

The Hague, 15 May 2024: Joint ministerial declaration on the occasion of the International Day Against Homophobia, Lesbophobia, Biphobia, Transphobia and Intersexphobia

European IDAHOT+ Forum 2024 - *The Future of Freedom and Equality in Europe*

Seventy-five years ago, European countries made a common commitment to protect the fundamental freedoms of future generations. To do so, they established a framework to protect human rights, democracy and the rule of law: the Council of Europe. This week we mark that anniversary, in the knowledge that the need for European societies to uphold these values is greater than ever.

This week also marks the anniversary of the World Health Organization's decision thirty-four years ago to stop classifying homosexuality as a mental disorder. The date of that decision, 17 May, is now commemorated as the International Day Against Homophobia, Lesbophobia, Biphobia, Transphobia and Intersexphobia. The day celebrates diversity, but also serves to remind us that many lesbian, gay, bisexual, transgender and intersex persons, as well as non-binary and other queer persons, continue to face violence, discrimination and exclusion.¹

On these two coinciding, major anniversaries, the signatory European governments at the 2024 European IDAHOT+ Forum in The Hague *renew* their firm commitment to ensuring equality and respect for the human rights and dignity of every member of our societies. We are firmly resolved to combat the discrimination, violence and hatred faced by LGBTIQ+ persons in Europe and beyond, both in physical spaces and in the digital realm.

We *acknowledge* that Europe's strength lies in its diversity, and that we must strive to build a future in which all persons can freely enjoy their human rights and actively participate in all areas of life, regardless of their sexual orientation, gender identity, gender expression or sex characteristics.

We *emphasise* that full participation in society by all persons benefits Europe as a whole. As the European Court of Human Rights has affirmed, making the acceptance of human rights conditional on majority approval is incompatible with the values underlying the European Convention on Human Rights.

We are *deeply concerned* by the disinformation about, stigmatisation of and prejudice and hatred against LGBTIQ+ persons that continue to pervade our societies. While freedom of expression remains one of our foremost liberties and a core democratic value, we must continue to counter incitement to hatred or violence. We recognise that intolerance of and discrimination against LGBTIQ+ persons are often accompanied by multiple and intersecting forms of discrimination, which affect private and family life, access to education, employment, housing, healthcare and societal and political participation. They may also lead to physical and psychological violence and self-harm.

We bear in mind that governments do not exist in isolation, and that our political mandate stems from the societies which we serve. We therefore *recognise* that governments can only protect human rights, democracy and the rule of law by supporting and cooperating with civil society actors, courts, equality bodies, human rights defenders, independent media and, in particular, all those citizens who work actively on a daily basis to make Europe a safer, more prosperous and more resilient continent.

Over the past seventy-five years, the Council of Europe has shown strong leadership in developing human rights standards. We *welcome and applaud* the creation of the Committee of Experts on Sexual Orientation, Gender Identity and Expression and Sex Characteristics to further enhance the protection of the human rights of LGBTIQ+ persons in Council of Europe member states. We pay *tribute* to the pioneering role of the European Court of Human Rights and its jurisprudence in safeguarding the human rights of LGBTIQ+ persons, which has been and continues to be crucial in this regard. We *also welcome* the growing cooperation between the Council of Europe and the EU institutions.

¹ The acronym "LGBTIQ+" is used to encompass a range of sexualities and gender identities and stands for "Lesbian, Gay, Bisexual, Transgender, Intersex and Queer". The + acknowledges those sexualities and gender identities that are not explicitly mentioned. Other variations of this acronym exist in national contexts and can be used interchangeably. Similarly, the IDAHOT+ Day is also known as IDAHOBIT.

We, the signatory European governments at the 2024 European IDAHOT+ Forum in The Hague, therefore:

1. *Welcome* the mandate conferred by the UN Human Rights Council on the UN Independent Expert on sexual orientation and gender identity, and *take up the call* for the universal decriminalisation of consensual same-sex conduct.
2. *Call* for a continued commitment by the Council of Europe and its Committee of Ministers to protect the human rights of LGBTIQ+ persons and to advance LGBTIQ+ equality across Europe, including by adopting an ambitious Council of Europe Strategy for the Equality of Rights of LGBTI Persons (2027-2032).
3. *Call* on member states to continue to advance LGBTIQ+ equality within all relevant international fora in which they are members, and encourage close collaboration and coordination of these institutions with the Council of Europe's work on advancing LGBTIQ+ equality, for instance:
 - within the European Union, through continued support for the work of the EU Commissioner for Equality and the implementation and renewal of the EU LGBTIQ Equality Strategy;
 - within the human rights bodies of the United Nations.
4. *Call on* regional human rights institutions and multilateral organisations to exchange, synergise and cooperate with each other and actively engage with local, regional and national authorities.

And we, the signatory European governments, furthermore:

5. *Commit to* a strong, united response to the growing pushback against the full enjoyment of human rights and fundamental freedoms of LGBTIQ+ persons within Europe and *commit* to further developing and implementing human rights standards and inclusive policies that address multiple, and intersecting challenges for LGBTIQ+ persons.
6. *Commit to* continued support to the European institutions working to protect and advance human rights and equality, including the Council of Europe, the European Court of Human Rights, the EU Agency for Fundamental Rights and the European Institute for Gender Equality; and *commit* to engaging with the European Commission on a future renewal of the EU LGBTIQ Equality Strategy.
7. *Commit to* supporting and cooperating with civil society actors, including non-governmental organisations, equality bodies and agencies and ombudspersons, and *providing* them with appropriate support to be able to carry out their valuable work.
8. *Commit to* protecting free and unhindered access to age-appropriate factual information on gender and sexuality, digitally and in print, for all European citizens, regardless of their sexual orientation, gender identity, gender expression or sex characteristics.
9. *Commit to* protecting the free expression of thought and opinion in media, literature and various forms of artistic expression, and *commit* to ensuring access to such expression for all European citizens, regardless of their sexual orientation, gender identity, gender expression or sex characteristics.
10. *Commit and express our collective aspiration to* shape the Europe of the future as a diverse continent where all individuals are free to enjoy human rights and fully able to participate in all spheres of life.

Signing this declaration is open to all member states wishing to do so. The list of states supporting this declaration may be extended over time.

Signed:

The Netherlands