



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

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CONSEIL DE L'EUROPE

**Recommendation adopted on 27 June 2012
CONF/PLE(2012)REC6**

Follow up of CONF/PLE(2012)REC3 on “Combating discrimination on grounds of sexual orientation and gender identity”

Attacks on the right to freedom of expression of LGBT people and those who advocate for their rights

The Conference of International Non Governmental Organisations (INGOs) of the Council of Europe, meeting in Strasbourg on 27 June 2012

Recalling that its Recommendation "combating discrimination on grounds of sexual orientation and gender identity" of 27 January 2012 expressed concern that certain Council of Europe member states fail to uphold or even undermine the most basic rights of LGBT people,

Expresses alarm that the intervening months have seen a marked deterioration in the situation in certain countries, particularly in the field of freedom of expression, with laws prohibiting what is qualified as "propaganda for homosexuality" (often in the name of protecting children) introduced or under discussion as follows:

- In Moldova, where seven town and district councils have adopted provisions to ban "propaganda of non-traditional sexual orientation";
- In Russia, with such laws adopted by the regional assemblies of St Petersburg, Kostroma, and Novosibirsk (previously also in Archangelesk and Ryazan), and under discussion in the assemblies of Moscow, Samara, Kirov, Krasnodar, Krasnoyarsk and Kaliningrad, and also in the federal parliament;
- In Hungary, where a local ordinance has been proposed for Budapest by members of the governing party;
- In Lithuania, with a proposal in the Parliament designed to prevent "Denigration of constitutional moral values";
- In Ukraine, with two different proposals under debate in the national parliament, one of which proposes penalties of up to 5 years in prison.

Noting that such laws are de facto likely to seriously restrict or even prevent the activities of human rights defenders working for the rights of LGBT people;

Noting that in *Alexeyev v. Russia* the European Court of Human Rights affirmed that “there is no scientific evidence or sociological data at the Court's disposal suggesting that the mere mention of homosexuality, or open public debate about sexual minorities' social status, would adversely affect children or ‘vulnerable adults’”;

Welcoming statements of concern by the Secretary-General and by the Commissioner for Human Rights of the Council of Europe

Calls upon the Committee of Ministers to:

- Reaffirm to the member states concerned their obligation to uphold the human rights, especially the freedom of expression, of LGBT people and those advocating for their rights, in accordance with the Committee of Ministers Recommendation CM/Rec(2010)5 on combating sexual orientation or gender identity discrimination.
- Take action to implement the longer-term measures to combat homophobia and transphobia put forward in the INGO Conference's Recommendation of 27 January 2012.

Recommendation proposed by the Human Rights Committee