

Strasbourg, 9 March 2022

Observations of the Steering Committee on Anti-Discrimination, Diversity and Inclusion on Parliamentary Assembly Recommendation 2220 (2022) on “Combating rising hate against LGBTI people in Europe”

1. The Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) takes note with interest of the adoption of Parliamentary Assembly Recommendation **2220 (2022) on “Combating rising hate against LGBTI people in Europe”**; it welcomes the attention given to that topic and the support for the periodical review process regarding the implementation of 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.
2. Regarding paragraph 3.2 of the Recommendation, the CDADI recalls with appreciation that its capacities have been strengthened under the new programme and budget of the Council of Europe, in particular through the provision in its terms of reference for a working group on sexual orientation and gender identity and the allocation of two additional posts to the CDADI secretariat.
3. In the area of standard setting on hate speech and hate crime, also mentioned in paragraph 3.2 of the Recommendation, the CDADI completed in December 2021, along with the Steering Committee on Media and Information Society (CDMSI), a draft Recommendation of the Committee of Ministers to member States on combating hate speech, which is now ready for discussion and possible adoption by the Committee of Ministers. In February 2022, the new Committee of Experts on Hate Crime (PC/ADI-CH) held its first meeting, during which it prepared the preliminary outline of a draft Committee of Minister’s Recommendation on combating hate crime.
4. Regarding paragraph 3.3 of the Recommendation, in its new terms of reference, the Committee of Ministers tasked the CDADI to undertake an annual thematic review of Recommendation CM/Rec(2010)5, to prepare a comprehensive review of the implementation of this recommendation by 2025, and to prepare a draft Recommendation on the equality of rights of intersex persons by 2025. A first draft thematic review on legal gender recognition was presented to the CDADI for discussion and adoption during its 5th meeting in March 2022. Reflections on the need for a subcommittee on sexual orientation and gender identity for the biennium 2024-2025 will continue under the framework of the mid-term review of the programme and budget.
5. The CDADI furthermore recalls that the Council of Europe is implementing a range of cooperation programmes to support member States in combatting discrimination, hate speech and hate crime, notably those on grounds of sexual orientation and gender identity. Member States are strongly encouraged to take part in these programmes on a voluntary basis and to continue providing support to them.