

WORKING FOR BETTER LGBT RIGHTS

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Check against delivery!

Ladies and Gentlemen,

'There are no fags in my classroom; we are not going to talk about this.'

Not my words, but the words of a high-school teacher, that emerged from our research at the European Union Agency for Fundamental Rights looking into LGBT awareness in schools which confirmed what we just heard.

So, let me ask you, what is the state of health of fundamental rights in Europe today? Particularly, in relation to the lesbian, gay, bisexual and transgender community? Well, for a proper diagnosis, we need facts. For an effective remedy, we need recommendations. And for a long-term cure, we need follow-up.

Thankfully, being here, alongside the Council of Europe Commissioner's at the launch of his report on homophobia, I can say we *are* collecting the facts and we are doing so thanks to our extremely effective cooperation between the Council of Europe and the Fundamental Rights Agency, as well as other partners. In turn, we were very happy that our findings and opinions helped shape the Council of Europe's 2010 recommendation and this report today. As for follow-up, the Agency will make great use of the recommendation in our forthcoming reports and surveys, which will lead to even further advice and guidance to the EU and its Member States.

In this, as well as in many of our other collaborations between the Agency and the Council of Europe, we are like a mountaineering team. We take turns in taking the lead— and only together can we get to the top.

At the FRA we have specialists in data collection, analysis and surveys looking at the EU context. They collaborate with specialists at the Council of Europe who have tremendous human rights expertise and knowledge amassed over many years looking at the wider European picture across 47 countries. The result? Now, thanks to the Council of Europe, we have a more comprehensive picture of the LGBT situation in an additional 20 European countries, measured in some countries for the very first time.

So what does this picture tell us?

Our research from 2008 to 2010 identified three underlying problems faced by the LGBT community:

1. many are forced to live in silence and invisibility;
2. many suffer violent attacks; and
3. many are not treated equally, for example at work, by landlords or when moving around the EU.

Our work also revealed some **important legal trends**, which we could assess through our initial publication in 2008 and then the 2010 update. For example:

- In the EU, most of the positive developments were in the area of equality in free movement and family reunification, thanks to changes in the legal definition of ‘family member’ in seven EU Member States.
- **Prohibiting discrimination** on the grounds of sexual orientation was also extended in two Member States, and two more equality bodies now also cover sexual orientation as part of their mandate.
- There was also some bad news: Five countries went backwards by, for example, explicitly not recognising same-sex marriage as family.
- This two-speed Europe creates an **uneven landscape**, where LGBT people are constantly uncertain what lies over the horizon.

If you want to know more, we now have a summary of these findings, challenges and promising practices in all EU languages plus Croatian.

Ladies and Gentlemen,

This work and the findings of today's Council of Europe report are what we need, to **bring about change**. Change in policies, change in attitudes, change in lives. Such findings expand our knowledge base and highlight where more work is needed. Such data is crucial for experts to formulate advice, for policy makers to shape laws, and for decision makers, nationally and locally, to make a difference on the ground.

Our report of last year has provided the framework for **EU institutions to act**. The European Parliament has used our findings to press for change. I am sure that this new report will be used in the same way. The European Commission will use our work to improve LGBT rights in its review of its policies. And national governments are being asked, for example, to use more respectful methods when testing LGBT asylum seekers. In addition, promising local practices are emerging: In one Member State an agreement between a LGBT association and the local police will ensure homophobic aggression is tackled immediately.

In September, together with the Council of Europe, we will host a **roundtable**, to openly discuss these reports with stakeholders. By such direct engagement we create an opportunity to listen to concerns and raise awareness of the findings.

But this in itself is not enough. We must continue to collect the data and assess the situation on the ground.

Therefore the agency will conduct a survey into the actual experiences of **discrimination and hate crime** of LGBT people across Europe. We will launch this online survey in early 2012, and we would greatly appreciate your support in raising awareness about the survey and encouraging the LGBT community to participate when it is launched.

We will **also survey public authorities and law enforcement officers** to better assess the level of assistance and support on offer to LGBT victims and witnesses. And – with a clearer picture of what the experiences of LGBT people are, and of what help they can get from public authorities – we will continue in 2013 with the development of indicators to measure progress.

The results from these surveys will feed policies at EU, national and local levels. They will assist those who are using the Council of Europe recommendation to gauge the true situation on the ground and to act. They will show the LGBT community that their voice is being heard, that action is being taken and that we are working to make their fundamental rights a reality. So next time, LGBT school children need not fear intimidation, harassment or discrimination, but just be like any other pupil.

Thank you for your attention.