CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

THE CONGRESS LE CONGRÈS
COUNCIL OF EUROPE CONSEIL DE L'EUROPE

51st SESSION

Report
CG(2026)51-17
28 October 2026

Free to speak, free to meet: guaranteeing the rights of LGBTI persons in local communities

Committee on Social Inclusion and Human Dignity

Co-Rapporteurs:[1] Helen BELCHER, United-Kingdom (R, ILDG)
Gudrun MOSLER-TÖRNSTRÖM, Austria (L, SOC/G/PD)

Resolution 537 (2026) 2
Recommendation 560 (2026) 4
Explanatory memorandum (for information) 6

Summary

Across Europe, the human rights to freedom of expression and assembly of LGBTI persons are increasingly under pressure. The emergence of legal obstacles, political hostility and social polarisation has been observed in a number of countries in recent years. This can, for example, be seen through bans on Pride marches, the withdrawal of support for LGBTI organisations and an escalation in hate speech and violence, even in cities that had previously been open and welcoming. Such developments erode the sense of safety and belonging for LGBTI persons, restricting their participation in public life and undermining confidence in democratic systems.

This report addresses these troubling trends by examining the role of local and regional authorities as frontline human rights defenders for LGBTI persons, upholding human rights and navigating restrictive national policies and regulation.

The report invites local and regional authorities to help ensure the freedom of expression and assembly of LGBTI persons by authorising and protecting public events such as Pride marches, supporting LGBTI organisations and safe community spaces, and providing targeted training and equality mechanisms for public sector employees. It calls upon member States' governments to ensure that national legal and policy frameworks fully respect and enable these rights, empower subnational authorities with the necessary resources and competences, and establish robust and systematic national data collection mechanisms to monitor developments in hate speech, violence and other offences affecting LGBTI persons, also in alignment with European human rights standards.

[1] L: Chamber of Local Authorities / R: Chamber of Regions.
EPP/CCE: European People's Party Group in the Congress.
SOC/G/PD: Group of Socialists, Greens and Progressive Democrats.
ILDG: Independent Liberal and Democratic Group.
ECR: European Conservatives and Reformists Group.
PfE: Patriots for Europe Group
NR: Members not belonging to a political group of the Congress

RESOLUTION 537 (2026)[2]

1. The Congress of Local and Regional Authorities of the Council of Europe ("The Congress") refers to:

a. the European Convention on Human Rights (ETS No.5), and in particular its articles 10 and 11, the rights to freedom of expression and freedom of assembly and association, as well as the relevant case law of the European Court of Human Rights;

b. the Committee of Minister's Recommendation CM/Rec (2022)16 on Combating hate speech CM/Rec (2022)16);

c. the Committee of Ministers' Recommendation CM/Rec (2010)5 on Measures to combat discrimination on grounds of sexual orientation or gender identity;

d. Parliamentary Assembly Resolution 2543 (2024) "Freedom of expression and assembly of LGBTI people in Europe";

e. Parliamentary Assembly Resolution 2239 (2018) "Private and family life: achieving equality regardless of sexual orientation";

f. Congress Resolution 471 (2021) "The role of local authorities with regard to the situation of LGBTI people in Poland";

g. Congress Resolution 470 (2021) and Recommendation 458 (2021) "Protecting LGBTI people in the context of rising anti-LGBTI hate speech and discrimination: the role and responsibilities of local and regional authorities";

h. Congress Resolution 380 (2015) and Recommendation 370 (2015) "Guaranteeing lesbian, gay, bisexual and transgender (LGBTI) people's rights: a responsibility for Europe's towns and regions";

i. the explanatory memorandum "Free to speak, free to meet: guaranteeing the rights of LGBTI persons in local communities" (CG(2026)51-17).

2. The Congress notes with concern that:

a. the human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons are increasingly coming under pressure in several Council of Europe member states;

b. in particular, the rights to freedom of expression and freedom of assembly of LGBTI persons and concerning LGBTI issues are increasingly undermined by political developments and via legal and administrative instruments in a number of countries, such as legal bans on Pride marches, an increasingly hostile environment and withdrawal of support for LGBTI non-governmental organisations, and various forms of attacks against members of the community and their activists, including via traditional media and online spaces;

c. in an overall context of polarised societal trends, where the exercise of the freedom of expression and assembly by minority groups is often portrayed as a threat to traditional values, local and regional authorities, in particular, face significant challenges in upholding internationally recognised human rights standards especially when they have to act within increasingly restrictive national legislative frameworks;

d. a rise in anti-LGBTI attitudes and violence has been observed in recent years, including in urban areas traditionally seen as open to LGBTI people, leading to a perceived loss of safety within the LGBTI community.

[2] Debated and adopted by the Congress on 28 October 2026 (see document CG(2026)51-17, explanatory memorandum), co-rapporteurs: Helen BELCHER, United-Kingdom (R, ILDG) and Gudrun MOSLER-TÖRNSTRÖM, Austria (L, SOC/G/PD).
.

3. In this regard, the Congress calls upon local and regional authorities of Council of Europe member States to:

a. uphold the human rights of LGBTI persons to freedom of expression and freedom of assembly, as guaranteed by the European Convention on Human Rights and the relevant case law of the European Court of Human Rights and take specific and proactive measures to achieve their full enforcement, including by mitigating restrictive national policies or the negative impact of hostile environments;

b. authorise Pride marches and other LGBTI-related public events, without imposing deliberate hindrance, and protect such events effectively, including through the provision of adequate security arrangements, implemented in collaboration with competent local and regional law enforcement authorities, and in consultation with the organisers;

c. ensure access to objective information and education concerning sexual orientation and gender identity, in line with international human rights standards, including through formal school curricula and informal education, according to their respective competences in this area;

d. provide political, logistical and, where possible, financial support for LGBTI-supportive organisations, including non-governmental advocacy organisations, and for social and cultural meeting spaces and community resource centres, cultural institutions and other spaces conducive to participation and visibility, and build supportive partnerships with these organisations and institutions as appropriate;

e. designate equality focal points to maintain sustained engagement with LGBTI communities and provide appropriate training for public sector employees in dealing with LGBTI-related events and organisations, including municipal staff, teachers and local law enforcement officers, to ensure that they effectively protect the rights to freedom of expression and freedom of assembly of LGBTI persons, ensuring their safety in all public spaces;

f. engage in national and international assemblies and networks of local and regional authorities committed to equality and human rights, in order to exchange good practices, strengthen peer support and enhance collective resilience in restrictive political environments;

g. continuously collect data at local and regional levels to identify related trends emerging over time regarding violence, hate speech and other offences affecting LGBTI persons.

4. The Congress calls upon its statutory bodies, including its chambers and committees, to continue prioritising and supporting the protection of the human rights of LGBTI persons at local and regional levels in their future work, with particular attention to safeguarding freedom of expression and the freedom of assembly and reinforcing capacities to respond to restrictive or discriminatory trends.

RECOMMENDATION 560 (2026)[3]

1. The Congress of Local and Regional Authorities of the Council of Europe ("The Congress") refers to:

a. the European Convention on Human Rights (ETS No.5), and in particular its articles 10 and 11, the rights to freedom of expression and freedom of assembly and association, as well as the relevant case law of the European Court of Human Rights;

b. the Committee of Minister's Recommendation CM/Rec (2022)16 on Combating hate speech CM/Rec (2022)16);

c. the Committee of Ministers' Recommendation CM/Rec (2010)5 on Measures to combat discrimination on grounds of sexual orientation or gender identity;

d. Parliamentary Assembly Resolution 2543 (2024) "Freedom of expression and assembly of LGBTI people in Europe";

e. Parliamentary Assembly Resolution 2239 (2018) "Private and family life: achieving equality regardless of sexual orientation";

f. Congress Resolution 471 (2021) "The role of local authorities with regard to the situation of LGBTI people in Poland";

g. Congress Resolution 470 (2021) and Recommendation 458 (2021) "Protecting LGBTI people in the context of rising anti-LGBTI hate speech and discrimination: the role and responsibilities of local and regional authorities";

h. Congress Resolution 380 (2015) and Recommendation 370 (2015) "Guaranteeing lesbian, gay, bisexual and transgender (LGBTI) people's rights: a responsibility for Europe's towns and regions";

i. the explanatory memorandum "Free to speak, free to meet: guaranteeing the rights of LGBTI persons in local communities" (CG(2026)51-17).

2. The Congress notes with concern that:

a. the human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons are increasingly coming under pressure in several Council of Europe member states;

b. in particular, the rights to freedom of expression and freedom of assembly of LGBTI persons and concerning LGBTI issues are increasingly undermined by political developments and via legal and administrative instruments in a number of countries, such as legal bans on Pride marches, an increasingly hostile environment and withdrawal of support for LGBTI non-governmental organisations, and various forms of attacks against members of the community and their activists, including via traditional media and online spaces;

c. in an overall context of polarised societal trends, where the exercise of the freedom of expression and assembly by minority groups is often portrayed as a threat to traditional values, local and regional authorities, in particular, face significant challenges in upholding internationally recognised human rights standards especially when they have to act within increasingly restrictive national legislative frameworks;

d. a rise in anti-LGBTI attitudes and violence has been observed in recent years, including in urban areas traditionally seen as open to LGBTI people, leading to a perceived loss of safety within the LGBTI community.

[3] Debated and adopted by the Congress on 28 October 2026 (see document CG(2026)51-17, explanatory memorandum), co-rapporteurs: Helen BELCHER, United-Kingdom (R, ILDG) and Gudrun MOSLER-TÖRNSTRÖM, Austria (L, SOC/G/PD).
.

3. In this regard, the Congress requests that the Committee of Ministers call upon the national authorities of member States of the Council of Europe to:

a. guarantee the highest human rights standards to all persons within their jurisdiction, including LGBTI persons, and ensure that national legislation, policies and practices are fully consistent with the rights and freedoms enshrined in the European Convention on Human Rights and the case law of the European Court of Human Rights and are conducive to the effective participation of LGBTI persons in society in safe and equal conditions;

b. create favourable conditions enabling local and regional authorities to guarantee the human rights and full and equal participation of LGBTI persons, including by providing subnational authorities with the autonomy, competences and resources they need, in line with the principles of the European Charter of Local Self-Government;

c. ensure that national legal frameworks do not impose on local and regional authorities any obligations to restrict the rights to freedom of expression and freedom of assembly of LGBTI persons, but rather promote dialogue and co-operation between different levels of government where controversies or conflicts arise and ensure the fundamental rights of LGBTI people;

d. invest in and strengthen independent equality bodies and accessible complaint mechanisms, including Ombudsperson institutions, with a mandate to address, *inter alia*, alleged violations of the rights to freedom of expression and freedom of assembly of LGBTI persons, whether arising from local policies or from the local implementation of national measures;

e. pursue a multilevel governance approach in areas of shared competence, such as policing and education, providing appropriate guidance, training and resources to all authorities and professionals involved;

f. establish robust and systematic national data collection mechanisms to monitor developments in violence, hate speech and other offences affecting LGBTI persons, with a view to identifying trends over time and across the country, including both urban and rural areas, to inform evidence-based policies for implementation at all levels of governance.

4. The Congress invites the Committee of Ministers to welcome and promote, through work done by Council of Europe intergovernmental structures in this area, national initiatives aimed at developing enabling frameworks for the protection of the human rights of LGBTI persons at local and regional levels, involving dialogue, monitoring and capacity-building activities.

5. The Congress calls upon the Committee of Ministers to recognise the essential role of local and regional authorities in safeguarding the freedom of expression, freedom of assembly and equality of LGBTI persons, and to continue involving the Congress as a key stakeholder in protecting and promoting the rights of LGBTI persons in local communities.

EXPLANATORY MEMORANDUM

Table of Contents

1. INTRODUCTION 7

2. FREEDOM OF EXPRESSION AND OF ASSEMBLY OF LGBTI PERSONS IN LAW: AN OVERVIEW OF INTERNATIONAL, NATIONAL AND LOCAL FRAMEWORKS 8
2.1. Freedom of expression 8
2.2. Freedom of assembly 9

3. ROLE, COMPETENCES AND MAIN CHALLENGES OF LOCAL AND REGIONAL AUTHORITIES IN THIS CONTEXT 10
3.1. Local and regional competences for protecting the freedom of expression and assembly of LGBTI persons 10
3.2. Trends and challenges of local human rights protection in the face of national and international legislation and jurisprudence 11

4. MAIN CHALLENGES IN UPHOLDING THE FREEDOM OF EXPRESSION AND FREEDOM OF ASSEMBLY OF LGBTI PERSONS 11
4.1. National-level bans on Pride events and other bans or restrictions related to LGBTI people 11
4.2. Security and Policing 12
4.3. Education 13
4.4. Media 14
4.5. Safe environments 15
4.6. Capacities and resources of NGOs 16

5. THE SITUATION IN THE REPUBLIC OF POLAND: VARYING RESPONSES AT DIFFERENT LEVELS OF GOVERNANCE AND IN DIFFERENT REGIONS 16

6. APPROACHES AND SCOPE OF ACTION LOCAL AND REGIONAL AUTHORITIES IN UPHOLDING LOCAL HUMAN RIGHTS PROTECTION IN A RESTRICTIVE NATIONAL CONTEXT AND BEYOND 20
6.1. Institutional support and legal/administrative resilience 20
6.2. Securing Funding 21
6.3 Visible support – symbolic governance 21
6.4. Coalition building 21
6.5. Training and Awareness 22
6.6. Context-specificity 22

7. CONCLUSIONS 24

APPENDIX I - TABLE OUTLINING CATEGORIES OF CHALLENGES PRESENTED ABOVE AND EXAMPLES OF RESPONSES AT DIFFERENT LEVELS OF GOVERNANCE 25
APPENDIX II - PROGRAMME OF THE STUDY VISIT (27-28 JANUARY 2026) 29

1. INTRODUCTION[4]

1. The rights to freedom of expression and assembly for lesbian, gay, bisexual, transgender and intersex (LGBTI) people, as protected by the European Convention on Human Rights and Fundamental Freedoms, are under pressure, in many parts of Europe today. This is evident, for example, in recent bans on Pride marches, an increasingly hostile environment for LGBTI individuals and NGOs, and attacks on LGBTI communities and activists through both traditional and social media. Such developments can affect whether LGBTI persons feel safe to be openly themselves in their daily lives in their neighbourhoods, workplaces, schools, and public spaces without fear of hostility or reprisal.

2. These developments reflect increasingly polarised societal trends in parts of Europe, where the exercise of freedom of expression and assembly by minority groups is often framed as a threat to traditional values. In more illiberal political contexts, authorities may portray growing liberal attitudes, particularly among younger generations, as undermining state authority or traditional social and family structures. This can result in institutional resistance to the recognition and protection of the rights of LGBTI persons.

3. Alongside this, there has been a recorded rise in anti-LGBTI violence between 2019-2023, with a particular increase in violent hate incidents targeting transgender and nonbinary individuals. Such trends are also evident in some urban settings traditionally associated with open and liberal attitudes. This apparent loss of safety – supported by anecdotal reports from LGBTI people and groups about feeling less confident being visible in some public spaces - underscores the need for systematic, disaggregated data collection at city and regional levels over time, in line with longstanding recommendations such as the 2010 Council of Europe Recommendation on combating discrimination based on sexual orientation and gender identity. Levels of harassment and violence, including hate crimes and social hostility remain high today. The ability to walk through a town square, attend local events, or participate in civic life without self-censorship or fear will also determine whether the freedom of expression and freedom of assembly are fully achieved.

4. These trends raise important legal, political, and practical questions regarding the role and scope of action of local and regional authorities. This report underscores the structural tensions that may arise when national legislation departs from international human rights standards and explores the range of responses open to municipalities, sometimes supported by regions, in upholding these standards for their entire population.

5. It also addresses the importance of local and regional authorities themselves upholding the human rights of LGBTI people, both by desisting from discriminatory policies and practices, and by taking proactive measures to support members of this community.

6. The report begins by outlining applicable European human rights standards and situates the analysis within the broader context of the implementation of the two fundamental freedoms in focus across the Council of Europe area. It then incorporates findings from interviews conducted in the framework of a study visit by a delegation of the Congress of Local and Regional Authorities on 27-28 January 2026 to Warsaw, Poland (see Appendix II for more information). The report seeks to ensure that the insights drawn from analysing tensions between liberal and traditional attitudes inform more effective strategies for safeguarding the rights of LGBTI persons at the local level in particular.

4 This explanatory memorandum is based on the document prepared by the Council of Europe consultant Ms S. Cramer Marsal, Netherlands. The written contribution is available from the Secretariat upon request.

2. FREEDOM OF EXPRESSION AND OF ASSEMBLY OF LGBTI PERSONS IN LAW: AN OVERVIEW OF INTERNATIONAL, NATIONAL AND LOCAL FRAMEWORKS

7. The freedom of expression and assembly of LGBTI persons are protected by international human rights law, notably the European Convention on Human Rights (the Convention) as interpreted by the European Court of Human Rights (the Court). Rather than offering an exhaustive survey, this report highlights the Court's underlying reasoning and key principles. It concludes with a brief overview of the implementation of these freedoms at national and subnational levels across Council of Europe member states.

2.1. Freedom of expression

8. In its case law, the Court established that expression relating to sexual orientation and gender identity falls within the scope of Article 10 of the Convention (freedom of expression), recognising that LGBTI expression concerns not merely private identity but that debating LGBTI issues is also important for participation and democratic expression.[5] The Court has repeatedly sanctioned any restriction or interference with Article 10 in conjunction with Article 14 of the Convention (non-discrimination). It has done so by dismissing arguments according to which these restrictions are necessary for the protection of public health, morality, religious beliefs or the protection of children or that they are justified by public hostility towards homosexuality.[6] The Court has therefore rejected calls for a wide margin of appreciation to be left to the State.

9. In a significant Grand Chamber judgment, *Macatė v. Lithuania* (2023), the Court unanimously held that measures restricting the dissemination of a children's book with LGBTI content, on the ground that it would be harmful to children, would violate Article 10.[7] In that case, the Court found that justifications on the protection of minors lacked scientific evidence or sociological data showing that "the mere mention of homosexuality, or open public debate about sexual minorities' social status, would adversely affect children". It concluded that instead these justifications "serve to entrench stigma and prejudice and encourage homophobia, which is incompatible with the notions of equality, pluralism and tolerance inherent in a democratic society" (para. 202).[8]

10. The Court case law confirms that hate speech targeting LGBTI persons may justify restrictions under Article 10 and triggers positive state obligations to protect individuals from discrimination and violence. In *Vejdeland and Others v. Sweden* (2012),[9] the Court upheld sanctions for distributing homophobic leaflets, finding that serious and prejudicial allegations against homosexuals could legitimately be restricted even without explicit incitement to violence. In *Identoba and Others v. Georgia* (2015),[10] it ruled that authorities must protect participants in LGBTI marches from homophobic attacks and conduct effective investigations. In *Beizaras and Levickas v. Lithuania* (2020),[11] the Court held that failure to investigate online homophobic hate speech violated Articles 8 and 14, stressing that sexual orientation is a protected ground requiring effective legal protection. More recently, in *Minasyan v. Armenia* (2025),[12] the Court reaffirmed states' positive obligations to respond adequately to homophobic hate speech and violence, it emphasised that tolerance of such conduct by authorities can amount to discriminatory treatment (see also the Council of Europe Recommendation CM/Rec (2022) 16 on Combating hate speech CM/Rec (2022)16).[13]

[5] See Alekseyev v. Russia, Applications Nos. 4916/07, 25924/08 and 14599/09, Judgment of 21 October 2010 and Bączkowski v. Poland, Application No 1543/06, Judgment of 3 May 2007.
[6] See Alekseyev v. Russia, paragraph 81: "81. The Court further reiterates that it would be incompatible with the underlying values of the Convention if the exercise of Convention rights by a minority group were made conditional on its being accepted by the majority. Were this so, a minority group's rights to freedom of religion, expression and assembly would become merely theoretical rather than practical and effective as required by the Convention (…)."
[7] Macatė v. Lithuania, Application No. 61435/19, Judgment of 23 January 2023.
[8] See also the Court's conclusions in Bayev and Others v. Russia, Applications Nos. 67667/09 and 2 others, Judgment of 20 June 2017.
§§ 61 and 83-84.
[9] Vejdeland and Others v. Sweden, Application No. 1813/07, Judgment of 9 February 2012.
[10] Ibidem.
[11] Beizaras and Levickas v. Lithuania, Application No 41288/16, Judgment of 14 January 2020.
[12] *Minasyan v. Armenia*, Application No. 54620/16, Judgment of 6 November 2025.
[13] See here: https://www.coe.int/en/web/combating-hate-speech/recommendation-on-combating-hate-speech.

11. In its latest review of the implementation of the Committee of Ministers' Recommendation CM/Rec (2010)5 on Measures to combat discrimination on grounds of sexual orientation or gender identity,[14] most Council of Europe member states were reported to have measures to secure the freedom of receiving and imparting information without discrimination on these grounds.[15] In the field of education in particular, the review indicated that "over half of member states (28)[16] have some form of measure in place creating the possibility for and encouraging educational institutions to include LGBTI-related information or facilitate education on LGBTI rights and issues as part of their curricula". In 16 member states, such measures are in place at the regional level.

2.2. Freedom of assembly

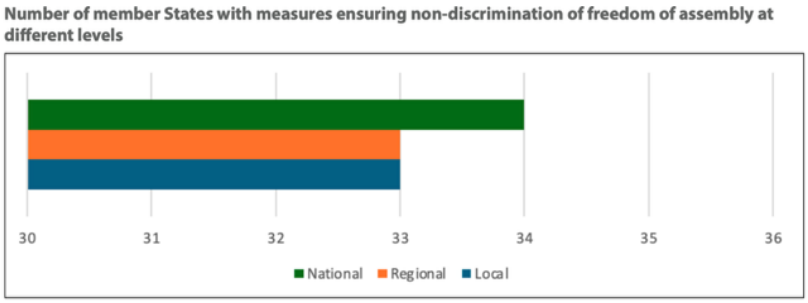
12. In its case law, the Court has consistently and unequivocally held that placing restrictions or banning Pride events are contrary to Article 11 of the Convention (freedom of association and of assembly) often read in conjunction with Article 14 (non-discrimination), or in some cases in conjunction with Article 13 of the Convention (right to an effective remedy).[17] Examples of judgments dealing with such ban can be traced back to 2007.[18]

13. Examples of disproportionate and unjustified restrictions on the conducting of peaceful LGBTI gatherings leading to a breach of Article 11 include administrative frameworks imposing excessive or arbitrary restrictions,[19] or the lack of timely and neutral administrative procedures, including procedure to appeal the decision.[20] In line with the Court's emphasis on states' positive obligations, it is the failure of the state to intervene to protect the right of assembly for LGBTI persons that has been condemned (on states positive obligations, see also the Committee of Ministers Recommendation CM/Rec (2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity.[21] In this context, the Court closely scrutinises the adequacy of the measures taken by the state including the steps taken to manage or contain anti-LGBTI counterdemonstrations to protect LGBTI marchers from foreseeable violence.[22]

14. Pride marches are held in almost all Council of Europe member states,[23] even in the most challenging national security conditions and politically tense circumstances.[24] Above and beyond capital cities, the number of European cities now holding Pride marches throughout Council of Europe member states is increasing. According to the statistics gathered by the Council of Europe, local authorities in 33

[14] See here: Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity - Sexual Orientation and Gender Identity.
[15] As for the measures in questions, the following distribution was made (number of States appears in brackets): organising activities supporting the recognition of the human rights of LGBTI persons (34), publishing and distributing materials raising awareness on those rights (35), gaining visibility in media and online (33), disseminating information on safer sexual practices (34) and raising awareness through educational institutions (30).
[16] Austria, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Malta, Montenegro, Netherlands, North Macedonia, Norway, Portugal, Serbia, Slovenia, Spain, Sweden, Switzerland, United Kingdom.
[17] Alekseyev v. Russia, Application No. 4916/07, Judgment of 21 October 2010; Genderdoc-M v. Moldova, o. 9106/06, Judgment of 12 June 2012.
[18] Baczkowski and others v. Poland, Application No. 1543/06, Judgment of 3 May 2007.
[19] Lashmankin and others v Russia, Applications Nos. 57818/09 and 14 others, Judgment of 7 February 2017.
[20] See abovementioned Baczkowski and others v. Poland: In 2005, the then Mayor of Warsaw refused to allow a pride parade arguing that the organisers had not submitted a traffic organisation plan, that such a parade would promote a "homosexual lifestyle" in Warsaw, and that he is against "propagating gay orientation." (violation of Articles 11, 13 and 14 of the ECHR).
[21] On States positive obligations, see also CM/Rec(2010)5 - Recommendation of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, paragraph 15: "Member states should ensure that law enforcement authorities take appropriate measures to protect participants in peaceful demonstrations in favour of the human rights of lesbian, gay, bisexual and transgender persons from any attempts to unlawfully disrupt or inhibit the effective enjoyment of their right to freedom of expression and peaceful assembly" and paragraph 16: "Member states should take appropriate measures to prevent restrictions on the effective enjoyment of the rights to freedom of expression and peaceful assembly resulting from the abuse of legal or administrative provisions, for example on grounds of public health, public morality and public order".
[22] See *inter alia*: Identoba and others v. Georgia, Application No. 73235/12, Judgment of 12 May 2015; Berkman v. Russia, Application No. 46712/15, Judgment of 1 December 2020; Association ACCEPT and others v. Romania, Application No. 19237/16, Judgment of 1 July 2021; Women's Initiatives Supporting Group and others v. Georgia, Application No. 73204/13, Judgment of 16 December 2021.
[23] Armenia and Azerbaijan do not hold LGBTI Pride marches or events. In Türkiye, request for holding Pride marches and events have been either rejected by the authorities or when held, they were met with strong police intervention.
[24] ILGA-Europe, blog on Ukraine Pride 2024.

member states have put in place measures ensuring non-discrimination on the grounds of sexual orientation and gender identity in the exercise of the right to freedom of assembly (see table below).[25]



Source: Report on the review of the implementation of Recommendation CM/Rec (2010)5 of the Committee of Ministers, November 2025.

15. Positively, recent reports on Pride events indicate that they are often becoming institutionalised and are increasingly well attended.[26] In most cases, they have taken place peacefully, even in national circumstances where politics or the general public are known to be highly polarised on LGBTI issues (see for example, Romania,[27] Latvia,[28] the Republic of Moldova[29] and Bosnia and Herzegovina).[30] These trends suggest an increasing normalisation of LGBTI visibility events in some contexts. However, as will be seen in the following section, these events have also provoked strong counterreactions (see below).

3. ROLE, COMPETENCES AND MAIN CHALLENGES OF LOCAL AND REGIONAL AUTHORITIES IN THIS CONTEXT

3.1. Local and regional competences for protecting the freedom of expression and assembly of LGBTI persons

16. Local and regional authorities hold a range of competences that are highly relevant to the effective protection of the freedom of expression and assembly of LGBTI persons, in line with international human rights standards and the principles of local democracy. There is no single model of competence given the diversity of states' constitutional setups ranging from unitary and centralised systems to decentralised, federal and autonomy arrangements. Given this, legal and political competences and the scope of action therefore vary.

17. Notwithstanding such variations, local and regional competences concerning freedom of expression are typically of a more operational and regulatory nature: they may support local media, manage advertising spaces while respecting pluralism and non-discrimination or manage cultural and educational institutions while responding to local educational needs and ensuring equal access.

18. As regards the freedom of assembly, competences typically include managing public spaces, as well as authorising and facilitating peaceful assemblies such as Pride marches and other LGBTI-related events. Local and regional authorities must guarantee that administrative procedures and security measures are applied in a non-discriminatory and proportionate manner. They are often responsible for public order and safety locally. To this end, they must co-operate with law enforcement agencies to

[25] Committee of Experts on Sexual Orientation, Gender Identity and Expression, and Sex Characteristics (ADI-SOGIESC) (2025), Review of the implementation of Recommendation CM/Rec(2010)5, November.
[26] ILGA (2023), Annual Review.
ILGA (2024), Annual Review. See both for examples of Prides held with examples of undisputed permits, funding, sponsorship and participation of public officials, all elements leading to a certain level of institutionalization of Pride events.
[27] Chiriac M., "Bucharest Pride Marks 20 Years with Record Turnout", *Balkan Insight*, 9 June 2025.
[28] LSM.lv, "Riga Pride march gathers several thousand participants", 30 June 2025.
[29] Radio Free Europe, "Moldova's Pride 2023 in Chișinău was hailed for its peaceful character", 18 June 2023; ILGA (2023), Annual Review - Moldova. No incidents were recorded in 2024 and in 2025, the Pride took place despite the decision of Chișinău municipality to ban it.
[30] ILGA (2025), Annual Review - Bosnia and Herzegovina. The 2024 Sarajevo Pride unfolded peacefully, unlike in the past when issues of safety were raised.

prevent hate-motivated violence, protect participants in LGBTI assemblies and make adequate plans in this respect. For example, in a federal state like Germany, the Länder have co-operated to bolster security at the Pride event in Berlin, with police being drawn in from other Länder to ensure effective protection for the marchers.[31]

19. Above and beyond Pride marches, local authorities may influence strategy, funding, prevention policy through their own initiatives. For example, the Mayor of London sets a Police and Crime Plan that determines policing priorities, including LGBTI safety. Other examples of more long-term policy planning involve data collection and oversight: for example, the city of Barcelona coordinates with regional police on hate crime monitoring and on taking measures to ensure effective protection for the community.

20. While local authorities are key in operationalising human rights protection for the benefit of all, including LGBTI persons, they can also go beyond this protective role and act as leading actors in creating an enabling environment for the exercise of freedom of expression and assembly at the local level. Local or regional authorities that are granted increased competences under a state's decentralised system, or as autonomous entities may be better positioned to assume that role provided there is political will to do so.

3.2. Trends and challenges of local human rights protection in the face of national and international legislation and jurisprudence

21. Local and regional authorities operate in an increasingly complex legal and political environment. They find themselves at the intersection of international and national legislation when it comes to implementing human rights law. While there is clear guidance from the European Court of Human Rights on LGBTI persons' freedom expression and assembly (see above), there may be difficulties or resistance from local and regional authorities in several member states in fully protecting those rights for LGBTI persons. This may be due to a lack of knowledge of international law, insufficient coordination, unclear national guidance or inadequate capacity-building to ensure consistent implementation of ECHR standards at local level. It is however the responsibility of the state that is engaged when violations of the ECHR involving local authorities have been found and solution should therefore come from that level. Ensuring that subnational authorities have the knowledge and tools to avoid any violations is therefore in the interests of good, multilevel governance. In fact, given that the Court's judgments are based on minimum standards, local and regional authorities could even go beyond these.

22. The situation is more complex when national law is contrary to human rights, as this may make local authorities catalysts of discrimination rather than protectors of rights. At the same time, there may be differences in local political leadership in dealing with such situations, with some taking a more active stand to resist harmful policies targeting LGBTI persons. This may result in an uneven protection of rights across the territory, and, as seen in recent examples, may put local and regional elected representatives and other stakeholders in conflict with national law. Through European assemblies, including the Congress, local and regional authorities can flag such inconsistencies and seek support from peers in other countries about how to address and overcome such challenges or jointly call upon national governments to refrain from backsliding on international human rights standards.

4. MAIN CHALLENGES IN UPHOLDING THE FREEDOM OF EXPRESSION AND FREEDOM OF ASSEMBLY OF LGBTI PERSONS

4.1. National-level bans on Pride events and other bans or restrictions related to LGBTI people

23. Pride marches have become increasingly politicised across Europe. As these marches continue to expand across the Council of Europe region, conversely, a key emerging policy concern is the introduction of legal or administrative restriction or even ban of such marches in certain countries, affecting municipalities. There have also been instances of municipalities themselves introducing such restrictions.

24. An unprecedented legal situation recently emerged in Hungary with the introduction of a nationwide ban through the Fifteenth Amendment to the Fundamental Law in April 2025. The constitutional amendment in question created a basis for restricting the right to peaceful assembly if it conflicts with the revised child protection legislation of 2025, which prohibits the promotion or display of homosexuality

[31] Martin N., "Germany updates: Huge turnout for Berlin Pride march", *Deutsche Welle*, 26 July 2025.

or gender change to persons under the age of 18. The amendment was enacted despite repeated calls made by the Council of Europe Commissioner for Human Rights to reconsider the matter[32] and the Venice Commission's recommendation to revise the amendment in order to avoid risking a systemic violation of other fundamental rights.[33] Failure to respect the ban results in administrative penalties for participants and criminal liability for the organisers. These penalties were imposed for the first time in the case of the Mayor of Budapest Gergely Karácsony in the format of criminal charges for organising the city's 2025 Pride march. At the same time, Géza Buzás-Hábel, a young teacher and community activist from Pecs also faced potential criminal charges. Both were accused of challenging the ban as they proceeded with the Pride march in their respective municipalities in 2025.[34]

25. An outright legal ban as described above may be the most visible and politically symbolic attack on the enjoyment of freedom of assembly by LGBTI persons. However, more indirect methods have also been employed to undermine the genuine enjoyment of this freedom. These have involved placing multiple repeated obstacles and imposing sweeping restrictions on LGBTI organisers. In some cases, they have led to a *de facto* impossibility of holding marches.

26. In Türkiye, a state of emergency due to threats of terror has been used as a justification for banning all public events raising awareness on the human rights of LGBTI persons. Far-reaching powers have been granted to provincial governors by Law No. 7145 (2018)[35] and many large cities like Istanbul, Izmir, Antalya and Mersin have enforced bans on Pride events. These authorities have used generalised "terror/security" and public order claims to ban or restrict LGBTI Pride marches. This impossibility for LGBTI persons to exercise their right to peaceful assembly, due to these local bans, has also been raised repeatedly by the Council of Europe Commissioner for Human Rights in its dialogue with Turkish authorities.[36] In its 2021 letter to the Turkish authorities, the Council of Europe Commissioner noted that in addition to concerns for the safety of participants of such events against terror threats, the Turkish authorities have reportedly enforced bans for other reasons including "the protection of public morals" "social sensitivities", "the risk of LGBTI events inciting hatred and enmity", and "to prevent crimes being committed".

27. Other types of restrictions that do not involve a straightforward ban include rejecting the routes proposed by the march organisers, claiming security concerns or overlapping public events or infrastructure works. For example, in 2025, in the Romanian municipality of Oradea, construction on all 11 proposed routes for the Pride march were announced before the weekend, marking the third consecutive year the city has attempted to shut down LGBTI gatherings.[37] This had the effect of creating at times lengthy negotiations regarding the route, often leaving the holding of the march uncertain or making the organisers settle for alternative routes outside the main urban centres which *de facto* decreases their visibility and narrows civic space.[38] There have also been some reports of administrative obstacles (including costly security requirements) unexpectedly imposed on organisers, further complicating the holding of Pride events.

28. For example, as reported in ILGA's annual review for 2023, there was an instance in Bosnia and Herzegovina in 2022 where, during the Sarajevo Canton of Pride, organisers were asked to cover the costs of hiring private security firms and installing metal or concrete barriers all along the parade route.[39] In an earlier example from 2018, the city of Zagreb was reported to have initially imposed fees for holding the Pride march but that measure was challenged in Court and eventually overturned.[40]

[32] Council of Europe Commissioner for Human Rights, Letter to the Speaker of the National Assembly of Hungary, 24 March 2025.
[33] Venice Commission (2025), Opinion CDL-AD(2025)043 on the compatibility with international human rights standards of the fifteenth amandement to the Fundamental Law of Hungary.
[34] Council of Europe Commissioner for Human Rights, "Hungary: crackdowns on peaceful assembly must be reversed"; Human Rights Watch, "Budapest Mayor Charged for Holding Pride March", 2026.
[35] Law No. 7145 expands *inter alia* powers for governors to restrict movement and public assemblies within provinces; it also extended detention powers of the police for certain suspects. The Law is reported to be still in force.
[36] Council of Europe Commissioner for Human Rights (2019), Report on Türkiye;
Council of Europe Commissioner for Human Rights (2021), Letter of 17 June 2021.
[37]Romania: ARK Oradea association reports on Pride route refusals.
[38] European Commission (2022), Serbia Report, 12 October.
[39] ILGA (2023), Annual Review.
[40] Parliamentary Assembly (2024), *Freedom of expression and assembly of LGBTI people in Europe*.

4.2. Security and Policing

29. Even where Pride marches remain lawful, an increase in the number of far-right or anti-LGBTI counterdemonstrations inciting violence has contributed to a more challenging security environment for LGBTI visibility in society and has increased the need for police protection and security planning.

30. However, rather than reinforcing police protection, providing training of police officers for LGBTI events and putting in place effective measures to safeguard participants, threats from hostile groups have occasionally been used by some municipalities as justifications for prohibiting these events (as seen in Istanbul[41], several municipalities in Poland[42] and Budapest[43]). This approach has resulted in a form of securitisation of Pride events, whereby bans are framed as protective measures (based on safety or more broadly, threats to public morals and national values). Ultimately, these decisions have created a chilling effect on LGBTI individuals and activists seeking to peacefully exercise their right to assemble.

4.3. Education

31. Over the past decade, so-called "anti-LGBTI propaganda" bills have left local authorities and especially municipalities and regional school institutions (bound by the national curriculum) with no choice but to implement the law.

32. Even if a legal ban has not been endorsed, LGBTI-phobic political debates on the subject have created a chilling effect on local schools offering LGBTI inclusive education. In response, local authorities and schools have often avoided topics perceived as contentious**,** such as gender identity and sexual orientation, relying instead on existing curriculum frameworks or leveraging NGO partnerships outside formal classroom hours**.** For example, in Slovakia, NGOs have reported that all existing collaboration with civil society organisations on education ceased during the 2016-2020 legislature.[44] Certain municipalities have used projects to support some discussion on the subject, but these are left outside the school system. For example, Bratislava supports the local grant programme "Bratislava pre všetkých" (Bratislava for All) which has explicitly funded support groups and services for LGBTI+ youth**.**

33. More recently, in September 2025, the Slovak Parliament adopted an amendment to the Constitution that has significant implications for the human rights of LGBTI persons, including in the field of education. This amendment recognises "biological sex" but excludes gender and gender identity as legal categories, as well as legal recognition of non-binary or gender-diverse identities. It also introduces a requirement for parental approval for students to access comprehensive sexuality education. Educational programmes are required to align with constitutional "cultural and ethical values," a provision that may limit the inclusion of LGBTI-related content.[45]

34. Measures targeting LGBTI information more generally were first introduced in the Russian Federation when it was still a Council of Europe member state (see the 2013 Law for the Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values" which prohibiting the spreading of information about 'non-traditional sexual relations' which the law deems "harmful for children"). [46] In 2021, Hungary passed a new piece of legislation outlawing any depiction or discussion of diverse gender identities and sexual orientation in the public sphere. The law in question prohibits or limits access to content that propagates or portrays the so-called 'divergence from self-identity corresponding to sex at birth, sex change or homosexuality' for individuals under 18. This Law drew considerable negative attention internationally[47] and prompted legal action from the European Commission.[48] Other legislation of this kind has since been passed in Georgia (the 2024 'Law on Family Values').

35. Although the negative trends above concern a still relatively limited number of Council of Europe member states, they may be expanding to other states as some similar draft legislation has been

[41] Amnesty International (2024), *Türkiye: Pride restrictions*.
[42] Amnesty International, "Poland: local authorities banned Pride marches".
https://www.amnesty.org/en/latest/news/2020/07/poland-local-authorities-banned-pride-marches-on-unlawful-grounds/.
[43] ILGA-Europe, "Hungary's Parliament passes law banning Pride", 19 March 2025.
[44] IGLYO (2025), Slovakia education report.
[45] Venice Commission (2025), Urgent opinion, 24 September.
[46]The law has been widely condemned including by the Council of Europe. Venice Commission Opinion and PACE.
[47] Council of Europe Commissioner for Human Rights, Statement on Hungary legislation, 14 June 2021.
[48] European Commission (2021), Infringement procedure IP/21/3668.

proposed in a few States. For example, Bulgaria is currently considering a Bill on Amendments to the Child Protection Act No. 50-454-01-20 of 6 December 2024 (see also the Council of Europe Commissioner on Human Rights letter dated 6 October 2025).[49] In Italy, a government bill reportedly under discussion in the Chamber of Deputies, Italy's lower chamber. If adopted, the law would ban lessons on gender in preschool and primary school and expand parental control over the teaching of "sexuality" in upper grades. At substate level, the Gagauzian Parliament in the Republic of Moldova examined a draft law on LGBTI "propaganda" in 2024. In the United Kingdom, the government has published new statutory guidance in July 2025 on Relationships Education, Relationships and Sex Education (RSE) and Health Education [50] that will impact teaching about gender identity. Such guidance, to be introduced by 1 September 2026, has raised concern[51] about the way gender identity is explained and the confusion and possible restrictions it may create for the teaching community when addressing this subject.

36. Other legislative attempts of this kind have failed in the past, either because they have been vetoed as was the case in Poland (the 2022 Education Law Amendment passed but vetoed by President), abandoned or rejected by Parliament like in Romania (Legislative initiative B68/2023)[52] or Ukraine (2024 Bill banning "propaganda of homosexualism and transgenderism", rejected by Parliament) or annulled by the Constitutional Court as in Lithuania. The 2009 Lithuanian Law which aimed at preventing minors from accessing information about same-sex marriage and LGBTI issues was declared unconstitutional by the Lithuania's Constitutional Court on 18 December 2024. That law had been previously challenged before the European Court of Human Rights in the case of *Macatė v. Lithuania* (see above).

4.4. Media

37. The media are acknowledged as a powerful tool to promote of inclusion. They may also at times be a source of harm through biased or hostile coverage. Today the main concern for LGBTI communities relates to media outlets propagating misinformation on LGBTI issues and hate speech, some of it being also spread by politicians, including local politicians.[53]

38. The combination of media capture, and pressures on media outlets to align editorial positions in order to access public funding, and governmental anti-LGBTI agenda has particular harmful consequences for the LGBTI community: the weakening of editorial independence enables the unchallenged dissemination of official narratives, limiting pluralistic debate and critical oversight.

39. Regional and local media owned by bigger groups may face various kinds of pressure to convey the anti-LGBTI stance of the government. This has been the case in Hungary since 2018 with nearly all regional and local *newspapers* transferred into one large pro-government conglomerate called the Central European Press and Media Foundation (KESMA). Significant amounts of state advertising have reportedly been directed toward pro-government outlets. The use of public advertising and subsidies to reward pro-government titles and crowd out media that would be critical of the anti-LGBTI stance of the previous government was also pointed out to the delegation during its visit to Poland.

---

[49] Council of Europe Commissioner for Human Rights, letter on Bulgarian draft law. The Bill in question aims to ban exposing children to "content that does not correspond to the understanding of gender as a biological category" and to criminalise trans-specific healthcare for minors.

[50] UK Government (2026), Relationships and Sex Education Guidance, § 70. "In teaching this, schools should be mindful that beyond the facts and the law about biological sex and gender reassignment there is significant debate, and they should be careful not to endorse any particular view or teach it as fact. For example, they should not teach as fact that all people have a gender identity. Schools should avoid language and activities which repeat or enforce gender stereotypes. Schools should be mindful to avoid any suggestion that social transition is a simple solution to feelings of distress or discomfort."

[51] Setty, E., Hunt, J. A Critical Review of the 2025 RSHE Guidance and Alternative Approach Framed in Safe Uncertainty. *Children & Society* (2025).

[52] Romanian draft bill on "pornography" law amendments (analysis by ILGA-Europe). According to ILGA, the purpose of this bill is to amend the Law on the Prevention and Combating of Pornography (Law No. 196) (2003) so as to include within the definition of "pornography" "any form of expression" that "promotes homosexuality among minors" or "restrict the rights of minors to a gender identity corresponding to their biological sex". The bill would also insert Article 3(3) into the law to prohibit the distribution of "any content that presents sexuality as an end in itself", or "that promotes a deviation from the identity of gender corresponding to biological sex, sex change, or homosexuality" to people under 18 years. Furthermore, Article 6 of the bill strengthens this prohibition concerning educational institutions, which would be obligated to ensure that no such information is included within their educational programs.

[53] Sphere+ (2021), *Cooperation Against LGBTIQ+ Hate Speech in Political and Public spheres*. An example of misinformation by a politician and local authorities countering action ". Dries Van Langenhove, a former MP aligned with Vlaams Belang, used extra-parliamentary activism to spread misinformation about LGBTIQ+ cultural events, particularly drag performances. His most viral claim accused the city of Bruges of spending €16,000 on a drag queen reading for children – a story later thoroughly debunked by local authorities and fact-checking outlets such as FactCheck. Vlaanderen and Apache".

40. In some countries, new legislation is creating increased constraints for civil society and media sectors, undermining their work and making it more difficult. A recent example is Serbia where a draft law is currently circulating aimed at imposing mandatory registration for non-profit organisations and media outlets receiving more than 50% of their funding from abroad, According to ILGA Europe, such measures rely on sustained administrative pressure while referring to them as "oversight" to make the work of certain organisations unsustainable in the long run.[54]

41. With persistently higher rates of hate crime and hate speech against LGBTI persons, member states have sought to address the phenomenon through improved legal and policy frameworks, especially targeting online hate. But many challenges remain as highlighted in the 2025 review of CM/Rec (2010)5. These include "clearly defining which expressions of hate speech are subject to criminal liability, such as those listed in the Council of Europe Recommendation CM/Rec (2022)16 on Combating hate speech."

4.5. Safe environments

42. Above and beyond LGBTI Pride marches and other visibility events, the question of safety of LGBTI persons in public spaces remains a concern. In its latest survey concerning LGBTI equality, the Fundamental Rights Agency (FRA) found that public spaces are still marked by fear, harassment and violence, especially for transgender and intersex persons. The survey noted that 54% reported avoiding holding hands with a same-sex partner out of fear of attacks, and about 30% avoid certain public locations out of safety concerns. In particular, 55% experienced hate-motivated harassment in the year before the survey, up from 37% in 2019. Harassment most commonly occurs in public spaces and online environments. 14% reported physical or sexual violence in the previous five years (up from 11% in 2019). Many victims experienced repeated attacks, indicating ongoing exposure rather than isolated incidents.[55] Germany in particular saw a 23% rise in harassment and violence reports between 2019 and 2023, with Berlin, which is often seen as a safe haven by the LGBTI community experiencing 588 violent offences in 2023. In that same year, Catalonia in Spain recorded 303 incidents of violence and discrimination toward LGBTI persons, marking a 27.8% increase from the previous year. Verbal aggressions were the most common, representing 25.5% of the reported cases, while physical assaults comprised 23.5%, totalling 71 cases.[56]

43. Data shows that, while violent incidents against LGBTI people are increasing in some areas, the pattern is patchy and may partly reflect greater willingness to report such incidents rather than a uniform rise in violence. LGBTI people often underreport crimes due to distrust or prior negative experiences with law enforcement, while police officers may lack training, awareness, or standardized protocols to respond sensitively to the needs of the LGBTI community. Inconsistent hate crime laws, institutional bias, weak data collection, and intersectional vulnerabilities all further hinder effective protection.[57]

44. All of this underscores the need for more detailed, systematic data collection that captures the reality of anti-LGBTI crimes at all levels of governance and over time, enabling comparisons and a clearer understanding of where and how safety risks are changing, along with the perception of insecurity. Better granularity would support policy responses and targeted prevention efforts, in line with longstanding recommendations on the importance of disaggregated hate crime data collection. This links to the Council of Europe Recommendation CM/Rec (2010)5 on Measures to combat discrimination on grounds of sexual orientation or gender identity, which calls for the collection and analysis of relevant data on the prevalence and nature of discrimination and intolerance on grounds of sexual orientation and gender identity, including hate crimes and hate-motivated incidents.

45. Included in this, more comparative research may be needed about how urbanisation shapes acceptance for LGBTI communities, especially for transgender and intersex persons and how some rural communities might be becoming more accepting. So far, a positive link has been established between the degree of urbanisation of one's living environment and the degree of acceptance for LGBTI

[54] ILGA Europe (2026), *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe and Central Asia – Highlights and Trends*.
[55] FRA (2026), *LGBTIQ at crossroads: progress and challenges*.
[56] Catalan News., "303 cases of LGBT-phobia registered in Catalonia in 2023", 21 July 2024.
[57] ECRI (2023), *General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons*. This covers these different aspects.

people. Interestingly, a recent study in the Netherlands[58] including a very diverse and broad sample of the lesbian, gay and nonbinary population[59] has shown that supportive local governments can close what can be identified as an urban-rural gap in LGBTI acceptance. In other words, there is a potential for municipalities independently of their socio-economic structure or geography to provide strong social and institutional support. However, in a fast-changing political environment where, as mentioned, some European cities report more anti-LGBTI violence, the perception and reality of the relative safety and security of urban and rural areas may be changing. More data is required for a fuller understanding.

4.6. Capacities and resources of NGOs

46. LGBTI NGOs' crucial role in advancing human rights for their community has been widely acknowledged. Despite their importance, these organizations face persistent barriers that limit their effectiveness and sustainability. Overall, funding scarcity is a major constraint, with most NGOs operating on small budgets. In its 2021 report on the state of funding of NGOs in Europe and Central Asia, ILGA reported on their limited access to sustainable funding, with most organisations reporting that available funding does not support their core activities (75.9%) and does not target the populations they serve (73.3%). The prevailing short-term, project-specific grants relying heavily on international donors has been deplored for limiting strategic planning, operational stability and making NGOs vulnerable to shifts in donor priorities. Capacity constraints further compound these challenges: limited staff, reliance on volunteers, and complex donor reporting requirements often reduce efficiency and the ability to engage in sustainable activities.[60]

47. In large cities providing an LGBTI supportive environment, local authority funding may be available, often merged with a broader equality and social support budget or EU project-based funding.

48. Perhaps more fundamentally, lack of political will and resistance remain a major barrier in ensuring a viable path for NGOs to engage politicians in support of LGBTI communities. This was highlighted in a recent survey covering Belgium, Bulgaria, Denmark, France, Hungary and Ireland. In some cases, access to politicians remains difficult or limited. While this may be due to the lack of openness of politicians and public officials to LGBTI issues, the said survey also pointed out that politicians' often lack knowledge of the issues.[61]

5. THE SITUATION IN THE REPUBLIC OF POLAND: VARYING RESPONSES AT DIFFERENT LEVELS OF GOVERNANCE AND IN DIFFERENT REGIONS

49. The Congress study visit to Poland on 27 to 28 January 2026 allowed for an in-depth examination of local and regional authorities' approaches to LGBTI issues in a specific national context and amid shifting national priorities and positions: while earlier rhetoric and policies dominated by government sponsored anti-LGBTI positions shaped public debate, the stated aim of the current government is to bring legislation in line with international human rights standards.

50. Between 2019 and 2023, Poland experienced a period marked by restrictive governmental policies towards LGBTI people. This negative stance was also reflected at local level with the internationally condemned, but locally adopted resolutions on "LGBT free zones" and similarly "Family Rights Charters" which included provisions limiting access to municipal funding and support for the human rights protection for LGBTI persons.[62] These documents were adopted by some 100 local and regional authorities, most of them geographically concentrated in South-East Poland. They were adopted in a concerted effort by supporters of the then ruling government coalition,[63] and were echoed by the then

[58] Hasselt, M., Spierings, N. & Glas, S. (2025), *Where Allies Matter Most: How Urbanization, Formal and Informal Support Shape Experienced Acceptance of Different LGBTQ+ Subcommunities*. Sex Res Soc Policy, Nijmegen, The Netherlands.
[59] Ibid, page 5: the research focused on Gelderland and Overijssel which together represent about 18.6% of the Dutch population with a mix of large and small cities. Besides urban centers, these provinces include extensive rural areas, farming communities, and a significant portion of the Dutch Bible Belt, known for its strong Protestant traditions.
[60] See ILGA (2021), *Funding to Meet Changing Realities LGBTI Organisations on the State of Funding in Europe and Central Asia Survey*.
[61] Sphere+ (2021), *Cooperation Against LGBTIQ+ Hate Speech in Political and Public spheres*
[62] Ploszka, A. (2023). *From human rights to human wrongs. How local government can negatively influence the situation of an individual. The case of Polish LGBT ideology-free zones*, International Journal of Human Rights, *27*(2), 359–379, Warsaw, Poland.
[63] Ciobanu, C., "Ordo Iuris: The Ultra-Conservative Organisation Transforming Poland", 22 June 2021. See the role of the Ordo Iuris Institute for Legal Culture, Polish ultra-Catholic research active in litigating and lobbying ultra-conservative views into the law

official narrative reframing measures taken to promote equality for LGBTI people as “an ideology” to be combatted. The last of these declarations was repealed in 2025.

51. Although not enforceable and largely symbolic, these declarations and charters were noted by the Council of Europe Commissioner for Human Rights as “not mere words”[64]: they have impacted the lives of LGBTI people by stigmatising, excluding and indirectly discriminating against them. Research by Polish civil society also pointed to the serious impact on LGBTI persons’ health from the hostile environment that was then created.[65]

52. This period illustrated the “weaponisation” of LGBTI issues in politics and the intended polarisation around these issues. At the same time, other municipalities in Poland have been mitigating national anti-LGBTI policies and narratives by endorsing positive approaches and policies.

53. These local efforts have taken the form of policy documents that explicitly include LGBTI-related equality issues such as the LGBT+ Charter adopted by the municipality of Warsaw in 2020 (though this Charter is said to have triggered the adoption of the anti-LGBTI resolutions at local level)[66], or initiatives to fight discrimination, including on the basis of sexual orientation and gender identity such as Gdansk’s “Model for Equal Treatment” adopted in 2018. Some cities have established institutional structures aimed at including LGBTI issues as part of the mainstream municipal governance. Such structures include Krakow’s Equal Treatment Council and Wroclaw’s Social Diversity Department with the Equal Treatment Office; these efforts have since been supplemented by the establishment of the Plenipotentiary of the Mayor of Wroclaw for Equal Treatment in April 2023 with responsibility for coordinating equality and anti-discrimination policies in the city.



Congress delegation meeting with the Association of Polish Cities

54. Support for the LGBTI Community has been visible in some cities, notably thanks to the engagement of their mayors. In Krakow, the Mayor issued an open letter affirming the city’s openness to the LGBTI community and denouncing homophobia and other forms of discrimination. The mayors of Poznan, Warsaw and Wroclaw have supported Pride marches, offering their patronage to LGBTI events and/or attending Pride themselves.

55. Local resolutions against LGBTI people (including the so-called “LGBT-free zones”) have now all been withdrawn either due to political pressure from international organisations, particularly the European Union, voluntary withdrawal, or because they were overturned in the courts.[67] The change of government, policies and narrative at the national level has also played a role in this: a change of

not only in Poland but also in Europe. Ordo Iuris lawyers have been behind the LGBI free zone declarations, among other initiatives aimed at curtailing equality laws.

[64] Council of Europe (2020), *Memorandum on the stigmatisation of LGBTI people in Poland*.

[65] The Centre for Research on Prejudice *at the* University of Warsaw in cooperation with Kampania Przeciw Homofobii (KPH) and Lambda Warszawa (2021), The social situation of LGBTA people in Poland.

[66] Warsaw LGBTI Charter (municipal document in Polish):

[67] Human Rights Watch (2025), *Poland Ends ‘LGBT Free’ Zones*.

atmosphere has been welcomed by LGBTI groups who met with the Congress delegation, although there remains some concern that exclusion persists in some localities.

56. As a sign of the changed political times, a QueerMuzeum operated by LGBTI civil society was opened in 2024 in the heart of Warsaw, providing visibility to LGBTI people and their history in the country. This opening was a milestone for the country, given its past and recent hostility to LGBTI persons. Furthermore, the QueerMuzeum also received some initial funding from the Warsaw Municipality to help with the opening. However sustainable funding will be key for the future of the museum.



Congress delegation visit to QueerMuzeum Warsaw

57. Positively, public opinion towards the human rights of gay and lesbian persons has evolved favourably. A recent Polish survey (Centre for Public Opinion Research (CSBO) 2024) shows that a majority of respondents have a more positive stance on LGBTI issues: 43% support "the right to publicly show their way of life", up from 34% three years ago, and the share of those who believe that "they should be able to enter into marriage" has increased by 10 points from 34% to 44%. Support is also increasing on the issue of adoption of children: 23% of the Polish population are in favour compared to 16% three years ago. At the same time, support for transgender issues (such as gender reassignment) is regrettably reported to be in decline.[68]

58. It was also noted during the Congress' study visit that a decline in the overtly anti-LGBTI messaging in public media that marked much of the previous decade was reported by civil society interlocutors, including at the local level, most probably helped by a change in the leadership of the National Media Council which used to be filled by political appointees aligned with the then official governmental anti-LGBTI narrative.[69]

59. The Congress met with representatives of the Ombudsman's office which stated that in 2025 there had been no formal complaints about major problems relating to LGBTI discrimination, including equality marches. This being the case, it could be an indication of a positive trend regarding the treatment of LGBTI persons. However, this may also be explained in that people may not be aware that they may reach out to the Ombudsman's office for support and instead turn their focus to organisations which specifically focus on LGBTI issues. Some civil society organisations and activists expressed that the Ombudsman's office had become less interested in LGBTI matters.

---

[68] CBOS (2024), *Attitudes towards gays and lesbians*; IPSOS (2025), *Survey data*. Opinion poll of CSBO 2024, page 2:. In 2025, in a poll commissioned by the *Dziennik Gazeta Prawna* daily, *CBOS* found that 62.1% of respondents support the introduction of same-sex civil partnerships. See also IPSOS 2025: 42% say that transgender teenagers should be allowed to receive medical care for gender reassignment with parental consent. Meanwhile, 27% believe that the health insurance system should cover the costs of such a procedure. These figures are down 13 and 14 percentage points, respectively.

[69] UN Indepdnent Expert (2025), *Report of the Independent Expert on Protection against Violence and Discrimination based on Sexual Orientation and Gender Identity, Graeme Reid.* See also ILGA Rule of Law Report, Poland.



Congress delegation meeting with representatives of the Ombudsman's office

60. However, obstacles to achieving full equality for LGBTI people remain substantial. According to representatives of LGBTI civil society who met with the Congress delegation, the government commitment to advancing LGBTI equality is still too poorly reflected in national policies: key pieces of legislation on civil partnership, hate crime and hate speech, and gender recognition have been blocked, vetoed by the President, or put on hold, or minimal changes have been proposed, which is causing growing frustration.[70] Meaningful reform in these areas must come from the national government given Poland's centralised system of government.





Congress delegation meeting with LGBTI organisations "Kampania Przeciw Homofobii" and "Miłość Nie Wyklucza"

61. Some interlocutors, and other sources, suggest that the lack of progress on reform stems from fear that this could trigger a political backlash or controversy ahead of the next national elections in 2027. For example, in the field of education some steps have been taken with the introduction of health education (including sexuality education) in schools in 2025/2026.[71] However, enrolment rates have been disappointingly low, especially in secondary schools.[72] The subject was introduced as an optional subject only, hence endorsing a cautious approach by the government. It is unclear whether these classes cover issues such as gender identity and LGBTI topics as these issues are not explicitly included

[70] KPH., "No Changes Here. Two Years of Donal Tusk's Rule". 15 October 2025.
[71] Ministerstwo Edukacji Narodowej., "Edukacja zdrowotna - pierwszy rok wdrażania przedmiotu w szkole", 13 November 2025.
[72] In primary schools, approximately 40% of students attended. That participation dropped to 10% in general secondary schools, it is at 7.8% in technical schools, at 14.4% in vocational schools and at 18.3% in art schools.

in the course description. In practice, many parents have reportedly preferred to have their children opt out. Interlocutors highlighted the need for creating adequate conditions for introducing such reforms: this would involve reaching out to parents, explaining the *raison d'être* of such classes and adequately preparing the teaching staff to deal with the subject. A table outlining the main categories of challenges and possible responses at different levels of governance can be found in Appendix I.

6. APPROACHES AND SCOPE OF ACTION LOCAL AND REGIONAL AUTHORITIES IN UPHOLDING LOCAL HUMAN RIGHTS PROTECTION IN A RESTRICTIVE NATIONAL CONTEXT AND BEYOND

62. Given the trend in some Council of Europe member states towards national legislation and political discourse that curtail the rights to freedom of expression and assembly for LGBTI persons (for further details, see appendix 1), it is essential that a multilevel governance is approached to prevent and reverse this course. In this context, local and regional authorities have often acted as key actors in mitigating the impact of restrictive national legal frameworks and maintaining a minimum level of human rights protection at the local level. Some have gone further with proactive measures to support LGBTI people's rights.

63. Selected examples from across the Council of Europe shows that there are different avenues for subnational authorities to counterbalance hostile national policies and offer spaces of protection and support for LGBTI communities. Local and regional authorities' options for intervention and policy positioning have been categorised below into five core areas: institutional support and legal/administrative resilience, securing funding, visible support, coalition building and, training and public awareness. While these interventions are especially significant during periods of national level restrictions, safeguarding LGBTI human rights is best understood as a continuous process for authorities. While there may be more room for manoeuvre for local authorities to advance or consolidate further protection based on these five pillars if the national political context is more human rights compliant, their capacity to intervene effectively is generally dependent on the constitutional design of the state and the rule of law. (see 6.6 context specificity).

6.1. Institutional support and legal/administrative resilience

64. Municipal or regional level equality departments and programmes have been established across the Council of Europe area with a mandate to pursue equality policies at local level. They also offer a point for consultation and dialogue with civil society including LGBTI organisations and strengthen the role of cities and regions as guarantors of human rights standards.

65. Such structures have proven to be particularly instrumental in keeping an inclusive approach to the LGBTI community while national policies were aimed at excluding them. In the case of Poland, cities like Wroclaw, Poznan, Lodz or Świdnica[73] have engaged with the LGBTI community through their Plenipotentiary for Equal Treatment or similar types of structure, especially important during the recent period of restrictive national policy.

66. While an institutional approach to inclusion may not always be possible, reliance of more informal channels of communication through programme implementation have been maintained in some cases like in Türkiye's largest cities, Istanbul and Ankara, which are run by the opposition. These municipalities have been reported to use civil society consultation meeting or even Equality Plans or Units to include LGBTI in dialogue with municipal authorities.[74] In Hungary, the municipality of Budapest and especially some of its Districts[75] may refer to anti-discrimination programmes[76] and social service departments to maintain co-operation with civil society, including from LGBTI people and groups.

67. While it may be difficult to counter national legislation at local level, the example of the city of Budapest shows how local regulations have been used to uphold freedom of assembly: following the legal ban of the Pride march in Hungary, the Mayor of Budapest relied on the municipality's competence

[73] PES Committee of the Regions., "Świdnica is promoting LGBTIQ rights | Interview with mayor Beata Moskal-Słaniewska", 30 June 2021.
[74] İstanbul Metropolitan Municipality, *Local Equality Action Plan (2021–2024)*. See also within Istanbul municipality, Kadiköy's Social Equality Unit explicitly lists LGBTI+ as a target group for its work.
[75] Budapest District VIII Equal Opportunity Program and Social Services (in Hungarian) and District IX's social service department engagement with NGOs.
[76] Budapest equal opportunities programme (in Hungarian) which includes references to cooperation with civil society.

to organise “municipal events” in order to still hold the Pride 2025. However, the criminal charges currently pressed against the Mayor of Budapest may have a chilling effect on those who would rely similarly on local competences to uphold human rights.

6.2. Securing Funding

68. Securing stable funding becomes particularly challenging when LBGTI communities are under attack, especially as “foreign agent” style regulations have created legal and financial pressures that constrain civil society (see above). There are, however, examples of municipalities managing to commit long term funds for the community: for example, Wroclaw provides publicly co-financed social infrastructure for LGBTI+ people through an integration and support LGBTQ+ centre run by the NGO Kultura Równości.

69. Interviewees in Poland highlighted the importance of stable and coherent funding, warning that project-based funding has an overall weakening effect on civil society. In times of state-sponsored hostility to LGBTI people and organisations, municipalities may have to be creative to avoid negative national scrutiny: while there may be no LGBTI dedicated budgetary lines, cultural or social funds may serve to indirectly support LGBTI related activities as is the case in certain Budapest Districts.[77]

70. As far as Pride events are concerned, some activists in Hungary have warned about what they called a “funding collapse” for organising Pride marches: they referred to the prevailing climate of fear that prevents donors –especially corporate sponsors – to be seen as supporting the Pride March. This makes local sources of financial support from *inter alia* the community and local stakeholders even more important.[78]

6.3 Visible support – symbolic governance

71. Increased discrimination and attacks against LGBTI people in Poland have prompted significant and visible support from local authorities. The ‘LGBT-free zones” resolutions have attracted strong criticism and counter-initiatives, nationally and internationally, with the European Union[79] and several European cities, declaring themselves LGBTI Freedom zones.[80]

72. There have been several examples of visible support displayed by some municipalities at times when the visibility of Pride events was under threat or forbidden by law in Council of Europe member states. In Poland, the patronage of municipalities and the marching of Mayors (for example in Warsaw, Wroclaw or Poznan) together with the community during Pride events has already been underscored. More recently, in Hungary where the Pride has been forbidden by law but authorised at local level (see above), Mayor of Budapest Karácsony led the Pride procession himself, publicly supporting participants despite threats of prosecution from national authorities (see also below). Given the unprecedented attack on freedom of expression and assembly, local support was also reinforced at an international level, with many high-level officials from other European countries marching together with the Budapest Mayor at Budapest Pride. Political support was coupled with the issuance of a joint statement by the embassies of 33 countries supporting the Pride march. A major international Human Rights Conference organised on the margins of Pride also helped to provide a highly visible platform for debate on LGBTI human rights and showed solidarity, with the participation of activists, human rights defenders, policymakers and LGBTI people from across Europe.[81]

73. Such symbolic support by local authorities has been further developed and structured in some cities: for example, a city like in Wroclaw dedicated a municipal zone bringing together the municipality, cultural institutions, higher education institutions and the Municipal Social Welfare Centre to enable direct interaction between public services and LGBTI+ communities.

---

[77] The District VIII Cultural Fund (Kulturális Alap) is an annual grant program designed to support a variety of social, cultural, and community initiatives. Among the grantees are LGBTI community groups and projects focusing on inclusion, visibility, and rights awareness. This mechanism allows LGBTI initiatives to receive municipal support without a separate, politically sensitive budget line, embedded within broader social and cultural funding categories.
[78] Shah A., “Defunding Freedom: The new tendency to restrict rights and empower the far right”, *Society & Politics*, 10 February 2026.
[79] European Parliament (2021), *EU as LGBTIQ Freedom Zone*.
[80] Cities included Strasbourg, Berlin, Brussels, Barcelona, Amsterdam, Milan.
[81] Budapest Pride Conference.

6.4. Coalition building

74. Interviewees in Warsaw have highlighted the importance of the population coming together in resisting the removal of human rights protections for LGBTI persons. They recalled that the violent attack against Pride marchers at the Bialystok Equality March on 20 July 2019 was a pivotal moment in ensuring broad solidarity with the LGBTI community. Above and beyond the shock created by the level of violence displayed during that march, increased discrimination against LGBTQIA+ communities in Poland prompted the creation of the *Coalition of Cities Marching for LGBTQIA Equality* as a network of local groups coordinating activism focused on LGBTQIA+ rights and visibility. The Association of Polish Cities and its Committee on Human Rights and Equality also provided a forum for discussing how to approach LGBTI issues in a human rights compliant way, which proved particularly important when dealing with the previous government's anti-LGBTI policies.

75. Other networks, not only focused on Pride events but also on the prevention of discrimination based on sexual orientation and gender identity (SOGI) exist across the Council of Europe: formal coalitions of rainbow cities are in place in several Council of Europe member states (Germany and the Netherlands for example). Italy, for example, has developed its RE.A.DY network of municipalities committed to combating discrimination based on SOGI.[82]

76. In some contexts, such networks may exist at an informal level. In France for example, municipal engagement is structured through overlapping and semi-institutionalised horizontal collaborations among equality delegations in major cities, coordinated via mayoral associations, NGO partnerships, and Pride-based platforms. At European level, the Rainbow cities network has been expanding over time, regularly welcoming new cities to exchange best practices on LGBTI inclusion, proving guidelines and other resource materials[83] and now counting 60 cities from 22 countries.[84] Participation in other networks, although not LGBTI specific such as the Council of Europe Intercultural Cities programme may also be signalling commitment to equality including for LGBTI persons and inclusive governance.

6.5. Training and Awareness

77. Interviewees in Poland highlighted the importance of building trustful relations between local authorities and the LGBTI community. Local authorities having a designated contact point or structure for equality would be better placed to facilitate effective communication and co-ordination with the civil sector and ensure that the local public administration is sensitive to the needs of the community (see above).

78. Reaching out to the police for LGBTI people and the community was also underscored as most needed but also acknowledged as the most challenging given the history of distrust and the community's experience and/or perception of lack of police protection. As was discussed during the delegation's visit, local authorities may act as the interface between the police and LGBTI NGOs. This is especially important in centralised States where in the absence of independent local police, police forces are fully subordinated to national level authorities. In these circumstances, local authorities may not have the competence to establish liaison officers for LGBTI issues as they may exist in other countries (for example in Germany, Netherlands, Sweden or the United Kingdom) but steps could be taken to create more interaction between police and civil society, for example by supporting and facilitating local level training programmes for the police[85].

79. As seen above, the media may be instrumental in advancing understanding for LGBTI issues or conversely act as a platform that undermines progress and fuels disinformation. Local authorities' role in reversing negative trends may be limited when state-owned media or privately owned media are used as propaganda machines by the national authorities for spreading LGBTI-phobic sentiments. Yet they may be able to counterbalance this by signalling their commitment to equality and LGBTI inclusivity to the public, making media statements or having media coverage of their equality policy, or by supporting training programme for journalists.

[82] RE.A.DY Network (Italy). See for more information on the network bring together municipalities and other partners in 18 regions of Italy.
[83] Rainbow Cities Network, LGBTI policy guidelines for municipalities.
[84] Ibid.
[85] Review of the implementation of Rec/CM (2010)5, page 20 and following for examples of training programmes.

6.6. Context-specificity

80. The support provided to LGBTI communities may be at great variance between regions and cities, with some progressive cities being reported as offering a more LGBTI friendly environment.

81. The impact of local and regional resistance to national pressure to curtail LGBTI people's human rights may face limitations, especially if they lack the autonomy/competence to so. Administrative penalties or suspension of funding may be used by national government in retaliation for local or regional authorities using their own competence and regulations to uphold some endangered protections. This was seen recently in Hungary with the prosecution of the Mayor of Budapest in connection with the Pride m arch in his city in 2025,[86] a move that was condemned by the Congress among other international bodies.[87]

82. The experience of the "LGBT-free zones" resolutions in Poland has also shown the importance of the judicial system upholding human rights, including at the local level. Polish courts as well as then Human Rights Ombudsman played a key role in overturning these resolutions. Together with the pressure of international monitoring, litigation remains crucial to ensuring that local human rights mechanisms uphold the dignity and rights of LGBTI persons. While national human rights institutions or Courts may play a crucial role in upholding human rights law, they may also be influenced by national politics. In some cases, their independence may have been compromised, or attempts have been made to weaken them, as the Venice Commission has been analysing over time in its Opinions.[88] This may further complicate the task of local and regional authorities in their efforts towards LGBTI inclusion.

7. CONCLUSIONS

83. Freedom of expression and assembly are central to LGBTI people's pursuit of inclusion and equality in society and are enshrined in Articles 10 and 11 of the European Convention on Human Rights, respectively. Significant progress has been made in implementing these rights. The statistics gathered from member states as part of the review of Rec/CM (2010)5 in 2025 show that the vast majority of member states have taken measures to enforce these rights in a non-discriminatory manner for LGBTI persons. In this process, international human rights norms and case law help to strengthen these protections and especially guide States to take positive measures to ensure effective protection. Grassroots advocacy and action have played a pivotal role in making this happen.

84. However, adverse trends for LGBTI people's freedom of expression and assembly have emerged in some jurisdictions. There is evidence that this is happening in respect of violence and intimidation directed against LGBTI people, making them feel less safe, including in urban areas previously known as open and tolerant, while some rural areas are becoming safer. More research is required on trends with respect to the protection of LGBTI people's human rights in regional and urban environments as a first step to addressing the problem. Of particular concern is the emergence of remarkably similar national laws criminalising or restricting LGBTI people's human rights in full violation of human rights. This increasingly hostile context for LGBTI people's freedoms and human rights poses a direct challenge when it comes to local or regional efforts to uphold human rights. It places even greater responsibility on local authorities to address the concrete issues faced by LGBTI persons seeking to enjoy their human rights.

85. Local and regional authorities can play a proactive role, leading by example. While ensuring that no discriminatory measures are taken at their level, they can also take deliberate measures to uphold the rights to freedom of expression and assembly for LGBTI people in their communities. This includes maintaining regular and genuine dialogue with LGBTI communities and, subject to the local authorities' competences, guaranteeing access to LGBTI inclusive education, earmarking funding for LGBTI associations and developing their own anti-discrimination policies also on sexual orientation and gender identity grounds while making sure that local public servants and police officers are adequately trained to understand and address the specific needs of LGBTI people, ensuring inclusive policies that can deliver services in a non-discriminatory manner. Beyond these measures, they can publicly reaffirm commitment to equality and non-discrimination. In doing so, they can help create an enabling

[86] Human Rights Watch (2026), Budapest mayor case.
[87] Congress of Local and Regional Authorities of the Council of Europe (2026), Statement on Budapest Mayor.
[88] Venice Commission (2025), *The Updated Rule of Law Checklist*.

environment in which the freedom of expression and assembly of LGBTI persons may be better preserved.

86. In this context, local authorities may face significant pressure from national governments pursuing anti-LGBTI policies. Anchoring local action in international human rights standards can provide an important source of legitimacy and support in such strained institutional environments. In this regard, sustained international monitoring and continued external scrutiny remain essential to reinforcing and safeguarding these local efforts.

APPENDIX I - TABLE OUTLINING CATEGORIES OF CHALLENGES PRESENTED ABOVE AND EXAMPLES OF RESPONSES AT DIFFERENT LEVELS OF GOVERNANCE

Freedom of expression	**International standards (focus on ECHR)**	**National competence** **Examples of concern and positive legislation and practice**	**Regional competence** **Examples of concern and positive regulations and practice**	**Local competence** **Examples of concern and positive regulations and practice**
Education system	**Positive obligation to promote tolerance** Education must be objective, critical, and pluralistic (ECHR) No ECHR obligation for States to provide sexuality content education but principle of **non-discrimination** applies European Social Charter: objective, scientifically grounded sexual and reproductive health education as part of quality education Fear of hostile reaction, public morals or protection of minors not a justification for excluding or limiting LGBTI inclusive education activities (see inter alia *Bayev and Others v. Russia)* Parental rights are not unlimited Protection form school bullying also in digital school spaces (see Beizaras and Levickas v. Lithuania)	In certain countries, legal restriction on sexuality education programmes provided by schools Examples: Georgia, Hungary, Bulgaria (plans) – so-called anti-propaganda laws In practice: 23 member States provide some form of comprehensive sexuality education, only three (Cyprus, Germany and Luxembourg) "mandate it to be comprehensive of at least some SOGIESC issues" (see Rec CM (2010) 5 review report 2025) Existence of anti-discrimination training or support in teaching aids (exist in 6 member States at national level– (see Rec CM (2010) 5 review report 2025)	Regional government's competence on educational curricula in certain countries Existence of partnership with civil society: Positive examples Germany – certain Länder have more inclusive education: North Rhine-Westphalia (sexual identity or sexual orientation in their state guidelines for sex education) Berlin: introduce sexual diversity in the primary curriculum. Baden-Württemberg authorities have developed an education plan including recognition of all sexual orientations. Existence of anti-discrimination training or support in teaching aids at regional level (or school level) in 19 member states (see Rec CM (2010) 5 latest review) Past example Poland: 80 municipalities and regions adopted anti-LGBTI resolutions or "family charters resolutions rejecting discussion or support of local stakeholders discussing LGBTI issues	Local government's competence – financing role, understanding/assessing LGBTI needs, equal access Past example Poland: municipal resolutions rejecting discussion or support of local stakeholders discussing LGBTI issues

Freedom of expression	**International standards (focus on ECHR)**	**National competence** **Examples of concern and positive legislation and practice**	**Regional competence** **Examples of concern and positive regulations and practice**	**Local competence** **Examples of concern and positive regulations and practice**
Media (TV, press, and digital media)	Pluralism – role of media in debating LGBTI issues and LGBTI visibility (restrictions violate freedom of expression) Hate speech in the media, including on-line hate speech can be regulated	Censorship laws (anti-LGBTI propaganda laws) Funding and state advertising favouring pro-government outlets with anti-LGBTI narratives (for example Hungary) Reforms of broadcaster with increased political control over appointments – concerns for independence and coverage of LGBTI issues (Slovakia) Inspection/intimidation of journalists – Police raids (see also transversal issue – creating a hostile environment) Journalists reporting on LGBTI are “foreign agents” **Positive examples: Sweden Norway or the NL public broadcasters include LBGTI inclusive programming**	Regional public broadcasters May be part of national network like in Poland Ownership of regional newspapers (ownership by large media groups that also have stakes in national media outlets like in Poland) Financing – Regional subsidies or lack thereof for LGBTI content programmes) – advertising On-line platforms under regional authorities’ responsibility	Local public broadcasters Ownership of local newspapers Financing – Local subsidies for media – Advertising issue On-line public platforms under local authorities’ responsibility
Pride and other LGBTI events	Non-discrimination Prohibition of disproportionate and unjustified restrictions Obligation to ensure safety (policing)	Legal prohibition of pride and other LGBTI events including in some states criminal sanction for organising such events Examples – see Mayor of Budapest and LGBTI activist organising the Pecs Pride under criminal investigation for organising an assembly that national authorities had banned		Regulation of the **use of public space** notification of assembly, disproportionate /abusive or additional requirements. (safety measures, delays and restriction on places to march which may affect visibility)

Freedom of expression	**International standards (focus on ECHR)**	**National competence** **Examples of concern and positive legislation and practice**	**Regional competence** **Examples of concern and positive regulations and practice**	**Local competence** **Examples of concern and positive regulations and practice**
Registration of NGOs	Non-discrimination (denial of registration based on moral objections, family values are no justification) Independent judicial review in case of registration denied Indirect interference (hostility by public authorities – see transversal issue).	Usually, a national competence	-	Register associations if national law assigns them that task or negative opinion if asked by national authorities Obstructing practical requirement for registration Allocate or deny public funding or facilities
Policing and protection of LGBTI people's visibility in public spaces	Protect public order and safety (Preventing violence from counter-demonstrations – see Identoba v. Georgia) Use of force – action must be proportional and minimal to avoid disruption	Adequate legislation protecting the right of assembly, non-discrimination Practice: trained police, deployment of sufficient law enforcement resources, prosecute violence against LGBTI participants Examples of concern: Using facial recognition in organised events (ex: Hungarian legislation 2025) Lack of prosecution of police officers using repressive force for pride or LGBTI other events Harassment of LGBTI activists	In decentralised States, regional or local police forces are primarily responsible for policing events such as Pride Marches National authorities may be involved depending on scale of event (in co-ordination with regional and local authorities) Examples in Belgium, Germany, Italy, Spain, Switzerland	In decentralised States, regional or local police forces are primarily responsible for policing events such as Pride Marches National authorities may be involved depending on scale of event (in co-ordination with regional and local authorities)

TRANSVERSAL ISSUES **Environment for LGBTI persons** **Action or (lack thereof) having a chilling effect for both freedom of expression and association**	Protection from hate speech or degrading anti-LGBTI hate speech Policy to explicitly and adequately protect LGBTI defenders (Rec CM (2010) 5) Public officials and other state representatives should be encouraged to promote tolerance for LGBTI person (Rec CM (2010)5)	Examples of concern Hate speech and lack of adequate response Use of criminal investigation against LGBTI activists (SLAPPs - Strategic Lawsuits against Public Participation) and more generally intimidation of LGBTI defenders through the justice system also, financial pressure – foreign agent law type of legislation (see CoE HR Commissioner comment 2021) Numerous examples of hostile and stigmatizing rhetoric against LGBTI people by political and religious figures Limited progress on public authorities' responsibility regarding their statement but two **positive examples:** **including disciplinary measures such as in Albania or the possibility for the removal of immunity such as in Lithuania** (see Rec CM (2010) 5 review report 2025)	Selective lawsuits on LGBTI activists by Regional Courts (for ex – Poland)	Positive examples: Communication/engagement with LGBTI community **Positive examples: Communication/engagement with LGBTI community Amsterdam (education, campaign), Madrid (public add and posters), Oslo (prevention of LGBTI violence), Lisbon (social media campaign)**

APPENDIX II - PROGRAMME OF THE STUDY VISIT (27-28 JANUARY 2026)

STUDY VISIT TO POLAND OF THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE

IN THE FRAMEWORK OF THE REPORT ON

"Free to speak, free to meet: guaranteeing the rights of LGBTI persons in local communities"

27 to 28 January 2026

PROGRAMME

CONGRESS DELEGATION

Rapporteurs: [89]

Ms Gudrun MOSLER-TÖRNSTRÖM	Congress Standing Rapporteur on Human Rights (L, SOC/G/PD), Austria
Ms Helen BELCHER	Rapporteur (R, ILDG) Member of the Congress Social Inclusion Committee, United-Kingdom

Council of Europe Secretariat:

Mr Euan RODDIN	Head of the Statutory Activities Division of the Congress
Mr Flamur HAMIDI	Co-Secretary to the Social Inclusion Committee

Expert:

Ms Stéphanie CRAMER MARSAL	Independent researcher, Human and Minority Rights and Democracy, Netherlands

Interpreters:

Mr Rafal ROGOWSKI	Interpreter, Warsaw
Ms Dagmara WROBEL	Interpreter, Warsaw

[89] EPP/CCE: European People's Party Group in the Congress
SOC/G/PD: Socialist Group
ILDG: Independent and Liberal Democrat Group
ECR: European Conservatives and Reformists Group
PPE: Patriots for Europe Group
NR: Members not belonging to a political group of the Congress

Tuesday, 27 January 2026
Warsaw

10:00 – 12:00	**Meeting with the ASSOCIATION OF POLISH CITIES**
14:00 – 15:00	**Meeting with the Office of the Commissioner for Human Rights**
16:00 – 17:00	**Meeting with KAMPANIA PRZECIW HOMOFOBII**

Wednesday, 28 January 2026
Warsaw

09:30 – 10:30	**Meeting with the Council of Europe liaison office**
11:00 – 12:20	**Visit and guided tour of the QUEERMUZEUM**
15:00 – 16:00	**Meeting with STOWARZYSZENIE MILOŚĆ NIE WYKLUCZA**
16:30 – 17:30	**Meeting with the Department for equal treatment in the Prime Minister's office**