

# Declaration of sixteen European Member States on the protection of LGBTIQ persons in the European Union (17 May 2021)

Declaration of Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Ireland, Italy, Luxembourg, Malta, Netherlands, Portugal, Spain, Slovenia, Sweden.

On this **International Day against Homophobia, Transphobia and Biphobia**, we could not be gathered without strongly expressing our attachment to what is the bedrock of the European Union: our common fundamental values, enshrined in Article 2 of the Treaty on European Union.

Among them, the principle of equality prohibits any form of discrimination or violence based on any ground such as sex, gender identity or sexual orientation.

Affirming this principle is essential; putting it into practice is just as fundamental.

Against the stigmatization, exclusion and aggression that too many LGBTIQ persons suffer today, the European Union is not helpless. On the contrary, it has provided itself with a growing number of **levers for action**.

Consequently, the Ministers of the Member States who have signed this declaration wish to make **several commitments** today.

The **first** one will be to reinforce their **political dialogue** in order to identify, in close connection with the European Commission, all the **means** that can be activated in case of infringement of LGBTIQ persons rights.

Through this reinforced dialogue, it will matter to **assess extending the range of instruments** of the European Union, by ensuring that it is proactive and firm - while respecting the respective competences of the Union and the Member States. The European Commission's strategy for equal treatment of LGBTIQ persons provides a strategic framework, within which legal instruments will have to be assessed. In particular, it is important to stand up against all forms of violence and discrimination, as well as hate speech online and offline. It is also necessary to increase awareness of the suffering that many LGBTIQ persons face in their daily lives, and to support civil society organisations and human rights defenders who fight for equality, often at great personal risk.

The **second** commitment, which will derive from the first one, will be to jointly develop a **litigation strategy** to support, where appropriate, the European institutions in court cases where the protection of EU values in general and LGBTIQ persons in particular is at stake.

Our **third commitment** concerns the **budget of the European Union**. Indeed, the latter cannot support projects that violate its founding principles. That is why the draft regulation laying down common provisions for shared management funds expressly provides for a condition

relating to respect for the Charter of Fundamental Rights, in addition to the objective of combating discrimination. Moreover, specific financial instruments, such as the regulation establishing the Citizens, Equality, Rights and Values programme must contribute to the active promotion of the rights and values enshrined in the Treaties and the Charter of Fundamental Rights.

The **fourth commitment** is to do all we can at national level to protect EU values in general and LGBTIQ persons in particular, and to continue to strengthen institutions and public policies focused on preventing, investigating, and punishing discrimination and violence against LGBTIQ persons. The EU can only be a community of values if its Member States are vigilant and determined in ensuring that no one is left behind.

This declaration is **open to all Member States** that wish to join it. The list of Member States supporting it will be extended as time goes by.