



## The LGBT Toolkit

In June 2010, the Council's Working Party on Human Rights adopted the '[Toolkit to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual and transgender \(LGBT\) people](#)'. The aim is to assist representatives of EU institutions working on external policy to deal proactively with violations of human rights of LGBT people.

### A vulnerable group

Discrimination against LGBT people is still commonplace in many parts of the world and in some countries crimes against them, such as 'honour killings', are largely met with impunity.

Whereas the [EU Charter of Fundamental Rights](#) prohibits discrimination on the basis of sexual orientation, there is no worldwide recognition of such a ground for discrimination. Nor is there for gender identity, which is crucial for transgender people.

Homosexual relations are criminalised in 76 countries. In many they are punishable by imprisonment, and in five – by death. A so-called 'Bahati bill' in Uganda has sought to introduce lengthy imprisonments for homosexuals, and the death penalty in case of 'aggravated homosexuality'.

### Human rights in EU external policy

The promotion of human rights is an essential element of EU external policy. This is illustrated by the series of EU guidelines elaborated by the Council, including those on [Human Rights and International Humanitarian Law](#), and [Human-Rights Defenders](#).

The EU also supported the 2008 UN General Assembly [Statement on Human Rights, Sexual Orientation and Gender Identity](#), the first such declaration at UN level.

### The Toolkit

The Council's LGBT Toolkit 'takes full account' of the above guidelines and defines the priorities and tools for EU staff involved in the EU external action.

The Toolkit thus sets three **priorities for action**: decriminalisation, equality and non-

discrimination, and support to and protection of human-rights defenders.

Among the **operational tools** the Toolkit includes monitoring of, and reporting on, LGBT rights. Démarches and public statements should be carried out in response to both positive and negative phenomena. The issue should be raised in international fora, such as the UN and OSCE, as well as in political dialogue with partner countries and regional organisations. Efforts by civil society should also be supported, e.g. by hosting debates and endorsing cultural events.

The Toolkit will be updated at least every three years. Specific attention will be given to gender aspects, while women are recognised as a particularly vulnerable group within the LGBT community.

### European Parliament's position

The European Parliament condemns the violation of human rights of LGBT people, as illustrated by a 2010 [resolution](#) on the 'Bahati bill' and a 2011 [resolution](#) on the killing of LGBT activist David Kato.

The EP welcomed the Toolkit in its [resolution](#) on the 2009 Annual Report on Human Rights in the World, calling for its full implementation.

[Questions](#) have been raised however as to whether the Council has taken into account national and regional particularities as well as historical, cultural and religious backgrounds. The reference in the Toolkit to the UNGA Statement has also been [questioned](#), as the latter instrument has not been officially adopted by the UN General Assembly and is therefore not binding on EU MS.

The latter objection is linked to the more general debate on the universal character of human rights. Deeply rooted in European history, the concept is challenged by some countries which consider it a threat to cultural diversity and freedom of religious expression. Such voices are most likely to be raised when the protection of human rights of LGBT people is promoted.