Resolution on homophobia in Europe

2005/2666(RSP) - 18/01/2006 - Text adopted by Parliament, topical subjects

The European Parliament adopted a resolution condemning homophobia in Europe. Parliament drew attention toa series of worrying events, which had recently taken place in a number of Member States. These range from banning gay pride or equality marches to the use by leading politicians and religious leaders of inflammatory language or hate speech, failure by police to provide adequate protection or even breaking up peaceful demonstrations, violent demonstrations by homophobic groups, and the introduction of changes to constitutions explicitly to prohibit same-sex unions.

Parliament strongly condemned any discrimination on the basis of sexual orientation, and called on Member States to ensure that lesbian, gay, bisexual and transgender (LGBT) people are protected from homophobic hate speech and violence and ensure that same-sex partners enjoy the same respect, dignity and protection as the rest of society. Member States and the Commission were urged to condemn homophobic hate speech or incitement to hatred and violence, and to ensure that freedom of demonstration – guaranteed by all human rights treaties - is respected in practice.

The Commission must ensure that discrimination on the basis of sexual orientation is prohibited, by completing the anti-discrimination package based on Article 13 of the Treaty either by proposing new directives or by proposing a general framework covering all grounds of discrimination and all sectors. Furthermore, Member States and the Commission must step up the fight against homophobia through education, such as campaigns against homophobia in schools, in universities and in the media, as well as through administrative, judicial and legislative means.

Parliament reiterated its position in relation to the proposal for a decision on the European Year of Equal Opportunities for All that the Commission must ensure that all forms of discrimination referred to in Article 13 of the Treaty and in Article 2 of the proposal are addressed and dealt with equally. The Commission was reminded of its promise to monitor closely this matter and to report to Parliament.

Parliament also asked the Commission to ensure that all Member States have transposed and are correctly implementing Directive 2000/78/EC and to start infringement proceedings against those Member States that fail to do so. In addition, it called on the Commission to ensure that the annual report on the protection of fundamental rights in the EU includes full and comprehensive information on the incidence of homophobic hate crimes and violence in Member States.

Parliament went on to urge the Commission to come up with a proposal for a directive on protection against discrimination on the basis of all the grounds mentioned in Article 13 of the Treaty, having the same scope as Directive 2000/43/EC. The Commission should also consider the use of criminal penalties in cases of violation of directives based on Article 13 of the Treaty.

Member States should enact legislation to end discrimination faced by same-sex partners in the areas of inheritance, property arrangements, tenancies, pensions, tax, social security etc. Parliament welcomed recent steps taken in several Member States to improve the position of LGBT people and resolves to organise a seminar for the exchange of good practice on 17 May 2006 (International Day against Homophobia). It reiterated its request that the Commission put forward proposals guaranteeing freedom of movement for Union citizens and their family members and registered partners of either gender, as referred to in Parliament's recommendation of 14 October 2004 on the future of the area of freedom, security and justice.

Finally, Parliament called on the Member States concerned finally to accord full recognition to homosexuals as targets and victims of the Nazi regime.