

(English version)

**Question for written answer E-001724/24
to the Commission**

**Carolina Morace (The Left), Gaetano Pedulla' (The Left), Danilo Della Valle (The Left), Mario Furore (The Left),
Pasquale Tridico (The Left), Giuseppe Antoci (The Left), Marc Angel (S&D), Kim Van Sparrentak (Verts/ALE)**
(16 September 2024)

Subject: Italian Government's moves against 'gender ideology' and respect for EU fundamental rights

Recently, the Culture Committee of the Italian Chamber of Deputies adopted a resolution (7-00203) binding the government to lay down national guidelines that would stop the school curriculum from being 'hijacked to unilaterally and uncritically champion behaviours rooted in "gender ideology" among young people'.

Similarly, in May 2024, a representative of the ruling majority tabled a bill (C1885) to introduce an outright ban on the teaching of so-called 'gender theories' in the education system.

These developments are fuelling concerns about respect for the fundamental rights enshrined in the Charter of Fundamental Rights of the European Union, in particular Article 21, which outlaws discrimination on the grounds of sexual orientation, among other forms.

In the light of the above:

1. Does the Commission believe that Italy's recent moves are compatible with the principles of non-discrimination and gender equality championed by the EU?
2. What can the Commission do to prevent potential violations of the rights of LGBTQ+ people in education in Italy?
3. What measures could it adopt to make sure that Italy honours its human rights and gender equality commitments, particularly within education?

Submitted: 16.9.2024

Answer given by Ms Lahbib on behalf of the European Commission
(13 January 2025)

1. Equality and non-discrimination are core values and fundamental rights in the EU, enshrined in its Treaties and in the EU Charter of Fundamental Rights (the Charter). However, the Charter's provisions are addressed to Member States only when they are implementing EU law ⁽¹⁾. Otherwise, it is the responsibility of Member States and their judicial authorities to ensure that fundamental rights are effectively respected and protected, in accordance with their national legislation and international human rights obligations.
2. Under the lesbian, gay, bisexual, trans, nonbinary, intersex and queer (LGBTIQ) Equality Strategy for 2020-2025 ⁽²⁾, the Commission supports fostering exchanges of best practices between Member States and experts to ensure safe and inclusive education for all children, young people and adults. The Working Group on Equality and Values in Education and Training in 2023 published the *Issue paper on tackling different forms of discrimination in and through education and training* ⁽³⁾, presenting the main challenges, points for attention and promising practices. The 2024 *Guidelines on wellbeing and mental health at school* ⁽⁴⁾ point to the creation of safe schools to prevent and address various forms of violence at school, including gender-based violence and (cyber-) bullying.
3. As announced in the Commission President's Political Guidelines 2024 — 2029, the Commission will propose a new Gender Equality Strategy and an updated strategy on LGBTIQ equality for post-2025. As guardian of the Treaties, the Commission monitors the correct application of EU law and, in case of breaches of EU laws, will not hesitate to take appropriate actions.

⁽¹⁾ Article 51(1) of the Charter of Fundamental Rights of the EU.

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0698>

⁽³⁾ Issue paper on tackling different forms of discrimination in and through education and training (<https://op.europa.eu/en/publication-detail/-/publication/8d28535a-2cef-11ee-95a2-01aa75ed71a1>) including discrimination relating to sexual orientation, gender identity or expression and sex characteristics.

⁽⁴⁾ Guidelines prepared by the by the European Commission's expert group on enhancing supportive learning environments for vulnerable learners and for promoting wellbeing and mental health at school (<https://education.ec.europa.eu/news/supporting-wellbeing-at-school-new-guidelines-for-policymakers-and-educators>). They refer to the fact that pupils who have been exposed to violence, including LGBTIQ pupils, have an increased risk of mental health issues, underachievement and early school leaving.