

EN

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Answer given by Ms Dalli
on behalf of the European Commission
(10.10.2024)

The Commission tackles discrimination against lesbian, gay, bisexual, trans, non-binary, intersex and queer (LGBTIQ) people and strives to ensure their safety, as set out in the LGBTIQ Equality Strategy 2020-2025¹.

In 2021, the Commission proposed² to include hate speech and hate crime in the list of EU crimes under Article 83 of the Treaty on the Functioning of the European Union (TFEU)³. In the absence of a unanimous Council decision according to the third subparagraph of Article 83(1) TFEU, the Commission is currently not able to take further steps in that regard.

Also, the Commission's high-level group on combating hate speech and hate crime discusses and facilitates exchanges of best practices and collection of data, including on LGBTIQ, and adopted in 2022 guiding principles on cooperation between law enforcement authorities and civil society organisations.

Under the Citizens, Equality, Rights and Values Programme⁴, the Commission provides funding to projects addressing hate crime and hate speech and enhancing LGBTIQ equality.

While respecting Member States' responsibilities on education systems and teaching content, the Commission supports learning and exchange of good practices to ensure safe and inclusive education for young people. In 2023, the working group on equality and values in education and training published a paper on tackling different forms of discrimination⁵. The Commission has recently published guidelines⁶ on enhancing supportive learning environments for vulnerable learners, addressing violence, including gender-based and (cyber) bullying.

On 25 September 2024, the Commission published a report on the implementation of the LGBTIQ strategy⁷. It is expected to update the strategy for post-2025, as announced in the political guidelines⁸ for the next Commission.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0698>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021DC0777>

³ The current legislation only covers racist or xenophobic hate crime: Council Framework Decision 2008/913/JHA of 28 November 2008 on combating racism and xenophobia of 2008. OJ L 328, 6.12.2008, p. 55–58.

⁴ <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/programmes/cerv>

⁵ <https://education.ec.europa.eu/lv/news/new-issue-paper-tackling-prejudice-and-discrimination-in-and-through-education-and-training>

⁶ <https://education.ec.europa.eu/news/supporting-wellbeing-at-school-new-guidelines-for-policymakers-and-educators>

⁷ 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_en

⁸ https://commission.europa.eu/document/download/e6cd4328-673c-4e7a-8683-f63ffb2cf648_en?filename=Political%20Guidelines%202024-2029_EN.pdf