



COUNCIL OF EUROPE

In January, the new [Expert Committee on SOGIESC](#) (ADI-SOGIESC), housed in the Steering Committee on Anti-discrimination, Diversity, and Inclusion (CDADI), formally started its work; this new structure represented a significant increase in the budget from the Council of Europe dedicated to work focused on LGBTI issues. ADI-SOGIESC held its first meeting on 14 May in The Hague, a joint meeting with the European LGBTI Focal Points Network and the EU LGBTIQ Equality Subgroup on 16 May in The Hague, and its second meeting on 29-30 October in Strasbourg.

In January, the Parliamentary Assembly of the Council of Europe (PACE) elected Michael O’Flaherty to a six-year term as the [new Commissioner for Human Rights](#) (Commissioner); he took office on 01 April, succeeding Dunja Mijatović in the role.

In March, Béatrice Fresko-Rolfo of Monaco was [appointed](#) General Rapporteur on the rights of LGBTI people in PACE (PACE General Rapporteur).

During 2024, ADI-SOGIESC conducted a review of the implementation of the Committee of Ministers Recommendation (2010)5 on the rights of LGBT people (CM/Rec(2010)5), collecting input from member States and civil society about the state of play in Council of Europe States. For the first time, optional questions on gender expression and sex characteristics were included in the review.

ASYLUM AND MIGRATION

In [June](#), PACE adopted a report on human-rights compliant asylum procedures with specific mention of asylum-seekers experiencing systemic marginalisation, including LGBTI asylum-seekers.

The European Commission against Racism and Intolerance (ECRI) recommended that [Malta](#) improve access to information on asylum on SOGIESC grounds.

On 12 November, the European Court of Human Rights ruled in [M.I. v. Switzerland](#) that the rejection of a gay man’s asylum application and his expulsion to Iran would expose him to a risk of ill-treatment contrary to ECHR Article 3. The Court rejected the views of the authorities that the applicant could continue to live his private life in ‘a discreet manner’ upon his return.

BIAS-MOTIVATED SPEECH

The Council of Europe project “Combating hate speech in sport” held a [meeting](#) on 18-19 January in Madrid to discuss the future Strategy for Combating Hate Speech in Sport and the Action Plan for Spain 2024-2026, and included participation from LGBTI sports organisations.

ECRI recommended that [Andorra](#) work to combat online hate speech, including against LGBTI persons; that [Estonia](#) protect the ground of gender identity; that [San Marino](#) protect the grounds of gender identity and sex characteristics in hate speech legislation; and that [Serbia](#) conduct a comprehensive study on hate speech, including targeting LGBTI persons.

BIAS-MOTIVATED VIOLENCE

During the year, the European Court of Human Rights delivered a number of judgments reiterating Council of Europe States’ positive obligation under ECHR Articles 3 (prohibition of torture and ill-treatment), 8 (right to private and family life) and 14 (prohibition of discrimination) to effectively protect LGBTI people from hate crime. On 11 April, the Court ruled in [Karter v. Ukraine](#) that Ukraine violated ECHR Articles 3 and 14 by failing to effectively investigate two verbal and physical attacks of the applicant, involving homophobic slurs. On 18 July, the Court ruled in [Hanovs v. Latvia](#) that Latvia violated ECHR Articles 3 and 8 taken in conjunction with Article 14 by failing to effectively investigate and punish a homophobic attack. The Court emphasised that this fostered a sense of impunity for hate-motivated offences and normalise hostility towards LGBTI people. On 3 December, the Court ruled in [Yevstifeyev and Others v. Russia](#) that Russia violated ECHR Article 8 together with Article 14 for failing to respond adequately to verbal assault and physical threats motivated by homophobia against the applicants.

In July, ECRI recommended [Bosnia and Herzegovina](#) fully investigate the violence against LGBTI persons which took place in Banja Luka in March 2023.

On 3 October, PACE adopted a [report and resolution](#) on Preventing and combating violence and discrimination against lesbian, bisexual and queer women in Europe, the first LBQ-focused resolution to be considered by the Assembly.

The Council of Europe co-organised a [regional conference](#), together with the EU, on 5 to 7 November in Sarajevo titled “Spaces and services to protect LGBTI communities”, which focused on safety and security of LGBTI people and countering anti-rights actors in the region.

On 4 December, ADI-SOGIESC and the Parliamentary Platform for the Rights of LGBTI People of the Parliamentary Assembly held a [joint event](#) titled “Conference on Violence and Discrimination against LBQ Women in Europe and Actions to Protect their Rights”, focused on the rights of LBQ women, with interventions from the PACE Secretary General, the Commissioner, and the PACE General Rapporteur.

BODILY INTEGRITY

The Steering Committee on Anti-discrimination, Diversity, and Inclusion (CDADI) continued its work to develop a draft Committee of Ministers Recommendation on the equality of rights of intersex people, with the Drafting Group meeting on 21-22 March and 3-4 September.

On 5 December, the Equality and Non-discrimination Committee of PACE [held a hearing](#) for the report in development titled For a ban on so-called conversion therapies in Paris.

ECRI recommended that [Malta](#) increase support to intersex persons and their families and provide appropriate training to healthcare professionals.

EDUCATION

In March, the European Commission against Racism and Intolerance (ECRI) released a [factsheet](#) on combating racism and intolerance in and through education, which specifically mentions the need to address anti-LGBTI bullying in schools and to provide students with all necessary information to live according to their SOGI. In August, ECRI recommended that [San Marino](#) and [Serbia](#) work to increase access to information on LGBTI issues and tackle anti-LGBTI bullying and harassment in schools, respectively.

EMPLOYMENT

On 7 May, the European Court of Human Rights ruled in [A.K. v. Russia](#) that a teacher’s dismissal from her teaching position on the sole basis of her sexual orientation violated her right to private life and was discriminatory.

EQUALITY AND NON-DISCRIMINATION

At the January session of PACE, 20 members signed a [written declaration](#) encouraging the government of Armenia to ensure that LGBTI people are protected in their forthcoming anti-discrimination legislation.

In March, the Council of Europe adopted its next [Gender Equality Strategy 2024-2029](#), which includes a strong elaboration of whom the Strategy is targeted to protect, including LGBTI people and LGBTI women specifically, as well as the first-ever paragraph on LGBTI men.

On 03 December, ADI-SOGIESC held an expert meeting to discuss the development of a study on gender expression as a protected ground.

FAMILY

On 17 February, the CHR [wrote on X, welcoming](#) the adoption of marriage equality in Greece.

ECRI recommended that [Andorra](#) and [Bosnia and Herzegovina](#) create a legal framework for the recognition of same-sex relationships.

On 11 July, the European Court of Human Rights ruled in [Savinovskikh and Others v. Russia](#) that Russia violated the right to private and family life of a trans man and his two foster children by terminating the foster care agreement on grounds of his gender identity and transition.

On 19 September, the European Court of Human Rights ruled in [Formela and Others v. Poland](#) that Poland violated the right to respect for family life of same-sex couples by refusing to register their marriages contracted abroad. This judgment confirmed the obligation on all CoE Member States to establish a legal framework providing for the recognition and protection of same-sex unions.

FREEDOM OF EXPRESSION, ASSEMBLY, AND ASSOCIATION

The President of PACE, on 16 April, [requested an opinion](#) from the European Commission for Democracy through Law (Venice Commission) on the compliance with Council of Europe standards of the Georgian draft law on Transparency of Foreign Influence. On 17 May, the Commissioner issued a [statement](#) highlighting that Georgia's new foreign agent law was likely to target LGBTI NGOs first, amid a rise in violence and discrimination against LGBTI people across Europe. On 21 May, the Venice Commission issued an [urgent opinion](#), strongly recommending repeal of the law.

On [17 April](#), PACE adopted a broad resolution on freedom of assembly and expression of LGBTI people, which also calls for Council of Europe Member States to ban conversion practices, repeal "anti-propaganda" laws, combat SLAPPs, protect Pride marches and LGBTI demonstrations, combat hate speech and hate crimes and ensure accountability of perpetrators, support comprehensive sex education programmes, offer humanitarian visas to LGBTI activists fleeing persecution, train law enforcement to protect LGBTI communities, and guarantee access both to legal gender recognition and marriage for same-sex couples. As part of the development of this report, in January, the Commissioner and the PACE General Rapporteur on the rights of LGBTI people had an [exchange of views](#) on freedom of assembly and expression for LGBTI people.

On 12 August, the Commissioner [wrote on X](#), calling on the Bulgarian parliament to not adopt a proposed anti-propaganda law targeting LGBTI issues.

On 6 September, the Commissioner wrote a [letter to the Chairman of the Parliament of Georgia](#) urging the Parliament not to adopt the proposed anti-LGBTI law and to curtail anti-LGBTI rhetoric coming from members of the Parliament. In October, the Congress of Local and Regional Authorities (CLRA) [adopted a declaration](#) on the worsening situation, including specifically for LGBTI people, in Georgia.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

On 25 April, the Committee for the Prevention of Torture released an [extract](#) of its 2023 Annual report focused on the protection of the rights of trans prisoners.

HEALTH

In May, ECRI released a [factsheet](#) on tackling racism and intolerance in healthcare, which includes a series of LGBTI-specific recommendations, including to ensure access to trans-specific healthcare, ensure that same-sex couples do not face health-related problems, and to prohibit medically unnecessary treatments on intersex children.

On 11 July, the European Court of Human Rights ruled in [W.W. v. Poland](#) that Poland violated the right to private life of a trans

woman by denying her access to hormone therapy in prison. The Court found that the refusal lacked reasonable justification and failed to prioritise the applicant's physical and mental health, emphasising the necessity of ensuring access to gender-affirming healthcare for trans individuals in detention.

In September, CDADI [published its third thematic review](#) of the CM/Rec(2010)5 focused on the health of LGBTI people.

On 29 August, "Empower and Embrace", a project supported by the Council of Europe, held a [training](#) to empower mental health professionals in Bosnia and Herzegovina working with LGBTI patients.

HUMAN RIGHTS DEFENDERS

On 27 March, the Commissioner released a [statement](#) condemning intimidation and harassment of LGBTI people in Georgia.

On 05 April, the Committee of Ministers [adopted](#) a Recommendation on countering the use of strategic lawsuits against public participation (SLAPPs), which notes the specific risk for those marginalised based on their SOGIESC and the need for differentiated risk assessment and response.

INSTITUTIONAL SUPPORT

On 15 May, to mark IDAHOT+, 32 member States signed a [joint ministerial declaration](#) calling for renewed commitment to protecting the rights of LGBTI people through Council of Europe, UN, and EU mechanisms, as well as via national level action. At the IDAHOT+ Forum, the Commissioner gave an [opening keynote speech](#) at the IDAHOT+ Forum, and Bjørn Berge, Deputy Secretary General of the Council of Europe, gave a [keynote speech](#) also during the Forum. On 17 May, the PACE General Rapporteur [issued a statement](#) to mark IDAHOT+, calling for urgent action to protect the rights of LGBTI people.

The Commissioner gave a keynote speech at the closing session of [the EuroPride Human Rights Conference](#) in Thessaloniki, Greece, in June.

INTERSECTIONALITY

In February, the Commissioner released a [Human Rights Comment](#) on protecting the rights of sex workers, which outlined the vital importance of decriminalisation. The comment particularly highlighted the plight of sex workers who are facing multiple or intersecting forms of discrimination such as migrants, racialised groups, trans people, and those with disabilities or long-term illnesses. The Commissioner stressed that policy measures must address the unique discrimination faced by sex workers, considering intersecting factors such as ethnic origin, gender, sexual orientation, gender identity, migration status, and/or disability.

CDADI commenced a process to develop a study on the feasibility of policy and law targeting intersectional discrimination; the [working group for the study met](#) on 12 April.

In September, the PACE Committee on Equality and Non-discrimination [adopted a report and resolution](#) on Protecting the human rights and improving the lives of sex workers and victims of sexual exploitation. The report received oppositional amendments upon going to plenary, and was returned to Committee for further work.

LEGAL GENDER RECOGNITION

On 14 March, the Commissioner [released Issue Paper](#) on human rights and gender identity and expression, which lays out a thorough and clear explanation of the application of the human rights framework with respect to trans and non-binary people and the grounds of gender identity and expression.

On 16 April, the PACE Platform on the rights of LGBTI people [hosted a panel](#) on violence and discrimination against trans people, the first panel of its kind in many years.

During the year, the European Court of Human Rights delivered several judgments reiterating Council of Europe States' positive obligation under ECHR Article 8 (right to private and family life) to establish a legal framework for a quick, transparent, and accessible legal gender recognition procedure. In July, the Court revised its judgment in the case of [Y.T. v. Bulgaria](#), declaring the application inadmissible due to the applicant's failure to inform the Court of his success in achieving LGR through another court during the case. Despite this decision, the Court reaffirmed Bulgaria's obligation to establish a legal framework for a quick, transparent, and accessible LGR procedure, as outlined in earlier judgments. The lack of such a system remains a significant barrier for trans people in Bulgaria, where LGR has effectively been banned since 2023. In November, in [E.G. and Others v. Hungary](#), the Court reiterated its previous rulings and ruled that Hungary did not provide quick, transparent, and accessible procedures for LGR.

ECRI recommended that [Bosnia and Herzegovina](#), [Liechtenstein](#), and [San Marino](#) adopt LGR frameworks in line with human rights standards and that San Marino develop guidelines for the provision of trans-specific healthcare. ECRI also recommended that [Andorra](#) reform its LGR procedure to be human rights compliant.

In September, the [Committee of Ministers](#), in its role supervising the implementation of judgments from ECtHR, noted concern with the adoption of an anti-LGBTI law in Georgia and called on authorities to implement the [A.D. and Others v. Georgia](#) decision by implementing a framework for LGR. ECRI also called on [Lithuania](#) to implement the judgement in [L. v. Lithuania](#).

PARTICIPATION IN PUBLIC, CULTURAL, AND POLITICAL LIFE

The Conference of INGOs conducted a survey on the stigmatisation of NGOs in the Council of Europe region and released its [report](#) in March.

ECRI reviewed its priority recommendation for Cyprus, finding that while Cyprus had indicated its willingness to work on a national LGBTI strategy as recommended in 2023, a strategy had yet to be adopted. ECRI also noted the continued "state of danger" for LGBTI persons in [Hungary](#) and called on Hungary to rescind restrictive legislative measures. ECRI also called on the [United Kingdom](#) to implement its 2018 LGBT action plan and on [Lithuania](#) to create a taskforce to commission a study on the situation of LGBTI persons and consider developing an LGBTI equality strategy.