

## GENDER UPDATE

### LGBTI issues and representation in the 2019 European elections

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#### Introduction

In May 2019, European citizens elected the ninth European Parliament (EP). The EP has played an important role in the promotion of lesbian, gay, bisexual, trans and intersex (LGBTI) rights and the representation of LGBTI people.

#### EP and LGBTI representation

At least 28 LGBT individuals have been elected to the EP over the years. The first one was Tom Spencer in 1979, but he was not out at the time, while the first out LGBT members were Herman Verbeek and Lissy Gröner in 1989. Of the 28 LGBT Members of the European Parliament (MEPs), nine came from the UK, four each from France and Italy, three each from Germany and the Netherlands, two from Sweden, and one each from Austria, Denmark and Spain. Twenty-two were gay men, four were lesbians, one was a bisexual man and one was a transgender woman. They represented parties across the political spectrum, including the Greens, Socialists, Liberals, Conservatives and far-right parties.

The EP has taken an increasingly active role in promoting LGBTI rights in recent years. Between 2014 and 2019, 153 MEPs from 24 countries and seven political groups were part of the EP's Intergroup on LGBTI Rights. The 2015 European Union (EU) strategy for equality between women and men promoted 'full legal recognition of a person's preferred gender, including change of first name [and] gender indicators on identity documents'. In a 2016 report, the EP highlighted the need to recognise the specific risks of abuse faced by LGBTI asylum seekers. Two years later, the EP urged the Commission to ensure the right of free movement for LGBTI people and their families and condemned LGBTI conversion therapy in the EU.

## **LGBTI issues in the 2019 election**

LGBTI issues played a role in the 2019 election following the rise of hostile far-right parties. Matteo Salvini, Italy's deputy prime minister and leader of Lega, who launched an alliance of far-right parties in Europe, vowed to defend the natural family against same-sex couples. The far-right Spanish party Vox expressed opposition to gay pride parades and anti-homophobia education in school. In the UK, Ann Widdecombe, former Conservative MP and a new MEP with the Brexit Party, sparked fury by saying that science may 'produce an answer' to being gay.

However, it was in Eastern Europe that LGBTI issues became a focal point of the campaign as a result of a growing trend where nationalists see LGBTI rights as an imposition of European values. In Poland, LGBTI people became the target of conservative parties after the Warsaw mayor signed a 12-point LGBT+ rights declaration in February. The Catholic Church loudly opposed the initiative and Jaroslaw Kaczynski, the leader of the Law and Justice Party (PiS), proclaimed the need to defend the Polish family from attacks on the Christian civilisation. The party's deputy leader, Antoni Macierewicz, framed the election as 'a choice between the gay-lesbian-German option [and] the patriotic option'. The party also promoted a campaign ad in which an umbrella with the PiS logo protected a family from a rainbow and another depicting men in leather outfits at a gay pride parade with the question: 'Does this look like love?' In addition, a feminist activist was detained for creating and distributing images of the Virgin Mary with a rainbow halo.

The 2019 election also saw the ComeOut pledge campaign promoted by the LGBTI organisation ILGA Europe. ILGA invited candidates for the EP to sign a pledge in support of LGBTI rights based on five points: strengthening the protection of LGBTI rights in EU law and policy; ensuring a supportive environment for LGBTI activists both within and beyond EU borders; ensuring EU leadership on LGBTI rights at home and abroad; using the power of the MEP position to promote LGBTI rights; and being an ally for under-represented voices. A total of 1,674 candidates signed the pledge, 473 more than in the previous campaign. The signatories came from all member states, including 277 from Poland, 256 from France, 188 from Germany, 112 from Italy, 78 from Spain and 53 from the UK. At the same time, the #ElectNoHate campaign called on candidates to reject language stigmatising minority groups, such as LGBTI people, and to condemn prejudice and hate.

## **New LGBT MEPs and LGBTI issues on the agenda**

At least four gay and lesbian MEPs won re-election. Malin Bjork, a lesbian woman from Sweden, and Fredrick Federley, a gay man also from Sweden, were re-elected in the Left Party and Alliance of Liberals and Democrats for Europe (ALDE) groups. Openly gay MEPs from the UK, Seb Dance and Alyn Smith, held on to their seats in the Socialists and Democrats (S&D) and Greens -European Free Alliance (Greens-EFA) groups. Two openly gay men were also elected for the first time. Louis Stedman-Bryce, a black man from the UK, won a seat with the Brexit Party. Robert Biedron, a gay LGBT activist, former Member of the Polish Parliament and mayor of Slupsk, as well as leader of the newly created left-wing party Spring, was elected in the S&D group.

Several LGBTI issues are on the agenda of the next EP. One of the priorities will be extending anti-discrimination and hate crime legislation given that there is no

protection against hate crimes based on sexual orientation and gender identity at the EU level, while protection against discrimination is limited to employment. Another focal issue will be to fully ensure the Freedom of Movement for same-sex couples and their families, as recognised by the Court of Justice of the EU in the *Coman and Others v. Romania* decision in 2018. Activists have also called for the promotion of transgender rights to ensure that trans identities are not treated as mental illnesses, thereby following the World Health Organisation's (WHO's) May 2019 decree, and for intersex rights, urging the passing of a ban on genital mutilation. Other issues on the table concern protecting asylum seekers on the basis of sexual orientation and gender identity, as well as contesting anti-gender movements, which have expanded in Europe and beyond.