

# EUROPEAN PARLIAMENT

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16.1.2006

B6-0025/2006 }  
B6-0039/2006 }  
B6-0040/2006 }  
B6-0043/2006 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 103(4) of the Rules of Procedure, by

- Alexander Stubb, on behalf of the PPE-DE Group
- Martine Roure and Michael Cashman, on behalf of the PSE Group
- Sophia in 't Veld, on behalf of the ALDE Group
- Kathalijne Maria Buitenweg, Jean Lambert, Monica Frassoni, Elisabeth Schroedter and Raúl Romeva i Rueda, on behalf of the Verts/ALE Group
- Giusto Catania, Jonas Sjöstedt, Vittorio Agnoletto, Roberto Musacchio and Willy Meyer Pleite, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- PPE-DE (B6-0025/2006)
- Verts/ALE (B6-0039/2006)
- ALDE (B6-0040/2006)
- GUE/NGL (B6-0043/2006)

on homophobia in Europe

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PE 368.248v01-00}  
PE 368.262v01-00}  
PE 368.263v01-00}  
PE 368.266v01-00} RC1

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## European Parliament resolution on homophobia in Europe

*The European Parliament,*

- having regard to international and European human rights obligations, such as those contained in the UN conventions on human rights and in the European Convention on Human Rights and Fundamental Freedoms,
  - having regard to European Union provisions on human rights, and notably to the European Charter of Fundamental Rights, as well as to Articles 6 and 7 of the Treaty on European Union,
  - having regard to Article 13 of the Treaty establishing the European Community which invests the European Union with the power EU to adopt measures to combat discrimination based, inter alia, on sexual orientation, and to promote the principle of equality,
  - having regard to Directive 2000/43/EC and Directive 2000/78/EC prohibiting direct or indirect discrimination on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation,
  - having regard to Article 21 of the Charter of Fundamental Rights of the European Union, which prohibits 'any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation',
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas homophobia can be defined as an irrational fear of and aversion to homosexuality and of lesbian, gay, bisexual and transgender (LGBT) people based on prejudice, similar to racism, xenophobia, anti-Semitism and sexism,
- B. whereas homophobia manifests itself in the private and public spheres in different forms such as hate speech and incitement to discrimination, ridicule, verbal, psychological and physical violence as well as persecution and murder, discrimination in violation of the principle of equality, and unjustified and unreasonable limitations of rights, which are often hidden behind reasons of public order, religious freedom and the right to conscientious objection,
- C. whereas recently a series of worrying events have taken place in a number of EU Member States, as widely reported by the press and NGOs, ranging from banning gay prides or equality marches to the use by leading politicians and religious leaders of inflammatory, hat or threatening language, police failing to provide adequate protection or even breaking up peaceful demonstrations, violent demonstrations by homophobic groups, and the introduction of changes to constitutions to explicitly prohibit same-sex unions,
- D. whereas at the same time a positive, democratic and tolerant reaction has been shown in some cases by the general public, civil society and local and regional authorities that have demonstrated against homophobia, as well as by justice systems redressing the most striking and illegal forms of discrimination,

- E. whereas same-sex partners in some Member States do not enjoy all of the rights and protections that married opposite sex partners do, consequently suffering discrimination and disadvantages,
- F. whereas at the same time more countries in Europe are moving towards ensuring equal opportunities, inclusion and respect, and provide protection against discrimination on grounds of sexual orientation,
- G. whereas the Barroso Commission has declared its commitment to ensuring respect for human rights and fundamental freedoms in the EU, and has set up a group of Commissioners responsible for human rights,
- H. whereas not all EU Member States have introduced in their legal order measures to protect the rights of GLBT people, as required by Directive 2000/43/EC and Directive 2000/78/EC, nor are they all fighting discrimination based on sexual orientation and promoting equality,
- I. whereas further action is needed at EU level and in the Member States to eradicate homophobia and promote a culture of freedom, tolerance and equality among their citizens and in their legal order,
  - 1. Strongly condemns any discrimination on the basis of sexual orientation;
  - 2. Calls on Member States to ensure that lesbian, gay, bisexual and transgender 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;
  - 3. Urges Member States and the Commission to firmly 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;
  - 4. Calls on 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 either by proposing new directives or by proposing a general framework, covering all grounds for discrimination and all sectors;
  - 5. Urges Member States and the Commission to 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;
  - 6. Reiterates its position with regard to 'Year 2007 - Equality 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 Decision establishing the Year are addressed and dealt with equally, as referred to in the European Parliament's report on the proposal for a decision of the European Parliament and the Council on the European Year of Equal Opportunities for All (2007) - Towards a Just Society, and reminds the European Commission of its promise to closely monitor this matter and to report to Parliament;
  - 7. Urges the Commission to ensure that all Member States have transposed and are correctly implementing Directive 2000/78/EC (establishing a general framework for equal treatment in

employment and occupation) and to start infringement proceedings against those Member States that fail to do so; in addition, calls 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;

8. Calls on all Member States to take any other action they deem appropriate in the fight against homophobia and discrimination on grounds of sexual orientation and to promote and implement the principle of equality in their society and legal order;
9. Welcomes steps taken in several Member States recently to improve the position of LGBT people and resolves to organise a seminar for the exchange of good practice on 17 May (International Day against Homophobia);
10. Reiterates its request that the European 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 resolution of 14 October 2004 on the future of the area of freedom, security and justice;
11. Calls on the Member States concerned to finally fully recognise homosexuals as targets and victims of the Nazi regime;
12. Instructs its President to forward this resolution to Commission and to the Governments of the Member States and candidate and applicant countries.