

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 370 (2015)¹ Guaranteeing lesbian, gay, bisexual and transgender (LGBT) people's rights: a responsibility for Europe's towns and regions

1. All human beings are born free and equal in dignity and rights. Sexual orientation and gender identity are recognised as prohibited grounds for discrimination. However, in spite of the numerous international texts on human rights standards, lesbian, gay, bisexual and transgender (LGBT) people face deeply rooted prejudices, hostility and widespread discrimination all over Europe.²

2. Neither values (cultural, traditional or religious), nor the rules of a “dominant culture” can be invoked to justify hate speech or any other form of discrimination, including on grounds of sexual orientation or gender identity. Criminalisation, social exclusion, violence and marginalisation of LGBT persons are widespread and must be halted.³

3. Protecting and promoting human rights is a responsibility shared by all the different tiers of authority. National governments however have an important role to play in introducing legislation that combats discrimination, promotes a positive change in culture and attitudes and addresses the causes of inequality, thus leading to a fairer and more cohesive society.

4. Congress report CG(26)5FINAL on best practices of implementation of human rights at local and regional level

in member States of the Council of Europe and other countries underlines that human rights protection can be more effective through multilevel co-operation between central government agencies, local and regional authorities, specialised agencies and non-governmental organisations.

5. Bearing in mind the above, the Congress of Local and Regional Authorities of the Council of Europe recommends that the Committee of Ministers invite member States to:

a. co-operate with local and regional authorities, specialised agencies, LGBT advocacy groups and non-governmental organisations to ensure that legislation fully respects LGBT people's human rights and that legislative provisions at all levels are complementary and comprehensive;

b. implement the different Council of Europe texts promoting respect for LGBT people's rights, in particular the Committee of Ministers Recommendation CM/Rec(2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity, Resolutions 1728 (2010) on discrimination on the basis of sexual orientation and gender identity and 1948 (2013) on tackling discrimination on the grounds of sexual orientation and gender identity of the Parliamentary Assembly, and the recommendations of the Commissioner for Human Rights in the publication *Discrimination on grounds of sexual orientation and gender identity in Europe*.⁴

1. Debated and adopted by the Congress on 25 March 2015, 2nd Sitting (see Document CG/2015(28)9FINAL, explanatory memorandum), rapporteur: Yoomi Renström, Sweden (R, SOC).

2. Resolution 1728 (2010) of the Parliamentary Assembly on discrimination on the basis of sexual orientation and gender identity.

3. Committee of Ministers Recommendation CM/Rec(2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity.

4. *Discrimination on grounds of sexual orientation and gender identity in Europe*, Commissioner for Human Rights, Council of Europe Publishing, September 2011.