

Second Review of The Committee of Ministers of the Council of Europe Recommendation on LGBT Rights – 2018

In 2010, the Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity established the gold standard of LGBT rights in Europe.

[Report, Council of Europe](#)

Agreed unanimously by the 47 Council of Europe member states, it was the first and only agreement between governments to combat discrimination against LGBT people in Europe. Although not legally binding, it was based solidly on existing legally binding international and European human rights obligations. Member states therefore have a clear duty to implement its measures. It has been widely used by states and civil society alike in an effort to improve the lives of LGBT people in Europe.

It was also agreed to review the implementation progress of member states on a regular basis. The first review of the implementation took place in 2013, the second in 2018. The reviews are a crucial movement to assess progress made, but also to identify gaps in implementation that need to be tackled more comprehensively. The reviews are not only an important reminder for member states, but also inform the work of the Council of Europe in supporting the protection of LGBTI rights through its work.

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Between March and July 2018, ILGA-Europe and [Transgender Europe \(TGEU\)](#) supported 11 LGBTQI and 5 trans organisations in preparing country reports on 16 member states (Armenia, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Estonia, Finland, Georgia, Hungary, Lithuania, FYR Macedonia, Montenegro, Poland, Portugal, Serbia, Sweden).

Since the Recommendation was adopted in 2010, there have been significant gains in the Council of Europe region that secured legal rights for LGBTQI people. However, the work on LGBTQI equality is nowhere near done. Worrisome backlash, a rhetoric of hate, populism, nationalism, and state-led persecution in a number of member states remind us that efforts to combat violence and discrimination on grounds of SOGIESC must be reaffirmed, continued, and strengthened.

This assessment will help guide the Council's work in supporting member states regarding implementation. The submitting organisations welcome that during this second review, the Council extended the invitation for civil society organisations and national human rights structures (NHRs) to also submit reports.

[Summary of the findings](#)[Download](#)