

Our submission to the EC 2022 Rule of Law Report

In January 2022 ILGA-Europe compiled a submission to the European Commission's public consultation ahead of the 2022 Rule of Law report. The submission covered rule of law developments related to LGBTI rights in the year 2021 in 13 EU Member States: Bulgaria, Croatia, Czech Republic, Denmark, France, Hungary, Latvia, Lithuania, Poland, Romania, Slovenia, Slovakia and Spain.

[Report](#), [Civil Rights and Freedom](#), [Czechia](#), [Denmark](#), [France](#), [Hungary](#), [Poland](#), [Romania](#), [Rule of Law](#), [Slovenia](#)

Expert contributions were provided by organisations PROUD (Czech Republic), LGBT komiteen (Denmark), Inter-LGBT (France), Háttér Társaság (Hungary), KPH & Atlas of Hate (Poland), ACCEPT (Romania), and Legebrita (Slovenia).

The developments encompassed in the submission point to systematic attacks on the fundamental rights of LGBTI people enabled by the weakening of rule of law and democratic structures. We have not included all fundamental rights violations against LGBTI people, or all restrictions experienced by LGBTI civil society in the respective countries, only those which are relevant to the respective headings of the consultation, where there is a clear link to rule of law.

Notably the submission covers the following topics:

- Political interference or bias in court cases related to LGBTI rights, in particular where independence of the judiciary is under attack;
- Anti-LGBTI bias, smear campaigns and censorship of LGBTI content, in particular where media freedom is under attack;
- Funding restrictions or discriminatory distribution of public or EU funds, affecting LGBTI organisations;
- Arbitrary application of Covid-19 regulations to attempt to restrict the freedom of assembly of LGBTI people;
- Covid-19 emergency measures affecting the process of preparing and enacting laws (exclusion of LGBTI CSOs in consultation phases or even fast-track adoption of legislation directly attacking LGBTI people);
- Non-implementation of CJEU or ECtHR judgements which would improve the lives of LGBTI people;
- Judicial harassment of LGBTI activists (in particular SLAPPs);
- Insufficient follow-up of anti-LGBTI hate crime cases;
- Anti-LGBTI discriminatory speech from political and religious leaders affecting public perception of LGBTI CSOs and creating an unsafe climate for LGBTI human rights defenders (in some cases leading to attacks on CSO offices, employees and volunteers).

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