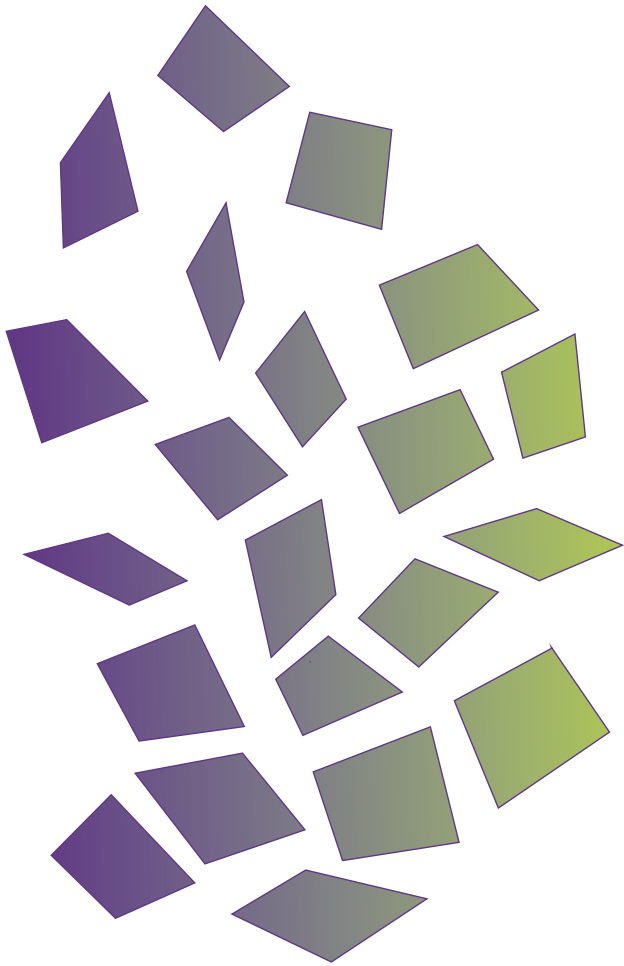


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# Charting progress: A comparative analysis of national LGBTIQ equality action plans in the EU

Including summary

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# **Charting progress: A comparative analysis of national LGBTIQ equality action plans in the EU**

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2023

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# Contents

<b>EXECUTIVE SUMMARY</b>	<b>7</b>
<b>1 INTRODUCTION</b>	<b>10</b>
1.1 LGBTIQ Equality in the European Union	10
1.2 The European Commission's LGBTIQ Equality Strategy 2020-2025	12
1.3 The importance of action plans or strategies for promoting (LGBTIQ) equality	14
1.4 Scope of the report and methodology	15
The LGBTIQ Equality Subgroup's <i>Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality</i>	16
Council of Europe recommendations on national action plans as effective tools to promote and protect the human rights of LGBTIQ people	19
Report by Marie Wittenius on drafting national LGBTIQ equality action plans	22
<b>2 PREPARATION, DRAFTING AND ADOPTION OF NATIONAL LGBTIQ EQUALITY ACTION PLANS/STRATEGIES</b>	<b>25</b>
2.1 General information	25
Existence of a national LGBTIQ equality action plan or strategy	26
Links with a general national human rights action plan or strategy	28
Regional or local LGBTIQ equality action plans or strategies	29
Ad hoc or permanent policy instrument	30
Reference to the European Commission's LGBTIQ Equality Strategy 2020-2025	31
2.2 Preparation, drafting and adoption	32
Bodies involved in initiating development	34
Bodies involved in drafting	35
Empirical data and/or baseline study on LGBTIQ equality	38
Public communication	40
Other crucial factors	41
2.3 Interim conclusion and good practices	43
<b>3 CONTENT AND IMPLEMENTATION OF NATIONAL LGBTIQ EQUALITY ACTION PLANS/ STRATEGIES</b>	<b>45</b>
3.1 Content	45
Measures and indicators	47
Type of measures and areas of state responsibility	48
Attention to intersectionality and/or vulnerable groups	57
3.2 Vision or agenda for implementation	59
Presence of vision or agenda for implementation	60
Other crucial factors	62
3.3 Interim conclusion and examples of good practice	63
<b>4 MONITORING AND EVALUATION OF NATIONAL LGBTIQ EQUALITY ACTION PLANS/ STRATEGIES</b>	<b>66</b>
4.1 Presence of specific monitoring procedures	66
4.2 Presence of specific evaluation procedures	69
4.3 Agenda for future new national LGBTIQ equality action plans or strategy	70
4.4 Other crucial factors	72
4.5 Interim conclusion and good practices	72
<b>5 CONCLUSION</b>	<b>74</b>
5.1 The increasing use of national action plans or strategies for the promotion of LGBTIQ equality	74
5.2 Preparation, drafting and adoption of national LGBTIQ equality action plans or strategies	75

5.3	Content and implementation of national LGBTIQ equality action plans or strategies	76
5.4	Monitoring and evaluation of national LGBTIQ equality action plans or strategies	78
<b>6</b>	<b>BIBLIOGRAPHY</b>	<b>79</b>
	<b>ANNEX I: QUESTIONNAIRE</b>	<b>81</b>

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# Executive summary

In November 2020, the European Commission announced its first-ever LGBTIQ Equality Strategy. Recognising that discrimination, violence and social exclusion of lesbian, gay, bisexual, trans, non-binary, intersex and queer (LGBTIQ) people persists throughout the European Union (EU), the Commission proposed several action points to advance LGBTIQ equality in the EU, in close cooperation with the Member States.

Based on a wide-scale survey among LGBTIQ people, the EU Fundamental Rights Agency (FRA) reported in 2020 that significant proportions of LGBTIQ people continue to experience discrimination, harassment and violence, simply because of their sexual orientation, gender identity, gender expression and/or sex characteristics. Comparing the results with those of the previous survey in 2012, FRA noticed ‘little, if any progress in the way LGBTI people experience their human and fundamental rights in daily life’. Overall, 43 % of respondents felt discriminated against in the year before the survey was conducted. Discrimination occurs in all spheres of life, including employment, access to goods and services, healthcare settings, education etc.

In addition to listing its own objectives and operational strategies, the Commission encouraged Member States to build on existing best practice and to develop their own action plans towards LGBTIQ equality. In order to support national governments, the recently established LGBTIQ Equality Subgroup of the High-Level Group on non-discrimination, equality and diversity drafted guidelines that identify best practice concerning the adoption, implementation and evaluation of national action plans on LGBTIQ equality.

Since the 1990s, national action plans/strategies have come to the fore as important and effective tools for the protection and promotion of fundamental rights. National action plans/strategies may serve as a general umbrella, addressing cross-cutting human rights issues at the domestic level, or focus on a specific theme, such as LGBTIQ equality. These instruments take a variety of forms, depending on the national political, administrative and historical context, and strive towards an integrated and systematic approach to improving human rights protection and equality at the national level.

Research by the Organisation for Economic Cooperation and Development (OECD) and civil society organisations has cautiously pointed out that adopting and implementing national action plans/strategies has overall positive effects on the level of human rights protection and societal awareness of certain human rights issues. Success seems to depend on a combination of several factors: political will; transparency and stakeholder involvement; adequate human and financial resources; measurable and achievable objectives; coordination and management across all levels of government; communication; and mainstreaming.

Reports have repeatedly stressed the need for national harmonised and comprehensive action frameworks in which clear milestones are identified, so that the need for further future interventions at the EU level could be better mapped out. Despite the promise of national action plans/strategies for the effective protection and promotion of fundamental rights in EU Member States, there is no comprehensive comparative analysis of the current state of play. This report aims to fill that knowledge gap. Moreover, this report also answers the increasing calls from EU institutions and civil society for comparable data on the human rights situation of LGBTIQ people across the European Union. It provides a detailed overview of the state of implementation in EU Member States of (national) action plans or strategies on LGBTIQ equality. The report does not analyse the state of LGBTIQ equality in the Member States *as such* but rather whether and to what degree EU Member States make use of action plans/strategies in order to protect and promote the fundamental rights of LGBTIQ people.

Following the introductory chapter, chapter 2 of this report deals with the first phase in the life cycle of national LGBTIQ equality action plans/strategies: the preparation, drafting and adoption of such a plan or strategy. It maps the existence of a national LGBTIQ equality action plan/strategy – either in the form of a specific plan or as an intrinsic part of a more general human rights action plan/strategy – in each EU Member State. Of the 27 EU Member States, 12 Member States have adopted a national LGBTIQ equality action plan or strategy. Given the differences in state structure and division of competences across the Member States, the report discusses the extent to which LGBTIQ equality action plans/strategies (also) exist at regional or local level; in about half of the Member States that have adopted or developed a national LGBTIQ equality action plan or strategy, such plans or strategies also exist (in some form) at the regional or local level, depending on the division of competences in the state structure. Chapter 2 suggests that although the adoption of LGBTIQ equality action plans/strategies can be considered as an ad hoc initiative in the majority of Member States that have adopted or developed such a plan or strategy, in several Member States the adoption of LGBTIQ equality action plans is (or will become) a recurring ad hoc initiative.

Given the European Commission's explicit call on Member States to adopt LGBTIQ equality plans/strategies to implement and complement its LGBTIQ Equality Strategy 2020–2025, we assess whether the national action plan/strategy refers to the Commission's strategic objectives. Notable similarities and differences among EU Member States are mentioned. The report includes the bodies that are instrumental for initiating the development of a national LGBTIQ equality action plan/strategy and the existence of political support and those that are involved in the actual drafting and adoption of such a plan or strategy. Political support in the Government, which often plays an instrumental role in initiating development of the action plan but also during the drafting and adoption, is central here. Additionally, the drafting process often involves consultations with other governmental ministries and departments, public bodies, equality bodies, other levels of government, experts, trade unions and civil society organisations. In some states, civil society organisations have shared ownership of the LGBTIQ equality action plan through representation in mandated bodies. In one state, the general public and various LGBTIQ individuals (paying specific attention to their intersectional experiences) were involved in the development of the national LGBTIQ equality action plan.

The report then maps whether the national action plan/strategy is grounded in empirically accurate and detailed data and/or a baseline study on the state of inclusion of LGBTIQ people and reveals that – while in most EU Member States, the action plan or strategy is grounded in some form of empirical data or a baseline study – only two Member States systematically integrate such data in the action plan. Yet, many EU Member States heavily rely on data collected by national and international civil society organisations (notably ILGA Europe), the European Union (the European Commission and the Fundamental Rights Agency), and the Council of Europe. With one exception, the national action plan/strategy is communicated to relevant stakeholders and the general public. Chapter 2 concludes by identifying current good practices that may serve as an inspiration for EU Member States in their future engagement with the development, drafting and adoption of national LGBTIQ equality action plans/strategies.

Chapter 3 of the report addresses the second phase in the life cycle of national LGBTIQ equality action plans/strategies: content and implementation. It demonstrates that whereas in most Member States the action plan/strategy contains clear and concrete measures, in other Member States the action plan/strategy predominantly takes the form of generally formulated objectives that need further clarification by the Government or a dedicated mechanism. Even when the national LGBTIQ equality action plan/strategy contains clear and concrete measures, measurable quantitative or qualitative indicators are often absent.

Additionally, we map the types of measures that are included in national LGBTIQ equality action plans/strategies, and the areas of state responsibility that are covered. In this light, we also designated whether the action plan/strategy reflects a demarcation of substantive policy priorities. A few recurring themes can be identified: awareness raising; data collection; improving wellbeing and (access to) health (care);

combating discrimination and violence; recognising 'rainbow families'; improving procedures of legal gender recognition for trans, non-binary and intersex people; including LGBTIQ rights in foreign policy; and mainstreaming LGBTIQ equality in all Government policies. All EU Member States that make use of a national action plan or strategy to promote LGBTIQ equality give space to the position of intersectionally situated or vulnerable groups within the LGBTIQ community. We then indicate whether the plans/strategies set out the allocation of responsibilities, appropriate budget and a timeline for effective implementation. In the majority of EU Member States, the national LGBTIQ equality action plan/strategy contains only a basic implementation strategy and leaves undecided crucial aspects, such as identifying responsible governmental bodies, financial resources or a timeframe, or leaves the implementation strategy entirely to the Government's discretion. The final part of the chapter includes current good practices that may serve as an inspiration for EU Member States in their future engagement with the implementation of national LGBTIQ equality action plans/strategies.

In Chapter 4 of the report, we focus on monitoring and evaluation as the third and final phase in the life cycle of national LGBTIQ equality action plans/strategies. First, we map the monitoring processes that are currently in place in EU Member States. Despite the importance of the monitoring process for ensuring the effectiveness of any national action plan or strategy for the promotion of LGBTIQ equality, the majority of EU Member States included in this report do not have a specific monitoring strategy. The report then considers the bodies that coordinate them and how they are assisted by other stakeholders. Here, we discuss the frequency of reporting on the progress, the (intermediate) measures that can be demanded, and the method used to monitor progress. We then outline whether the LGBTIQ equality action plans and strategies set out a specific procedure aimed at evaluating the entire process of drafting, adoption and implementation. Very little information could be found about the evaluation strategy of individual EU Member States. Given the fact that the development of a national LGBTIQ equality action plan is often ad hoc, evaluation could simply be an afterthought when drafting these plans. It appears even more necessary that the evaluation role is given to a party outside of the process than is the case for monitoring ongoing progress.

We indicate the bodies that are involved in this process and whether they are governmental or non-governmental bodies. We then highlight specific remarks added by the national experts on timing and attention to intersectionality in the evaluation. If monitoring and evaluation are to serve their true purpose, it is important that they can lead to potential readjustments of measures set out in the ongoing or future action plan. Additionally, we discuss whether the current national LGBTIQ equality action plan/strategy can be seen as part of an ongoing commitment towards LGBTIQ equality by determining whether Member States have signalled either in the current action plan or by any other means whether a new LGBTIQ equality action/strategy plan will be adopted once the cycle of the current one comes to an end. Finally, we identify current good practices that may serve as an inspiration for EU Member States in their future engagement with the monitoring and/or evaluation of national LGBTIQ equality action plans/strategies.

Chapter 5 offers concluding observations. Drawing upon the preceding analysis, it identifies the main conclusion for each of the three phases in the life cycle of national LGBTIQ action plans/strategies (1) preparation, drafting and adoption, (2) implementation, and (3) monitoring and evaluation.

# 1 Introduction

## 1.1 LGBTIQ Equality in the European Union

In 2020, the Fundamental Rights Agency of the European Union (FRA) published a report on LGBTIQ equality with the telling title ‘A long way to go’.<sup>1</sup> The report presents selected findings of a large-scale survey on equality and non-discrimination of LGBTIQ people from 2019, which show that there has not been a great deal of improvement since the previous survey in 2012.<sup>2</sup> In the FRA report, ‘LGBTIQ people’ is used as an umbrella term that covers persons who self-identify as being gay, lesbian, bisexual, transgender or intersex.<sup>3</sup> For the purpose of the present report, the term ‘LGBTIQ people’ will be used in preference, with the additional ‘Q’ referring to ‘queer’.

Although people are more open about being LGBTIQ than in 2012, overall, many still remain discreet in public. This approach is very understandable as 40 % of LGBTIQ people who are fairly open about their sexual orientation or gender identity have experienced harassment, with up to 10 % experiencing physical and sexual violence. Although the FRA report states that ‘no one should feel a need to conceal their identity to avoid discrimination, hate or even violence’, these phenomena persist in all spheres of life: at work and at school; in cafés, restaurants, bars and nightclubs; when looking for housing; when accessing healthcare or social services; and in shops. Most of these discriminatory incidents are never reported to a competent authority (with even lower reporting numbers to the police).<sup>4</sup> The numbers in the FRA report were based on surveys of LGBTIQ people, however, the 2015 Eurobarometer on discrimination showed that almost 60 % of EU citizens see discrimination based on sexual orientation and gender identity as widespread.<sup>5</sup> The 2019 Eurobarometer on discrimination reported that around half of EU citizens see discrimination on grounds of sexual orientation and gender identity as widespread, while 39 % regard discrimination of intersex persons as widespread.<sup>6</sup>

When we take a look at the situation of trans, intersex and non-binary persons, we see that the picture becomes even more dire. The European Commission has identified this group as one of the most vulnerable in society.<sup>7</sup> In a large number of EU Member States, access to legal gender recognition remains a challenge that affects trans people in particular.<sup>8</sup> While there is a noticeable trend at the international level to stop treating gender non-conformity as a pathology (‘gender identity disorder’ was notably removed from the list of mental disorders in the 11<sup>th</sup> edition of the WHO’s International Classification of Diseases, and replaced by ‘gender incongruence’ as a condition related to sexual health), many EU Member States still

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1 European Union Agency for Fundamental Rights (FRA) (2020), *EU-LGBTI II: A long way to go for LGBTI equality*, p. 3 (foreword), available at <https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results>.

2 Note that the FRA launched its third LGBTIQ survey in 2023. The results and findings will be published in 2024.

3 This is further specified in the report as: ‘Lesbian women (women sexually and/or emotionally attracted to women); Gay men (men sexually and/or emotionally attracted to men); Bisexual people (those emotionally and/or sexually attracted to persons of more than one gender); Trans people (those whose gender identity or gender expression does not fully correspond to the sex assigned to them at birth) and Intersex people (born with sex characteristics that do not strictly belong to the male or female categories or belong to both. These characteristics may be chromosomal, hormonal and/or anatomical and may be present to differing degrees.’ European Union Agency for Fundamental Rights (2020), *EU-LGBTI II: A long way to go for LGBTI equality*, p. 8.

4 European Union Agency for Fundamental Rights (2020), *EU-LGBTI II: A long way to go for LGBTI equality*, p. 17, available at <https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results>.

5 See <https://europa.eu/eurobarometer/surveys/detail/2077>.

6 See for the 2019 Eurobarometer: <https://europa.eu/eurobarometer/surveys/detail/2251>. The 2023 edition of the Eurobarometer was published after the cut-off date of this report and can be found here: <https://europa.eu/eurobarometer/surveys/detail/2972>.

7 European Commission (2020), *Union of Equality: LGBTIQ Equality Strategy 2020-2025*, COM(2020) 698 final, p. 3, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0698>.

8 European Union Agency for Fundamental Rights (FRA) (2015), *Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU – Comparative legal analysis – Update 2015*, p. 7, Publications Office, available at <https://data.europa.eu/doi/10.2811/054312>.

require a diagnosis of a gender identity disorder or a mental health assessment in order for individuals to have access to gender-affirming medical treatment or legal gender recognition.<sup>9</sup>

The above-mentioned 2020 FRA report clearly indicates that there are striking differences among EU Member States in terms of LGBTIQ equality.<sup>10</sup> The ‘Rainbow Europe’ country ranking tool developed by the International Lesbian, Gay, Bisexual, Trans and Intersex Association Europe (ILGA Europe) makes it very easy to compare equality levels of LGBTIQ people across the EU.<sup>11</sup> The rankings represent the impact of national laws and policies on the lives of LGBTIQ people and show – through the use of a colour code in a chart combined with a percentage – how close a country is to ‘full’ equality. The tool, which shows countries such as **Bulgaria, Poland** and **Romania** dangling at the bottom (below 20 %) and three countries (**Belgium, Denmark** and **Malta**) making it above 75 % equality, makes the huge variation in the protection levels across the EU for LGBTIQ persons very apparent.<sup>12</sup>

Although there has been a small improvement in social attitudes towards LGBTIQ persons, the overall picture remains mixed.<sup>13</sup> One of the main issues that has been identified is public discrimination and hate speech against LGBTIQ persons, especially from ‘states, state officials, governments at national, regional and local levels, and politicians’, with the so-called ‘LGBTIQ-free zones’ in **Poland** being a particularly worrying example.<sup>14</sup>

It is easy to point out weaknesses at the level of the Member States, but the rights of LGBTIQ people are not fully protected in EU law either.<sup>15</sup> Looking at the protective scope of anti-discrimination law at the EU level for instance, we can see that there is no explicit protection on the grounds of gender identity, gender expression and sex characteristics and that progress is mostly being made through extensive interpretation of the current non-discrimination directives in case law of the Court of Justice of the European Union (CJEU).<sup>16</sup> Moreover, as previous studies have already indicated, the protection against discrimination based on sexual orientation is far from complete at EU level.<sup>17</sup> Nevertheless, despite the presence of clearly diverging views among EU Member States on the protection and advancement of LGBTIQ equality through law and policy, the European Commission appears strongly committed to combat discrimination against LGBTIQ people in the EU.

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- 9 European Union Agency for Fundamental Rights (FRA) (2015), *Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU – Comparative legal analysis – Update 2015*, p. 7, Publications Office, available at <https://data.europa.eu/doi/10.2811/054312>; European Commission (2020), *Legal gender recognition in the EU: the journeys of trans people towards full equality*, available at [https://commission.europa.eu/document/bdffcbef-4c28-4c99-95a-b8207110d486\\_en](https://commission.europa.eu/document/bdffcbef-4c28-4c99-95a-b8207110d486_en).
- 10 European Union Agency for Fundamental Rights (2020), *EU-LGBTI II: A long way to go for LGBTI equality*, available at <https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results>.
- 11 See <https://www.rainbow-europe.org/country-ranking#eu>.
- 12 See <https://www.rainbow-europe.org/country-ranking#eu>.
- 13 European Union Agency for Fundamental Rights (2020), *EU-LGBTI II: A long way to go for LGBTI equality*, p. 12, available at <https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results>.
- 14 European Parliament resolution of 18 December 2019 on public discrimination and hate speech against LGBTI people, including LGBTI free zones (2019/2933(RSP)), available at [https://www.europarl.europa.eu/doceo/document/TA-9-2019-0101\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2019-0101_EN.html). However, note that Poland agreed to introduce a specific anti-discrimination clause in its 2021-2027 Partnership Agreement for the Cohesion Policy funds, adopted in June 2022. In line with this clause, no project application will receive funding from the EU Cohesion Policy funds if it was submitted by a local or regional authority which has taken discriminatory action (for instance on the grounds of sexual orientation) that is incompatible with the Charter of Fundamental Rights. See [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_22\\_4223](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_4223).
- 15 Cannoot, P. and Ganty, S. (2022) ‘Protecting trans, non-binary and intersex persons against discrimination in EU law’, *European Equality Law Review* 2022(1), p. 38, available at <https://op.europa.eu/en/publication-detail/-/publication/4903b156-3ed8-11ed-92ed-01aa75ed71a1/language-en>.
- 16 Cannoot, P. and Ganty, S. (2022) ‘Protecting trans, non-binary and intersex persons against discrimination in EU law’, *European Equality Law Review* 2022(1), p. 55, available at <https://op.europa.eu/en/publication-detail/-/publication/4903b156-3ed8-11ed-92ed-01aa75ed71a1/language-en>.
- 17 See e.g. Dunne, P. (2020) *Sexual orientation discrimination law outside the labour market*, available at <https://www.equalitylaw.eu/downloads/5301-sexual-orientation>.



## 1.2 The European Commission's LGBTIQ Equality Strategy 2020-2025

In 2015, the European Commission presented its 'List of Actions to Advance LGBTI Equality', which comprehensively described the activities that the Commission planned to undertake between 2015 and 2019.<sup>18</sup> The list of actions was the first-ever policy framework adopted by the Commission to specifically combat discrimination against LGBTIQ people in the EU, and was the Commission's response to a resolution of the European Parliament and a call by several Member States to increase efforts to protect LGBTIQ people against discrimination.<sup>19</sup> Importantly, in its resolution, the European Parliament called on the Commission, Member States and relevant agencies to work jointly on a *comprehensive* multiannual policy to protect the fundamental rights of LGBTIQ people, which it referred to as a roadmap, strategy or action plan. The 'List of Actions' provided a comprehensive set of actions (albeit generally formulated) in several policy areas, such as non-discrimination, education, employment, health, free movement, asylum, hate speech and hate crime, enlargement and foreign policy. The actions concerned proposing and enforcing legislation at EU level, supporting activities by Member States, civil society and businesses, data collection, awareness raising, and promoting LGBTIQ rights in foreign policy. All actions were accompanied by one or more concrete objectives, as well as a timeline and an indication of the bodies responsible. Four reports were published on the state of implementation.<sup>20</sup>

The von der Leyen Commission (2019-2024) is committed to build a Union of Equality. In 2020 and 2021, the Commission adopted five strategies to 'create the conditions for everyone to live, thrive and lead regardless of differences based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation'.<sup>21</sup> In this light, the Commission announced its first-ever LGBTIQ equality strategy in November 2020,<sup>22</sup> as a follow-up to the 2015 'List of Actions to Advance LGBTI Equality'. According to a report commissioned by the German Observatory for Sociopolitical Developments in Europe, whereas EU strategies do not have any legal value and are not binding on Member States, they are considered to have 'more political weight than a roadmap or list of actions'.<sup>23</sup> Recognising that discrimination, violence and the social exclusion of LGBTIQ people persists throughout the EU, the Commission proposed several action points to advance LGBTIQ equality in the EU, in close cooperation with the Member States, and paying particular attention to diversity among the experiences of LGBTIQ people and the needs of the most vulnerable groups, such as those experiencing intersectional forms of discrimination and trans, non-binary and intersex people.

Based on the aforementioned report by FRA, the Commission reported that social acceptance of LGBTIQ people rose from 71 % in 2015 to 76 % in 2019, although the figure fell in nine Member States.<sup>24</sup> The Commission furthermore noted a worrying trend in parts of the EU of more frequent anti-LGBTIQ

18 European Commission (2015) 'List of actions by the Commission to advance LGBTI equality', available at [https://commission.europa.eu/system/files/2017-06/lgbti-actionlist-dg-just\\_en.pdf](https://commission.europa.eu/system/files/2017-06/lgbti-actionlist-dg-just_en.pdf).

19 European Parliament, Resolution of 4 February 2014 on the EU Roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity, available at [https://www.europarl.europa.eu/doceo/document/TA-7-2014-0062\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-7-2014-0062_EN.html); European Commission (2020), 'Final Report 2015-2019 on the List of actions to advance LGBTI equality', available at [https://commission.europa.eu/system/files/2020-05/report\\_list\\_of\\_actions\\_2015-19.pdf](https://commission.europa.eu/system/files/2020-05/report_list_of_actions_2015-19.pdf).

20 All reports are available at [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025/list-actions-advance-lgbti-equality-2015-2019\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025/list-actions-advance-lgbti-equality-2015-2019_en).

21 See [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/union-equality\\_en#:~:text=Equality%20is%20a%20core%20value,Commission%20in%20her%20political%20guidelines](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/union-equality_en#:~:text=Equality%20is%20a%20core%20value,Commission%20in%20her%20political%20guidelines). Beside the LGBTIQ Equality Strategy, the European Commission also adopted the Gender Equality Strategy, the EU Anti-racism Action Plan, the EU Roma strategic framework for equality, inclusion, and participation, and the Strategy for the Rights of Persons with Disabilities.

22 European Commission (2020) *Union of Equality: LGBTIQ Equality Strategy 2020-2025*, COM(2020) 698 final, available at [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025_en).

23 Wittenius, M. (2022), *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, Observatory for Sociopolitical Developments in Europe, p. 13, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.

24 European Commission (2020) *Union of Equality: LGBTIQ Equality Strategy 2020-2025*, COM(2020) 698 final, p. 2, available at [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025_en).

incidents, such as attacks during Pride marches, declarations of so-called ‘LGBTIQ ideology-free zones’, and hostility towards civil society organisations. This increase in hate speech, violence and hate crimes against LGBTIQ people and organisations was also noted by the Parliamentary Assembly of the Council of Europe in a resolution of January 2022, in which it called on Member States to ‘put in place a clear human rights policy to protect and promote LGBTI equality, including a strategy and action plan with clear and measurable targets and timelines for implementing any changes to legislation, policy or practice necessary to achieve equality, and effective accountability mechanisms’.<sup>25</sup>

The Commission’s LGBTIQ strategy sets out a series of targeted actions in four pillars, in addition to enhanced equality mainstreaming in all EU policies, legislation and funding programmes. These are:

- tackling discrimination against LGBTIQ people, especially in the sphere of employment, education, health, culture and sport;
- ensuring LGBTIQ people’s safety, in the light of hate crime, hate speech and violence, and protecting and promoting LGBTIQ people’s bodily and mental health;
- building LGBTIQ inclusive societies, by ensuring rights of LGBTIQ people and rainbow families in cross-border situations, improving the recognition of trans, non-binary and intersex people, and fostering an enabling environment for civil society;
- leading the call for LGBTIQ equality around the world, by strengthening the EU’s engagement on LGBTIQ issues in all its external relations.<sup>26</sup>

In each pillar, the Commission listed actions that fall entirely within EU competence, as well as actions that are aimed at supporting Member States in promoting LGBTIQ equality within national competence.

In view of the latter actions, in addition to listing its own objectives and operational strategies (which – contrary to the 2015 ‘List of Actions to Advance LGBTI Equality’ – are not accompanied by a detailed timeline and indication of the bodies responsible), the European Commission encouraged Member States to build on existing best practices and to develop their own action plans towards LGBTIQ equality.<sup>27</sup> The objective of these national action plans is to ‘step up protection against anti-LGBTIQ discrimination, to ensure follow-up at the national level of the objectives and actions set out in this strategy and to complement them with measures to advance LGBTIQ equality in areas of Member State competence’.<sup>28</sup>

In its progress report on the implementation of the LGBTIQ equality strategy, published in 2023, the Commission noted that a growing number of Member States had indeed adopted a national LGBTIQ action plan or strategy. Based on a survey of members of the LGBTIQ Equality Subgroup (see below) to self-assess progress in implementing the EU strategy at national level, the Commission reported that national action plans ‘usually commit to the mainstreaming of equality in all areas, including employment, education and health. Only a few Member States have in place a permanent governmental LGBTIQ coordination structure bringing together all relevant policy areas and levels of governance, whereas others designate either separate commissioners or bodies for LGBTIQ equality or have no coordination structures’.<sup>29</sup>

The Commission is currently carrying out a mid-term review of the implementation of the LGBTIQ equality strategy that will assess how the situation of LGBTIQ people has evolved since the strategy was adopted,

25 Parliamentary Assembly of the Council of Europe, Resolution 2417(2022) ‘Combating rising hate against LGBTI people in Europe’, para. 16.1, available at <https://pace.coe.int/en/files/29712/html>.

26 European Commission (2020) *Union of Equality: LGBTIQ Equality Strategy 2020-2025*, COM(2020) 698 final, p. 3, available at [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025_en).

27 European Commission (2020) *Union of Equality: LGBTIQ Equality Strategy 2020-2025*, COM(2020) 698 final, p. 23, available at [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025_en).

28 European Commission (2020) *Union of Equality: LGBTIQ Equality Strategy 2020-2025*, COM(2020) 698 final, p. 23.

29 European Commission (2023) *Progress Report on the implementation of the LGBTIQ Equality Strategy 2020-2025*, p. 37, available at [https://commission.europa.eu/system/files/2023-04/JUST\\_LGBTIQ%20Strategy\\_Progress%20Report\\_FINAL\\_WEB.pdf](https://commission.europa.eu/system/files/2023-04/JUST_LGBTIQ%20Strategy_Progress%20Report_FINAL_WEB.pdf).

the progress made, and which areas require more focus in order to fully implement the strategy by 2025. In this light, the Commission carried out a consultation process from mid-June to mid-September 2023, including a Call for Evidence<sup>30</sup> and targeted consultations with Member States, civil society organisations and other stakeholders to collect relevant data and other input.

### 1.3 The importance of action plans or strategies for promoting (LGBTIQ) equality

Since the 1990s, national action plans/strategies have come to the fore as important and effective tools for the protection and promotion of fundamental rights.<sup>31</sup> National action plans/strategies may serve as a general umbrella, addressing cross-cutting human rights issues at the domestic level, or focus on a specific theme, such as LGBTIQ equality.<sup>32</sup> These instruments take a variety of forms, depending on the national political, administrative and historical context, and strive towards an integrated and systematic approach to improving human rights protection and equality at the national level.

Research by the Organisation for Economic Cooperation and Development (OECD) and civil society organisations has cautiously pointed out that adopting and implementing national action plans/strategies has overall positive effects on the level of human rights protection and societal awareness of certain human rights issues.<sup>33</sup> ILGA Europe advocates for the adoption and implementation of national LGBTIQ equality action plans, which it considers a ‘proven [...] driving force for change’, and provides monitoring via the annual Rainbow Europe review.<sup>34</sup> Success seems to depend on a combination of several factors: political will; transparency and stakeholder involvement; adequate human and financial resources; measurable and achievable objectives; coordination and management across all levels of government; communication; and mainstreaming.<sup>35</sup> In addition, during an event on the benefits and risks of having LGBTIQ action plans in place, it was also stressed that, through action plans, certain themes make it on to Government agendas.<sup>36</sup>

Repeatedly, reports stress the need for national harmonised and comprehensive action frameworks in which clear milestones are identified, so that any further future interventions at the EU level that are necessary can be better mapped out.<sup>37</sup> Despite the promise of national action plans/strategies for the effective protection and promotion of fundamental rights, there is no comprehensive comparative analysis of the current state of play in all EU Member States. This report aims to fill that knowledge gap. Moreover, this report also answers the increasing calls from EU institutions and civil society for comparable data on the human rights situation of LGBTIQ people across the EU.<sup>38</sup>

30 See [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13927-2020-2025-LGBTIQ-equality-strategy-mid-term-review\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13927-2020-2025-LGBTIQ-equality-strategy-mid-term-review_en).

31 Wittenius, M. (2022), *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, p. 5, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.

32 Wittenius, M. (2022), *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, p. 7.

33 Organisation for Economic Co-operation and Development (2020) *Over the Rainbow? The Road to LGBTI Inclusion*, available at <https://www.oecd.org/publications/over-the-rainbow-the-road-to-lgbti-inclusion-8d2fd1a8-en.htm>; Wittenius, M. (2022) *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, p. 9, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.

34 See [https://ilga-europe.org/old\\_website/what-we-do/our-advocacy-work/equality-through-action-plans](https://ilga-europe.org/old_website/what-we-do/our-advocacy-work/equality-through-action-plans).

35 Wittenius, M. (2022) *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, p. 33, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.

36 Council of Europe (2016), ‘National action plans as effective tools to promote and protect the human rights of LGBTIQ people’, available at <https://rm.coe.int/168066d620>, Quote from Bjørn Lescher-Nuland (Directorate for Children, Youth and Family Affairs, Norway): ‘The action plan placed LGBT issues on the government’s agenda. It also acted as a door opener to government for civil society. The action plan certainly increased both funding and activity levels, benefiting the promotion of LGBT rights’.

37 European Union Agency for Fundamental Rights (2015) *Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU – Comparative legal analysis – Update 2015*, Publications Office, available at <https://data.europa.eu/doi/10.2811/054312>.

38 European Union Agency for Fundamental Rights (2020), *EU-LGBTI II: A long way to go for LGBTI equality*, p. 7, available at <https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results>.



## 1.4 Scope of the report and methodology

This report provides a detailed overview of the state of implementation in EU Member States of (national) action plans or strategies on LGBTIQ equality. The report does not set out to analyse the state of LGBTIQ equality in the Member States - and the potential causal link with the adoption and implementation of action plans/strategies - but rather seeks to analyse whether and to what degree EU Member States make use of action plans/strategies in order to protect and promote the fundamental rights of LGBTIQ people. In this way, it provides a mapping of key measures, actors and strategies that play a role at the national level. The report also does not aim to investigate the factors that explain why certain Member States do not make use of action plans/strategies to promote LGBTIQ equality or why some Member States use them to a lesser extent than others. We recommend further qualitative analysis to address these unanswered questions.

The report particularly focuses on three phases in the life cycle of national LGBTIQ action plans/strategies: (1) preparation, drafting and adoption; (2) implementation; and (3) monitoring and evaluation. This approach does not require that all relevant action plans/strategies have already gone through all three phases. However, in order to ensure our study's feasibility, only finalised plans/strategies that have been adopted, sufficiently developed or announced by the relevant Government body were included. The report identifies common approaches and significant differences among Member States, as well as good practices that could serve as an inspiration for future initiatives.

To obtain the necessary information on the state of implementation of LGBTIQ equality action plans/strategies across the EU, a detailed questionnaire was circulated among the European network of legal experts in gender equality and non-discrimination's national non-discrimination law experts for the 27 EU Member States. The questionnaire is included in the annex to the report. As mentioned above, the questionnaire focused on three phases in the life cycle of these action plans/strategies: (1) preparation, drafting and adoption, (2) implementation and (3) monitoring and evaluation. Using the data provided through the questionnaire process, we analysed and compared the relevant Member State information to identify common approaches and significant differences among Member States, and to identify good practices. Although it would be beneficial to complement the empirical data with an additional qualitative review of the situation in each Member State in order to corroborate the information provided by the national experts, that was beyond the scope and resources of the current report. In other words, we relied on the submissions made by the national experts based on their expertise and familiarity with the national context and legal framework. The cut-off date for this report was 14 June 2023.<sup>39</sup>

In our analysis, we were guided by three valuable sources: (1) the *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, developed by the LGBTIQ Equality Subgroup of the European Commission's High-Level Group on non-discrimination, equality and diversity;<sup>40</sup> (2) recommendations provided by the Council of Europe to ensure the effectiveness of national action plans as a tool to promote and protect the human rights of LGBTIQ people;<sup>41</sup> and (3) a report by Marie Wittenius on the drafting of national LGBTIQ equality action plans.<sup>42</sup> These sources have already identified key dimensions and factors that need to be addressed in the three stages of a national LGBTIQ equality action plan, and have particular relevance for EU Member States.

39 This date was extended in relation to one Member State (**France**), since the national expert indicated that the Government was about to publish a new national LGBTIQ equality action plan. The French plan for 2023-2026 was announced by the Government on 11 July 2023.

40 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, [https://commission.europa.eu/system/files/2022-09/guidelines\\_for\\_strategies\\_and\\_action\\_plans\\_to\\_enhance\\_lgbtiq\\_equality\\_2022final16\\_05.pdf](https://commission.europa.eu/system/files/2022-09/guidelines_for_strategies_and_action_plans_to_enhance_lgbtiq_equality_2022final16_05.pdf).

41 Council of Europe (2016) 'National action plans as effective tools to promote and protect the human rights of LGBTIQ people', available at <https://rm.coe.int/168066d620>.

42 Wittenius, M. (2022) *Drafting National LGBTQ\* Equality Action Plans. Framework and demands at European level and in Germany*, Observatory for Sociopolitical Developments in Europe, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.

### *The LGBTIQ Equality Subgroup's Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*

The LGBTIQ Equality Subgroup was established to enhance the implementation of the LGBTIQ equality strategy under the European Commission's High-Level Group on non-discrimination, equality and diversity. As mentioned in a recent report by the European Commission on the implementation of the LGBTIQ equality strategy, the Subgroup is mainly composed of experts nominated by the Governments of Member States. Its task is to support and monitor progress in the protection of LGBTIQ people's rights in the Member States.<sup>43</sup> Twenty-five Member States have reportedly joined the Subgroup (that is, all Member States except for Cyprus and Latvia), as has Norway (as an observer). Its work is supported by the Fundamental Rights Agency (FRA), and the Subgroup cooperates with civil society organisations, as well as the Council of Europe.

In line with the Commission's LGBTIQ equality strategy, the Subgroup considers the adoption and implementation of national action plans or strategies on LGBTIQ equality a top priority.<sup>44</sup> The guidelines it developed are aimed at supporting and encouraging Member States to prepare, adopt and implement action plans or strategies that are useful and effective in order to enhance the protection of the human rights of LGBTIQ people.<sup>45</sup> The guidelines not only drew from the experiences of existing LGBTIQ equality action plans across the EU, but also from recommendations developed by the Council of Europe (see below) and research carried out by the OECD. They were endorsed by the High-Level Group on non-discrimination, equality and diversity.

According to the Subgroup, LGBTIQ action plans or strategies should appropriately cover and address the following elements.

- (1) 'Ensuring an **accurate assessment** of LGBTIQ equality situation in support of evidence-based policy-making;
- (2) Identifying **main challenges** of LGBTIQ equality, paying attention to the situation of the **most vulnerable**;
- (3) Setting **clear, ambitious and measurable priorities** for promoting LGBTIQ equality and awareness raising;
- (4) Ensuring **effective legal protection** of LGBTIQ people and **proper law enforcement**;
- (5) Transparent **management, leadership and co-ordination** of LGBTIQ equality matters, including mainstreaming and active involvement of civil society;
- (6) **Monitoring and evaluation** of the implementation of measures to safeguard and promote improve[d] LGBTIQ equality'.<sup>46</sup>

The Subgroup explained the relevance of, and offered guidance and best practice on each element. In this way, the guidelines provided significant added value to the indicative checklist for the development of national human rights action plans that was developed by the EU Fundamental Rights Agency in 2019.<sup>47</sup>

The first element concerns the need to ensure an accurate assessment of the situation in respect of LGBTIQ equality in order to guarantee evidence-based policy making. According to the Subgroup:

43 European Commission (2023) *Progress Report on the implementation of the LGBTIQ Equality Strategy 2020-2025*, p. 11, [https://commission.europa.eu/system/files/2023-04/JUST\\_LGBTIQ%20Strategy\\_Progress%20Report\\_FINAL\\_WEB.pdf](https://commission.europa.eu/system/files/2023-04/JUST_LGBTIQ%20Strategy_Progress%20Report_FINAL_WEB.pdf).

44 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, p. 8, available at [https://commission.europa.eu/system/files/2022-09/guidelines\\_for\\_strategies\\_and\\_action\\_plans\\_to\\_enhance\\_lgbtiq\\_equality\\_2022\\_final16\\_05.pdf](https://commission.europa.eu/system/files/2022-09/guidelines_for_strategies_and_action_plans_to_enhance_lgbtiq_equality_2022_final16_05.pdf).

45 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*.

46 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, pp. 9-10, emphasis added.

47 European Union Agency for Fundamental Rights (2019) *National human rights action plans in the EU. Practices, experiences and lessons learned for more systematic working methods on human rights*, p. 29, available at [https://fra.europa.eu/sites/default/files/fra\\_uploads/2020\\_outcome-report-wp-national-human-rights-action-plans.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/2020_outcome-report-wp-national-human-rights-action-plans.pdf).

‘It is important to have an empirically accurate, reliable and precise picture of the inclusion of LGBTIQ people in society. The fact-based observation of the situation helps to trace both successes and potential gaps in protection. A proper overview lays the foundation for effective actions and measures to improve the situation where needed. This requests the availability and regular collection of segregated equality data. Fact-based communication may contribute to improve the social acceptance of LGBTIQ people’.<sup>48</sup>

This empirical assessment should cover the level of the inclusion of LGBTIQ people in the labour market, in education, in accessing goods and services, in accessing healthcare, as well as the attitudes among the population towards LGBTIQ people, with a specific focus on the situation for the most vulnerable groups. The Subgroup encourages Member States to make use of data and information gathered by the EU, the Council of Europe and the OECD, as well as by civil society organisations, such as ILGA Europe, Transgender Europe (TGEU) and Organisation Intersex International Europe (OII Europe), in order to compare the national situation with peer countries.<sup>49</sup> The assessment should lead to the availability of adequate disaggregated equality data, indicators and sources.<sup>50</sup>

The second element concerns the importance of identifying the concrete challenges that LGBTIQ people face, paying particular attention to the situation of the most vulnerable. In other words, the national action plan or strategy should tackle the actual obstacles and issues that LGBTIQ people face in life, which may vary across the EU. While respecting differences in national contexts, the Subgroup encourages Member States to pay attention to a number of issues:

- ‘Feeling and experiences of **unsafety**, established **discrimination** cases and relevant national and EU case law, keeping in mind the challenge of under-reporting;
- **Employment** situation, **social exclusion** and **poverty** of LGBTIQ people, paying particular attention to the situation of trans, non-binary and intersex people, drawing on comparison with the general public;
- **Multiple and intersectional discrimination**, paying particular attention to trans and intersex people, LGBTIQ women, children, youth, LGBTIQ people with disabilities, elderly LGBTIQ people and those with migrant background;
- Situation of rainbow **families** and their protection, in full respect of human rights and fundamental rights and national and EU legislations;
- Special situation of **young LGBTIQ people**, including risk of poverty, social exclusion and homelessness;
- **Physical, mental and sexual health situation** of LGBTIQ people, paying particular attention to the situation of trans and intersex people; and access to appropriate health care services, including measures for bisexual and gay men to prevent HIV/AIDS contaminations’.<sup>51</sup>

The third element concerns the actual measures set out by the action plan or strategy, which should reflect clear, ambitious and measurable priorities for promoting LGBTIQ equality. In the words of the Subgroup:

‘It is important, in order to **frame, guide and put forward concrete, results oriented actions** to enhance LGBTIQ equality, to set **ambitious and clear priorities** for the protection of the rights of LGBTIQ people. While respecting EU and international law commitments, including EU values, human rights and fundamental rights, it is up to the Member States to put forward their own priorities. It is reasonable and justified to identify priorities in close **co-operation with**

48 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, p. 10.

49 Note that the Subgroup on Equality Data prepared a guidance note on the collection and use of data for LGBTIQ equality, endorsed by the High-Level Group on non-discrimination, equality and diversity. The guidance note is available at [https://commission.europa.eu/system/files/2023-07/JUST\\_Guidance%20note%20on%20the%20collection%20and%20use%20of%20data%20for%20LGBTIQ%20equality%20%E2%80%93%202023.pdf.pdf](https://commission.europa.eu/system/files/2023-07/JUST_Guidance%20note%20on%20the%20collection%20and%20use%20of%20data%20for%20LGBTIQ%20equality%20%E2%80%93%202023.pdf.pdf).

50 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, pp. 10-12.

51 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, p. 14 (emphasis added).

**national civil society organizations** representing the different identities included in the LGBTIQ community'.<sup>52</sup>

The third element seems to cover three important issues: (1) the need to define concrete, result-oriented and measurable actions; (2) the need to set ambitious and clear priorities in light of the national context; and (3) the need to consult with civil society organisations in identifying those priorities. While recognising the importance of the national context, the Subgroup recommends at least paying attention to key areas identified in the European Commission's LGBTIQ equality strategy.

The fourth element focuses on the state of the legal protection of LGBTIQ people and proper law enforcement. According to the Subgroup:

'It is crucial to set [a] strong, straight forwarded and well-functioning legal framework to ensure the scrupulous respect and enforcement of human and fundamental rights of LGBTIQ people in all circumstances. In case of violation of those rights, appropriate legal and administrative mechanisms, remedies and structures should be available to the victims. This preferably includes establishing clear guidelines and conducting training on the specific needs of LGBTIQ people for law enforcement, judicial authorities and other first respondents'.<sup>53</sup>

Particular attention should be paid to potential legal reform in the context of protection against discrimination on grounds of sexual orientation, gender identity/expression and sex characteristics, protection against hate crimes, hate speech and violence, recognition and free movement of rainbow families, legal gender recognition, and remedies available to victims in cases of violations of the law.<sup>54</sup>

The fifth element is of a more procedural nature and concerns the importance of transparent management, leadership and coordination of LGBTIQ equality policy making, paying particular attention to mainstreaming and the active involvement of civil society. According to the Subgroup, this management structure should pay attention to:

- **'Clearly and transparently defined responsibilities, competences, mandates, leadership and decision-making roles** over the LGBTIQ matters, including on set priorities and concrete activities, within national, regional and local Governance and administrative structures;
- **Permanent and regular co-ordination structures and methods** within the Government and public administration, bringing together all relevant policy areas and administrative fields such as social affairs, health, education, youth, gender equality, employment and interior affairs; involving equality bodies as appropriate, including possibility of establishing a national co-ordination council to lead the co-ordination;
- **Permanent structure for smooth co-operation and articulation between state, regional and local levels**, respecting each other's competences;
- **Active, regular and structured involvement of civil society, civil society organizations and social partners** in management of LGBTIQ matters, for example through a dedicated LGBTIQ forum or platform looking for the broadest possible involvement of organizations representing the different identities included in the LGBTIQ community and LGBTIQ people in intersectional positions;
- **Developing tools and methods to mainstream LGBTIQ perspective** appropriately and effectively into relevant policy fields, strategies and funding programmes, including use of training, capacity building and awareness raising and diversity recruitment as means;
- **Safeguarding the operating conditions, resources and budgets of stakeholders** and instances responsible for the LGBTIQ matters and LGBTIQ equality civil society organisations as appropriate;

52 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, pp. 16-17 (emphasis added).

53 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, p. 21.

54 LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, p. 22.

- Ensuring compliance with the principle of **non-discrimination in the implementation of funding programmes** in all policy areas;
- **Institutional anchoring and permanence on protection of the rights of LGBTIQ people** beyond a specific timeframe and independently from the results of elections;
- Using **digital tools and platforms** to make the co-operation and management easier and more efficient'.<sup>55</sup>

Finally, the sixth element concerns the monitoring and evaluation of the implementation of actions to promote LGBTIQ equality. Monitoring and evaluation are not only related to the principle of democratic accountability, but also ensure the effectiveness of policy making. The Subgroup encourages Member States to pay attention to a number of issues in this area:

- **Effective implementation** of the legal obligations and **adequate resource allocation** to law enforcement in particular where human and fundamental rights and/or criminal law are at stake;
- Setting **ambitious, transparent, concrete and measurable targets** for the implementation of actions protecting and advancing LGBTIQ equality, already at planning and preparatory phase;
- Providing a **clear budget, allocation of responsibilities and timeline for implementation;**
- **Independency, rigour and regularity** of the monitoring and evaluation process, involving appropriately policy makers, independent researchers, civil society and LGBTIQ people in their diversity;
- **Methodological solidity** used in the evaluation and monitoring, based on reasonable and neutral indicators'.<sup>56</sup>

#### *Council of Europe recommendations on national action plans as effective tools to promote and protect the human rights of LGBTIQ people*

In 2010, the Council of Europe Committee of Ministers adopted the groundbreaking Recommendation on measures to combat discrimination on grounds of sexual orientation or gender identity (CM/Rec(2010)5). The Recommendation was the first international instrument to specifically address discrimination experienced by LGBTIQ people.<sup>57</sup> In the document, the Committee of Ministers recommended that states should:

1. examine existing legislative and other measures, keep them under review, and collect and analyse relevant data, in order to monitor and redress any direct or indirect discrimination on grounds of sexual orientation or gender identity;
2. ensure that legislative and other measures are adopted and effectively implemented to combat discrimination on grounds of sexual orientation or gender identity, to ensure respect for the human rights of lesbian, gay, bisexual and transgender persons and to promote tolerance towards them;
3. ensure that victims of discrimination are aware of and have access to effective legal remedies before a national authority, and that measures to combat discrimination include, where appropriate, sanctions for infringements and the provision of adequate reparation for victims of discrimination;
4. be guided in their legislation, policies and practices by the principles and measures contained in the appendix to this recommendation;
5. ensure by appropriate means and action that this recommendation, including its appendix, is translated and disseminated as widely as possible'.<sup>58</sup>

<sup>55</sup> LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, pp. 25-26.

<sup>56</sup> LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, p. 30.

<sup>57</sup> Wittenius, M. (2022) *Drafting National LGBTQ\* Equality Action Plans. Framework and demands at European level and in Germany*, Observatory for Sociopolitical Developments in Europe, p. 11, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.

<sup>58</sup> Council of Europe Committee of Ministers, Recommendation CM/Rec(2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity, available at [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805cf40a](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cf40a).

As Wittenius points out, although the recommendation calls for the adoption and effective implementation of ‘legislative and other measures’, it does not explicitly refer to national action plans or strategies.<sup>59</sup> However, in a lengthy annex, the Committee of Ministers included detailed recommendations for measures aimed at effectively combating discrimination against LGBTIQ people in the enjoyment of various fundamental rights, such as the right to life, security and protection from violence, the freedom of association, the freedom of expression and peaceful assembly, the right to respect for private and family life, the right to seek asylum, and in various spheres of life such as employment, education, health, housing and sports.

The adoption of the recommendation stimulated various European States to develop and adopt national action plans to promote and protect the fundamental rights of LGBTIQ people.<sup>60</sup> Moreover, at Council of Europe level, a Sexual Orientation and Gender Identity (SOGI) Unit was established to provide technical support and expertise to Member States.<sup>61</sup> In 2015, representatives of national governments, national human rights institutions, and civil society organisations convened to discuss their experiences with national LGBTIQ equality action plans in terms of approaches taken, challenges faced, benefits gained and lessons learned.<sup>62</sup> Following the meeting, the Council of Europe published a report with valuable recommendations aimed at ensuring the effectiveness of national actions plans to promote and protect LGBTIQ rights.

According to the Council of Europe, effective national actions plans require two elements:

‘First, **assistance and guidance for governments** to help them understand what should be in a national action plan, the international obligations they must fulfil, and which solutions have or have not worked in other member states [...] Second, the **political will** to prepare, adopt and implement a national action plan is also essential. Political will, often required at ministerial level, is as important as the preparation of the plan by civil servants or work with civil society’.<sup>63</sup>

While the Council of Europe recognises that different approaches might exist at the national level, effective national action plans should be comprehensive (although priorities may exist) and be adopted on the basis of shared ownership with civil society. While consultation with civil society is essential in preparing and drafting the plan, the Council of Europe recommends that NGOs, trade unions, and representatives of professional organisations are involved throughout the plan’s political life. Finally, the Council of Europe considers that the adoption of a national action plan is only the beginning of the work; plans should be effectively implemented, monitored and evaluated.<sup>64</sup>

The report further lists eight characteristics of ‘ideal’ national action plans. The Council of Europe recommends that national action plans should be:

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- 59 Wittenius, M. (2022) *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, Observatory for Sociopolitical Developments in Europe, p. 11, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.
- 60 Council of Europe (2016) ‘National action plans as effective tools to promote and protect the human rights of LGBTIQ people’, p. 3, available at <https://rm.coe.int/168066d620>.
- 61 See <https://www.coe.int/en/web/sogi/home>. Since 2020, the SOGI Unit has provided support to the European Governmental LGBTI Focal Points Network (EFPN), which is an intergovernmental working group dedicated to the advancement of LGBTIQ rights. The EFPN’s aims include supporting national governments in the development of legislation and policies to implement Council of Europe standards on LGBTIQ equality through the exchange of good practice, peer legal and policy reviews and the development of policy texts and tools. The EFPN meets twice a year, and is composed of representatives of national governments, European civil society organisations and international organisations. See <https://www.coe.int/en/web/sogi/european-governmental-lgbti-focal-points-network>.
- 62 Council of Europe (2016) ‘National action plans as effective tools to promote and protect the human rights of LGBTIQ people’, p. 3 available at <https://rm.coe.int/168066d620>.
- 63 Council of Europe (2016) ‘National action plans as effective tools to promote and protect the human rights of LGBTIQ people’, pp. 7-8.
- 64 Council of Europe (2016) ‘National action plans as effective tools to promote and protect the human rights of LGBTIQ people’, pp. 8-9 (emphasis added).



- 1 **'Achievable'**: action plans should present realistic objectives and receive support from a governmental body responsible for its development and implementation (ideally at ministerial level);
- 2 **Appropriately resourced**: administrations responsible for national action plans should have the necessary time, human and financial resources devoted specifically to them;
- 3 **Co-operative**: when developing and implementing action plans, governmental bodies need to involve and co-operate with the LGBTI community; it is important to involve communities in the development of action plans as this improves their chances of success;
- 4 **Comprehensive**: governmental bodies drafting national action plans should carefully examine all areas of state responsibility that have an impact on the lives of LGBTI individuals and their families;
- 5 **Bold**: national action plans should confront potentially sensitive issues, including family rights, the rights of transgender people, including gender reassignment, or the rights of LGBTI prisoners;
- 6 **Mainstreamed**: all levels and areas of government should know how an action plan will impact on their responsibilities, and have the appropriate resources to integrate it into their work;
- 7 **Monitored and evaluated**: actions plans are living documents: responsible governmental bodies should monitor breaches of human rights, evaluate the impact of national action plans and update their actions as required;
- 8 **Well communicated**: communication with the public and with NGOs is key to the success of national action plans, particularly in the face of opposition.<sup>65</sup>

These characteristics closely resemble other recommendations published by the Council of Europe following a 2014 workshop on developing and implementing national action plans for human rights.<sup>66</sup>

- **Baseline study**: 'National action plans for human rights should be viewed as part of a continuous, participatory and transparent process. It is preferable that they start with a baseline study on the human rights situation in the country concerned which is carried out in dialogue with the authorities, civil society, national human rights structures and other stakeholders. A baseline study provides the foundation for systematic and goal-oriented work for human rights and it should present information from different sources, including European and international human rights monitoring bodies, and various parts of society';
- **Participatory development and implementation**: 'The drafting of a NAP should be coordinated by a dedicated unit or mechanism although all activities should be formulated in close cooperation with those ministries, agencies, institutions and service providers which will carry out the activities. This will create shared ownership for the NAP and helps identify the duty bearers for the implementation phase. National human rights structures and NGOs should also participate in the process. A wide variety of NGOs need to be involved, including people represented by the NGOs. [...] It is essential that NAPs enjoy high-level support';
- **Connections between comprehensive national action plans and specialised action plans**: 'If coordinated in substance and timing, the plans can reinforce each other rather than overlap or ignore one another. The comprehensive approach can ensure that certain human rights usually not yet covered by sector-based plans are not forgotten (e.g. freedom of expression or right to property) and that emerging issues are dealt with (e.g. business and human rights and environmental rights). Moreover, a comprehensive approach can indicate broad-based training, education, and awareness-raising needs';
- **Multi-level coordination**: 'It is important to involve municipalities and regional authorities in the development, implementation and monitoring of NAPs. Local and regional authorities are responsible for many core public services and contribute directly to the fulfilment and enjoyment of human rights. Often municipalities have specific duties to promote equality as well. The lack of multi-level cooperation can impact on people's ability to enjoy their rights and undermine the success of NAPs. A joined-up approach between the national, regional and local levels is therefore essential';

65 Council of Europe (2016) 'National action plans as effective tools to promote and protect the human rights of LGBTIQ people', p. 13.

66 Council of Europe (2014), 'Workshop on developing and implementing national action plans for human rights. Conclusions', available at <https://rm.coe.int/workshop-on-development-and-implementation-of-nhraps-conclusions-2014/16809ef184>.

- **Budgetary process and resource constraints:** ‘NAPs need to be coordinated with national and local budgets to secure proper funding for the activities. [...] All of the activities included in the plans need to be adequately funded so as not to undermine the credibility of the NAP’;
- **Impact and evaluation:** ‘After the implementation of a NAP, an independent evaluation assessing the overall results and impact of the plan should be carried out. It can be carried out by a NHRS or academic experts, for example. International organisations can also be involved. It is equally important to assess the process, in terms of participation, inclusiveness and transparency, as it is to evaluate the NAP’s outcomes. Ultimately, both the fulfilment of the specific measures of a NAP and its actual effects on the enjoyment of human rights by the population should be assessed. [...] The implementation of a NAP should be continuously monitored. [...] The NAP should be a living tool which can be adjusted under changing circumstances’.<sup>67</sup>

### *Report by Marie Wittenius on drafting national LGBTIQ equality action plans*

In a 2022 report of the German Observatory for Sociopolitical Developments in Europe - on behalf of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth – Marie Wittenius identified success factors and fundamental steps for the adoption, implementation and evaluation of national LGBTIQ equality action plans.<sup>68</sup> The report contributed to the preparation of a new German LGBTIQ equality action plan, as promised by the Scholz Government in its coalition agreement of 2021.

Based on the work by the Danish Institute for Human Rights and the International Corporate Accountability Roundtable, as well as success factors for action plans identified by the United Nations, Council of Europe and FRA, Wittenius picked out five important phases in the life cycle of a national equality or human rights action plan.<sup>69</sup>

- **Management and resources:** a key precondition for a national action plan is declared political will and allocation of resources during the entire process of adoption and implementation of the action plan. There should be a clear division of responsibilities among government actors, as well as clear cooperation and coordination via a designated responsible body. The strategic plan must be communicated transparently to relevant stakeholders and the public.
- **Requirements assessment:** the current status of recognition and protection of rights should be comprehensively assessed via quantitative and qualitative methods. The results of this assessment should be available prior to decision-making beginning, and should be transparently communicated to relevant stakeholders.
- **Scope, content and priorities:** while, in principle, an action plan should cover all topics relevant to all groups of people, substantive priorities can be made based on the outcome of the requirements assessment. The action plan should consist of clear objectives, and concrete, measurable, achievable, time-defined and relevant measures. Synergies with other existing strategies must be identified.
- **Implementation, monitoring and review processes:** implementation of the action plan requires identifying responsible actors and defining timelines for each measure. There should be a mechanism for periodic monitoring, aimed at clarifying which actions have taken place and which difficulties have arisen. Monitoring can lead to potential readjustment of measures, if necessary with the help of stakeholders.
- **Updating the action plan:** in order to ensure the long-term and sustainable realisation of the plan’s objectives, the plan should be regularly updated based on the results of the periodic monitoring.

67 Council of Europe (2014), ‘Workshop on developing and implementing national action plans for human rights. Conclusions’, pp. 3-7, available at <https://rm.coe.int/workshop-on-development-and-implementation-of-nhraps-conclusions-2014/16809ef184>.

68 Wittenius, M. (2022) *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, Observatory for Sociopolitical Developments in Europe, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.

69 Wittenius, M. (2022) *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, pp. 17-18.



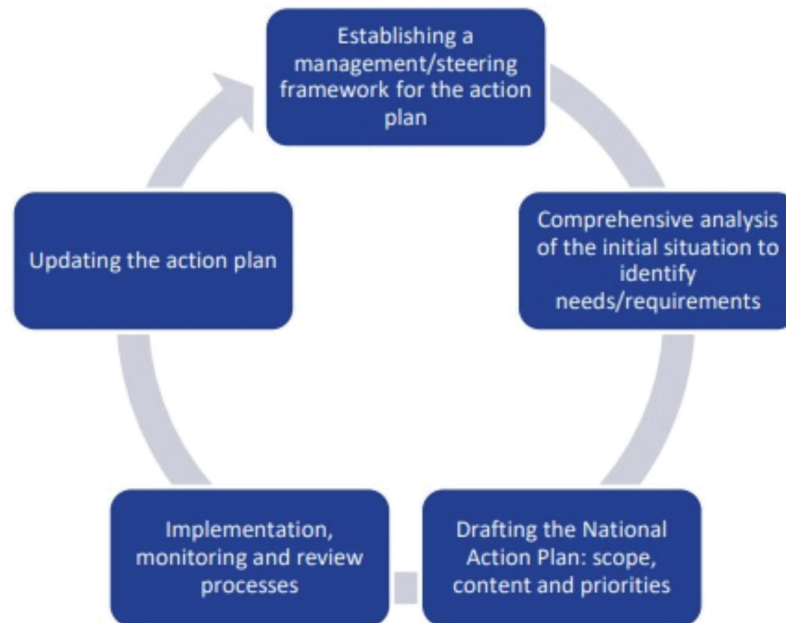


Figure 1: Process management cycle as identified by Wittenius <sup>70</sup>

The combination of these sources of inspiration resulted in the monitoring grid presented below. In the following chapters, we will present our findings on the state of implementation of national LGBTIQ equality action plans/strategies in the EU in three parts that reflect three phases in the life cycle of such plans/strategies: (1) preparation, drafting and adoption, (2) implementation, and (3) monitoring and evaluation.

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<sup>70</sup> Wittenius, M. (2022) Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany, p. 17.

		General information on LGBTIQ equality action plans/strategies					Preparation, drafting and adoption of LGBTIQ equality action plans/strategies				
		Presence of specific national LGBTIQ action plan/strategy or concrete plans for adoption	Link with general national human rights action plan/strategy	Presence of regional LGBTIQ action plan/strategy	Ad hoc or permanent mechanism	Reference to EU LGBTIQ Equality Strategy 2020-2025	Body instrumental for initiating adoption + presence of political support	Bodies involved in drafting and adopting	Presence of detailed data or baseline study	Communication to stakeholders and/or general public	Other crucial factors
	Country										

		Content and implementation of LGBTIQ equality action plans/strategies					Monitoring and evaluation of LGBTIQ equality action plans/strategies				
		Presence of clear and concrete measures with measurable quantitative/qualitative indicators	Areas of state responsibility covered by the action plan/strategy	Presence of substantive policy priorities	Attention to vulnerable groups and/or intersectionality	Presence of implementation agenda (allocation of responsibilities, budget and timeline)	Other crucial factors	Presence of specific monitoring procedure	Presence of specific evaluation procedure	New action plan/strategy foreseen	Other crucial factors
	Country										

## 2 Preparation, drafting and adoption of national LGBTIQ equality action plans/strategies

This chapter addresses the first phase in the life cycle of national LGBTIQ equality action plans/strategies, based on the data we collected from the questionnaires sent to the national experts.

In the **first section**, we first map the existence of a national LGBTIQ equality action plan/strategy – either in the form of a specific plan or as an intrinsic part of a more general human rights action plan/strategy – in each EU Member State. Given the differences in state structure and division of competences across the Member States, we also map the extent to which LGBTIQ equality action plans/strategies (also) exist at regional or local level. We furthermore indicate whether the adoption of LGBTIQ equality action plans/strategies can be considered as an ad hoc initiative or rather as part of a permanent policy mechanism. Finally, given the European Commission’s explicit call on Member States to adopt LGBTIQ equality plans/strategies to implement and complement its LGBTIQ Equality Strategy 2020-2025, we assess whether the national action plan/strategy references the Commission’s strategic objectives.

Based on this mapping, we identify notable similarities and differences among EU Member States. When a Member State has adopted one or more LGBTIQ equality action plans/strategies, we only take into account the plan or strategy that is currently applicable. Moreover, only *national* action plans/strategies are analysed in detail.

In the **second section**, we first map which bodies are instrumental in initiating the development of a national LGBTIQ equality action plan/strategy and the existence of political support. Second, we map which bodies are involved in the actual drafting and adoption of such a plan or strategy. In addition, we identify whether the national action plan/strategy is grounded in empirically accurate and detailed data and/or a baseline study on the state of inclusion of LGBTIQ people. We next examine to what extent the national action plan/strategy is communicated among relevant stakeholders and the general public. Finally, given the varying political, socioeconomic, administrative and historical contexts among EU Member States, we also identify other crucial factors for the preparation, drafting and adoption of national LGBTIQ equality action plans/strategies in the EU.

The third **section** concludes the chapter with the identification of examples of current good practice that may serve as an inspiration for EU Member States in their future engagement with the development, drafting and adoption of national LGBTIQ equality action plans/strategies.

### 2.1 General information

	General information on LGBTIQ equality action plans/strategies				
	Presence of specific national LGBTIQ action plan/strategy or concrete plans for adoption	Link with general national human rights action plan/strategy	Presence of regional LGBTIQ action plan/strategy	Ad hoc or permanent mechanism	Reference to EU LGBTIQ Equality Strategy 2020-2025
AT					
BE	Yes	/	Yes	Ad hoc	Yes
BG					
CY	Yes	Yes	/	Ad hoc	Yes
CZ					
DE	Yes	/	Yes	Permanent mechanism	No

	General information on LGBTIQ equality action plans/strategies				
	Presence of specific national LGBTIQ action plan/strategy or concrete plans for adoption	Link with general national human rights action plan/strategy	Presence of regional LGBTIQ action plan/strategy	Ad hoc or permanent mechanism	Reference to EU LGBTIQ Equality Strategy 2020-2025
DK	Yes	/	/	Ad hoc	Yes
EE					
EL	Yes	/		Ad hoc	Yes
ES	Yes	/	Yes	Permanent mechanism	/
FI					
FR	Yes	/	Yes	Permanent mechanism	No
HR					
HU					
IE	Yes	/	/	Ad hoc	No
IT	Yes	/	/	Ad hoc	Yes
LT					
LU	Yes	/	/	Permanent mechanism	No
LV					
MT	Yes	Yes	/	Permanent mechanism	Yes
NL	Yes	/	Yes	Ad hoc	No
PL					
PT	Yes	Yes	Yes	Tendential permanent mechanism	Yes
RO					
SE	Yes	/	Yes	Ad hoc	No
SI					
SK					

### *Existence of a national LGBTIQ equality action plan or strategy*

At present, 12 out of 27 EU Member States have adopted a national LGBTIQ equality action plan/strategy that is currently applicable (**Belgium, Denmark, France, Germany, Greece, Ireland, Italy**,<sup>71</sup> **Luxembourg, Malta**, the **Netherlands, Portugal** and **Sweden**). Another two Member States have concrete plans for the development of an LGBTIQ equality action plan/strategy or have developed but not yet adopted such a plan/strategy (**Cyprus** and **Spain**). This means that in 13 Member States (**Austria**,

71 Please note that the Italian LGBTIQ equality strategy was adopted by a caretaker Government, and therefore before the current Meloni Government took office. During the past months, the new Italian Government has attracted controversy with several decisions affecting same-sex parents. It is unclear to what extent the Government will commit to implementing the adopted strategy. See for instance: Human Rights Watch (2023) 'Italy's Mounting Attack on Lesbian Parents', 24 July 2023, <https://www.hrw.org/news/2023/07/24/italys-mounting-attack-lesbian-parents>.

**Bulgaria, Croatia,<sup>72</sup> Czechia, Estonia, Finland, Hungary, Latvia, Lithuania,<sup>73</sup> Poland, Romania, Slovakia and Slovenia**), or almost half of the EU, no national LGBTIQ equality action plan/strategy currently exists or is being developed.

While **Estonia** does include measures on the promotion of equal opportunities of ‘minority groups’ in its Welfare Development Plan 2023-2030, this does not seem to amount to a proper LGBTIQ equality plan. Indeed, the plan makes use of abstract language (‘minorities’) and only one objective included in the plan (on gender equality) is considered to actually cover LGBTIQ people. It is therefore not considered for the remainder of the report. In **Austria**, there was an attempt in 2020 by some Members of Parliament to assign the task of producing a national action plan to the Ministry of Women and Integration.<sup>74</sup> However the request was adjourned by Parliament and therefore never produced any results. In 2021, a Government Committee for Sexual Minorities and the Office of the High Commissioner for Human Rights, prepared a draft Government Strategy of Equality and Elimination of Barriers to Life and Dignity of LGBT+ People in **Czechia**. However, the plan was never adopted by the Government and is therefore also not considered in this report. In **Slovakia**, the Ministry of Justice developed a draft action plan for LGBTIQ equality for the period 2016-2019 in collaboration with civil society, following the adoption of the ‘National Strategy for the Protection and Promotion of Human Rights in the Slovak Republic’ in 2015. However, the action plan was never adopted by the Government and no other initiatives have been taken since then.

In **Cyprus**, the National Strategy for the Protection and Promotion of Human Rights was adopted by the Council of Ministers in 2021. The strategy, the contents of which are not available in the public sphere, sets out broad principles on human rights protection and promotion in the country, including the legal framework, definitions of vulnerable groups and the subjects of rights, the protection mechanisms, general comments on fundamental rights, on the independent mechanisms for the promotion and protection of rights and on the role of civil society. In the light of its general nature, the strategy does not contain concrete actions, but prescribes an implementation mechanism involving the compilation of an action plan with concrete measures. The action plan is to be monitored by a multi-disciplinary body of the public and private sector, civil society and academia. For LGBTIQ equality, the strategy envisages the adoption of an action plan to promote education, training and awareness, to combat discrimination and to promote the right to private and family life. To date, no action plan has been adopted and no monitoring body set up. However, the strategy recognises LGBTIQ people as a vulnerable group and had already identified key policy areas in which certain actions should be undertaken for the promotion of LGBTIQ equality. For this reason, and given the Government’s earlier commitment to adopting a national human rights action plan, the human rights strategy will be considered for the remainder of the report.

In March 2021, by decision of the Prime Minister, a committee was set up in **Greece** with the aim of drafting a national strategy for the equality of LGBTIQ people for the period 2021-2025. The strategy was adopted in 2021 and included a series of guidelines and proposals inspired by the principles of equality and non-discrimination on grounds of sexual orientation, gender identity, gender expression and sex characteristics. According to the Greek national expert, a more concrete action strategy is currently being developed, aimed at implementing the LGBTIQ equality strategy. Therefore, only the latter strategy will be considered in this report.

While **Spain** does not currently have a national LGBTIQ equality action plan/strategy, the recently adopted Law 4/2023 for the real equality of trans persons and guarantee of the rights of LGBTI persons,<sup>75</sup> provides

72 After the cut-off date for this report, the **Croatian** Government initiated the development of two action plans for the implementation of the National Plan for the Protection and Promotion of Human Rights and Suppression of Discrimination. A working group tasked with drafting both plans was established and held a first meeting in June 2023. One member of the working group is a representative of a civil society organisation working on LGBTIQ rights.

73 After the cut-off date for this report, the **Lithuanian** Government adopted a new Equal Opportunities Plan 2024-2026. The plan overall consists of seven objectives, one of which relates to the equality of LGBTIQ people (the organisation of one event to promote the respect for LGBTIQ rights, and training for health professionals to raise awareness about the health needs of LGBTIQ people and to prevent discrimination in access to healthcare).

74 See [https://www.parlament.gv.at/dokument/XXVII/A/1130/fname\\_854114.pdf](https://www.parlament.gv.at/dokument/XXVII/A/1130/fname_854114.pdf).

75 Spain, *Ley 4/2023, para la igualdad real y efectiva de las personas trans y para la garantía de los derechos de las personas LGTBI*.

for the adoption of two LGBTIQ strategies: the state strategy for equal treatment and non-discrimination of LGBTI persons, and the state strategy for the social inclusion of trans persons. The law sets out a process for the adoption and evaluation of the action plans, as well as a description of measures to be included therein. This framework will be further considered in the remainder of this report.

It is notable that most Member States that do not make use of LGBTIQ equality action plans are located in Eastern Europe (**Bulgaria, Czechia, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia** and **Slovenia**) and Southeastern Europe (**Croatia**), with the exception of **Austria** and **Finland**. Since there might be various political, administrative, social and historical reasons for the absence of national LGBTIQ equality action plans in these Member States, further research is needed.

### *Links with a general national human rights action plan or strategy*

In most of the Member States that make use of a national LGBTIQ equality action plan/strategy, the plan or strategy is intended to stand alone. This is the case in **Belgium** (both for the federal plan and the regional plans, with the exception of the Flemish plan), **Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg** and **Sweden**. However, the stand-alone plan can still be linked to other human rights or equality strategies, for instance because of the institutions involved in drafting, implementing and monitoring the plans.

As mentioned in the previous section, in **Cyprus** the proposed LGBTIQ equality action plan would be part of a broader national human rights strategy, which also covers age, gender, religion, disability, stateless persons, beneficiaries of international protection, children, victims of trafficking, and victims of violent crimes. Although the strategy does not seem to prioritise LGBTIQ people over other groups, it also does not anticipate the adoption of a distinct action plan for any other ground covered. According to the national expert, the proposed LGBTIQ equality action plan should be based on Council of Europe recommendations, and will aim to promote education, training and awareness, actions to combat LGBTIQ discrimination in the workplace and the right to private and family life. However, there have been specific action plans previously, for instance on disability, victims of trafficking and on sexual abuse of children.

While in **Spain** the law provides for the adoption of two specific, stand-alone LGBTIQ equality action plans, protecting LGBTIQ rights is also part of other policy plans, and is therefore of a cross-cutting nature. For instance, this can be demonstrated in the National Human Rights Plan (2023–2027), the active participation of the Government in the European Governmental LGBTI Focal Points Network and in ad hoc meetings of the Council of Europe, in close coordination with the partner countries in the United Nations LGBTI Core Group, and in the Coalition for Equal Rights. The Plan on effective equality of men and women includes several measures in relation to LGBTIQ people, such as the promotion of studies that make visible the living conditions and discrimination faced by LGBTI women.

Although **Malta** has a detailed, specific LGBTIQ equality action plan, the plan does not stand alone. According to the national expert, it is part of a broader national human rights action plan. The Maltese Government takes a holistic approach by targeting equality legislation and policy in practice both within the public administration and in some spheres of the private sector.

In the **Netherlands**, the national action plan that is specifically focused on LGBTIQ people has only a limited scope. Indeed, the plan is focused on the safety of LGBTIQ people.<sup>76</sup> However, in addition, the most recent (and more general) Emancipation Policy Brief 2022–2023, has chapters on employment, education, care, etc. and predominantly focuses on the ground of gender and on LGBTIQ people. This policy brief specifically mentions that, in the coming years, the Government will focus its policies on gender equality and the emancipation of and equal opportunities for LGBTIQ persons.

76 Netherlands, 'Actieplan Veiligheid LHBTI'.

In **Portugal**, the specific action plan to combat discrimination on the grounds of sexual orientation, gender identity, gender expression and sex characteristics is part of the National Strategy for Equality and Non-Discrimination 2018-2030, which was adopted in March 2018.<sup>77</sup> The LGBTIQ equality action plan establishes concrete measures and is produced periodically every four years. The strategy also includes a health strategy for lesbian, gay, bisexual, trans and intersex people.

### *Regional or local LGBTIQ equality action plans or strategies*

In about half of the Member States that have adopted or developed a national LGBTIQ equality action plan or strategy, such plans or strategies also exist (in some form) at the regional or local level, depending on the division of competences in the state structure. This is the case in **Belgium, France, Germany, Spain, the Netherlands, Portugal** and **Sweden**.

In the **Belgian** federal system, the competence to legislate on discrimination in the areas covered by the European anti-discrimination directives is divided between the Federal State, the Communities and the Regions. This means that all three levels of government have the shared competence to adopt measures needed to prevent and sanction discrimination in their areas of competence. This is not only the case for the adoption of legislative measures, but also for the adoption of action plans and strategies. Whereas the Federal State, Communities and Regions can decide to formally cooperate in the exercise of their competences – for instance by adopting an intergovernmental equality action plan – they have not done so for the promotion of LGBTIQ equality. The national action plan included in this report is therefore limited to the competences of the Federal State. At the regional level, action plans have been adopted by the Brussels-Capital Region (2022-2025),<sup>78</sup> the Walloon Region (2022-2024)<sup>79</sup> and the Flemish Government (2020-2024).<sup>80</sup>

While **France** is a centralised state, some municipalities and regions have chosen to adopt their own action plan which complements actions undertaken at state level. For instance, the city of Paris adopted its own LGBTIQ equality action plan in 2023, which includes actions on housing for elderly people, shelter for refugees and access to healthcare services. Moreover, under the previous national action plan, local authorities (at the level of the departments) have been established to implement the national action plan locally, with a specific operational budget of EUR 500 000. In addition, according to the national expert, some public services are bound to implement specific actions set out in the plan, for example provisions relating to the network of representatives in the police and justice system, guidelines for public school personnel in addressing trans students and pupils, and an observatory of anti-LGBTIQ incidents documented by regional public school authorities. Finally, the national expert pointed out that in May 2023 the French Ministry of Sports adopted a new action plan to improve respect for the rights of LGBTIQ people, to improve and systematise sanctions, and to favour inclusion through sports.<sup>81</sup>

In **Germany**, all federated states – except for Lower Saxony and Bavaria – have in the past adopted a form of LGBTIQ equality action plan,<sup>82</sup> in cooperation with local LGBTIQ civil society organisations

77 Please note that on 14 August 2023, after the cut-off date of this report (14 June 2023), the Portuguese Council of Ministers adopted the action plan for the period 2023-2026. See [https://www.cig.gov.pt/wp-content/uploads/2023/08/RCM-92\\_2023-de-14.08.pdf](https://www.cig.gov.pt/wp-content/uploads/2023/08/RCM-92_2023-de-14.08.pdf).

78 See [https://nawalbenhamou.brussels/wp-content/uploads/2022/02/Plan\\_LGBTQIA-2022-2025.pdf](https://nawalbenhamou.brussels/wp-content/uploads/2022/02/Plan_LGBTQIA-2022-2025.pdf).

79 See <https://dirupo.wallonie.be/files/Publications/Plan%20wallon%20d%27inclusion%20des%20personnes%20LGBTQIA%202022-2024.pdf>.

80 See [https://assets.vlaanderen.be/image/upload/v1644850808/Mededeling\\_HIGKBP\\_actualisering2021\\_61602303d129f6000c000189\\_bnpfsv.pdf](https://assets.vlaanderen.be/image/upload/v1644850808/Mededeling_HIGKBP_actualisering2021_61602303d129f6000c000189_bnpfsv.pdf).

81 France, *Plan d'action pour mieux lutter contre la haine et favoriser l'inclusion des personnes LGBT+ dans le sport*. See <https://www.sports.gouv.fr/plan-d-action-pour-mieux-lutter-contre-la-haine-et-favoriser-l-inclusion-des-personnes-lgbt-dans-le>.

82 Baden-Württemberg, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, North Rine-Westphalia, Rhineland-Palatinate, Saarland, Saxony, Saxony-Anhalt, Schleswig-Holstein, Thuringa.



that they support financially.<sup>83</sup> The national LGBTIQ equality action plan aims to enhance collaboration between the states and the federal Government in order to achieve maximum efficiency in promoting diversity in Germany.

The **Spanish** Autonomous Communities have relevant competences in view of promoting LGBTIQ equality, such as culture, social assistance, the promotion of family life, education, media, the promotion of employment, etc. Several Autonomous Communities have adopted a strategy, action plan or public policy road map in relation to LGBTIQ people.<sup>84</sup> For instance, the Autonomous Community of Catalonia adopted the Interdepartmental Plan LGBTI 2019-2022, following the passing of legislation to ensure LGBTIQ rights. The plan's aims include supporting cultural productions and activities that shed light on LGBTIQ themes.

In the **Netherlands**, many municipalities and provinces have adopted their own LGBTIQ equality action plans, within the sphere of their limited autonomous competence. Throughout the country, there are 46 'Rainbow cities' that make an extra effort to develop inclusive policies for LGBTIQ persons. In addition to this, the 12 Dutch provinces are Rainbow provinces. LGBTIQ equality policies of these cities and provinces are often laid down in action plans. These cities and provinces form part of the *Regenboogsteden* programme that is supported and financed by the Dutch Ministry of Education, Culture and Science.

**Portuguese** law explicitly grants municipalities the competence to adopt municipal plans for equality. Some municipalities have adopted LGBTIQ equality action plans. For instance, in 2020, the Municipality of Lisbon approved the municipal plan LGBTI+ (2020-2021) which is a structured policy strategy to implement a set of municipal public policies for the promotion and defence of human rights of LGBTI people in the areas of health, education, employment, housing, etc. In 2022, the municipality started to prepare a second plan to continue to support the integration of lesbian, gay, bisexual, trans and intersex people.

Finally, in **Sweden**, regions and municipalities can and have adopted their own LGBTIQ equality action plans. For instance, the city of Stockholm adopted the Programme for equal rights and opportunities regardless of sexual orientation, gender identity or gender expression 2018-2022.<sup>85</sup>

#### *Ad hoc or permanent policy instrument*

In the clear majority of Member States that have adopted or developed a national LGBTIQ equality action plan or strategy, the plan or strategy takes the form of an ad hoc policy initiative. This is the case in **Belgium, Cyprus,<sup>86</sup> Denmark, Greece, Ireland, Italy, the Netherlands and Sweden**. In **France, Germany, Luxembourg, Malta, Portugal and Spain**, the adoption of such plans is (or will become) part of a permanent policy mechanism.

However, the categorisation of Member States in relation to this indicator is somewhat conflated, as in several Member States the adoption of LGBTIQ equality action plans is (or will become) a *recurrent* ad hoc initiative. This is the case for **Belgium, the Netherlands and Sweden**. In other words, in the majority of

83 Berlin for example introduced a relevant action plan already in 2009 ([https://www.berlin.de/sen/lads/\\_assets/ueber-uns/materialien/factsheets/factsheet\\_03\\_isv\\_bf.pdf](https://www.berlin.de/sen/lads/_assets/ueber-uns/materialien/factsheets/factsheet_03_isv_bf.pdf)), Rhineland-Palatinate in 2013 ([https://mffki.rlp.de/fileadmin/07/Dokumente/Themen/Vielfalt/Rheinland-Pfalz\\_unterm\\_Regenbogen/Bericht\\_Regenbogen.pdf](https://mffki.rlp.de/fileadmin/07/Dokumente/Themen/Vielfalt/Rheinland-Pfalz_unterm_Regenbogen/Bericht_Regenbogen.pdf)), Saarland in 2020 ([https://www.saarland.de/masfg/DE/service/publikationen/publikationen\\_msqff\\_einzeln/landesaktionsplan\\_sexuelleVielfalt.pdf?\\_blob=publicationFile&v=7](https://www.saarland.de/masfg/DE/service/publikationen/publikationen_msqff_einzeln/landesaktionsplan_sexuelleVielfalt.pdf?_blob=publicationFile&v=7)). Berlin and North Rhine-Westphalia have already implemented two, and Berlin plans a third one in 2023. Bavaria has in the last years also been preparing an action plan which will eventually be presented in 2025 (<https://www.stmas.bayern.de/aktionsplan-queer/>). According to the German national expert, Lower Saxony has run since 2014 an ongoing campaign on sexual and gender diversity and announced it will develop an action plan in the near future.

84 Balearic Islands, Valencian Community, Community of Navarre, Catalonia, Autonomous Community of Castilla-La Mancha, Canary Islands, Andalusia.

85 Sweden, *Stockholms Program för lika rättigheter och möjligheter oavsett sexuell läggning, könsidentitet eller könsuttryck: 2018-2022*.

86 Note that the generally worded Cypriot national human rights strategy still needs to be implemented through the adoption of an action plan with concrete measures. There is no indication that such a plan is currently in development.



Member States included in this report, the adoption of LGBTIQ equality action plans is at least a regularly deployed policy instrument to promote LGBTIQ equality at the national level.

### *Reference to the European Commission's LGBTIQ Equality Strategy 2020-2025*

As mentioned above, in its current LGBTIQ Equality Strategy 2020-2025, the European Commission encouraged EU Member States to develop national LGBTIQ equality action plans/strategies to ensure follow-up at the national level of the objectives and actions set out in the EU strategy and to complement them with actions within Member State competence. In six Member States, the national LGBTIQ equality action plan/strategy includes an explicit reference to the EU LGBTIQ Equality Strategy 2020-2025: **Belgium, Cyprus, Denmark, Greece, Italy, Malta** and **Portugal**. In the case of **Malta**, this reference could be considered as a sign of the country's ambition to be a European leader in promoting LGBTIQ equality. This was explicitly mentioned by the Maltese national expert:

'Given that Malta has been a leader in this field holding first positions on global indices, including those on a European level, it is clear that Malta does make reference to the LGBTIQ Equality Strategy (2020-2025) adopted by the European Commission and to good practices in other EU Member States. In this regard, one notes that Malta continues to advocate and support the adoption of the EU Council Directive on implementing the principle of equal treatment outside the labour market. Likewise, Malta continues to support the implementation of the EU Strategy for LGBTIQ Equality. The SOGIGESC Unit actively participates in the EU's High-Level Group (HLG) on non-discrimination, equality and diversity as well as the HLG's LGBTI Equality sub-group, created with the aim to support the adoption of National Action Plans and facilitate the sharing of good practices.'

In **Cyprus**, the national human rights strategy refers to the EU LGBTIQ equality strategy as the basis for formulating the pillars upon which proposed actions rely: combating discrimination, safety, lifting barriers to inclusion, and promoting the claim to equality. The strategy was initially drafted before the adoption of the EU LGBTIQ equality strategy, and was later amended and broadened to comply with the EU standards. Similarly, the **Greek** national LGBTIQ equality strategy explicitly references the EU equality strategy and generally copies the latter's structure.

The **Danish** national LGBTIQ equality action plan explicitly references the EU LGBTIQ equality strategy and underlines the Danish commitment to participating in the proceedings of the Commission's High-Level Group on non-discrimination, equality and diversity, and the LGBTIQ Equality Subgroup,

In two other Member States, the LGBTIQ equality action plan/strategy explicitly (also) refers to other relevant European instruments for the promotion of LGBTIQ equality. In **Ireland**, where the national LGBTI+ Inclusion Strategy 2019-2021 was adopted before the launch of the EU LGBTIQ Equality Strategy 2020-25, a reference to the European Commission's 'List of Actions to Advance LGBTIQ Equality 2015-2019' can be found. Whereas the proposal for revision of the **Portuguese** national equality strategy explicitly references the EU LGBTIQ equality strategy; the first version – which was adopted before the launch of the EU strategy – references the aforementioned Recommendation CM/Rec(2010)5 by the Committee of Ministers of the Council of Europe.

Although the **Swedish** national LGBTIQ equality action plan does not specifically refer to the European Commission's LGBTIQ equality strategy or to good practices in other EU Member States, the national expert expressed a conviction that the Swedish Government has been influenced by developments at EU level and in other Member States.

## 2.2 Preparation, drafting and adoption

Preparation, drafting and adoption of LGBTIQ action plans/strategies					
	Body instrumental for initiating adoption + presence of political support	Bodies involved in drafting and adopting	Presence of detailed data or baseline study	Communication to stakeholders and/or general public	Other crucial factors
AT					
BE	Government  Political support present	Government, with consultation of civil society and equality bodies	Yes	Yes	Complexity of division of competences between Federal State, Communities and Regions
BG					
CY	Government  Political support doubtful	Drafting: University of Cyprus, with consultation of civil society  Adoption: Council of Ministers (national strategy – not LGBTIQ action plan)	No	/	Rising anti-LGBTIQ incidents and rhetoric among populist politicians Emergency of LGBTIQ grassroots organisations
CZ					
DE	Government, political parties represented in parliament and civil society  Political support present	Government, with strong reliance on civil society	Yes	Yes	Presence of lively community of activists and scholars. Particular role for the Observatory for Sociopolitical Developments in Europe (subsidised by Federal Ministry for Family Affairs, Senior Citizens, Women and Youth)
DK	Government  Political support present	Government, with consultation of civil society and professional experts	Yes	Yes	/
EE					
EL	Government  Political support present	Drafting: Special committee composed of academics, and representatives of government and civil society, with consultation of civil society, national and international human rights actors, and government ministries	Yes	Yes	/
ES	Government  Political support present, but potentially doubtful in the future	Government, with consultation of Autonomous Communities and civil society	/	/	Potential changes due to new political majority following parliamentary elections

Preparation, drafting and adoption of LGBTIQ action plans/strategies					
	Body instrumental for initiating adoption + presence of political support	Bodies involved in drafting and adopting	Presence of detailed data or baseline study	Communication to stakeholders and/or general public	Other crucial factors
FI					
FR	Government (mostly specific public body DILCRAH) <sup>87</sup>  Political support present	Drafting: Specific public body DILCRAH, with extensive consultation of civil society, public actors and National Human Rights Consultative Commission  Adoption: Council of Ministers	Yes	Yes	Involvement of trade unions
HR					
HU					
IE	Government  Political support present	Government, advised by Strategy Committee and with consultation of civil society and individuals	Yes	Yes	Limited time frame for public consultation
IT	Government and civil society  Political support present	Government, with consultation of civil society	Yes	Yes	/
LT					
LU	Government  Political support present	Government, with consultation of civil society, LGBTI working group and experts	Yes	Yes	/
LV					
MT	Government (mostly specific public body)  Political support (strongly) present	Drafting: Specific public body Human Rights Directorate, with consultation of civil society, public bodies, academia, trade unions and private sector.  Review and confirmation: LGBTIQ consultative council  Adoption: Council of Ministers	Yes	Yes	/
NL	Government and parliament  Political support present	Government, with consultation of civil society, experts and public bodies	Yes	Yes	/
PL					

87 Délégation Interministérielle à la Lutte Contre le Racisme, l'Antisémitisme et la Haine Anti-LGBT.

Preparation, drafting and adoption of LGBTIQ action plans/strategies					
	Body instrumental for initiating adoption + presence of political support	Bodies involved in drafting and adopting	Presence of detailed data or baseline study	Communication to stakeholders and/or general public	Other crucial factors
PT	Government  Political support present	Government, with consultation of public bodies, municipalities, experts, private sector and civil society	No	Yes, but hard to find in practice	/
RO					
SE	Government, civil society organisations and political parties represented in parliament  Political support present, but potentially doubtful in the future	Government, presumably with consultation of civil society	Yes	Yes	Cooperation between government and civil society Changing political circumstances
SI					
SK					

### *Bodies involved in initiating development*

In all EU Member States that make use of a national LGBTIQ equality action plan or strategy, the Government – often a specific ministry, such as the ministry responsible for justice or equality, or a designated body – plays a crucial role in initiating the development of the plan/strategy (**Belgium, Cyprus, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Spain and Sweden**). The Government’s work is sometimes complemented by that of others, such as political parties represented in Parliament or civil society organisations. This is for instance the case in **Germany**, where the Green party submitted a proposal to the federal Parliament concerning a national action plan for sexual and gender diversity in 2019.<sup>88</sup> In **Italy**, the proposal to adopt a national LGBTIQ equality action plan was formulated by the Ministry for Equal Opportunities within the country’s permanent consultative committee on LGBTIQ equality, in which 66 civil society organisations are represented. In the **Netherlands**, the specific action plan on the safety of LGBTIQ people was drafted by the Ministry of Justice and Security as a follow-up to a request to the Government made by some members of Parliament.<sup>89</sup> According to the **Swedish** national expert, two LGBTIQ NGOs, RFSL (the Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights) and RFSL Ungdom (Swedish Youth Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights) have been instrumental in the adoption of the Swedish national LGBTIQ equality action plan, along with the support of various political parties.

In **Malta**, the development of the national LGBTIQ equality action plan is strongly led by one body, the Human Rights Directorate, which was created for the specific task of advancing civil liberties, foreign communities, integration and minority rights. This is also the case in **France**, where national actions plans (e.g. to tackle racism, antisemitism and LGBTIQ-phobia) are developed by DILCRAH,<sup>90</sup> which is an interministerial delegation under the authority of the prime minister and the minister in charge of gender equality, diversity and equal opportunities.

88 Germany, *Vielfalt leben – Bundesweiten Aktionsplan für sexuelle Vielfalt auflegen*. See [https://www.bundestag.de/resource/blob/672608/5c590376abe67e654882a235a366d9f6/19-13-67c\\_angef-SN\\_Petra-Follmar-Otto-data.pdf](https://www.bundestag.de/resource/blob/672608/5c590376abe67e654882a235a366d9f6/19-13-67c_angef-SN_Petra-Follmar-Otto-data.pdf).

89 Netherlands, *Motie Sjoerdsma/Van den Hul*, 19 April 2018, *Kamerstukken II*, 30 420, no. 273.

90 Délégation Interministérielle à la Lutte Contre le Racisme, l’Antisémisme et la Haine Anti-LGBT (DILCRAH).

As mentioned in the previous section, although the National Strategy for the Protection and Promotion of Human Rights was adopted by the Council of Ministers of **Cyprus** in 2021, the proposed action plan on LGBTIQ equality was not developed within the reference period. According to the national expert, the development of the national strategy was initiated by the Ministry of Justice and Public Order, although political pressure as a result of a deteriorating human rights situation also had an influence. Whereas the national human rights strategy was backed by the Council of Ministers, political support presumably did not extend to the specific action plans proposed by the strategy.

### *Bodies involved in drafting*

In almost all Member States that make use of a national LGBTIQ equality action plan or strategy, the drafting and adoption of the plan/strategy is clearly led by the Government or a dedicated public body. This is the case for **Belgium, Denmark, France, Germany, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Spain** and **Sweden**. Although the development of the **German** national LGBTIQ equality action plan is initiated and coordinated by the federal Government, there is strong reliance on civil society organisations for the actual drafting of the action plan. This also seems to be the case in **Sweden**. According to the **Danish** national expert, no public information can be found on the drafting process of the national LGBTIQ equality action plan, other than the following statement in the plan: ‘the contents of the action plan have been formulated across 11 ministerial different areas on the basis of the wishes from civil society, input from professionals, international experience, and existing knowledge from studies in the area’.<sup>91</sup>

The drafting of the action plan/strategy is mostly performed and/or coordinated by a dedicated department or body within the overall Government structure. This coordinating role is often the task of a specific Government ministry, such as the ministry for equality/equal opportunities or the ministry of justice. This is the case in **Belgium** (Secretary of State for Gender Equality, Equal Opportunities and Diversity), **Germany** (Federal Ministry for Family Affairs, Senior Citizens, Women and Youth), **Ireland** (Department of Justice and Equality), **Italy** (Ministry for Equal Opportunities), **Luxembourg** (Ministry for Family, Integration and the Greater Region), the **Netherlands** (Ministry of Justice and Security/Ministry of Education, Culture and Sciences), **Portugal** (Minister responsible for Equality and Citizenship) and **Spain** (Ministry of Equality).

For instance, according to the national expert, the **Belgian** LGBTIQ equality action plan sets out its drafting approach as follows:

‘This federal action plan has come about thanks to the cooperation of various stakeholders. It is based on the two previous action plans and their evaluations, as well as various studies and contributions from LGBTIQ+ civil society. The Secretary of State for Gender Equality, Equal Opportunities and Diversity has taken the initiative and is playing a coordinating role in implementing the plan. The various partners within the federal government, along with their cabinets and administrations, have collaborated intensively on this plan, formulating actions in their areas of competence. LGBTIQ+ civil society was consulted on several occasions. Before seeking political decision, the plan was submitted to the Institute for Gender Equality (Institut pour l’égalité des femmes et des hommes) and to UNIA (Centre interfédéral pour l’égalité des chances et la lutte contre le racisme et les discriminations)’.

In **France** and **Malta**, drafting the national LGBTIQ equality action plan/strategy is the responsibility of a dedicated public body, under the authority of the Government or a specific ministry. As mentioned in the previous section, the French action plan is developed by DILCRAH, an interministerial delegation under the authority of the prime minister and the minister in charge of gender equality, diversity, equal opportunities

91 Denmark, *Plads til forskellighed i fællesskabet - LGBT+ handlingsplan 2022-2025* (Room for diversity in the community - LGBT+ action plan 2022-2025), English summary available at [https://digmin.dk/Media/638085092071289364/Room for diversity.pdf](https://digmin.dk/Media/638085092071289364/Room%20for%20diversity.pdf). 4.

and territorial administrative authorities. DILCRAH has direct access to all Government ministries. The Maltese Human Rights Directorate was set up under the Ministry of Home Affairs, Security, Reforms and Equality, and is responsible for drafting the concrete measures included in the LGBTIQ equality action plan. In both countries, the draft plan is eventually adopted by the Council of Ministers. In early 2022, the **German** federal Government appointed the first-ever Federal Commissioner for the Acceptance of Sexual and Gender Diversity.<sup>92</sup> While the Commissioner has responsibility for coordinating the implementation of the national LGBTIQ equality action plan, he does not appear to have been responsible for drafting the plan.

However, in two Member States, the Government strongly relies on external expertise for drafting the LGBTIQ equality action plan. In **Cyprus**, the drafting of the national human rights strategy (which proposes the adoption of a more specific LGBTIQ equality action plan) was commissioned by the Ministry of Justice and Public Order from the University of Cyprus, on the basis of a memorandum whereby the state university provides advice on human rights issues to the ministry. The national human rights strategy was officially adopted by the Council of Ministers after three years of negotiations and revisions of the original draft strategy. Importantly, the strategy does not foresee a specific role for the University of Cyprus in the drafting of the more specific LGBTIQ equality action plan – which may (at least partly) help to explain why a specific action plan was never developed. As mentioned above, there does not seem to be political support for the adoption of that specific action plan. In **Greece**, a special committee for the preparation of the ‘National Strategy 2021-2025 for the Equality of LGBTIQ people in Greece’ was established by a decision of the prime minister. The committee was chaired by a law professor who also served as president of the European Court of Human Rights. The committee was further composed of academics specialised in civil and constitutional law, three representatives of civil society organisations (one of whom was also a Council of Europe expert on gender identity issues), the General Secretary of Justice and Human Rights, and the head of the Prime Minister’s Financial Office. The committee adopted and published the national LGBTIQ equality strategy in 2021, which included a series of guidelines and proposals for the promotion of the equality of LGBTIQ people. According to the national expert, the Greek Government is currently developing a national action plan implementing the aforementioned strategy.

In all EU Member States included in this report, consultations took place before the final plan was adopted. In all Member States (**Belgium, Cyprus, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Spain and Sweden**) civil society organisations were consulted during the preparation of the national LGBTIQ equality action plan. However, it is not always publicly known how many and which specific organisations are included during the consultation process and what impact civil society actually has. In any case, the participation of LGBTIQ civil society organisations sometimes seems rather limited. For instance, in **Cyprus**, (only) segments of civil society were consulted during the development of the national human rights strategy, through unofficial closed sessions. Whereas the strategy provides that members of the LGBTIQ community will participate in the drafting of the more specific LGBTIQ equality action plan, it does not clarify any selection criteria nor whether representatives of civil society organisations will be invited to participate.

On the other hand, in other Member States, civil society organisations appear to have an instrumental role in the action plan’s development process. Indeed, in **Greece**, representatives of LGBTIQ civil society organisations were not only part of the expert committee that drafted the national LGBTIQ equality strategy, but were also invited to submit memoranda with policy requests. The national expert described the consultation process as follows:

‘During 2020 and early 2021, the committee for the preparation of the National Strategy, in order to draw up the action plan, requested and took into consideration the memoranda submitted by civil society stakeholders and especially LGBTI+ organizations. Furthermore, the committee

92 Germany, Beauftragte der Bundesregierung für die Akzeptanz sexueller und geschlechtlicher Vielfalt or Queer-Beauftragter. See <https://www.bmfsfj.de/bmfsfj/ministerium/behoerden-beauftragte-beiraete-gremien/queer-beauftragter-der-bundesregierung>.



organized hearings of a number of bodies and institutions. Specifically, it addressed the Council of Europe (COE-SOGI), the European Commission against Racism and Intolerance (ECRI), the Ombudsman, the National Committee for Human Rights (NCHR) and the National Rapporteur for the Fight against Human Trafficking.

The committee then called for an exchange of views, especially in the training field of management executives, the General Secretaries of relevant ministries and in particular the General Secretaries of Health Services, Public Order, Primary and Secondary Education, Higher Education, Human Public Sector Dynamics as well as the President of the National Public Sector Centre Administration and Self-Government and the Governor of the National Transparency Authority.’

Similarly, in **Italy**, the LGBTIQ equality strategy was developed through a process of dialogue in the country’s permanent consultative committee on LGBTIQ equality, in which 66 civil society organisations are represented. The **Maltese** LGBTIQ equality action plan was prepared by the Human Rights Directorate following consultations with LGBTIQ civil society organisations, and reviewed and confirmed by the LGBTIQ Consultative Council, which is composed of representatives of several civil society organisations. In **Ireland**, overall responsibility for drafting the National LGBTI+ Inclusion Strategy rested with the Department of Justice and Equality, which was advised by a strategic committee composed of representatives from Government departments, key public bodies, the social partners and civil society. The strategy was drafted in consultation with LGBTIQ individuals and civil society organisations through a public process that included workshops and 32 written submissions.<sup>93</sup> Public consultation meetings were held at five different locations across the country,<sup>94</sup> in cooperation with the NGO LGBT Ireland<sup>95</sup> and experts and researchers. Moreover, specific workshops were organised for intersex people, Travellers, asylum seekers, migrants and refugees, as well as the deaf community in order to ensure the inclusion of marginalised communities.<sup>96</sup> Finally, during the preparation of the **French** LGBTIQ equality action plan, DILCRAH consulted over 100 partners from civil society and institutional stakeholders. The consultation was carried out online, through a working seminar chaired by the minister responsible, and local working groups in selected representative areas, to address specific territorial concerns. This consultation process was described by the national expert as follows:

‘The plan is the result of a vast consultation by the DILCRAH of over 100 partners from civil society and institutional stakeholders including the National consultative Human rights commission, the Defender of Rights and ARCOM, (Authority of regulation of numerical and audio visual media), internet and social media and representatives of employers adhering to the Charter to promote LGBT+ persons in the workplace sponsored by the NGO “l’Autre Cercle”, SOS Homophobia, regional LGBT+ support centres and National Human Rights NGOs. The consultation was pursued online, through a working seminar presided by the delegate minister, and local working groups in selected representative areas, i.e. Orléans, Nancy and La Réunion, to address specific territorial concerns.’

In some Member States, the situation appears somewhat ambivalent. For instance, in **Portugal**, Resolution 61/2018 by the Council of Ministers provided for a broad consultation with civil society organisations, among others, under the technical coordination of the Commission for Citizenship and Gender Equality. However, it is not known which organisations were actually consulted. Nevertheless, a wide number of LGBTIQ civil society organisations – of which the names were publicly communicated – were heard during the development of the Strategy of Health for Lesbian, Gay, Bisexual, Trans and Intersex People. In **Spain**, a Council for the Participation of Lesbian, Gay, Bisexual, Trans and Intersex Persons was created by the Government in 2020, which is composed of representatives of various governmental ministries and representatives of LGBTIQ civil society organisations, LGBTIQ working groups of trade unions and

93 Government of Ireland (2019), *National LGBTI+ Inclusion Strategy 2019 – 2021*, Appendix C.

94 See further, Department of Justice (2018), ‘Minister David Stanton launches Public Consultation on the National LGBTI Inclusion Strategy’, <https://www.gov.ie/en/press-release/32e734-minister-david-stanton-launches-public-consultation-on-the-national-/>.

95 See <https://lgbt.ie/>.

96 Government of Ireland (2019), *National LGBTI+ Inclusion Strategy 2019 – 2021*, 9.

of diversity units in Spanish universities.<sup>97</sup> While it is expected that the Council will participate in the development of the future LGBTIQ equality strategies, this remains to be seen.

Across EU Member States, LGBTIQ civil society organisations seem to be the most important partner to the body responsible for drafting the national LGBTIQ equality action plan or strategy, but other actors are also regularly consulted. These include equality bodies or national human rights institutions, (in **Belgium, France, Greece, and Luxembourg**), international organisations (in **Denmark and Greece**), (other) governmental ministries or departments (in **Belgium, Denmark, Greece, Ireland, Luxembourg, Malta, Portugal and Spain**), other public bodies/levels of government (in **France, Ireland, Malta, the Netherlands, Portugal and Spain**), professional experts (in **Denmark, Ireland, Luxembourg, Malta, the Netherlands and Portugal**), trade unions (in **France, Ireland and Malta**), the private sector (in **France, and Malta**), and – not least – the broader public (in **Ireland and Portugal**). The national expert of **Luxembourg** described the consultation procedure prior to the adoption of the national LGBTIQ equality action plan as follows:

‘For the drafting of the plan of 2018 the work began with a literature review including recent studies (European Union Agency for Fundamental Rights, European Commission, Eurobarometer, etc.) as well as international and national resolutions and recommendations (European Parliament, Council of Europe, European Commission against Racism and Intolerance, Commission Nationale d’Ethique, Ombuds-Comité fir d’Rechter vum Kand, Centre pour l’Egalité de Traitement, Commission Consultative des Droits de l’Homme, etc.). The work continued with prior consultations of national associations defending the interests of LGBTI people, the LGBTI working group and experts by experience. The plan’s objectives were then presented to the LGBTI working group,

The work continued with interministerial consultations to define and validate the actions to be implemented. Ten ministries were involved:

- Ministry of State,
- Ministry of Foreign and European Affairs,
- Ministry of Education, Children and Youth,
- Ministry of Family, Integration and the Greater Region,
- Ministry of the Civil Service and Administrative Reform,
- Ministry of Justice,
- Ministry of Health,
- Ministry of Internal Security,
- Department of Social Security,
- Ministry of Labor, Employment and the Social Economy,

Once the inter-ministerial consultations had been completed, the national action plan was presented to the inter-ministerial LGBTI working group, human rights organizations and civil society.’

### *Empirical data and/or baseline study on LGBTIQ equality*

Across the EU, there are differences between Member States concerning the presence of detailed empirical data or a baseline study on the state of LGBTIQ equality, on which the national LGBTIQ equality action plan is grounded. In most Member States, such data or studies are available (**Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands and Sweden**), with the exception of **Cyprus**, and **Portugal. Spain** cannot be included in this list, as the development of two LGBTIQ equality strategies has only been provided for by a law adopted in 2023.

97 See <https://www.boe.es/buscar/act.php?id=BOE-A-2020-6840>.



According to the **Danish** national expert, each part of the national LGBTIQ action plan includes specific thematic data:

‘The initiatives of the action plan are divided into five areas:

- We must recognize LGBT+ families
- We must take responsibility for the well-being of LGBT+ children and young persons
- We must fight partner violence, sexual assault, and hatred against LGBT+ persons
- We must improve the health and well-being of LGBT+ persons
- We must stand firm on the right to be who you are both at home and abroad

Each of the five areas has a page with “facts”. It is a page of references, reports etc. with facts and statistics about the situation of LGBT+ persons in Denmark.’

It is noteworthy that in several Member States, the data used stems not only from studies performed or ordered by the national Government or relevant public bodies in the context of the action plan’s life cycle, but from externally available studies by European and national civil society organisations, the European Union, or independent research centres. This is for instance the case in **Greece**, where the expert committee’s work was based on surveys by the EU Agency for Fundamental Rights (FRA) and ILGA Europe,<sup>98</sup> and research performed by the Pew Research Center.<sup>99</sup> Similarly, in **Italy**, the national LGBTIQ equality strategy is based on surveys by FRA and ILGA Europe, the Eurobarometer 2019 on discrimination in the EU<sup>100</sup> and a national survey on discrimination against LGBTIQ people in the field of employment.<sup>101</sup> This is also the situation in the **Netherlands**, where the national action plan on the safety of LGBTIQ people was based on research done by FRA into the obstacles that LGBTIQ people experience when reporting discrimination, on statistical data related to the number of reported incidents of discriminatory violence, and data related to the causal relationship between discriminatory violence against LGBTIQ people and the use of social media. According to the national expert of **Luxembourg**, the drafting of the national LGBTIQ equality action plan began by reviewing recent European studies, such as surveys by FRA and the Eurobarometer, and international and national resolutions and recommendations. This literature review was complemented by a baseline study on the state of inclusion of LGBTIQ people. In **Ireland**, the National LGBTI+ Inclusion Strategy 2019–2021 referred to some limited data on LGBTIQ equality, such as survey data on perceived discrimination by the Central Statistics Office,<sup>102</sup> and two surveys carried out by the NGO National LGBT Federation, which identify key concerns and priorities of the LGBTIQ community.<sup>103</sup> According to the national expert, the Irish national LGBTIQ equality strategy seems to be mainly grounded in evidence gathered during the public consultation process. In **France**, the development of the national LGBTIQ action plan was grounded in a number of different empirical studies, such as data and statistics relating to anti-LGBTIQ hate crime collected by FRA, observatories of the public educational system, police authorities, the criminal justice system, NGOs and public surveys ordered by DILCRAH. Furthermore, two other external baseline studies were taken into account for the plan’s development: an annual survey on employment sponsored by the NGO L’autre cercle,<sup>104</sup> and a study on stereotypes and prejudice towards LGBTIQ people that was sponsored by the National Human Rights Consultative Commission.<sup>105</sup> Finally,

98 See: European Union Agency for Fundamental Rights (2020), *EU-LGBTI II: A long way to go for LGBTI equality*, <https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results> and ILGA Europe (2021) Rainbow Map and Index 2021, <https://www.ilga-europe.org/rainboweurope/2021>.

99 See Poushter, J. and Kent, N.O. (2020) ‘The Global Divide on Homosexuality Persists’, Pew Research Center <https://www.pewresearch.org/global/2020/06/25/global-divide-on-homosexuality-persists/>.

100 See European Commission (2019) ‘Eurobarometer 2019 on discrimination in the EU’, <https://europa.eu/eurobarometer/surveys/detail/2251>.

101 Istat (2021) Discriminazioni lavorative nei confronti delle persone LGBT+ (in union o già in unione) - Anni 2020-2021, available at <https://www.istat.it/it/archivio/268470>.

102 See Central Statistics Office (2019) ‘Equality and Discrimination’, <https://www.cso.ie/en/releasesandpublications/er/ed/equalityanddiscrimination2019/>.

103 See further, Irish National LGBT Federation (2016) Burning Issues 2 – What’s next for LGBT Ireland?, <https://nxf.ie/burningissues2/>.

104 See L’Autre Cercle (2022) Baromètre LGBT+ 2022, <https://mailchi.mp/autre Cercle/barometrelgbt>.

105 See National Human Rights Consultative Commission (CNCDH) (2022) Orientation Sexuelle, Identité De Genre Et Intersexualité: De L’égalité À L’effectivité Des Droits, <https://www.cncdh.fr/sites/default/files/2022-06/CNCDH%20Essentiels%20Rapport%20LGBTI%2C%20mai%202022.pdf>.

in **Malta**, relevant evidence for the development of the national LGBTIQ equality strategy was drawn from consultations with relevant stakeholders, including the National Statistics Office. In this way, the responsible bodies are able to address data gaps in official statistics on the socioeconomic situation of the LGBTIQ+ population by exploring possibilities of collecting relevant disaggregated data from existing surveys and/or alternative data sources.

In some Member States, the national LGBTIQ equality action plan/strategy is not only grounded in empirically accurate data, but also provides for the collection of additional data on the state of inclusion of LGBTIQ people. This is for instance the case in **Germany**. In **Spain**, the Council for the Participation of Lesbian, Gay, Bisexual, Trans and Intersex Persons is legally tasked with the preparation of an annual study on the equality and non-discrimination of LGBTIQ people.<sup>106</sup>

### Public communication

In almost all EU Member States that make use of national LGBTIQ equality action plans or strategies, the plan/strategy is widely and publicly communicated (**Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta**, the **Netherlands, Portugal** and **Sweden**). **Cyprus** and **Spain** cannot be included in this list, since the proposed LGBTIQ equality strategies have not yet been developed and adopted. In the case of **Malta**, the communication strategy appears to be well thought through:

'LGBTIQ action plans/strategies are communicated among all relevant (governmental and non-governmental) stakeholders and the general public. This is done by means of press releases, a public launch of each action plan and the publication of the said action plans in printed version. Information on the latter can be found on the relevant websites also. Also, pertinent to point out that is that in the case of each measure in the action plan reference is also made to the relevant body which shall be involved in its implementation to confirm wider involvement.'

In many Member States, the adopted national LGBTIQ equality action plan/strategy is digitally available on a Government website. This is the case in **Belgium**,<sup>107</sup> **Denmark**,<sup>108</sup> **France**,<sup>109</sup> **Germany**,<sup>110</sup> **Greece**,<sup>111</sup> **Ireland**,<sup>112</sup> **Italy**,<sup>113</sup> **Luxembourg**,<sup>114</sup> **Malta**,<sup>115</sup> the **Netherlands**,<sup>116</sup> **Portugal**<sup>117</sup> and **Sweden**.<sup>118</sup> Moreover, the adoption of the LGBTIQ equality action plan is usually publicly announced by the

106 See <https://www.boe.es/buscar/act.php?id=BOE-A-2020-6840>.

107 See Voor een LGBTIQ+-friendly België: Federaal Actieplan 2021-2024,

<https://www.premier.be/sites/default/files/articles/Voor%20een%20LGBTIQ%2B%20Friendly%20Belgie%CC%88%20.pdf>.

108 See *Plads til forskellighed i fællesskabet* (full action plan in Danish), <https://digmin.dk/Media/638072945047418833/plads-til-forskellighed-i-faellesskabet-lgbtplus-handlingsplan-2022-2025.pdf>; Room for diversity in the community (abbreviated version in English), [https://digmin.dk/Media/638085092071289364/Room for diversity.pdf](https://digmin.dk/Media/638085092071289364/Room%20for%20diversity.pdf).

109 See *Plan National pour l'Égalité, contre la Haine et les Discriminations Anti-Lgbt+ (2023-2026)* <https://www.egalite-femmes-hommes.gouv.fr/sites/efh/files/2023-07/Dossier%20de%20presse%20Plan%20lutte%20haine%20LGBT.pdf>.

110 See *Queer Leben, Aktionsplan* <https://www.bmfsfj.de/resource/blob/205126/d6d46baf93734fd717c1de5b3f6c77d8/aktionsplan-queer-leben-data.pdf>.

111 National Strategy for the Equality of LGBTIQ+ people in Greece, available in Greek at: [https://primeminister.gr/wp-content/uploads/2021/06/ethniki\\_statigiki\\_gia\\_thn\\_isothta\\_ton\\_loatki.pdf](https://primeminister.gr/wp-content/uploads/2021/06/ethniki_statigiki_gia_thn_isothta_ton_loatki.pdf).

112 Government of Ireland (2019), *National LGBTI+ Inclusion Strategy 2019 – 2021*, [http://www.justice.ie/en/JELR/LGBTI+Inclusion\\_Strategy\\_2019-2021.pdf/Files/LGBTI+Inclusion\\_Strategy\\_2019-2021.pdf](http://www.justice.ie/en/JELR/LGBTI+Inclusion_Strategy_2019-2021.pdf/Files/LGBTI+Inclusion_Strategy_2019-2021.pdf).

113 National Strategy LGBT+ 2022-2025 for the prevention and contrast of discriminations on ground of sexual orientation and gender identity (*Strategia Nazionale LGBT+ per la prevenzione e il contrasto delle discriminazioni per orientamento sessuale e identità di genere (2022-2025)*), available at <https://www.unar.it/portale/web/guest/strategia-nazionale-lgbt-2022-2025>.

114 See *Plan d'action national pour la promotion des droits des personnes lesbiennes, gays, bisexuelles, transgenres et intersexes* <https://mfamigr.gouvernement.lu/dam-assets/publications/plan-strategie/lgbti/Plan-d-action-LGBTI.pdf>.

115 See LGBTIQ – Equality strategy and action plan, <https://humanrights.gov.mt/en/Documents/LGBTIQ%20Equality%20Strategy%20and%20Action%20Plan%202023%20E2%80%93%202027%20EN.pdf>.

116 See *Emancipatie: een opdracht voor ons allen*, <https://open.overheid.nl/documenten/ronl-9442234d31a1e83aaed7b1a7dece2205bb92e2fe/pdf> and *Tweede Kamer 2018–2019 Emancipatiebeleid Nr. 303* <https://zoek.officielebekendmakingen.nl/kst-30420-303.pdf>.

117 See *Resolução do Conselho de Ministros No. 61/2018* <https://diariodarepublica.pt/dr/detalhe/resolucao-conselho-ministros/61-2018-115360036>.

118 See Action plan for equal rights and opportunities for LGBTIQ people, <https://www.government.se/contentassets/a613979c b5e94ba2a236147a2bc979c1/action-plan-for-equal-rights-and-opportunities-for-lgbtiq-people.pdf>.

Government via a press release or press conference (in **Belgium, Denmark, France, Germany, Ireland, Italy, Luxembourg, Malta** and **Sweden**). In **Germany**, the Federal Commissioner for the Acceptance of Sexual and Gender Diversity's role is to oversee the implementation of the national LGBTIQ equality action plan, which includes effective communication among relevant stakeholders and the general public. In **Sweden**, the official communication of the LGBTIQ equality action plan coincided with a special launch meeting bringing together all the state authorities and civil society organisations involved.

Moreover, in **Greece**, stakeholders were even informed on a weekly basis about the proceedings of the committee responsible for drafting the LGBTIQ equality action plan. Based on what the national expert indicated, it seems that the communication to stakeholders was both aimed at informing them and inviting them to share their views and input:

‘According to the (...) committee itself, the work related to informing all stakeholders is carried out with weekly teleconferences and with regular exchanges of views based on thematic sections. When required, hearings of bodies and institutions are also organized. Based on this methodology, and all the relevant data and recommendations collected, this committee formulates guidelines and proposals that are inspired by the principle of equality and the prohibition of discrimination’.

In some Member States, civil society organisations also play a role in communicating the national LGBTIQ equality action plan/strategy to LGBTIQ individuals and the general public. This is for instance the case in **Denmark** and the **Netherlands**.

In **Cyprus**, the text of the national human rights strategy is not in the public domain. According to the national expert, only its existence and its adoption by the Council of Ministers were announced publicly. Recently, a brief description appeared in the press and on the website of the Ministry of Justice. Moreover, there is no publicly available information on the Government's plans to develop and adopt the more specific LGBTIQ equality action plan that was planned in the national human rights strategy.

### *Other crucial factors*

Given the fact that the form, content and development process of national LGBTIQ action plans/strategies are influenced by the concrete political, historical, social and administrative context of each EU Member State, each national expert was given the opportunity to indicate whether any other crucial factor in the development stage needed to be mentioned. The responses we received are summarised in this section.

One of the biggest difficulties in adopting (and implementing) national LGBTIQ equality action plans in **Belgium** is the complexity of the division of competences between the Federal State, the Communities and the Regions. While these levels of government can decide to separately adopt their own plans without any mutual consultation – as mentioned before, combating discrimination is a shared competence – in the past, there have also been intergovernmental plans. Moreover, since the creation of the new Flemish Human Rights Institute<sup>119</sup> the equality body UNIA is no longer a fully intergovernmental entity, which may complicate the coordination of the development and implementation of equality action plans in Belgium.

As mentioned in the previous chapter, one of the success factors for the effectiveness of national LGBTIQ equality action plans is the presence of political support. A changing political context might for instance be catalysing for the development and adoption of a national LGBTIQ equality action plan/strategy. Conversely, changes in political circumstances might also be an obstacle to the effective implementation of an action plan that was adopted by a previous Government, or to the future use of action plans/strategies for the promotion of LGBTIQ equality. For instance, in **Cyprus**, the adoption of a law criminalising ‘conversion therapies’ and the introduction of mandatory sexual education in school resulted in a series of anti-LGBTIQ incidents and has intensified anti-LGBTIQ rhetoric among certain politicians. At the same time,

119 Vlaams Mensenrechteninstituut (VMRI).

there appears to be a lack of political support for adopting a specific LGBTIQ equality action plan, which is provided for by the national human rights strategy. However, according to the national expert, Pride events are increasingly attended and LGBTIQ grassroots organisations have started to appear. In **Spain**, recent parliamentary elections might complicate the development of the two LGBTIQ equality strategies that were provided for by a recent law.<sup>120</sup> Moreover, according to the national expert, the adoption of Law 4/2023, which represents an advance in the protection of the rights of LGBTIQ people, fractured the feminist movement with some of its provisions. The further development of the planned strategy for the social inclusion of trans people will need to take into account these tensions between LGBTIQ organisations and certain feminist organisations. In **Sweden**, an issue of significance is the cooperation between civil society organisations, the Government and political parties. According to the national expert, the current Swedish Government is continuing the implementation of equality action plans adopted by the previous Government. However, the current Government relies on the support in Parliament of a political party that has publicly spoken against the importance of promotional human rights bodies and the need to combat discrimination. It therefore remains to be seen whether the LGBTIQ equality action plan will actually continue to be implemented.<sup>121</sup>

Finally, in some Member States, the participation of certain bodies in the development of the national LGBTIQ equality action plan/strategy appears to be crucial for its effectiveness. For instance, the **French** national expert pointed out that the participation of trade unions has a direct impact on the support given to LGBTIQ employees in the workplace. In **Germany**, a lively community of activists and scholars plays an important role in tackling discrimination of LGBTIQ people. According to the national expert, the Observatory for Sociopolitical Developments in Europe, based in Frankfurt and subsidised by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, significantly contributed to the drafting of the national LGBTIQ equality action plan.<sup>122</sup> As mentioned in the previous section, the **Irish** LGBTIQ equality strategy seems to have strongly benefited from the public consultation process, in which LGBTIQ individuals, as well as civil society organisations, experts and marginalised communities were heard. According to the national expert, although this public consultation process was commendable, it appears to have been conducted within a limited time frame.

### 2.3 Interim conclusion and good practices

In its LGBTIQ Equality Strategy 2020-2025, the European Commission encouraged EU Member States to adopt a national action plan in order to step up protection against LGBTIQ discrimination, to ensure follow-up at the national level of the objectives and actions set out in EU strategy and to complement them with measures to advance LGBTIQ equality in areas of Member State competence. Whereas the Commission recently noted an increasing number of national action plans/strategies, this report shows that a lot still needs to be done. Indeed, across the European Union, there are clear differences regarding the instrumentalisation of a national action plan or strategy for the promotion of LGBTIQ equality. Of the 27 EU Member States, 12 Member States have adopted a national LGBTIQ equality action plan or strategy. Another 2 Member States are in the process of developing a specific LGBTIQ equality action plan. This means that in 13 Member States, or almost half of the EU, no national LGBTIQ equality action plan/strategy currently exists or is being developed. If we include the observed failure in **Cyprus** to develop the specific LGBTIQ equality action plan proposed in the national human rights strategy, the Member States that do not make use of a national LGBTIQ equality action plan/strategy are even in the majority across the European Union. While further research is necessary to establish the underlying political,

120 Following the elections (and well after the cut-off date for this report), the third Government led by prime minister Pedro Sánchez was eventually formed on 21 November 2023.

121 As mentioned earlier in this report, it should be noted that the **Italian** LGBTIQ equality strategy was adopted by a caretaker Government, and therefore before the current Meloni Government took office. Even though we received no concrete information from the Italian national expert that indicates a formal policy change regarding the existing LGBTIQ equality action plan, the new Italian Government has attracted controversy with several decisions negatively affecting same-sex parents. See for instance, Human Rights Watch (2023) 'Italy's Mounting Attack on Lesbian Parents', 24 July 2023, <https://www.hrw.org/news/2023/07/24/italys-mounting-attack-lesbian-parents>.

122 For more information, see: <https://sociopolitical-observatory.eu/en/keytopics/lgbtiq>.

administrative, social and historical reasons for this finding, it is noteworthy that, with the exception of **Austria** and **Finland**, the Member States without a national LGBTIQ equality action plan/strategy are all situated in Eastern and Southeastern Europe.

In the majority of Member States included in the analysis for this report, the adoption of LGBTIQ equality action plans or strategies is at least a regularly or recurrently deployed policy instrument to promote LGBTIQ equality at the national level. In **Malta**, each LGBTIQ equality action plan explicitly builds on the results achieved by the previous plan, and contains an assessment of the latter. In this way, the new action plan can benefit from lessons learned in the past, and can easily identify lacunae and areas where further targeted actions are required.

Within the European Union, promoting the inclusion of LGBTIQ people and combating discrimination on grounds of sexual orientation, gender identity/expression and sex characteristics takes place in a multilevel system of governance. Indeed, in order to comprehensively achieve LGBTIQ equality, cooperation between European, national and regional bodies will often be required. In half of the Member States included in this report, regional and/or local authorities have also adopted action plans or strategies to promote LGBTIQ equality. However, it is not always clear to what extent these levels of government are actively engaged in coordination and consultation, which may negatively impact the effectiveness of the adopted plans. On a positive note, in **Germany**, the newly appointed Federal Commissioner for the Acceptance of Sexual and Gender Diversity is specifically mandated to oversee the cooperation between the federal government and the federated states in implementing the LGBTIQ equality action plan. Moreover, in almost half of the Member States included in this report, a commitment to cooperate on a European level can be identified. In **Cyprus** and **Greece**, the EU LGBTIQ Equality Strategy even served as the inspiration to identify thematic pillars for which national objectives and/or concrete measures were developed.

One of the success factors for the effectiveness of national LGBTIQ equality plans identified in the previous chapter is the presence of political support within the Government. This report shows that, across EU Member States, the national Government usually plays an instrumental role in initiating the development of a national LGBTIQ equality action plan. This indicates the existence of political support. However, as a few national experts pointed out, potential changes in the political climate, for instance following a general election, might also negatively impact on the effective implementation of existing LGBTIQ equality action plans, or on the development of a new plan. In that light, it appears that only two EU Member States have established a permanent dedicated body for the development of action plans/strategies for the promotion of equality and human rights, i.e. **France** (Délégation Interministérielle à la Lutte Contre le Racisme, l'Antisémitisme et la Haine anti-LGBT – DILCRAH) and **Malta** (Human Rights Directorate – HRD). In the latter country, there appears to be a strong political commitment to maintain leadership on the advancement and protection of LGBTIQ rights in Europe, which may explain the establishment of a clear action plan 'infrastructure'.

The crucial role of Governments in the development of LGBTIQ equality action plans is also apparent from the drafting procedures that exist in EU Member States. In almost all Member States that make use of a national LGBTIQ equality action plan or strategy, the drafting and adoption of the plan/strategy is clearly led by the Government or a dedicated public body. As recommended by the LGBTIQ Equality Subgroup and the Council of Europe, the drafting process is often coordinated by a specific ministry or a dedicated public body and involves consultations with other governmental ministries and departments, public bodies, equality bodies, other levels of government, experts and civil society organisations. In some Member States, civil society organisations even have shared ownership of the LGBTIQ equality action plan. Indeed, in **Greece**, **Italy** and **Malta**, civil society organisations are represented in the dedicated bodies that are mandated to draft or review the LGBTIQ equality action plan/strategy, before its adoption by the Government. The most extensive public consultation process took place in **Ireland**, in cooperation with civil society and experts. Meetings with LGBTIQ individuals took place across the country, with additional thematic workshops involving the most marginalised communities. Moreover, civil society organisations and the general public could participate in the process by submitting written comments. Whereas this



strong involvement of civil society organisations should generally be commended, it is important to build in measures that protect civil society bodies that participate in consultation from being targeted. As noted by the national expert of **Cyprus**, consultation should be organised in a safe environment in order to avoid a decreased openness for civil society to criticise the Government's performance.

In order to ensure evidence-based policy making, it is strongly recommended that the objectives or measures included in the national LGBTIQ equality action plan are based on accurate and detailed empirical data or a baseline study on the state of inclusion of LGBTIQ people in society. Across the EU, there are differences between Member States concerning the data collection on the state of LGBTIQ equality. In most Member States, such data is available, but it is not systematically integrated in the national LGBTIQ equality action plan/strategy. Such integration is present in the action plans of **Luxembourg** and **Denmark**, where the plan's objectives and measures are contextualised by referencing the available empirical materials.

It is noteworthy that the data available is drawn from a variety of sources, such as generally available statistics, studies performed or ordered by the Government or dedicated public bodies, studies performed by civil society organisations, reports published by the European Union and studies performed by independent research centres. In particular, in several Member States, the national LGBTIQ equality action plan references studies performed by the EU Agency of Fundamental Rights (especially the LGBTIQ survey of 2019-2020), the European Commission (especially the Eurobarometer on discrimination in the EU), and ILGA Europe (the annual Rainbow Europe comparative study). While these European studies are extremely useful for Governments to compare the state of inclusion of LGBTIQ people among their peers, complementary studies are often needed to bring to light certain regional differences or challenges within Member States. Moreover, the strong reliance on data collected by the European Union or civil society organisations might also indicate a lack of commitment among Member State Governments to systematically perform empirical studies on the state of LGBTIQ inclusion in various spheres of society. In this light, it is notable that in **Spain**, the recently established Council for the Participation of Lesbian, Gay, Bisexual, Trans and Intersex Persons is legally tasked with the preparation of an annual study on the equality and non-discrimination of LGBTIQ people in the country.

Finally, with the exception of one Member State, all national LGBTIQ equality action plans/strategies are publicly announced via an official Government website and a press release/press conference. Such transparent communication facilitates Government accountability and affirms the Government's commitment to promoting LGBTIQ equality, particularly in the face of opposition.

### 3 Content and implementation of national LGBTIQ equality action plans/strategies

This chapter addresses the second phase in the life cycle of national LGBTIQ equality action plans/strategies, based on the data that we collected from the responses of national experts to the questionnaires.

In the **first section**, we map the content of the national LGBTIQ equality action plans/strategies that are currently applicable or in development across EU Member States. We first indicate whether the national action plan/strategy includes clear and concrete measures, and whether these measures are accompanied by measurable quantitative and/or qualitative indicators. Next, we map what type of measures are included in national LGBTIQ equality action plans/strategies, and which areas of state responsibility are covered. In this light, we also designate whether the action plan/strategy reflects a demarcation of substantive policy priorities. Given the explicit attention in the EU LGBTIQ Equality Strategy for the challenges that intersectionally vulnerable LGBTIQ people are confronted with, we also map whether similar attention is present among EU Member States. Based on this mapping, we identify notable similarities and differences among EU Member States.

In the **second section**, we map whether EU Member States that make use of a national action plan/strategy for promoting LGBTIQ equality have adopted a specific vision or agenda for the implementation of the measures included therein. In particular, we indicate whether the plans/strategies set out the allocation of responsibilities, appropriate budget and a timeline for effective implementation. Finally, given the varying political, socioeconomic, administrative and historical contexts in the EU Member States, we also identify other potentially crucial factors for the implementation of national LGBTIQ equality action plans/strategies.

The **third section** concludes the chapter with the identification of examples of current good practice that may serve as an inspiration for EU Member States in their future engagement with the implementation of national LGBTIQ equality action plans/strategies.

#### 3.1 Content

Content and implementation of LGBTIQ equality action plans/strategies				
	Presence of clear and concrete measures with measurable quantitative/qualitative indicators	Areas of state responsibility covered by the action plan/strategy	Presence of substantive policy priorities	Attention to vulnerable groups and/or intersectionality
AT				
BE	Clear and concrete measures, measurable indicators still need to be adopted	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Explicit recognition
BG				
CY	No	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Explicit recognition, but true role remains doubtful
CZ				
DE	Clear and concrete measures, without measurable indicators	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Implicit recognition



Content and implementation of LGBTIQ equality action plans/strategies				
	Presence of clear and concrete measures with measurable quantitative/qualitative indicators	Areas of state responsibility covered by the action plan/strategy	Presence of substantive policy priorities	Attention to vulnerable groups and/or intersectionality
DK	Yes, in combination with generally formulated objectives	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Implicit recognition
EE				
EL	No, with the exception of proposals for legal reform	Thematic approach covering a range of state responsibilities, with focus on awareness-raising and promotional activities	Yes	Implicit recognition
ES	/	/		Explicit recognition
FI				
FR	Yes	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Implicit recognition
HR				
HU				
IE	Clear and concrete measures, without measurable indicators	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Explicit recognition
IT	Clear and concrete measures, without measurable indicators	Thematic approach covering a range of state responsibilities, with focus on awareness-raising and promotional activities	Yes	Implicit recognition
LT				
LU	Clear and concrete measures, without measurable indicators	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Implicit recognition
LV				
MT	Yes	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Explicit recognition
NL	Yes, in combination with generally formulated objectives	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Explicit recognition
PL				
PT	Yes	Thematic approach covering a range of state responsibilities, with various types of measures	Yes	Explicit recognition, but true role remains doubtful
RO				

Content and implementation of LGBTIQ equality action plans/strategies				
	Presence of clear and concrete measures with measurable quantitative/qualitative indicators	Areas of state responsibility covered by the action plan/strategy	Presence of substantive policy priorities	Attention to vulnerable groups and/or intersectionality
SE	No	Thematic approach covering a range of state responsibilities, with focus on awareness-raising and promotional activities	Yes	Implicit recognition
SI				
SK				

### *Measures and indicators*

Among the EU Member States that make use of a national action plan or strategy for the promotion of LGBTIQ equality, there are clear differences regarding the content of such plans/strategies. Indeed, whereas in most Member States the action plan/strategy contains clear and concrete measures (**Belgium, Denmark, France, Ireland, Italy, Luxembourg, Malta, Portugal**), in other Member States the action plan/strategy predominantly takes the form of generally formulated objectives that need further clarification (**Cyprus, Greece and Sweden**). According to the national expert, the **Danish** national LGBTIQ action plan includes both concrete and measurable actions, and more generally formulated objectives. In the **Netherlands**, both the national action plan on the safety of LGBTIQ people and the more general equality strategy include measures and actions of highly variable levels of concreteness, and appear to predominantly identify policy efforts or initiatives that are already ongoing. Given that in **Spain** two LGBTIQ equality strategies are provided for by law, but not yet in development, the country is not further considered in this section. However, it is notable that the law prescribes that the strategies should include a system of indicators for adequate monitoring and evaluation, in order to assess their effectiveness and the degree of compliance.

Moreover, in those cases where the national LGBTIQ equality action plan/strategy includes clear and concrete measures, measurable quantitative and/or qualitative indicators are only proposed in five Member States (**Belgium, Denmark, France, Malta and Portugal**). For instance, in **Belgium**, the national LGBTIQ equality action plan explicitly mentions that each action will be accompanied by measurable criteria, based on the SMART (specific, measurable, achievable, relevant, time-related) methodology, in order to enable evaluation of the plan:

‘Each action will be accompanied by measurable criteria. This kind of SMART formulation is essential for evaluating the plan. After approval by their respective minister or Secretary of State, the indicators should, as far as possible, be forwarded by the relevant departments to the Equal Opportunities Department once the plan has been adopted. When drawing up the action plan, the competent cabinets in collaboration with the coordinating cabinet will, where possible, provide the necessary resources to ensure that each action is carried out properly, and a clearly identified person will be designated for each action.’

However, it should be noted that these indicators are not included in the action plan, and they have not been publicly communicated since the plan’s adoption. Although the national LGBTIQ equality actions plans/strategies of **Ireland, Italy and Luxembourg** include clear and concrete measures, measurable quantitative or qualitative indicators are missing. However in **Ireland**, it was nevertheless proposed to develop such indicators. Indeed, a mandate was given to the LGBTI+ National Inclusion Strategy Steering Committee – tasked with the overall supervision of the strategy’s implementation (see below) – to develop indicators for all actions included in the strategy, in order to enable monitoring of their

implementation.<sup>123</sup> In the **Netherlands**, the national action plan on the safety of LGBTIQ people does not contain any measurable quantitative or qualitative indicators, but some measures in the more general equality strategy are very concrete and have measurable indicators.

In **Cyprus**, the national human rights strategy does not include any clear and concrete measures, but includes a set of objectives to promote LGBTIQ equality. As mentioned above, the strategy plans the adoption of a more specific LGBTIQ equality action plan, with concrete measures to achieve the objectives identified in the human rights strategy. However, to date, no such action plan has been adopted or even developed. Similarly, the **Greek** national LGBTIQ equality strategy predominantly includes a list of general objectives to promote LGBTIQ equality, with the exception of a series of concrete proposals for legal reform on specific themes (see below). According to the national expert, the Greek Government is currently developing a more specific action plan that will identify concrete measures to achieve the objectives identified in the LGBTIQ equality strategy. Finally, in **Sweden**, the national LGBTIQ equality action plan also mainly establishes generally formulated objectives related to various issues (see below). The identification and implementation of concrete measures to achieve the objectives is delegated to strategic Government agencies, such as the Swedish Equality Ombudsman, the Public Health Agency, the National Board of Health and Welfare, the Agency for Youth and Civil Society, the Swedish Arts Council, the Gender Equality Agency, the Migration Agency and the National Agency for Education.

#### *Type of measures and areas of state responsibility*

In almost all of the EU Member States that make use of a national LGBTIQ equality action plan or strategy, the plan/strategy identifies a number of areas of state responsibility for which objectives and/or concrete measures are set, with or without measurable quantitative or qualitative indicators. This is the case in **Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal** and **Sweden**. Given that **Spain** has not yet developed the two LGBTIQ equality strategies provided for by law, the country will not be further included in this section. However, it is notable that, according to Law 4/2023, the equality strategies should include affirmative action measures in the areas of employment, education, healthcare and housing.

Given the legal, political, social and cultural diversity among EU Member States, it is no surprise that there are differences in the objectives and measures set out in the national LGBTIQ equality action plans or strategies. It goes beyond the scope of this report to provide a detailed analysis of all objectives and/or measures across the EU. However, a few recurring themes are clear:

- Objectives or measures aimed at (public and sectoral) awareness raising and public sensitisation (**Belgium, Cyprus, Denmark, Germany, France, Greece, Ireland, Italy, Luxembourg, Malta, Portugal, Sweden**)
- Objectives or measures aimed at data collection on the inclusion of and discrimination against LGBTIQ people (**Belgium, Denmark, Germany, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Sweden**)
- Objectives and measures aimed at improving well-being, health and access to healthcare (**Belgium, Cyprus,<sup>124</sup> Denmark, Germany, France, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Sweden**)
- Objectives and measures aimed at combating discrimination and ensuring inclusion of LGBTIQ people in various sectors, such as employment, education, health(care), housing, migration, sports, etc. (**Belgium, Cyprus, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Sweden**)

<sup>123</sup> However, as mentioned below, it appears that these indicators were never developed.

<sup>124</sup> In Cyprus, this is only regarding the training of medical staff.

- Objectives and measures aimed at combating violence, hate speech and hate crimes (**Belgium, Cyprus, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Sweden**)
- Objectives and measures aimed at the recognition of ‘rainbow families’ (**Denmark, France, Germany, Greece, Ireland, Luxembourg, Malta, the Netherlands, Sweden**)
- Objectives and measures aimed at improving procedures of legal gender recognition for transgender and/or non-binary people, and the recognition and protection of intersex people (**Belgium, Cyprus, Denmark, France, Germany, Greece, Ireland, Luxembourg, Malta, the Netherlands, Sweden**)
- Including LGBTIQ equality in foreign policy (**Belgium, Denmark, Germany, France, Ireland, Malta, the Netherlands**)
- Mainstreaming LGBTIQ equality in all Government policies (**Belgium, Portugal**).

Measures included in the national LGBTIQ equality action plans/strategies across EU Member States take various forms. Nevertheless, in many Member States, the following types of measures or objectives are often identified:

- Legal and/or administrative reform (**Belgium, Denmark, France, Germany, Greece, Ireland, Luxembourg, Malta, the Netherlands, Portugal**)
- Awareness-raising campaigns and other promotional initiatives (**Belgium, Cyprus, Denmark, France, Greece, Ireland, Italy, Luxembourg, Malta, Portugal, Sweden**)
- Data collection and research projects (**Belgium, France, Germany, Denmark, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Sweden**)
- Support and/or funding of civil society organisations (**Belgium, Cyprus, Denmark, Germany, France, Ireland, Malta, the Netherlands, Sweden**)
- Coordination between public bodies and levels of government, including the European Union (**Belgium, Denmark, France, Germany, Malta, The Netherlands**).

Several of the national experts included detailed information on the measures included in the national LGBTIQ equality action plan/strategy. For instance, the **Belgian** national expert indicated that the national action plan is divided into four strategic priorities – knowledge and information; inclusion policy, well-being and health; security; and anti-discrimination – and identified the following key measures:

- ‘a ban on conversion therapies, i.e. various practices based on the assumption that homosexuality and trans-identity are diseases that should be cured.
- support given to European legislative initiatives to close the gaps in European antidiscrimination legislation with regard to the protection, based on the SOGIESC grounds (Sexual Orientation, Gender Identity and Expression and Sex Characteristics).’

According to the national expert of **Cyprus**, the national human rights strategy identifies the following actions to address discrimination against LGBTIQ people:

‘The legal recognition of gender identity, the establishment of a national body to promote multiculturalism, tolerance, and acceptance of diversity which will involve representatives of the LGBTI+ community, an action plan based on Council of Europe recommendations promoting education and awareness, management of the situations facing the LGBTI+ community with measures targeting public administration, education, hospitals, the police and other services, the promotion of actions to combat discrimination at the workplace including training and informing employers and employees as well as LGBTI+ employees of their rights, a study to locate gaps in the legal framework on hate speech so as to render it more functional, the support of NGOs defending the rights of LGBTI+ persons and the training of medical staff on handling issues facing LGBTI+ persons including those concerning HIV and the handling of options like pre-exposure prophylaxis.’

The **Danish** national expert provided a list of all measures included in the national LGBTIQ action plan, based on several thematic pillars:

- ‘We must recognize LGBT+ families:
  - Co paternity is be recognized from the child’s birth when using surrogacy
  - Study of LGBT+ families with more than two parents
  - Better framework for being a LGBT+ parent in LGBT+ families with more than two parents
  - Strengthened advice on family formation for LGBT+ families
  - Possibility of sharing parental leave in LGBT+ families with more than two parents
  
- We must take responsibility for the well-being of LGBT+ children and young persons:
  - Study of the well-being of LGBT+ pupils
  - Political negotiations on sex education as a subject in the education of primary school teachers
  - Dialogue meeting on an LGBT+ focus in anti-bullying strategies for primary schools, secondary education, and preparatory basic education (FGU)
  - Fund to battle prejudices towards LGBT+ children and youths through information, advice, and support
  - Series of webinars on the work with equal treatment and diversity in day care, primary schools and at FGU institutions<sup>125</sup>
  - Inspirational material on gender, sexuality, and diversity for educational staff in the day care sector
  - Possibility of assigning a new social security number to transgender minors
  - Investigating the possibility of a ban on conversion therapy for minors
  
- We must fight partner violence, sexual assault, and hatred against LGBT+ persons:
  - Upskilling of professionals in the field of violence and social issues in handling vulnerable LGBT+ persons
  - Fund to strengthen counselling for minority ethnic LGBT+ persons
  - Fund to prevent intimate partner violence, sexual assault, and violations against LGBT+ persons
  - Upskilling in the LGBT+ skills for staff at asylum centers
  - Upskilling the police in identifying and registering hate crimes
  - Increased focus on handling transpersons in prisons and detention centers
  - LGBT+ perspective in the study of safety in public transport
  
- We must improve the health and well-being of LGBT+ persons:
  - National action plan for the elimination of HIV in Denmark
  - Investigation of possibilities to ease the quarantine period for blood donation for men who have sex with men
  - Better gender confirming treatment for transgender persons
  - Supplementary counselling for transgender persons who are in pre treatment or undergoing gender confirming treatment
  - Knowledge centre for gender confirming treatment
  - Educational material on LGBT+ issues for staff in elderly care
  - A follow up study on the living conditions of LGBT+ people
  - Discussion with the leaders of the professional programs in the welfare area about LGBT+ knowledge in the programs
  - Discussion in the Working Environment Council on LGBT+ perspective in working environment efforts
  - Focus on well-being for LGBT+ people in association sports
  
- We must stand firm on the right to be who you are both at home and abroad:

125 Institutions for preparatory basic education and training.

- Support for LGBT+ organizations in Poland
- Danish participation in the Equal Rights Coalition (ERC)
- Danish involvement in the UN LGBTI Core Group
- Danish hosting of the IDAHOT<sup>126</sup> Forum
- Danish involvement in the EU's LGBTIQ Equality Group
- Danish participation in the Council of Europe's Steering Committee on Anti-Discrimination, Diversity and Inclusion
- Denmark cooperates in the Nordic Council of Ministers on the LGBT+ agenda
- The Danish diplomatic representations take the lead on bringing LGBT+ issues to the forefront
- Danish support for civil society organizations' fight for LGBT+ rights around the world.'

The **French** national expert provided the following summary of the new French national LGBTIQ equality action plan (2023-2026), which has five pillars:

- 'Name
- Measure
- Guarantee access to rights
- Sanction perpetrators
- Develop the international and European strategy

It continues actions of the previous plan and targets a number of new issues.

A new budget of 10 million EUR over the period 2022-2026 is allocated to the support and reinforcement of LGBT+ support centres as well as the opening of 10 new centres to ensure that the entire national territory is covered.

The Government proposes to implement in 2024 the mapping of LGBT+phobic aggressions in order to improve protection of persons and their property.

It intends to improve repression and sanction of racism and discrimination through an improvement of the criminal complaint mechanism and enforcement of penal actions and training of 100 % of police forces and Gendarmes before the end of 2024.

In terms of sanctions, it will implement a systematic prosecution policy against homophobic acts by sports events supporters, requesting a complementary sanction forbidding access to sporting events to be pronounced against condemned perpetrators.

It will improve mechanism to ensure that education authorities are more inclusive with LGBT+ parents, increase the resources of the program pHARe for the prevention of LBGBT+ violence and harassment in education, and nominate a referee in each college and High School and more generally improve training of educators intervening with youths in out of school activity structures. It will also pursue its support to the development of training of health professional, professional intervening with disabled persons and older persons.

It will create a 2 million EUR Fund to support advocacy for the protection of LGBT+ persons in International and European Institutions and international NGOs.'

The **Greek** national LGBTIQ equality strategy generally does not include concrete measures, with the exception of several proposals to the Government for legislative action. According to the national expert, the strategy proposes the following initiatives in particular:

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126 International Day Against Homophobia, Biphobia and Transphobia.

‘ (...) There is an urgent need to extend legal protection against discrimination beyond the employment and vocational training sector to education, health, goods and services in general. Specifically, it is proposed to amend the Equality Law 4443/2016, so that its scope would not be limited to the fields of work and employment.

In particular, it is recommended to extend the scope of application of article 3 of Law 4443/2016 regarding the prohibition of discrimination on grounds of sexual orientation, identity or expression and gender characteristics in the fields of:

- a) education (not only vocational education), in all its levels as well as in all forms of educational services provided (e.g. foreign language institutes),
- b) access to health services, with appropriate adjustments for the recognition of transsexuality, whether the person has completed the legal recognition of gender identity, or not. Access to health services also includes voluntary actions, such as blood donation, as well as the free donation of other biological material,
- c) in the social security system, in order to prevent discrimination due to the system of recording cohabitation agreements in the municipal census due to transgenderism, but also to recognize possibilities of social security benefits for persons who, due to their sexual orientation or gender identity, have experienced social and professional exclusion,
- d) in civil law contracts, such as the residential lease contract, so that any same-sex partner is also recognized as a beneficiary of the continuation of the lease according to the relevant provisions of the Civil Code, but also in order to exclude homophobic and transphobic terms in relevant advertisements,
- e) in access to publicly provided goods and services.’

According to the **Irish** national expert, the national LGBTIQ equality strategy contains 108 actions or measures that concern a very broad range of state functions and areas of responsibility. These include:

‘Anti-discrimination law:

- Review the Employment Equality and Equal Status Acts to ensure that transgender, non-conforming and intersex people have explicit protection within the equality grounds.
- Provide tailored legal advice and advocacy to LGBTIQ+ people via a specialised legal advice clinic.
- Through an information campaign, raise awareness of the role of the Workplace Relations Commission (WRC) in dealing with complaints of discrimination under the Equal Status Acts and the Employment Equality Acts.

Education:

- Explore opportunities for the appropriate inclusion of LGBTIQ+ lives in the curriculum as part of curriculum review at both primary and senior-cycle levels.
- Include LGBTIQ+ matters in the Relationship and Sexual Education curriculum review.

Family law:

- Commence outstanding sections of Adoption (Amendment) Act 2017 relating to donor-conceived children.
- Introduce legislation on Assisted Human Reproduction (AHR) which will be available to people irrespective of gender, marital status or sexual orientation subject to the provisions of the legislation, on an equal and non-discriminatory basis.
- Bring forward legislative proposals to provide for adoptive leave and benefit for male same sex adoptive couples.



Gender identity recognition:

- Make a report to each House of the Oireachtas of the findings on the review of the Gender Recognition Act 2015 and of the conclusions drawn from the findings.

Housing policy:

- Ensure that the rights and diversity of LGBTI+ service users are respected and promoted as part of the National Quality Standards Framework for homeless services.

Healthcare:

- Update the National Sexual Health Strategy in 2020 and include the needs of the LGBTI+ community.
- Provide LGBTI+ awareness training to staff working in mental health services nationally.
- Develop a seamless and integrated service for those people who present to the Irish health service with gender identity issues through the time limited Gender Identity Steering Committee. Chaired by the Clinical Lead in Mental Health, the Steering Committee has defined terms of reference, a time frame within which it will operate and clear reporting relationships, and its membership includes experts in the area, representatives from paediatric services, adult services (both endocrinology and psychiatry), advocacy groups and service users.
- Provide clear guidelines to health practitioners on referral pathways for trans young people and their families to specialised services.
- Continue to develop transgender health services for children and adults in Ireland with a clear transition pathway from child to adult services.

Hate crime:

- Bring forward legislative proposals to ensure that incitement to hatred and hate crimes against LGBTI+ people are adequately addressed in our laws.'

A summary of the national LGBTIQ equality action plan was also provided by the national expert of **Luxembourg**:

'The plan is structured into eight thematic chapters:

1. education,
2. employment and work,
3. health,
4. family,
5. reception and integration,
6. discrimination, hate crimes and hate speech
7. equal rights for transgender people,
8. equal rights for intersex people.

For each chapter a certain number of measures are included. Most of the measures are awareness-raising, promotion and evaluation measures. Nevertheless, a certain number of more concrete measures are planned as for example:

- Drafting a law prohibiting moral harassment in employment and the workplace.
- Drawing up a new National Action Plan on "Sexual and Emotional Health", with the help of the expertise of the National reference centre for the promotion of emotional and sexual health (Cesas).
- Remove all restrictions on the right to donate blood based solely on sexual orientation
- Introduction of a procedure to ensure that the gender identity of transgender people is respected in detention centers
- Include gender identity as a ground for discrimination in the Criminal Code.

- Create a charter of good conduct and non-discrimination to respect the rights of vulnerable populations, including the rights of LGBTI people, or integrate this aspect into an existing charter.
- Introduce a fast, transparent and accessible procedure for changing gender and first name(s) in civil status records, based on self-determination and requiring no prior medical treatment or diagnosis.
- Guarantee transgender people access to all necessary medical care (including gender-specific screening), regardless of their decision to undergo one or more sex reassignment treatments.
- Introduce a birth (and sex) registration procedure that respects the rights of intersex newborns, particularly the right to privacy.’

The **Maltese** national expert summarised the national LGBTIQ equality action plan as follows:

‘The measures, 94 in total, are divided into 10 different areas, including measures to promote equal treatment in employment, improve equality data and research that captures the experiences of LGBTIQ+ individuals, and increase the visibility of inclusive services for LGBTIQ+ elderly, persons with disability, migrants, and children. The first group of measures relate to the promotion and guarantee of equal treatment in employment and service provision. The second relate to equality data and research that captures the lived experience of LGBTIQ+ persons. The third set of measures relate to increased visibility of an inclusive services for LGBTIQ+ elderly; the fourth set to persons with a disability; migrants; children and young people; the fifth to facilitate access of LGBTIQ+ persons to the right to private and family life. the sixth are measures to ensure that the right to education can be effectively enjoyed by LGBTIQ+ individuals, free from discrimination. The seventh set of measures relate to facilitate the inclusion of LGBTIQ+ persons in sports; the eight to improve LGBTIQ+ persons’ general wellbeing and access to healthcare services; the ninth are measures to consolidate the relationship between government and LGBTIQ civil society and the tenth set of measures are intended to promote LGBTIQ+ equality on an international level.’

According to the **Portuguese** national expert, the national LGBTIQ equality action plan pursues three main strategic objectives (promotion of knowledge about the needs of LGBTIQ people and the discrimination they face, ensuring the mainstreaming of policies and measures against discrimination of LGBTIQ people, and combating all forms of discrimination and violence that LGBTIQ people face) and includes various measures:

- ‘Studies to understand the needs of LGBTQ in Portugal;
- Research on discrimination based on Sexual Orientation, Gender Identity and Expression, and Sex Characteristics;
- Training courses on LGBTQ rights in the work place (public and private sectors);
- Measures to prevent and combat homophobia, biphobia, transphobia and interphobia in education systems, media and advertising;
- Inclusion of equality issues based on sexual orientation, identity and gender expression in education and vocational training;
- Training and education of police authorities for better assistance and support to LGBTQ people;
- Creation of an accessible system to report cases of LGBTQ discrimination.’

The **German** national expert stressed that the national LGBTIQ equality action plan focuses on various pillars of action: legal recognition, participation, security, health, expansion of guidance and empowerment of community structures, and international cooperation. For each pillar, specific planned actions are included:

- ‘Legal recognition:
  - There exist concrete plans concerning family law reforms acknowledging diverse family constellations (rainbow families)

- The 'transsexual law' will be replaced by a self-determination law which will simplify the process for individuals to legally change their name and gender (legislative process has been started in August 2023)
- The Basic Law [Constitution] ought to include an explicit ban on discrimination on the ground of sexual identity.

Participation:

- the Federal Government aims to expand both research and data collection which focus on the living situation of LGBTIQ persons.
- The Länder will receive support to establish educational programs in schools to reach more young people. At the same time, to reach more older people will also be an aim.
- In the federal civil service, diversity management will be established.
- The Federal Foundation Magnus Hirschfeld (a foundation which stands for the promotion of non-discrimination of homosexuals in Germany) which aim is to foster the acceptance of non-binary persons and persons with a non-heterosexual orientation in society, is to be financially secured by means of integrating its costs in the federal budget.

Security:

- In order to efficiently protect LGBTIQ persons from violence, assaults and hostility, the statistical recording of such crimes or incidents is to be thoroughly documented.

Health:

- The Federal Government aims to expand medical expertise on LGBTIQ persons (including HIV/AIDS prevention).
- Access to health care and the actual care provided should be improved.

Counseling and empowerment of community structures:

- Counseling will be strengthened.
- Cooperation among the Länder will aim to expand anti-discrimination counseling.

International cooperation:

- Constructive dialogue and cooperation with foreign bodies are to be pursued and cultivated.'

The objectives or measures included in the national equality action plans/strategies reflect substantive policy priorities set by the body responsible for drafting and adopting the action plan/strategy, which is usually the Government. However, it is not always clear how these priorities were defined, and to what extent they are related to the empirical data and/or the baseline studies that were collected and/or carried out during the preparation of the LGBTIQ action plan/strategy. Nevertheless, given the fact that in all EU Member States consultative efforts take place during the preparation of the national LGBTIQ equality action plan/strategy, it can be expected that the identification of substantive policy priorities is at least influenced by the results of the consultation process. This seems to be especially the case for the **Irish** and **Italian** LGBTIQ equality strategies, for which the consultation with civil society organisations, experts, and the LGBTIQ community played a crucial role in the development of the national LGBTIQ equality action plan/strategy. Moreover, according to the national experts of **Cyprus** and **Italy**, the substantive policy priorities in the respective national human rights strategy and national LGBTIQ equality action plan were based on the pillars included in the European Commission's LGBTIQ Equality Strategy 2020-2025. While in **Greece**, the national LGBTIQ equality strategy was drafted by a specific committee of external experts, including representatives from civil society organisations, the substantive priorities set by the committee were also indirectly politically 'backed'. Indeed, according to the Greek national expert:

'The political choices are made by the special committee that drafted the national action plan (...). The committee examines all the relevant issues after a thorough discussion. It should be

mentioned that the Office of Prime minister plays an important political role in the selection of the priorities, since it is represented by two persons in this committee.’

In some Member States, the action plan or strategy is focused on building on previous achievements and targeting identified lacunae in law or policy. For instance, in **Belgium**, the measures included in the action plan are predominantly aimed at raising awareness about and combating persisting LGBTIQ-phobia, following a range of pioneering legislative measures adopted in previous decades. The plan therefore aims to change mentalities that give rise to discriminatory behaviour and violence. This is discussed in the plan as follows:

‘The aim is to adopt a cross-disciplinary and systemic approach capable of deploying the necessary means to understand both the causes and effects of LGBTIQ-phobias. The federal plan focuses on raising awareness in order to trigger a change in society. (...) [I]ndividuals do not initially develop LGBTIQ-phobic behaviour, but first acquire a way of thinking. In other words, LGBTIQ-phobias are not inherent to the individual. The idea is therefore to develop also a long-term strategy based on actions to change the mentalities that give rise to discriminatory behaviour and violence.’

Similarly, in **Malta**, the LGBTIQ equality action plan builds on its predecessors, and draws on the lessons learnt from their implementation. This approach was further clarified by the national expert as follows:

‘The measures in the action plan are wide and all-encompassing also allowing for the addition of supplementary measures. The document aims at continuing Malta’s efforts in reaching full equality for LGBTIQ+ persons. It continues to build on its predecessors, it also draws on the lessons learnt from their implementation. It recognises the importance of collecting equality data that can assess the effectiveness of our efforts, assist in the identification of needs and lead to the development of evidence-based policy and initiatives. It also recognises the need to ensure that mainstreaming efforts reach beyond the public administration. Special emphasis is placed on employment spaces in a push to make them more inclusive and welcoming. This strategy and action plan also aim at further acknowledging the different lived experiences of LGBTIQ+ persons. One of the areas in this strategy and action plan recognises the role that intersectionality can play in the disparate access to rights and aims at eliminating specific barriers experienced by minorities within the LGBTIQ+ community itself.’

Conversely, in other Member States, the policy priorities identified in the action plan or strategy are not (always) based on a careful consideration of policy necessities, but on pragmatism. For instance, in **Cyprus**, policy priorities included in the national human rights strategy were not based on a needs assessment, but seem to have been selected on the basis of the criterion that they are easily achievable. Similar pragmatism can also be noted in the national action plan on the safety of LGBTIQ people in the **Netherlands**, which appears to list all ongoing policy initiatives in the sphere of safety, rather than announcing new actions. A clarifying example was given by the national expert:

‘To give an example: the document states that one of the objectives is to ensure LGBTI specific measures to safeguard security and safety of LGBTI people in their direct environment (e.g. their neighbourhoods, sports clubs) and online. It then defines two good practices in this regard, i.e. a guideline drafted by the civil society organization GayStraightAlliance Naturally Together [GayStraightAlliance Natuurlijk Samen], which offers information and tips for municipalities and professionals who want to improve the safety of neighbourhoods, and a fan club for football club ADO Den Haag that is dedicated to fighting homophobia in sports. The [action plan on the safety of LGBTIQ people] then continues to list a number of activities and initiatives existing at different government levels, such as the municipal level or one of the ministries. These range from supporting meetings between asylum seekers local branches of COC (an important LGBTIQ NGO in the Netherlands), to working towards a national uniform screening of all crime reporting data to

see which incidents are LGBTIQ related. This clearly shows that the measures and actions are of highly variable levels of concreteness and ambition.’

Moreover, according to the Dutch national expert, the drafting of action plans by civil servants involves estimating the degree of political support for certain plans, considering the feasibility of measures and initiatives, as well as the chances of certain proposals being backed up by a political majority in the Government and Parliament. Such political and feasibility considerations may explain why certain measures are included and prioritised and why others are left out. Finally, according to the national expert, the content of the **Swedish** national LGBTIQ equality action plan is equally influenced by a consideration of what is politically achievable, in view of countervailing interests. As is the case in the Netherlands, the Swedish plan includes policy initiatives that were already ongoing, and are now thematically grouped together.

#### *Attention to intersectionality and/or vulnerable groups*

All EU Member States that make use of a national action plan or strategy to promote LGBTIQ equality give attention to the position of intersectionally situated or vulnerable groups within the LGBTIQ community. This is the case for **Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Spain** and **Sweden**. The **Cypriot** strategy, on the contrary, only stresses the existence of intersectionality without setting out any measures that follow an intersectional approach.

In some Member States, the importance of adopting an intersectional approach in the national LGBTIQ equality action plan/strategy is explicitly pointed out. For instance, the **Belgian** action plan is based on an integrated and systemic approach that pays attention to diversity within the LGBTIQ community, on the basis of gender, race, religion, health status, age, etc. and provides differentiation where appropriate. Attention to intersectionality is also ensured by referring to other thematic action plans, such as the plans to combat poverty, gender-based violence, or HIV. Similarly, the **Maltese** national LGBTIQ equality action plan mentions that an intersectional approach was implemented, in order to ensure that the lived experiences of all LGBTIQ people are taken into consideration. According to the plan, certain minorities within the LGBTIQ community, such as inhabitants of the island of Gozo, can face specific barriers in accessing certain rights. In **Spain**, while no national LGBTIQ equality strategy has yet been developed, the law requires attention to multiple and intersectional discrimination suffered by LGBTIQ people in rural areas, as well as minors, young and elderly people, people with disabilities, and lesbian, bisexual and trans women. The **Irish** national LGBTIQ equality strategy explicitly addresses the intersectional needs of LGBTIQ people who are Travellers or Roma, have disabilities, are prisoners, migrants, or are young or elderly. Moreover, as was explained in the previous chapter, during the public consultation for the development of the LGBTIQ equality strategy, thematic workshops were organised for intersex people, Travellers, asylum seekers, migrants and refugees, and the deaf community in order to ensure the inclusion of marginalised communities. In the **Netherlands**, both the action plan on the safety of LGBTIQ people and the general equality strategy explicitly recognise the importance of intersectionality, and that certain persons might be particularly vulnerable due to the combination of several characteristics and/or societal positions. More specifically, the action plan on the safety of LGBTIQ people notes that actions are often taken from the perspective of the white, homosexual, cisgender, middle-aged man. Moreover, according to the national expert, the recognition of intersectionality in equality policy lies at the roots of the absence of a proper thematic LGBTIQ equality action plan in the Netherlands.

In several other Member States, the importance of adopting an intersectional approach is acknowledged by giving attention to the particular challenges that certain groups within the LGBTIQ community face. For instance, the **German** action plan sets out specific actions focused on youth and elderly people, as well as refugees and asylum seekers. Similar attention for the needs of young and elderly LGBTIQ people can be noticed in the **Swedish** national LGBTIQ action plan. In **Denmark**, the action plan points out that LGBTIQ people with a minority ethnic background, as well as young, bisexual and transgender people,

are particularly vulnerable. However, despite these efforts by the Government, the Danish national expert reported that the plan was criticised by civil society for its lack of attention to the fundamental challenges in relation to trans people's access to healthcare. The **Italian** action plan provides for specific training courses for officials, police officers, and any other person involved in the reception of refugees/asylum seekers or working in a detention centre, and therefore recognises the specific vulnerability of LGBTIQ refugees/asylum seekers and prisoners. In **Luxembourg**, one objective of the national LGBTIQ equality action plan is to ensure that public services and organisations working with particularly vulnerable people, such as people with a disability and elderly people, provide a safe and respectful environment for members of the LGBTIQ community. Finally, in **France**, a section in the action plan is dedicated to the support of vulnerable groups such as women, elderly and underprivileged people. In **Greece**, the national LGBTIQ equality strategy draws particular attention to the situation of intersex people, who constitute a vulnerable group in Greek society. Several specific actions are set out, such as a legal ban on deferrable normalising surgical treatment on the sex characteristics of minors that is performed without their informed consent, additional training of healthcare professionals and access to medical care files. In this regard, the Greek national expert mentioned the following:

'In Greece, throughout the year 2022, a lot of publicity has been given to the politically "sensitive" issue of intersex persons, who certainly constitute a vulnerable group,

In the Greek LGBTIQ action plan/strategy, it was deemed appropriate to ban non-essentials of medical surgeries to "normalize" sex, sterilization and of other treatments or interventions applied to intersex newborns, infants and children, including cosmetic or preventive procedures and more generally medical interventions such as hormone removal at the age of less than 12 years aimed at changing gender characteristics.

Thus, with the Law 4931/2022 it was prohibited to carry out practices of conversion of sexual orientation, gender identity or gender expression on vulnerable persons. Violation of the law, in addition to the prescribed disciplinary and administrative sanctions, is punishable by imprisonment and a fine. This provision aims to ensure the physical and mental health of people who are at risk of undergoing conversion practices, also known as 'conversion treatments'. 'Conversion practice' means any treatment that attempts to change a person's sexual orientation, gender identity or expression. At the same time, this provision aims to raise awareness in society and to deal with the discrimination LGBTIQ persons face, in many cases from an early age.

Secondly, it was deemed necessary to add that medical services offered to intersex individuals, and especially to newborns, infants and children, should be provided with respect for particular needs and mainly in securing their right to decide for themselves when as individuals they are of the right age and maturity, by keeping open all possible versions of their identity. Health care should be provided by qualified professionals interdisciplinary teams, which will not pathologize intersex children, but will prioritize their needs, their rights and their short and long-term benefit.

Thirdly, a more general problem that according to the national action plan needs to be addressed, but concerns reasonably more intersex people, is the inability to access medical care files and their medical histories for life. Fourthly, the adequacy of psychosocial mechanisms should be ensured of support for intersex people and their families from therapists trained in intersex issues. In addition, the national action plan considers that in order to achieve all of the above, emphasis needs to be placed on the education and training of all health professionals on the intersex situation, as a natural diversity, and its management based on modern science and human rights, with the ultimate goal of depathologising it. Finally, individual policies to eliminate discrimination against intersex people can be extended to other fields such as the creation of a safe and inclusive school environment and the establishment of support programs for the full and equal integration and inclusion of intersex people in the workplace.



In addition, with Law 4958/2022, surgical operations on intersex infants were prohibited. Specifically, according to article 17 of the law, a minor intersex person who has not completed the fifteenth (15th) year of his age,<sup>127</sup> only after a license, which is granted by a decision of the Magistrate's Court<sup>128</sup> of his place of residence, can undergo medical examinations operations and treatments, such as surgery or hormones, to change the total or partial sex characteristics, i.e. the chromosomal, genetic and anatomical characteristics of the face, which include primary characteristics, such as the reproductive organs, and secondary characteristics, such as muscle mass, the development of breasts or hair growth.

Also, according to article 20 of the law, doctors who perform medical procedures or treatments on minor intersex persons in violation of article 17, in addition to the prescribed disciplinary and administrative sanctions, are punished with a prison sentence of at least six (6) months and a monetary penalty. The repeated performance of the act of the first paragraph constitutes an aggravating circumstance. In any case and regardless of the amount of the imposed penalty, the culprit is mandatorily punished with the additional penalty of article 65 of the Criminal Code on prohibition of practicing a profession.'

Conversely, in some Member States the reference to intersectionality or vulnerability does not appear to be of real substance. For instance, in **Cyprus**, the national human rights strategy includes a paragraph explaining broadly the concept of intersectionality. However, no examples from the national context are mentioned. According to the national expert, reference is made to unnamed studies that established that LGBTIQ people are particularly vulnerable to extreme forms of discrimination and violence. Similarly, while intersectionality is one of the vectors of the **Portuguese** national equality and non-discrimination strategy, the more specific LGBTIQ equality action plan does not include specific measures from an intersectional perspective.

### 3.2 Vision or agenda for implementation

Content and implementation of LGBTIQ equality action plans/strategies	
Presence of implementation agenda (allocation of responsibilities, budget and timeline)	Other crucial factors for implementation
AT	
BE	Basic vision and agenda / Complexity of division of competences between Federal State, Communities and Regions
BG	
CY	No concrete vision or agenda / Failure to address systemic discrimination of LGBTIQ people
CZ	
DE	Basic vision and agenda / Appointment of first Federal Commissioner for the Acceptance of Sexual and Gender Diversity
DK	No concrete vision or agenda / /
EE	
EL	Basic vision and agenda / /
ES	/ /
FI	
FR	Basic vision and agenda / Education of civil servants + political support
HR	

127 According to Article 17(1) of the Law, a minor intersex person who has reached the age of 15 may undergo medical procedures and treatments, such as surgery or hormonal treatment, on their sex characteristics.

128 After having heard the minor in person and after having heard a representative of a competent interdisciplinary committee.



Content and implementation of LGBTIQ equality action plans/strategies		
	Presence of implementation agenda (allocation of responsibilities, budget and timeline)	Other crucial factors for implementation
HU		
IE	Basic to elaborate vision and agenda	Dearth of systematic research on LGBTIQ equality and public information on implementation of LGBTIQ strategy
IT	No concrete vision or agenda	/
LT		
LU	No concrete vision or agenda	/
LV		
MT	Basic vision and agenda	/
NL	Basic vision and agenda	Collaboration with civil society organizations
PL		
PT	Elaborate vision and agenda	/
RO		
SE	Basic vision and agenda	Cooperation between government and civil society Changing political circumstances
SI		
SK		

### *Presence of vision or agenda for implementation*

Among EU Member States that make use of a national action plan or strategy to promote LGBTIQ equality there are clear differences regarding the approach to ensure effective implementation of the objectives and/or measures included in the action plan/strategy. While in **Portugal**, the action plan/strategy includes a concrete vision or agenda for implementation, with an allocation of responsibilities, budget and a timeframe, in other Member States implementation is left entirely at the discretion of the Government or a dedicated body (**Cyprus, Denmark, Italy, Luxembourg**). In several other Member States, the action plan/strategy envisages a basic implementation strategy, which needs to be further elaborated by the Government, the responsible coordinating ministry or a dedicated body (**Belgium, France, Greece, Ireland, Malta, the Netherlands, Sweden**). **Spain** could not be included in this list, as the two LGBTIQ equality strategies provided for by Law 4/2023 still need to be developed by the Government.

Of all EU Member States included in this report, **Portugal** appears to have developed the most detailed vision for the effective implementation of its national LGBTIQ equality action plan. The plan includes 20 specific measures for which measurable indicators, benchmarks and/or goals are identified. For each measure, a budget is set out and the responsible bodies (Government ministries, NGOs, social partners, public bodies, etc.) are identified. The Portuguese approach is closely followed by **Ireland**, where the national LGBTIQ equality strategy specifies 108 actions to be undertaken. For each action, a lead Government department or public body is identified, along with partner departments, public bodies and/or civil society organisations. A time frame for the commencement of each action is also specified in the strategy. There is no information on the allocation of budget included in the strategy. However, when the strategy was publicly launched, the minister responsible announced that close to EUR 1 million would be provided to support LGBTIQ equality.<sup>129</sup> Moreover, as will be explained in the next chapter, the strategy provided for the establishment of the LGBTI+ National Inclusion Strategy Steering Committee, composed of members of Government departments and public bodies, civil society organisations, and a representative of the

129 See Irish Department of Justice (2019) 'Launch of Irish national LGBTIQ+ inclusion strategy', press release, 28 November 2019, <https://www.gov.ie/en/press-release/6b2ad0-launch-of-irelands-national-lgbti-inclusion-strategy-2019-2021/>.

Irish Human Rights and Equality Commission. Besides monitoring the implementation of the LGBTIQ equality strategy, the Committee was also tasked with setting indicators for all actions.

In a number of EU Member States, the national LGBTIQ equality action plan/strategy contains only a basic or vague implementation strategy, which necessitates further elaboration. For instance, in **Belgium**, the action plan identifies a responsible member of Government and governmental department or public body, with overall coordination by the State Secretary for Gender Equality, Equal Opportunities and Diversity. However, the action plan specifies that for each action, measurable indicators, an appropriate budget and a focal point still need to be identified. Moreover, no concrete timeframe is envisaged. The **French** action plan includes (only) a basic description of how each objective will be realised, and specifies a time frame for the commencement of each action. The plan further delegates the overall supervision of the plan's implementation to DILCRAH, under the authority of the Minister for Gender Equality, Diversity and Equal Opportunities. The national expert mentioned several thematic reports issued by the Government that provide an overview of initiatives taken to implement the (previous) LGBTIQ action plan.<sup>130</sup> In **Greece**, the national LGBTIQ equality strategy does not contain a concrete agenda for implementation, or an allocation of an appropriate budget. However, the strategy provides for the establishment of a National Mechanism for Equal Rights of LGBTIQ People, tasked with the coordination of the implementation of the strategy. According to the national expert, this body is expected to communicate with the individual ministries or other Government bodies that have competence in individual issues, to coordinate their action, resolve any conflicts of responsibilities and to monitor the progress and the outcomes of the implementation of the objectives, in close cooperation and consultation with the LGBTIQ community. Moreover, the national LGBTIQ strategy considers it imperative to have at least one executive per ministry act as a focal point (aimed at interdepartmental cooperation) and to recruit experts. Similarly, the **German** national LGBTIQ equality action plan indicates that the concrete implementation of the measures set out in the plan necessitates further cross-departmental work, in collaboration with the federated states and civil society organisations. The coordination of this process is the responsibility of the Federal Commissioner for the Acceptance of Sexual and Gender Diversity. No specific budgetary allocations are made in the action plan. The official implementation of the action plan *Queer Leben, Prout at Work*, was launched in March 2023 in Berlin with more than 200 participants representing different associations and organisations coming together to discuss and exchange ideas.<sup>131</sup> Working groups that will be assessing the concrete implementation of the various projects of the action plan were formed.

While the **Maltese** national equality action plan identifies a governmental entity responsible for the implementation of each concrete measure, no budget or timeframe is identified in the plan. Similarly, in the **Netherlands**, both the national action plan on the safety of LGBTIQ people and the general national equality strategy mention some specific ministries, Government agencies, municipalities and civil society organisations as bodies responsible for implementing the measures included therein. However, for many measures, the responsible body is simply 'the Government'. Moreover, no timeframe or budget is set out for the implementation of any measure or objective. Finally, in **Sweden**, the implementation of the measures included in the LGBTIQ equality action plan is mainly mandated to the so-called 'strategic authorities', such as the Swedish Equality Ombudsman, the Public Health Agency, and the Swedish Agency for Youth. According to the plan, being appointed a strategic authority means that the authority must promote equal rights and opportunities regardless of sexual orientation, gender identity or gender expression in its activities. This means, among other things, that an LGBTIQ perspective must be integrated and made visible in the authority's activities. In the action plan, the strategic authorities are listed under the focus areas where their activities are considered to have the greatest impact on the achievement of the objectives. However, this does not mean that each authority is responsible for all the issues grouped

130 See for instance, Ministry of Justice (2021), 'Comité du suivi du plan d'actions LGBT', press release, 16 March 2021, <https://www.justice.gouv.fr/actualites/espace-presse/comite-du-suivi-du-plan-d-actions-lgbt>, OECD (2023) 'Lutter contre l'homophobie et la transphobie à l'école - une évaluation d'impact inédite', <https://www.oecd.org/fr/els/soc/NoteSynthese-Experimentation-OCDE-SOShomophobie-FR.pdf>, DILCRAH (2019) 'Guide de Lutte contre la Haine et les Discriminations LGBT+ au Travail', <https://www.dilcrah.fr/2023/06/07/guide-de-lutte-contre-la-haine-et-les-discriminations-lgbt-au-travail/>.

131 For more information see PrOUT at Work (2023) 'Queer Leben, Aktionsplan', update March 2023, <https://www.proutatwork.de/en/aktionsplan-queer-leben/>.

under a focus area or that their role as a strategic authority is limited to a specific focus area. While an overall budget allocation (SEK 14 million per year or about EUR 1.4 million, with an additional SEK 10 million or about EUR 1 million in 2021 and 2022) is announced in the introduction to the plan, no concrete timing for implementation of the objectives/measures is included.

However, even when a Member State has adopted an implementation strategy, unexpected events might still occur and result in significant delays. For instance, the **Irish** national expert discussed how the COVID-19 pandemic and the war in Ukraine negatively impacted on the Government's progress in implementing the national LGBTIQ equality strategy:

'(...) It transpired that many of the actions were not achievable within the time frame originally envisaged. Extraneous factors impacted the progress made including the Covid-19 pandemic and the war in Ukraine. In July 2022, the Minister reported that 17 of the 108 actions had been completed referencing in particular the detrimental effect of the pandemic. Data is not available on the progress achieved since then.'

In several EU Member States, the national LGBTIQ equality action plan or strategy does not provide any indication on how the measures or objectives included therein need to be implemented. In other words, the implementation is entirely at the discretion of the Government or the dedicated body. According to the national expert from **Cyprus**, the national human rights strategy does not allocate any responsibilities for its implementation, nor does it set out any budget or a timeline. As mentioned in the previous chapter, to date, the Government has not developed or adopted a more specific action plan on LGBTIQ equality, which was envisaged in the human rights strategy. Equally, the national LGBTIQ equality plan of **Luxembourg** does not provide any guidance on the concrete implementation of the measures included in the plan. Although the **Danish** LGBTIQ equality action plan does not contain any information on the implementation of the measures included therein, a political agreement on the allocation of funding (DKK 24.3 million (around EUR 3.2 million) in total) for 16 measures was announced in 2022.<sup>132</sup> In **Italy**, the national LGBTIQ equality strategy does not provide for a detailed timeline or an allocation of responsibilities. In terms of financial resources, the strategy indicates that the measures will be financed through the ordinary budget available to the national equality body UNAR or other public administrations, and with European funds.

### *Other crucial factors*

Given the fact that the form, content and implementation process of national LGBTIQ action plans/strategies are influenced by the concrete political, historical, social and administrative context of each EU Member State, each national expert was given the opportunity to indicate whether any other crucial factor in the development stage needed to be mentioned. The responses we received are outlined in this section.

As we already indicated in the previous chapter on the development of national LGBTIQ equality actions plans, one of the biggest challenges for the implementation of the national LGBTIQ equality action plan in **Belgium** is the complexity of the division of competences between the Federal State, the Communities and the Regions. Since combating discrimination is a shared competence, these levels of government can separately adopt their own plans without any mutual consultation – which they have done. Given this complexity, all levels of government continually have to ensure that they do not encroach on each other's competence by implementing certain actions aimed at achieving LGBTIQ equality. Moreover, since the creation of the new Flemish Human Rights Institute, the equality body UNIA is no longer a fully intergovernmental entity, which may complicate the coordination of the implementation of LGBTIQ equality action plans in Belgium.

132 See *Aftale om udmøntning af ramme til LGBT+ handlingsplan 2022-2025* (Agreement on implementation of the LGBT+ action plan 2022-2025), <https://digmin.dk/Media/638072949772238755/aftale-om-udmoentning-af-ramme-til-lgbtplus-handlingsplan-2022-2025.pdf>.

According to the national expert from **Cyprus**, a clear threat to the effectiveness of the national human rights strategy – and the proposed actions in relation to LGBTIQ equality – is the presence of systemic discrimination against LGBTIQ people in the country, which is not identified or addressed in the strategy. A report by the US State Department found that police officials routinely fail to investigate violence against LGBTIQ people, that transgender persons are faced with discrimination in accessing healthcare, and that the Government failed to enforce anti-discrimination law.<sup>133</sup> This lack of enforcement is not tackled in the national human rights strategy, and no reliable data collection mechanism is envisaged.

The **German** national expert drew attention to the appointment of the first Federal Commissioner for the Acceptance of Sexual and Gender Diversity who plays an instrumental role in the coordination of the implementation of the national LGBTIQ equality action plan. The Commissioner also has a duty to cooperate with federal ministries on policy projects regarding the LGBTIQ community. The Commissioner is part of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. Furthermore, in 2014 the ministry established the division on ‘Same-Sex Lifestyles and Gender Diversity’.

According to the national experts from **France** and **Sweden**, one of the challenges for the effective implementation of the LGBTIQ equality action plans is guaranteeing continued political support. Indeed, not only are Governments confronted with an infinite number of requests for prioritising certain policy issues, but the political climate may also shift in the direction of greater scepticism towards the need to combat discrimination in society. Moreover, in **Sweden**, the national expert indicated differing opinions among officials regarding the importance of the enforcement of discrimination law in individual cases.

The **French** national expert points out that effective implementation of the LGBTIQ equality action plan depends on the education and training of civil servants, which is one of the plan’s priorities. In the opinion of the **Dutch** and **Swedish** national experts, (continued) collaboration between the Government and civil society organisations is of equal importance for the implementation of action plans/strategies.

A final concern is noted by the national expert from **Ireland**. In her opinion, the dearth of systematic research on LGBTIQ equality is a factor that impedes any considered appraisal of the content of the national LGBTIQ equality strategy. Moreover, the implementation of the strategy has been equally difficult to assess since information is not collected or assessed in a systemic manner by the government. According to the expert, ascertaining whether actions are being progressed entails reading minutes of the meetings of the LGBTI+ National Inclusion Strategy Steering Committee, which are published on the website of the Department of Children, Equality, Disability, Integration and Youth, as well as searching through parliamentary debates.<sup>134</sup>

### 3.3 Interim conclusion and examples of good practice

In order to ensure the effectiveness of a national action plan or strategy for the promotion of LGBTIQ equality, it is recommended that plans/strategies include clear and concrete measures, with quantitative and qualitative indicators. Moreover, for each measure a clear implementation strategy should be identified, setting out an allocation of responsibilities and budget, and a timeframe. Among the EU Member States that make use of a national action plan or strategy for the promotion of LGBTIQ equality, there are clear differences regarding the content of the plans/strategies. Indeed, whereas in most Member States the action plan/strategy contains clear and concrete measures, in other Member States the action plan/strategy predominantly takes the form of generally formulated objectives that need further clarification by the Government or a dedicated mechanism. In some Member States, the action plan/strategy is a combination of general objectives and concrete measures. In most Member States, the measures included in the national action plan/strategy are newly identified actions based on the needs assessment

133 U.S. State Department, Bureau of Democracy, Human Rights and Labour (2021), ‘2020 Country Reports on Human Rights Practices: Cyprus’, February 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/cyprus/>.

134 See Irish Government, National LGBTI+ Inclusion Strategy 2019-2021, <https://www.gov.ie/en/collection/554b0-lgbti-national-inclusion-strategy-committee/>.

performed in the consultation process preceding the plan's adoption. However, in some Member States, the action plan/strategy reads as a systematic presentation of policy initiatives that are already ongoing.

Even when the national LGBTIQ equality action plan/strategy contains clear and concrete measures, measurable quantitative or qualitative indicators might be absent. In fact, measurable quantitative or qualitative indicators are only set out in a minority of EU Member States that make use of a national LGBTIQ equality action plan/strategy. This might hinder a proper review of the state of implementation and of the plan's overall impact on the promotion of LGBTIQ equality.

Given the legal, political, social and cultural diversity among EU Member States, it is no surprise that there are differences in the objectives and measures set out in the national LGBTIQ equality action plans or strategies. It goes beyond the scope of this report to provide a detailed analysis of all objectives and/or measures across the EU. However, a few themes recur:

- Objectives or measures aimed at (public and sectoral) awareness-raising and public sensitisation
- Objectives or measures aimed at data collection on the inclusion and discrimination of LGBTIQ
- Objectives and measures aimed at improving well-being, health and access to healthcare
- Objectives and measures aimed at combating discrimination and ensuring inclusion of LGBTIQ people in various sectors, such as employment, education, health(care), housing, migration, sports, etc.
- Objectives and measures aimed at combating violence, hate speech and hate crimes
- Objectives and measures aimed at the recognition of 'rainbow families'
- Objectives and measures aimed at improving procedures of legal gender recognition for transgender and/or non-binary people, and the recognition and protection of intersex people
- Including LGBTIQ equality in foreign policy
- Mainstreaming LGBTIQ equality in all Government policies.

Measures take various forms. Nevertheless, in many Member States, the following types of measures or objectives could often be identified:

- Legal and/or administrative reform
- Awareness-raising campaigns and other promotional initiatives
- Data collection and research projects
- Support and/or funding of civil society organisations
- Coordination between public bodies and levels of government, including the European Union.

Although it is recommended that LGBTIQ equality action plans should be as comprehensive as possible, it is generally recognised that Governments could adopt an incremental approach towards LGBTIQ equality and therefore set substantive policy priorities. Such policy priorities are clearly present among EU Member States. However, it is not always clear how these priorities were defined, and to what extent they are grounded on the empirical data and/or the baseline studies that were collected and/or carried out during the preparation of the LGBTIQ action plan/strategy. In certain Member States, we noted a clear impact of the consultation process preceding the plan's adoption, and the European Commission's LGBTIQ Equality Strategy. In some Member States, the action plan or strategy is focused on building on previous achievements and targeting identified lacunae in law or policy. For instance, in **Malta**, the LGBTIQ equality action plan builds on its predecessors, and draws on the lessons learnt from their implementation. Conversely, in other Member States the policy priorities identified in the action plan or strategy are not (always) based on a carefully performed needs assessment, but on (political) pragmatism.

All EU Member States that make use of a national action plan or strategy to promote LGBTIQ equality give attention to the position of intersectionally situated or vulnerable groups within the LGBTIQ community. In some cases, the importance of adopting an intersectional approach is explicitly addressed in the action plan/strategy. For instance, the **Belgian** action plan is based on an integrated and systemic approach that pays attention to diversity within the LGBTIQ community and provides differentiation where appropriate.

Attention to intersectionality is also ensured by referring to other thematic action plans, such as the plans to combat poverty, gender-based violence, or HIV. Similarly, the **Maltese** national LGBTIQ equality action plan mentions that an intersectional approach was implemented in order to ensure that the lived experiences of all LGBTIQ people are taken into consideration. In several Member States the attention paid to the specific challenges of certain vulnerable groups is implicitly demonstrated by the nature of certain measures or objectives. In only a small minority of Member States, the notion of intersectionality might be mentioned in the action plan/strategy, but does not seem to be of any importance.

Of all EU Member States included in this report, **Portugal** appears to have developed the most detailed vision for the effective implementation of its national LGBTIQ equality action plan, by explicitly providing indicators, benchmarks, responsible bodies, a timeframe, and an allocated budget for each of the concrete measures included in the plan. However, in the majority of EU Member States, the national LGBTIQ equality action plan/strategy contains only a basic implementation strategy – leaving crucial aspects such as identifying the governmental bodies responsible, financial resources or a timeframe undecided – or leaves the implementation strategy entirely to the Government’s discretion. Whereas this should not necessarily mean that there is no effective implementation of the national action plan or strategy, it arguably becomes more challenging to ensure impact and to enable accountability to the LGBTIQ community and the general public.

## 4 Monitoring and evaluation of national LGBTIQ equality action plans/strategies

This chapter addresses the third and final phase in the life cycle of national LGBTIQ equality action plans/strategies, based on the data that we collected from the responses to the questionnaires by the national experts.

In the **first section**, we map the monitoring processes that are currently in place in EU Member States. First, we establish whether a monitoring mechanism is actually provided for in the LGBTIQ equality action plan or strategy. We then focus mainly on identifying the bodies that coordinate the monitoring process as well as how they were assisted by other stakeholders. We also discuss the frequency of reporting on progress, the (intermediate) measures that can be demanded, and the method used to monitor progress.

In the **second section**, we outline whether the LGBTIQ equality action plans and strategies lay out a specific procedure aimed at evaluating the entire process of drafting, adoption and implementation. We indicate the bodies that are involved in this process and whether they are governmental or non-governmental bodies. Then, we highlight specific remarks from the national experts on the timing of and attention paid to intersectionality in the evaluation.

In the **third section**, we map whether the current national LGBTIQ equality action plan/strategy can be seen as part of an ongoing commitment towards LGBTIQ equality. We investigate whether the Member States have signalled, either in the current action plan or by any other means, that a new LGBTIQ equality action/strategy plan will be adopted once the cycle of the current one comes to an end.

In the **fourth section**, we highlight other factors that ought to be considered across the monitoring and evaluation processes in the various Member States.

The **fifth and final section** concludes the chapter with the identification of examples of current good practice that may serve as an inspiration for EU Member States in their future engagement with the monitoring and/or evaluation of national LGBTIQ equality action plans/strategies.

### 4.1 Presence of specific monitoring procedures

Monitoring of LGBTIQ equality action plans/strategies	
Presence of specific monitoring procedure	
AT	
BE	Specific monitoring strategy foreseen
BG	
CY	Very vague references to need to consult with civil society
DE	No specific monitoring strategy foreseen. Information to Parliament foreseen in 2024
DK	No specific monitoring mechanism foreseen. General monitoring mandate by HRI
EE	
EL	No specific monitoring strategy foreseen
ES	/
FI	
FR	Specific monitoring strategy foreseen
HR	
HU	
IE	Specific monitoring strategy foreseen, but not fully implemented in practice



Monitoring of LGBTIQ equality action plans/strategies	
Presence of specific monitoring procedure	
IT	No specific monitoring strategy foreseen. General monitoring mandate by national equality body
LU	Specific monitoring strategy foreseen
LV	
MT	Specific monitoring strategy foreseen
NL	No specific monitoring strategy foreseen. Yearly information to Parliament and general monitoring by Social and Cultural Planning Bureau
PL	
PT	Specific monitoring strategy foreseen
RO	
SE	No specific monitoring strategy currently foreseen, but could be developed in future
SI	
SK	

The procedural frameworks that EU Member States plan to use to monitor the implementation of the relevant national LGBTIQ equality action plans/strategies are quite diverse. In some Member States, the national experts indicate that no such framework is envisaged (**Denmark, Greece and Italy**) but might be in the future (**Sweden**) or that it was not initially planned but was introduced in the course of the action plan's cycle (**Portugal**, in relation to the Strategy of Health for Lesbian, Gay, Bisexual, Trans and Intersex people). While some national action plans contain very detailed monitoring procedures, others refer only vaguely to consulting (**Cyprus**) or informing needs (**Germany**).

In the following sections we discuss several aspects of the monitoring of the implementation of national LGBTIQ equality action plans, such as the bodies involved, the progress reports and their frequency, the follow-up that results from the progress reports, their public nature and the method used. First, we take a closer look at the bodies that are involved in the monitoring procedure. We find examples of Member States that designate the monitoring role to:

- a specific governmental body created for this purpose or a monitoring group consisting of a variety of actors;
- an existing governmental body;
- no particular body (yet);
- or an external body.

Besides the one designated and responsible body, Member States often envisage that there will be assistance from other relevant stakeholders during the monitoring procedure, such as civil society organisations and national human rights institutes or equality bodies.

The type of bodies that are involved in the monitoring process differs significantly among Member States. In **Belgium**, monitoring is coordinated by the State Secretary for Diversity, Gender Equality and Equal Opportunities with a progress report coming from each governmental department and after consultation with civil society. In **Portugal**, the national action plan is monitored by the Commission for Citizenship and Gender Equality (CIG), the composition of which is defined by law. In its monitoring role, it is assisted by technical committees, with representatives of relevant Government agencies and civil society. The technical committees meet at least twice a year. In **Luxembourg**, an inter-ministerial LGBTI committee has been created – chaired by the Ministry of Family, Integration and Greater Region – to monitor progress and evaluate actions and objectives. The Committee is assisted by experts such as human rights institutions and civil society organisations. In **Italy**, the national equality body has to monitor the implementation of the LGBTIQ national action plan. Similarly, in **France**, monitoring is supervised by the National Human Rights Consultative Commission (CNCDH) and includes participation by

representatives of national public services, local public authorities and civil society organisations. For the **Netherlands**, the Social and Cultural Planning Bureau, an independent governmental research bureau, monitors progress.<sup>135</sup> In **Malta**, the SOGIESC unit draws up a report focusing on progress made and this report is then presented to various stakeholders. In **Denmark**, the Danish Institute for Human Rights has a general monitoring mandate. There is no specific procedure currently in place in **Sweden**, but one may be adopted in the future. While the original strategy appointed several key agencies that would rotate the responsibility for coordination among themselves, the action plan stressed the need to have a single authority that is responsible for following up on the action plan. It appears that the National Public Health Agency will take up this role. In **Ireland**, implementation of the national LGBTIQ equality strategy is overseen by the LGBTI+ National Inclusion Strategy Steering Committee, which is composed of members from Government departments and public bodies, civil society organisations, and a representative from the national equality body (the Irish Human Rights and Equality Commission). The Committee is chaired by the Minister for Children, Equality, Disability, Integration and Youth Affairs.

As mentioned above, in some cases, an external body monitors the progress made. In the case of **Luxembourg**, an external interim assessment is envisaged in addition to the one taking place internally.

Secondly, we found that the monitoring assignment usually results in a progress report. The report collates the actions that were undertaken in the current period and investigates whether they contributed to progress for the situation of the specified group. A progress report will then be drafted in accordance with the monitoring cycles that are detailed in the national LGBTIQ equality action plan/strategy. We find examples of monitoring taking place and resulting in a progress report as often as every quarter (this is the case in **Malta**), every year (in the **Netherlands** and **Sweden**) or once mid-cycle (in **Ireland**) and once at the end of the cycle. In **Ireland**, there was the good intention to provide for a mid-term evaluation of the progress made but this was never adopted. It is unclear whether shorter reporting cycles mean that the implementation efforts are only partly assessed. No information was provided by the national experts on this except for **Sweden**. There, the national expert stated that only a partial obligation to report existed for interim reports. It would be interesting to obtain more information on the size of the report from other Member States that report more frequently throughout the life cycle of the LGBTIQ equality action plan/strategy.

Thirdly, the need for certain additional actions or measures can also be emphasised in the progress report. In **Malta**, supplementary measures might be proposed in the report if needed and the SOGIESC unit may also raise concerns to a higher political level. In **Luxembourg**, new priorities may be proposed. Similarly, in **Portugal**, the Commission for Citizenship and Gender Equality can submit to the minister responsible for equality a proposal to revise the national action plan based on the monitoring report, and up to six months before the end of the plan's life cycle.

Fourthly, it remains unclear whether the progress report is made public or not as only a limited number of national experts made reference to this. For instance, in the **Netherlands**, it was stated that the progress report was communicated to Parliament in the annual progress brief on discrimination and emancipation by the Minister for Justice and Security and the Minister for Education, Culture and Science. This entails public accessibility, as communications to Parliament are published as part of the publicly available parliamentary proceedings. In **Luxembourg**, however, it was stated by the national expert that this progress assessment was not publicly communicated. In **Malta**, an annual report documenting the progress of the national LGBTIQ equality action plan is presented during an annual conference organised by the SOGIESC unit, with the participation of stakeholders. In **Portugal**, all monitoring reports are available online.<sup>136</sup>

135 Note that the Social and Cultural Planning Bureau recently indicated that it will not be available to continue monitoring the general emancipation strategy. The Government will be looking for another research bureau to take over.

136 See CIG, 'Public policy instruments', <https://www.cig.gov.pt/area-a-cig/instrumentos-de-politica-publica/>.

Finally, we have very limited information regarding the method used to monitor progress. Only for **Ireland**, we know that the LGBTI+ National Inclusion Strategy Steering Committee uses a ‘traffic-light-system’ to measure progress based on reports coming from the different ministries. As such, progress in relation to set targets is expressed through the use of different colours, whereby the status of actions would be reported as ‘on track’ (green), ‘minor issue’ (amber), ‘significant issue’ (red), with the addition of black for actions not yet started and blue for those that have been completed. However, it remains unclear whether this monitoring mechanism was actually fully adopted in practice, as relevant indicators for measuring monitoring were seemingly never developed.

## 4.2 Presence of specific evaluation procedures

Monitoring and evaluation of LGBTIQ equality action plans/strategies	
Presence of specific evaluation procedure	
AT	
BE	Evaluation strategy foreseen
BG	
CY	No evaluation strategy foreseen
DE	No evaluation strategy foreseen
DK	<i>No information has been found by national expert</i>
EE	
EL	No evaluation strategy foreseen
ES	Evaluation strategy foreseen
FI	
FR	Final evaluation performed by National Human Rights Consultative Commission and general government auditing bodies
HR	
HU	
IE	Evaluation strategy foreseen, though without any details
IT	No evaluation strategy is currently foreseen, but should be developed in future
LU	Evaluation strategy foreseen
LV	
MT	Evaluation strategy foreseen
NL	Evaluation strategy foreseen
PL	
PT	Evaluation strategy foreseen
RO	
SE	No evaluation strategy currently foreseen, but could be developed in future
SI	
SK	

The national experts of all Member States were asked whether the national LGBTIQ equality action plan/strategy sets out a specific procedure aimed at evaluating the entire process of drafting, adoption and implementation once its life cycle has finished. Additionally, we wanted to find out which bodies played a role in the evaluation and whether they are internal or external to the Government.

In several EU Member States (including **Cyprus, Denmark, Germany, Greece** and **Italy**), evaluation is not envisaged, or no information could be found about a possible evaluation procedure. For instance, the **Swedish** national expert mentioned that – just as for the monitoring of implementation – although no specific procedure is currently provided for, one may be adopted in the future. In other Member States, (**Belgium, France, Ireland, Luxembourg, Malta**, the **Netherlands, Portugal** and **Spain**), we find that

evaluation of either the entire process in its totality or the national action plan in particular has been considered. In **Spain**, it is stressed that evaluation of the national LGBTIQ equality strategies is provided for by law as well as in **Ireland**, where evaluation is envisaged but without any detailed provisions on what this should entail. In **Malta**, for instance, it is emphasised that each new action plan evaluates the previous one so as to ensure continuity between LGBTIQ equality action plans.

In three cases, we found that an internal evaluation was planned and that the body that would carry out the evaluation was indicated. In **Belgium**, evaluation of the LGBTIQ equality action plan is coordinated by the State Secretary for Diversity, Gender Equality and Equal Opportunities with planned consultations with civil society. In **Portugal**, an internal evaluation is to be conducted by the Commission for Citizenship and Gender Equality (CIG), which is the same body that monitors the implementation of the national LGBTIQ equality action plan. In **France**, a final evaluation is performed by general Government auditing bodies (that focuses on the entire drafting process), as well as by an evaluation committee composed of representatives of national public services, local public authorities and civil society organisations, under the supervision of the National Human Rights Consultative Commission (CNCDH).

It is also possible that the evaluation is done by a party that is external to the monitoring process. This is the case in the **Netherlands**, where a tender was produced for an external research bureau to evaluate the national action plan on the safety of LGBTIQ people. That external evaluation will then be presented to the Dutch Parliament. **Luxembourg**, too, envisages a final external evaluation of the national action plan.

There are two relevant elements to consider during the evaluation process that have not been mentioned earlier. First, the national expert of **Cyprus** raised the point that evaluation of equality action plans is often only performed at the end of the action plan life cycle. Only evaluating the action plans after the fact limits the possibilities of intervening en cours de route. When Member States want to have the opportunity to correct certain flaws along the way, it might be advantageous to evaluate the action plan more frequently. Secondly, in **Ireland**, we find some attention to interaction between the protection of LGBTIQ people and the protection of other (minority) groups. The Minister indicated that during the evaluation process they would be attentive to the valuable examples of good practice that could be distilled from evaluating the various national equality strategies (the Migrant Integration Strategy, the National Strategy for Women and Girls and National Traveller and Roma Inclusion Strategy) and investigate how these can be transferred to the development of LGBTIQ equality action plans. Additionally, they would pay attention to how intersectionality could be addressed in a more coherent way in the future.

Evaluation of the LGBTIQ equality national action plans/strategies appears to be an afterthought in most EU Member States that make use of these instruments. When information was available on the evaluation process, it appears that, in most cases, the bodies that were charged with drafting the plan were also the ones in charge of evaluating its content and its drafting and implementation process.<sup>137</sup> One could assume that imposing an external evaluation of the procedure as well as the action plan itself is an essential safeguard to ensure independent review. Yet, currently, only two Member States (**Luxembourg** and the **Netherlands**) recognised such a need and put an external party in charge of assessing the plan. It would be interesting to compare the conclusions of such an external evaluation by a non-governmental body with the internal evaluations that take place in other Member States.

### 4.3 Agenda for future new national LGBTIQ equality action plans or strategy

	<b>Monitoring and evaluation of LGBTIQ equality action plans/strategies</b>
	<b>New action plan/strategy foreseen</b>
AT	
BE	Communication of evaluation to new government

137 The Cypriot expert mentioned explicitly that no ‘independent evaluation’ of the national action plan was taking place.

Monitoring and evaluation of LGBTIQ equality action plans/strategies	
New action plan/strategy foreseen	
BG	
CY	No
DE	No
DK	No
EE	
EL	No
ES	/
FI	
FR	Not foreseen, but generally expected
HR	
HU	
IE	No, but indications that new strategy will be developed
IT	No
LU	No
LV	
MT	Not foreseen, but generally expected
NL	No
PL	
PT	Revision of action plan/strategy every four years
RO	
SE	Not foreseen, but generally expected
SI	
SK	

It is important to consider whether EU Member States view the current LGBTIQ equality national action plan/strategy as part of an ongoing commitment towards LGBTIQ equality. In order to find out whether there was such a commitment beyond the life cycle of the current action plan, we asked the national experts to indicate whether the development and adoption of a new action plan was envisaged in the future or perhaps already under way in their Member State. We can find great variation in the Member States' approach.

First, for the currently developed general strategy in **Cyprus**, we find that there is no specific timeframe during which the strategy will be applicable or implemented. So, it is difficult to say what will follow it as it has no real 'end time'. Moreover, in the previous chapters, we already indicated a seemingly total absence of political willingness to develop and implement the more specific LGBTIQ equality action plan that was envisaged by the currently applicable general human rights strategy.

Secondly, in quite a few Member States with national LGBTIQ equality actions plans, the adoption of a new action plan is not provided for at the end of the current cycle or no such intention is explicitly mentioned anywhere. This is the case for **Denmark, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands and Sweden**. Some national experts, however, indicate that it is highly probable that such an intention will be expressed once the end of the current cycle is reached. In **Malta**, it is assumed that – as happened in a similar vein for previous plans – once the timeline of the current action plan expires, a new action plan will be drafted and published. In **Sweden**, for instance, the expert indicated that – in all likelihood – the final monitoring report in 2025 will indicate the need for a future plan. In **Ireland**, the Minister has explicitly expressed an intention to develop a new action plan after reviewing the current one.

Thirdly, in some Member States, the current national LGBTIQ equality action plan specified that revised action plans will be adopted in a regular cycle. For **Belgium**, it is stipulated in the current federal action plan that its evaluation report will be submitted to the new federal Government that will be formed after the 2024 federal elections. In **Portugal**, the previous national action plan stated that the indicated measures were to be revised every four years. Up to six months before the end of the plan's cycle, the CIG was to submit a revision of the action plan.<sup>138</sup>

#### 4.4 Other crucial factors

Finally, the national experts were asked whether there were any other crucial factors for the monitoring and evaluation of national LGBTIQ equality action plans/strategies in their countries that could be considered relevant. This led to the following factors being mentioned:

- division of competences among federated levels of government;
- the strength of civil society;
- the political climate.

Although each factor surfaced in only one questionnaire, they pertain to issues that can hold true across different Member States. As mentioned earlier in this report, the lack of clarity of the division of competences in **Belgium** may also lead to complexities during the monitoring and evaluation of LGBTIQ equality action plans. In order for civil society to properly fulfil the role of watchdog, certain conditions need to be fulfilled. In the context of **Cyprus**, it was stressed by the national expert that civil society organisations do not receive any structural funding from the state, but are only funded on a project basis for limited periods. The project-based funding schemes on which they depend limit the organisations' capacity to criticise the Government. It was also stressed by the **Swedish** national expert that developments in the general political climate might have an impact on the space that is given to civil society to play a role during both monitoring and evaluation.

#### 4.5 Interim conclusion and good practices

Naturally, effective implementation of the measures that are set out in a national LGBTIQ equality action plan or strategy is a necessary step to ensuring more equality for LGBTIQ people. Without a thorough monitoring mechanism, the action plans run the risk of remaining empty promises. As discussed in the introductory chapter, it is strongly recommended that Governments think of LGBTIQ equality action plans as 'living documents', the implementation and impact of which should be monitored and evaluated, and that need to be continuously updated. In this chapter we therefore analysed to what extent EU Member States monitor (1), evaluate (2) and update (3) their national LGBTIQ equality action plans or strategies.

First, on the monitoring of the action plan/strategy, periodic monitoring has been identified in the literature as one of the important phases in the life cycle of a national equality or human rights action plan and should aim to clarify how the situation has progressed, which measures have been taken and what difficulties have arisen.<sup>139</sup> However, this does not necessarily translate into a lot of attention being paid to monitoring in the LGBTIQ equality action plans/strategies adopted by EU Member States. While in the majority of Member States there does not appear to be a specific monitoring strategy that is laid out in the action plan, we cannot conclude that this will automatically lead to a Member State obtaining less insight into the progress that is achieved. If a general monitoring mandate is given to a national equality body or other national human rights institutions with tremendous expertise in the issues that

138 The Portuguese national expert indicated that although a public consultation process on the revision of the Action Plan (2022-2025) was launched in 2022, its results are not known yet.

139 Wittenius, M. (2022) *Drafting National LGBTIQ\* Equality Action Plans. Framework and demands at European level and in Germany*, Observatory for Sociopolitical Developments in Europe, p. 18, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.

LGBTIQ people face, this could be more beneficial than having a newly created configuration for the sole purpose of monitoring a certain action plan. Centralised expertise and a close relation to civil society could indeed be instrumental to the monitoring mechanism. Additionally, it is important to build into the process several moments to include observations by all relevant stakeholders on the progress obtained.

We found that across the EU, monitoring occurs at different intervals. Although the need for continuous monitoring was stressed in the literature, this might pose too heavy a burden on the bodies who are tasked with this role. Yet, by adopting more regular monitoring cycles, blockages in the action plan's implementation can be brought to light more quickly. Nevertheless, more frequent progress reports are only relevant if they offer a possibility to intervene and change course. Among the current monitoring mechanisms in the Member States, it remains quite unclear – apart from in **Luxembourg** and **Malta** – what opportunities there are for making adjustments to the plans/strategies while they are in progress.

It also needs to be repeated that measurable quantitative or qualitative indicators are only envisaged in a minority of EU Member States that make use of a national LGBTIQ equality action plan/strategy. As we already found in Chapter 3, even when an action plan or strategy contains concrete measures and/or objectives, the absence of measurable indicators might hinder a proper review of the state of implementation and of the plan's overall impact on the promotion of LGBTIQ equality.

Secondly, regarding the evaluation of the drafting, adoption and implementation of LGBTIQ equality action plans/strategies, the need for an independent evaluation was stressed in the documents discussed in the introductory chapter. While there might be different explanations for the limited information provided by the national experts on evaluation, one reason could be that, in many EU Member States, evaluation is simply an afterthought when drafting action plans. Even more than for monitoring ongoing progress, it seems necessary that this task is assigned to a party outside of the process. Given that in many cases a national equality body or human rights institute might already have been involved in drafting or monitoring progress, an external body might be more independent and able to flag up flaws that have previously gone unnoticed. However, this currently happens in only two Member States (**Luxembourg** and the **Netherlands**).

Thirdly, it was already mentioned that, if monitoring is to serve its true purpose, it is important that it can lead to potential readjustment of the measures set out in the ongoing action plan or strategy. Moreover, when preparing for the next action plan, a more thorough readjustment might be needed for which it is necessary to evaluate the process at large. In this light, the national expert of **Malta** stressed that each new Maltese LGBTIQ equality action plan evaluates the previous one so as to ensure continuity. However, it seems that this kind of long-term planning is absent in most EU Member States, which may also explain the lack of consideration for a thorough evaluation of LGBTIQ equality action plans/strategies. Indeed, most national experts stated that the adoption of a new action plan is not planned at the end of the current cycle or that no such intention is explicitly mentioned anywhere else. In other words, the lack of a clear evaluation strategy and the agenda for developing a new action plan confirms the finding in Chapter 2 that, in most Member States, the development of a national LGBTIQ equality action plan is an ad hoc policy initiative rather than part of a permanent human rights strategy.



## 5 Conclusion

### 5.1 The increasing use of national action plans or strategies for the promotion of LGBTIQ equality

Across Europe, there is a notable increase in the use of national action plans or strategies for the promotion of fundamental rights in general, and the right to equality and non-discrimination in particular. National action plans or strategies may serve as a general umbrella, addressing cross-cutting human rights issues at the domestic level, or focus on a specific theme, such as LGBTIQ equality. These instruments take a variety of forms, depending on the national political, administrative, social and historical context, and strive towards an integrated and systematic approach to improving human rights protection and equality at the national level. Research has cautiously indicated that the adoption and implementation of an action plan or a strategy has positive effects for the state of human rights protection and equality, and results in heightened awareness of certain human rights issues. However, further research is needed to measure the precise impact of national action plans or strategies on the promotion and protection of fundamental rights and equality, and the concrete added value of a comprehensive and integrated approach as compared to other, more fragmented policies.

Since the 2010s, European bodies such as the European Union and the Council of Europe have encouraged states to adopt national action plans or strategies to strengthen their efforts to promote respect for and protection of fundamental rights and equality. This is especially true in relation to the fight against discrimination on grounds of sexual orientation, gender identity, gender expression and sex characteristics. Indeed, LGBTIQ people remain among the most vulnerable groups in European societies. In response to a resolution adopted by the European Parliament, the European Commission presented its first 'List of Actions to Advance LGBTI Equality' in 2015, which was the first-ever policy framework adopted by the Commission to specifically combat discrimination against LGBTIQ people in the EU. The document provided a comprehensive list of (albeit generally formulated) actions in several policy areas, accompanied by one or more concrete objectives, as well as a timeline and an indication of the bodies responsible for taking the actions. The 'List of Actions' was followed by the first-ever 'LGBTIQ Equality Strategy 2020-2025', which proposed several action points to advance LGBTIQ equality in the EU, in close cooperation with the Member States, and paying particular attention to diversity among the experiences of LGBTIQ people and the needs of the most vulnerable groups. In addition to listing its own objectives and operational strategies (on the basis of four thematic pillars: tackling discrimination, ensuring safety, building inclusive societies, and leading the call for equality around the world), the European Commission encouraged Member States to build on existing best practice and to develop their own action plans towards LGBTIQ equality.

In its monitoring reports concerning the implementation of the 'List of Actions' and the LGBTIQ Equality Strategy, the European Commission noted that around half of EU Member States had adopted a national action plan or strategy in order to promote LGBTIQ equality. However, despite the promise of national action plans/strategies for the effective promotion of LGBTIQ equality, there is currently no comprehensive comparative analysis of the state of play in all EU Member States. This report aims to fill that knowledge gap. Moreover, this report also answers the increasing calls from EU institutions and civil society for comparable data concerning the human rights situation of LGBTIQ people across the EU.

The report provides a mapping of key measures, bodies and strategies that play a role at the national level in developing, adopting, implementing, monitoring and evaluating a national LGBTIQ equality action plan. The report does not provide an analysis of the state of LGBTIQ equality across the EU as such, nor does it offer an evaluation of the impact of the LGBTIQ equality action plans at the level of each EU Member State. Given the fact that we noticed clear differences in commitment and approach among Member States, and that discrimination and violence against LGBTIQ people remain omnipresent in the EU, we recommend further qualitative analysis to address these important, yet unanswered questions.

In the report, we focus on three phases in the life cycle of national LGBTIQ equality action plans/strategies: (1) preparation, drafting and adoption; (2) implementation; and (3) monitoring and evaluation. In order to ensure our study's feasibility, only finalised plans/strategies that were adopted, sufficiently developed or comprehensively announced by the relevant Government body were included. The report identifies common approaches and significant differences among EU Member States, as well as examples of good practice that could serve as an inspiration for future initiatives. The analysis was based on a detailed questionnaire that was circulated among the European network of legal experts in gender equality and non-discrimination's national non-discrimination law experts for the 27 EU Member States. The cut-off date for delivering national data was 14 June 2023, which was extended by a few weeks in relation to one Member State (**France**), where a new LGBTIQ action plan was about to be announced by the Government.

In drafting the questionnaire and analysing the collected data, we were guided by three valuable sources: (1) the Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality, developed by the LGBTIQ Equality Subgroup of the European Commission's High-Level Group on non-discrimination, equality and diversity; (2) recommendations provided by the Council of Europe to ensure the effectiveness of national action plans as a tool to promote and protect the human rights of LGBTIQ people; and (3) a report by academic Marie Wittenius on the drafting of national LGBTIQ equality action plans. These sources already identified key dimensions and factors that need to be addressed in the three stages of a national LGBTIQ equality action plan. In these concluding observations, we reiterate our most important findings in relation to the three phases in a national LGBTIQ equality action plan's life cycle.

## 5.2 Preparation, drafting and adoption of national LGBTIQ equality action plans or strategies

Across the European Union, there are clear differences regarding the use of a national action plan or strategy for the promotion of LGBTIQ equality. Of the 27 EU Member States, 12 Member States (**Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal and Sweden**) have adopted a national LGBTIQ equality action plan or strategy. Another two Member States (**Cyprus** and **Spain**) are in the process of developing a specific LGBTIQ equality action plan. This means that in 13 Member States (**Austria, Bulgaria, Croatia, Czechia, Estonia, Finland, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia**) or almost half of the EU, no national LGBTIQ equality action plan/strategy currently exists or is being developed. If we take into account the observed failure to develop the specific LGBTIQ equality action plan envisaged in the **Cypriot** national human rights strategy, more than half of the EU Member States do not make use of a national LGBTIQ equality action plan or strategy. While further research is necessary to establish the underlying political, administrative, social and historical reasons for this finding, it is notable that, with the exception of **Austria** and **Finland**, the Member States without a national LGBTIQ equality action plan/strategy are all situated in Eastern and Southeastern Europe.

In the majority of Member States that make use of a national LGBTIQ equality action plan or strategy, the instrument is at least regularly or recurrently used in order to promote LGBTIQ equality. Only in a very few cases, such as for instance in **Spain**, is adopting a national LGBTIQ equality action plan part of a permanent human rights mechanism, for instance provided for by law. While we do not have any indication that the predominant ad hoc approach has any inherent negative consequences for the effectiveness of the action plan or strategy at stake, it arguably makes the process more vulnerable to potential changes towards a more adverse political climate. Moreover, in contrast to **Malta** where each LGBTIQ equality action plan explicitly builds on the results achieved by the previous plan, the ad hoc approach might complicate the coherence of the adopted policies throughout the years.

It is clear that the presence of political support from the Government is an important factor for the success of an equality action plan or strategy. Across the EU, the Government (often represented by the minister responsible for equality or justice) usually plays an instrumental role in initiating the development of a

national LGBTIQ equality action plan or strategy. In fact, it appears that only two Member States (**France** and **Malta**) have established a permanent dedicated body responsible for the development of equality or human rights action plans. Importantly, some national experts noted that their national government either included or depended on the support of political parties that are known to be sceptical of or explicitly against anti-discrimination policies. In other words, it remains to be seen whether the use of LGBTIQ equality action plans will continue to increase among EU Member States.

The crucial role of Governments in the development of LGBTIQ equality action plans is also apparent from the drafting procedures. In almost all Member States that make use of a national LGBTIQ equality action plan or strategy, the drafting and adoption of the plan/strategy is clearly led by the Government or a dedicated public body. Notably, in **Cyprus** and **Greece**, the drafting process was led by external bodies, such as a university or experts external to the Government. The drafting process very often involves consultations with other governmental ministries and departments, public bodies, equality bodies, other levels of government, experts, trade unions and civil society organisations. In Member States such as **Greece, Italy** and **Malta**, civil society organisations even have shared ownership of the LGBTIQ equality action plan, as they are represented in the bodies that are mandated to draft or review the action plan or strategy. Importantly, **Ireland** is the only EU Member State that actively involves the general public and various LGBTIQ individuals (with attention to their intersectional experiences) in the development of the national LGBTIQ equality action plan.

While an evidence-based approach appears to be crucial for the effectiveness and legitimacy of a national LGBTIQ equality action plan, there are clear differences across the EU concerning data collection on the state of LGBTIQ equality. In most EU Member States, the action plan or strategy is grounded in some form of empirical data or a baseline study. However, it seems that only two Member States (**Denmark** and **Luxembourg**) systematically integrate this data in the action plan. Moreover, many EU Member States heavily rely on data collected by national and international civil society organisations (notably ILGA Europe), the European Union (the European Commission and the Fundamental Rights Agency), and the Council of Europe. In this way, the EU's work is therefore clearly instrumental for the development of national LGBTIQ equality action plans. However, while this international data offers important information on a Member State's performance in relation to its peers, it is often not sufficiently detailed to highlight regional differences at the domestic level.

Finally, with the exception of **Cyprus**, all national LGBTIQ equality action plans/strategies are publicly announced and communicated to relevant stakeholders via an official Government website and a press release/press conference.

### 5.3 Content and implementation of national LGBTIQ equality action plans or strategies

It is recommended that states adopt national equality action plans or strategies that include clear and concrete measures, with measurable quantitative and qualitative indicators. For each of these measures, it is recommended that there is a clear implementation strategy, with an allocation of responsibilities and budget, with a specific timeframe. Among the EU Member States that make use of a national LGBTIQ equality action plan or strategy, there are clear differences regarding the content of the plans/strategies. Indeed, whereas in most Member States the action plan/strategy contains clear and concrete measures, in other Member States the action plan/strategy predominantly takes the form of generally formulated objectives that need further clarification by the Government or a dedicated mechanism. In some Member States, the action plan/strategy is a combination of general objectives and concrete measures. Whereas in most Member States the measures included in the national action plan/strategy are newly identified actions based on the needs assessment performed in the consultation process preceding the plan's adoption, in some Member States, the action plan/strategy reads as a systematic presentation of policy initiatives that are already ongoing.

On top of that, even when the national LGBTIQ equality action plan/strategy contains clear and concrete measures, measurable quantitative or qualitative indicators are often absent. In fact, measurable quantitative or qualitative indicators are only envisaged in a minority of EU Member States. While further research is needed to uncover the underlying reasons for this, the absence of concrete indicators might be related to an absence of country-specific and integrated equality data. This might further hinder a proper review of the state of implementation and the plan's overall impact on the promotion of LGBTIQ equality.

Given the fact that a national equality action plan must meet the specific challenges faced by LGBTIQ people in a certain national context, it comes as no surprise that there are clear differences among the objectives and measures included in the action plans across the EU. However, a few recurring themes could be identified, such as, awareness raising, data collection, improving wellbeing and (access to) health(care), combating discrimination and violence, recognising 'rainbow families', improving procedures of legal gender recognition for trans, non-binary and intersex people, including LGBTIQ rights in foreign policy, and mainstreaming LGBTIQ equality in all Government policies.

In order to promote LGBTIQ equality, national action plans or strategies are preferably as comprehensive as possible. However, it is also recognised that Member States face various challenges and may therefore adopt an incremental approach, based on certain substantive policy priorities. Across the EU, such substantive policy priorities are widely present. However, it is not always clear how these priorities were defined, and to what extent they are grounded on the empirical data and/or the baseline studies that were collected and/or carried out during the preparation of the LGBTIQ action plan/strategy. Given the fact that all Member States undertake some form of consultation process before adopting their LGBTIQ equality action plan, it is very likely that the policy priorities are influenced by the conversations held with Government ministries, civil society organisations, individuals from the LGBTIQ community and experts. In **Malta**, the content of each LGBTIQ equality action plan explicitly builds on its predecessors, and draws on the lessons learnt from their implementation. Conversely, in other Member States the policy priorities are not (always) based on a carefully performed needs assessment, but are based on (political) pragmatism. Importantly, it appears that the European Commission's LGBTIQ Equality Strategy 2020-2025 strongly influenced the demarcation of thematic pillars for the action plans in several Member States, which again points to the EU's instrumental role in advancing LGBTIQ rights at the national level.

All EU Member States that make use of a national action plan or strategy to promote LGBTIQ equality give attention to the position of intersectionally situated or vulnerable groups within the LGBTIQ community. In some cases, such as in **Belgium**, the importance of adopting an intersectional approach is explicitly addressed in the action plan/strategy. In only a small minority of Member States the notion of intersectionality might be mentioned in the action plan/strategy, but does not seem to be of any importance.

In the majority of EU Member States, the national LGBTIQ equality action plan/strategy contains only a basic implementation strategy – leaving crucial aspects such as identifying the governmental bodies responsible, financial resources or a timeframe undecided – or leaves the implementation strategy entirely to the Government's discretion. Whereas this should not necessarily mean that there is no effective implementation of the national action plan or strategy, it arguably becomes more challenging to ensure impact and to enable accountability to the LGBTIQ community and the general public. Moreover, the lack of a concrete implementation strategy might also be the corollary of the absence of concrete measures with measurable quantitative and/or qualitative indicators. **Portugal** appears to have developed the most detailed vision for the effective implementation of its national LGBTIQ equality action plan, by explicitly setting out indicators, benchmarks, responsible bodies, a timeframe, and an allocated budget for each of the concrete measures included in the plan.

## 5.4 Monitoring and evaluation of national LGBTIQ equality action plans or strategies

It is strongly recommended that Governments pay sufficient attention to the monitoring of the implementation of a national LGBTIQ equality action plan or strategy, as well as evaluating its impact. This should be considered as a continuous process, during which updates or changes to the action plan could be made. Despite the importance of the monitoring process for ensuring the effectiveness of a national action plan or strategy for the promotion of LGBTIQ equality, the majority of EU Member States included in this report do not have a specific monitoring strategy. However, this finding does not necessarily mean that these Member States do not obtain any insight into the progress that is achieved. Indeed, monitoring could also be performed by a national equality body on the basis of a general mandate, which may even be preferable to monitoring by a dedicated body established for the sole purpose of monitoring a certain action plan.

Across EU Member States, monitoring occurs at different intervals, ranging from every quarter, to every year, mid-cycle to only at the end of the cycle. Although the need for continuous monitoring is considered crucial, this might pose too heavy a burden on the bodies who are tasked with this role. Yet, by adopting more regular monitoring cycles, a lack of progress in the action plan's implementation can be more easily detected. However, frequent monitoring can only be pertinent if it offers a possibility to intervene, update certain objectives and measures, or even change course entirely. Based on the current monitoring strategies envisaged in EU Member States, it remains quite unclear – except for **Luxembourg** and **Malta** – which opportunities for intermediary updates or changes exist, and to what extent they can be enforced or demanded.

As we already indicated in the previous sections, measurable quantitative or qualitative indicators are only envisaged in a minority of EU Member States. This absence of measurable indicators might hinder a proper review of the state of implementation and the plan's overall impact on the promotion of LGBTIQ equality.

Similar to the need for monitoring, the importance of the evaluation of LGBTIQ equality action plans was stressed in the literature and recommendations that we consulted. Very little information could be found about the evaluation strategy among EU Member States. Given the fact that the development of a national LGBTIQ equality action plan is often based on an ad hoc approach, evaluation could simply be an afterthought when drafting these plans. Even more than for monitoring ongoing progress, it seems necessary that the task of evaluation is assigned to a party outside of the process. Given that in many cases a national equality body or human rights institute may have already been involved in drafting the national action plan or monitoring progress, an external body might be more independent and able to flag up flaws that previously went unnoticed. However, this happens in only two Member States (**Luxembourg** and the **Netherlands**).

If monitoring and evaluation are to serve their true purpose, it is important that they can lead to potential readjustments of measures set out in the ongoing or future action plan. In this light, each new **Maltese** LGBTIQ equality action plan evaluates the previous one to ensure continuity. However, it seems that this kind of long-term planning is lacking in most EU Member States. Indeed, in most cases, the adoption of a new action plan is not planned at the end of the current cycle. The lack of a clear evaluation strategy and agenda for developing a new action plan again confirms the finding that in most Member States the development of a national LGBTIQ equality action plan is an ad hoc policy initiative rather than part of a permanent human rights strategy.

## 6 Bibliography

- Cannoot, P, and Ganty, S. (2022) 'Protecting trans, non-binary and intersex persons against discrimination in EU law', *European Equality Law Review*, 2022(1), pp, 37-55, available at <https://op.europa.eu/en/publication-detail/-/publication/4903b156-3ed8-11ed-92ed-01aa75ed71a1/language-en>.
- Council of Europe (2016) 'Workshop on developing and implementing national action plans for human rights. Conclusions', available at <https://rm.coe.int/workshop-on-development-and-implementation-of-nhraps-conclusions-2014/16809ef184>.
- Council of Europe (2016) 'National action plans as effective tools to promote and protect the human rights of LGBTIQ people', available at <https://rm.coe.int/168066d620>.
- Dunne, P, (2020) *Sexual orientation discrimination law outside the labour market*, available at <https://www.equalitylaw.eu/downloads/5301-sexual-orientation>.
- European Commission (2015) 'List of actions by the Commission to advance LGBTI equality', available at [https://commission.europa.eu/system/files/2017-06/lgbti-actionlist-dg-just\\_en.pdf](https://commission.europa.eu/system/files/2017-06/lgbti-actionlist-dg-just_en.pdf).
- European Commission (2020) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – *Union of Equality: LGBTIQ Equality Strategy 2020-2025*, COM(2020) 698 final, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0698>.
- European Commission (2020) 'Final Report 2015-2019 on the List of actions to advance LGBTI equality', available at [https://commission.europa.eu/system/files/2020-05/report\\_list\\_of\\_actions\\_2015-19.pdf](https://commission.europa.eu/system/files/2020-05/report_list_of_actions_2015-19.pdf).
- European Commission (2023) *Progress Report on the implementation of the LGBTIQ Equality Strategy 2020-2025*, available at [https://commission.europa.eu/system/files/2023-04/JUST\\_LGBTIQ%20Strategy\\_Progress%20Report\\_FINAL\\_WEB.pdf](https://commission.europa.eu/system/files/2023-04/JUST_LGBTIQ%20Strategy_Progress%20Report_FINAL_WEB.pdf).
- European Union Agency for Fundamental Rights (FRA) (2015) *Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU – Comparative legal analysis – Update 2015*, Publications Office, available at <https://data.europa.eu/doi/10.2811/054312>.
- European Union Agency for Fundamental Rights (2019) *National human rights action plans in the EU. Practices, experiences and lessons learned for more systematic working methods on human rights*, available at [https://fra.europa.eu/sites/default/files/fra\\_uploads/2020\\_outcome-report-wp-national-human-rights-action-plans.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/2020_outcome-report-wp-national-human-rights-action-plans.pdf).
- European Union Agency for Fundamental Rights (2020) *EU-LGBTI II: A long way to go for LGBTI equality*, available at <https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results>.
- LGBTIQ Equality Subgroup (2022) *Guidelines for Strategies and Action Plans to Enhance LGBTIQ Equality*, available at [https://commission.europa.eu/system/files/2022-09/guidelines\\_for\\_strategies\\_and\\_action\\_plans\\_to\\_enhance\\_lgbtiq\\_equality\\_2022final16\\_05.pdf](https://commission.europa.eu/system/files/2022-09/guidelines_for_strategies_and_action_plans_to_enhance_lgbtiq_equality_2022final16_05.pdf).
- Organisation for Economic Co-operation and Development (2020) *Over the Rainbow? The Road to LGBTI Inclusion*, available at <https://www.oecd.org/publications/over-the-rainbow-the-road-to-lgbti-inclusion-8d2fd1a8-en.htm>.

Wittenius, M. (2022) *Drafting National LGBTQ\* Equality Action Plans. Framework and demands at European level and in Germany*, Observatory for Sociopolitical Developments in Europe, available at <https://beobachtungsstelle-gesellschaftspolitik.de/f/9f84302177.pdf>.



## Annex I: Questionnaire

### Thematic Report on LGBTIQ actions plans/strategies in the EU

#### Questionnaire

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*NB: Please provide, as far as available, full references to all action plans/strategies/other documents that you refer to, as well as weblinks and/or attach the document(s). Please read through the entire questionnaire before answering, to avoid duplication of information.*

#### Section I: Country Details

- a Name of Country:
- b Name of Expert:

#### Section II: General information on LGBTIQ action plans/strategies

- a Does your country have a national action plan/strategy on LGBTIQ equality that is currently applicable, in order to protect and promote the fundamental rights of LGBTIQ people? Please also indicate to what extent your country already adopted such action plan/strategy in the past, i.e. before the currently applicable plan/strategy was adopted. Please also indicate whether your country is currently developing such action plan/strategy.

*For all the following questions, please answer only regarding the action plan/strategy currently in force (if any).*

- b Do regional authorities (e.g. federated entities or provinces) adopt separate LGBTIQ action plans/strategies in your country? If so, please explain briefly how these action plans/strategies are related to the national action plan/strategy?
- c Please indicate whether the national LGBTIQ action plan/strategy stands alone or is part of a broader human rights/equality action plan/strategy. If the latter applies, please indicate how the measures on LGBTIQ equality are quantitatively or qualitatively related to other measures included in the plan/strategy.
- d Please indicate whether, in your country, the adoption and implementation of LGBTIQ action plans/strategies is part of a permanent human rights mechanism or is rather an ad hoc policy initiative.
- e Please indicate whether the LGBTIQ action plan(s)/strateg(y)(ies) in your country make(s) a reference to the LGBTIQ Equality Strategy (2020-2025) adopted by the European Commission or to good practices in other EU Member States.

#### Section III: Drafting and adoption of LGBTIQ action plans/strategies

- a Which governmental and/or non-governmental actor(s) is/are instrumental in **initiating** the process of drafting and adopting LGBTIQ action plans/strategies in your country? Is the initiative backed by political support?

- b Which governmental and non-governmental actors are involved in the (coordination of the) **drafting** process and **adoption** of LGBTIQ action plans/strategies in your country? How are they selected? Do these actors have clearly defined responsibilities and mandates in a dedicated mechanism for the drafting and adoption of the plan/strategy?
- c Please indicate whether the drafting and/or adoption of LGBTIQ action plans/strategies in your country is grounded in empirically accurate, detailed and precise data and/or based on a baseline study on the state of inclusion of LGBTIQ people.
- d Please indicate whether and how the adoption of the LGBTIQ action plans/strategies is communicated among all relevant (governmental and non-governmental) stakeholders and the general public.
- a Are there, to your knowledge, any other crucial factors for the drafting and adoption of LGBTIQ action plans/strategies in your country?

#### **Section IV: Content and implementation of LGBTIQ action plans/strategies**

- a Please indicate whether the LGBTIQ action plan(s)/strateg(y)(ies) in your country include(s) clear and concrete measures and whether these measures are accompanied by measurable quantitative or qualitative indicators. Would you consider these measures and indicators to be ambitious and achievable?
- b Please indicate what type of measures are included and what areas of state responsibility are covered in the LGBTIQ action plan(s)/strateg(y)(ies) in your country.
- c Please indicate whether the measures included in the LGBTIQ action plan(s)/strateg(y)(ies) reflect substantive policy priorities. In your opinion, how are these choices made?
- d Please indicate whether the measures included in the LGBTIQ action plan(s)/strateg(y)(ies) show attention for the position of intersectionally situated vulnerable groups, and/or politically 'sensitive' issues.
- e Please indicate whether the LGBTIQ action plan(s)/strateg(y)(ies) in your country include a specific vision or agenda (e.g. allocation of responsibilities, appropriate budget and timeline) concerning the implementation of the measures included therein. Which governmental and non-governmental actors are included and what methodology is used during implementation?
- f Are there, to your knowledge, any other crucial factors for the implementation of LGBTIQ action plans/strategies in your country?

#### **Section V: Monitoring and evaluation of LGBTIQ action plans/strategies**

- a Please indicate whether the LGBTIQ action plan(s)/strateg(y)(ies) in your country foresee(s) a specific procedure aimed at monitoring the state of implementation of the measures included therein. Which governmental and non-governmental actors are included and what methodology is used in this process?
- b Please indicate whether the LGBTIQ action plan(s)/strateg(y)(ies) in your country foresee(s) a specific procedure aimed at evaluating the entire process of drafting, adoption and implementation once the plan's life cycle has finished. Which governmental and non-governmental actors are included and what methodology is used in this process?

- c Does the currently applicable LGBTIQ action plan/strategy already foresee the adoption of a future updated plan/strategy once its life cycle has finished?
- d Are there, to your knowledge, any other crucial factors for the monitoring and evaluation of LGBTIQ action plans/strategies in your country?

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