland for 2021 to 2027 under EU cohesion policy includes a specific anti-discrimination clause that applies to municipalities, counties and regions.
6. **Funding:** most importantly under the Citizens, Equality, Rights and Values' (CERV) programme but also under the IPA and the thematic program on human rights and democracy connected to the NDICI instrument; under the ESF+, Erasmus+, European Solidarity Corps, Horizon 2020, Justice Programme. In addition, the Commission concluded **Framework agreements** with European LGBTIQ+ umbrella organizations that span four years, from 2021 to 2024. Almost EUR 8 million in funding was provided to these partners over the first two years of the LGBTIQ+ strategy's implementation. (More details on each programme are in the [progress report](#))
7. [Review of the 2009 guidelines on free movement](#) in December 2023, which reflect the diversity of families and contribute to facilitating the exercise of free movement rights for all families, including rainbow families. It should also encourage national authorities' strict enforcement of free movement laws, regardless of sexual orientation, gender identity/expression, or sex characteristics.

European External Action Service

- On 1 July 2021, the EEAS Secretary-General Stefano Sannino appointed Stella Ronner-Grubačić as Ambassador for Gender and Diversity.
- [2023 agenda for diversity and inclusion](#) to achieve greater mainstreaming of equality, diversity and inclusion throughout EU external actions.

Council of the European Union

- [Council Recommendation on 'Pathways to School Success'](#): support inclusive learning environments.

European Union Agency for Asylum

- [Key Findings Report of the Survey on Sexual Orientation and Gender Identity](#): This report captures national guidance and practices related to the asylum procedure for claims based on sexual orientation, gender identity and expression, and sex characteristics (SOGIESC)

European Union Agency for Fundamental Rights

- FRA Survey: [A long way to go for LGBTI equality](#): With almost 140,000 participants, it is the largest survey of its kind. It follows the agency's first survey on LGBT people in the EU, conducted in 2012. The new survey results show little progress over the past seven years.

Court of Justice

- The CJEU has ruled in many cases on the Equal Treatment and Employment directive, inter alia strengthening the position of LGBTIQ+ people, including the self-employed: CJEU [Case C-507/18](#), NH v Associazione Avvocatura per i diritti LGBTI – Rete Lenford, Judgment of 23 April 2020; CJEU [Case C-356/21](#), J.K. v TP S.A., Judgment of 23 January 2023
- The CJEU has ruled that, for the purposes of the exercise of the rights derived from EU law, and in particular EU free movement rights, EU Member States are obliged to recognise parenthood established in another EU Member State: [CJEU case C-490/20](#) V.M.A. v Stolichna obshtina, rayon 'Pancharevo', judgment of 14 December 2021; [CJEU case C-2/21](#) Rzecznik Praw Obywatelskich v K.S. and Others, Order of the Court of 24 June 2022. *Coman case (Case C-673/16)*, but this is already in your 2018 briefing