

CommHR(2023)16

IDAHOT Forum 2023

Speech by Dunja Mijatović

Council of Europe Commissioner for Human Rights

Strasbourg, 21 April 2023

Dear Ministers and state representatives, dear activists, dear friends,

Each year, the IDAHOT forum is an important opportunity to take stock of progress and challenges in ensuring the respect of LGBTI people's human rights in Europe.

All of you who are gathered in Reykjavik share a common objective: ensuring that LGBTI people are fully included in our societies, that they can live their lives freely and safely, and be treated as equal citizens.

This too has driven my work, over the past five years of my mandate.

Using all the tools at my disposal as your Commissioner for Human Rights, I have called on member states to take legal and policy measures so that LGBTI people can enjoy their rights. I called for respect of freedom of expression and assembly, non-discrimination, the protection of family life, legal gender recognition, and more. I have regularly met with LGBTI human rights defenders and published a report on how to better protect and support them -- they are the driving force behind the progress achieved.

I have also spoken up about the worrying rise in intolerance towards LGBTI people in Europe, and the growing influence of anti-gender movements. I have condemned the shameful manipulation of LGBTI issues by politicians for political gain.

In the current context, we often find ourselves forced to focus on preventing the roll-back of existing human rights guarantees for LGBTI people.

But let's remember that Council of Europe member states still have the responsibility to ensure FULL respect for the human rights of LGBTI people – and this sometimes implies moving the agenda forward, tackling new issues.

One area in which Council of Europe member states can spearhead the worldwide movement for the equality of LGBTI people is the elimination of so-called "conversion therapies". This is an issue about which I recently published an article setting out several recommendations.

Conversion practices purport to cure or change sexual orientation and gender identity – but being LGBTI is not something that can -- or needs – to be “cured”.

What is complex about tackling this phenomenon is that conversion practices can take many forms and be conducted by a range of persons in different settings. But what is clear is that these practices violate human rights and cause devastating mental, physical and psychological harm on the victims.

I am encouraged to observe an increased awareness of conversion practices in our region and a recent impetus toward confronting them.

Malta, Germany, France, Greece, and Spain have banned conversion practises and several other member states are actively considering similar measures, including Belgium, Cyprus, Finland, Ireland, the Netherlands, Norway, Portugal, Switzerland and the UK.

My message is that a comprehensive and human rights-based approach is required if we want to truly end conversion practices.

Legal bans are a good first step because they send the right message to society that conversion practices are unacceptable, and they make accountability possible. Such bans must be precise, enforceable, and of course respect human rights – for example regarding lawful freedom of expression. They must cover practices targeting sexual orientation, as well as gender identity and expression.

But, in my view, legal bans alone will not be enough. It is essential to include victims in the formulation of laws and policies countering conversion practices, and to ensure that they have access to psychosocial support, rehabilitation, justice, and reparations.

More generally, steps must be taken to raise awareness about the harm caused by conversion practices, including through information campaigns, comprehensive sexuality education and the training of medical practitioners.

As we prepare to mark the International Day against LGBTI-phobia in a few days, we should remember this: without deeply rooted hatred and stereotypes in our societies, there would be no pressure for LGBTI people to try and change to conform to perceived dominant norms.

We should continue to work daily for equality and acceptance of LGBTI people.

As reflected in the theme of this year’s IDAHOBIT, it is when we are united and celebrate the rich diversity of humanity that everyone is protected.

Thank you for your attention and I wish you a successful IDAHOT forum.