Resolution on homophobia in Europe

2007/2543(RSP) - 26/04/2007 - Text adopted by Parliament, topical subjects

The European Parliament has adopted a joint resolution on homophobia in Europe in which it affirms that the EU institutions and Member States have a duty to ensure that the human rights of people living in Europe are respected, protected and promoted, as provided for by the ECHR, the Charter of Fundamental Rights of the European Union, Article 6 of the TEU, Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Council Directive 2000/78/EC.

It reiterates its request to the Commission to ensure that discrimination on the basis of sexual orientation in all sectors is prohibited by completing the anti-discrimination package based on Article 13 of the EC Treaty. It calls for a worldwide decriminalisation of homosexuality and urges the Commission to speed up the review of implementation of the anti-discrimination directives and to institute proceedings against Member States in the event of violations of their obligations under Community law.

The Parliament states that it will mark International Day against Homophobia on 17 May each year.

Member States are reminded that, in accordance with the case law of the European Court of Human Rights, the right to freedom of assembly may be exercised even when the views of those exercising that right challenge the views of the majority and that, in consequence, discriminatory bans of pride marches, as well as the failure to provide proper protection to those taking part in them, contravene the principles protected by the ECHR. All competent authorities, including local authorities, are invited to authorise such marches and protect participants adequately.

It condemns the discriminatory remarks by political and religious leaders targeting homosexuals, since they fuel hate and violence even if later withdrawn, and asks the respective organisations" hierarchies to condemn them.

The Parliament reiterates its invitation to all Member States to propose legislation to overcome the discrimination experienced by same-sex couples, and asks the Commission to make proposals to ensure that the mutual recognition principle is applied in this field also, in order to ensure the freedom of movement for all persons in the EU without discrimination.

The competent Polish authorities are urged to refrain from proposing or adopting legislation as described by the Polish Deputy Prime Minister and Minister for Education or from implementing intimidating measures against the gay community. The Parliament calls on the competent Polish authorities publicly to condemn and take measures against declarations by public leaders inciting discrimination and hatred based on sexual orientation; believes that any other behaviour would constitute a violation of Article 6 of the TEU. It requests the Polish authorities to facilitate the implementation of the Year of Equal Opportunities 2007, and requests the Commission to monitor the implementation of the Year, in particular the clause whereby funding is conditional on ensuring that all grounds for discrimination are addressed equally in the national programmes.

Lastly, the Conference of Presidents to authorise the sending of a delegation to Poland on a fact-finding mission, with a view to obtaining a clear picture of the situation and entering into dialogue with all the parties concerned.