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The European Commission Next LGBTIQ+ Equality Strategy Needs a Total Reorientation

The European Commission has launched a public consultation on the next LGBTIQ+ Equality Strategy. On paper, this could be a crucial opportunity to assess failures and chart a stronger course. In reality, it appears to be a rerun of the same flawed logic that has failed LGBTIQ+ people over the last five years.

The consultation mirrors the structure, language, and assumptions of the 2020 strategy — a strategy built on legislative proposals blocked by lack of unanimity, voluntary coordination with Member States acting in bad faith, and soft tools with no enforcement. A strategy that ended up bringing no meaningful protection and no legal progress whereas the situation for LGBTIQ+ people in the EU worsened dramatically.

Most worryingly, the consultation fails to reckon with the scale of the threat. What we face today is not a delay in progress. It is a coordinated political strategy across several Member States to scapegoat LGBTIQ+ people and erode democracy. And yet, the Commission seems on its way to continue to respond with timid measures, symbolic language, and the wrong tools entirely.

Instead of proposing actions within its own power — such as launching infringement procedures, triggering financial sanctions, and requesting interim measures to suspend discriminatory laws — the Commission floats new legislative ideas that will never pass and offers vague encouragement to collaborate.

Instead of naming the threat, it avoids confrontation.

Instead of using the legal authority it holds, it behaves like a commentator.

The next strategy must be a radical departure.

It must be a strategy of enforcement, not aspiration.

A strategy of protection, not promotion.

A strategy of legal and political courage.

Our message is clear:

- The Commission must stop relying on blocked proposals and soft dialogue — and instead use the tools it already has.
- It must prioritise legal enforcement, protect civil society, confront anti-LGBTIQ+ attacks head-on, and fund those resisting authoritarianism.
- It must stop managing the decline and start fighting to reverse it.

This is no longer just about equality. It is about whether the EU has the courage to uphold its founding values. The Commission cannot fail again. If it does, it won't just fail LGBTIQ+ people — it will fail the Union itself.

We urge citizens, organisations, and allies to respond — and to do so clearly, strategically, and collectively. This is not a moment for politeness. It is a moment for clarity.

The Previous Strategy Failed —

Because the Commission Refused to Face Reality... and Still Does

When the European Commission adopted its LGBTIQ+ Equality Strategy in 2020, the political context had already changed. Attacks on LGBTIQ+ people were no longer isolated — they were being turned into legislation, policies, and public campaigns by national governments. Poland had introduced “LGBT-free zones”. Hungary had banned legal gender recognition and was preparing its own Russian inspired ‘anti-LGBT propaganda’ law.

These were not random setbacks, but the result of the coordinated attacks orchestrated by the so-called ‘anti-gender’ movement to roll back rights, discredit human rights frameworks, and erode democratic checks.

Yet, in 2020, the Commission misread the situation entirely — treating a growing threat like a policy delay.

It chose to treat equality as a matter of coordination and persuasion — not enforcement. Hence, the previous strategy focused on:

- Legislative proposals that require unanimity in the Council — a condition known to be politically unreachable in the current climate;

Stillborn by design

Legislative proposals requiring unanimity in Council on LGBTIQ+ issues are politically dead on arrival.

- Voluntary cooperation and exchange of best practices, despite clear evidence that some Member States were acting in bad faith and accelerating anti-rights policies.
- Non-binding communication tools, with limited effect on Member States actively violating rights.

A strategy, by definition, is a plan to use available tools and resources to achieve a defined goal. In this case, the goal is clear: full enjoyment of fundamental rights by LGBTIQ+ people in the EU. But the Commission misread the starting point, underestimated the political threats, and proposed tools inefficient to address the real obstacles.

The result was a strategy that could not deliver on its objective because the tools it relied on were structurally inadequate to the challenge. The 2020 strategy was stillborn by design — because it ignored the real barriers and placed its hopes on mechanisms that had already proven ineffective.

The result is clear: five years later, no structural legal improvement has been achieved through the strategy. Voluntary measures failed to promote

equality. The withdrawal of the Equality Directive, discussed for 17 years, has become the clearest sign that the Commission's approach needs deep rethinking. Meanwhile, several Member States have escalated their attacks — banning Pride marches, silencing organisations, attacking families, criminalising public expression.

A viable strategy must acknowledge the limited role and competence of the European Commission on these matters and compensate for it by using the Commission's own enforcement power to its fullest. The 2020 strategy failed to do this. It relied on soft cooperation and legislative ambition instead of realism and legal assertiveness.

In 2020, the Commission failed to see the gravity of the shift. In 2025, it has no excuse. Repeating the same cautious approach in a worsened context would not be naïve — it would be a serious political failure.

The strategy must answer the situation

In 2020, the Commission proposed symbolic actions for a structural crisis — and failed to protect the people most exposed.

The Consultation Is Misleading

The current public consultation launched by the European Commission is not built to generate a better strategy — it is built to reinforce the flawed logic of the last one. Instead of reassessing its own failure, the Commission has recycled the structure and framing of the 2020 LGBTIQ+ Equality Strategy. The same priorities. The same assumptions. The same institutional vagueness. This is not a serious attempt to adapt to a dramatically deteriorated political landscape — it's a bureaucratic exercise in continuity, not correction.

This approach is deeply problematic. As outlined in the previous section, the 2020 strategy failed because it relied on tools that were unfit for the

political moment. Member States were already rolling back rights, and the Commission responded with soft instruments and stillborn legislative proposals. **To then use that same failed framework as the basis for the consultation is to repeat the original error — and to ignore the lessons of the past five years.**

Do not reproduce the same mistake

A strategy that failed should not become the template for its own replacement.

But the problem is not just the template — it's the questions themselves. The consultation is misleading and counterproductive for three key reasons.

First, the consultation asks respondents to “prioritise” which rights or areas the EU should focus on — as if access to bodily autonomy, legal recognition, freedom of assembly, safety, or family life could be ranked — or worse, negotiated. The effect is to normalise the idea that LGBTIQ+ people do not deserve full protection, or that some forms of discrimination are more acceptable than others. **This framing is not just inadequate — it's offensive. LGBTIQ+ people don't need to choose whether their health, their safety, or their family should come first.** All of their rights should be protected and enforced.

Second, the entire consultation blurs institutional responsibility by repeatedly asking “what the EU should do” — without clarifying that this strategy is a

Fundamental rights are not an à la carte menu.

Ranking rights is not participation. It's institutional gaslighting — asking people which rights they're willing to sacrifice.

document of the European Commission. Not the Council of the EU. Not the European Parliament. Not the Member States. Most of the questions ignore this entirely. Yet many of

the areas listed — from education to health to family law — fall largely or entirely under national competence. Others would require unanimity in Council. The Commission knows this but continues to invite answers it cannot meaningfully act on.

Third, by failing to distinguish between areas of EU competence and Member State responsibility, the consultation creates false expectations. Respondents are encouraged to support legislative initiatives the

Commission has no real chance of getting adopted, while the tools it controls — infringement, interim measures, conditionality — are barely mentioned. The only question that directly touches on legal enforcement offers no space for elaboration.

Who is “the EU” anyway?

If this is a Commission strategy, the real question is: what will the Commission actually do with its own powers?

In sum, this consultation is not a serious attempt to course-correct. It avoids reckoning with the political failures of the last five years and continues to treat LGBTIQ+ equality as a social dialogue process instead of a legal and political emergency. It allows the Commission to gather stakeholder input without taking political responsibility for what it can — and must — do.

What the Commission Should Actually Do

Despite its limited legislative competence on equality matters, **the European Commission still holds powerful tools — and it is failing to use them systematically.** Instead of proposing legislation that requires unanimity in Council and watching it die a slow death, **the Commission should focus its next strategy on what it can do, what it must do, and what it has so far been reluctant to do: enforce EU law.**

The Commission cannot keep acting like a think tank floating ideas. **It is the guardian of the Treaties. It has a legal duty to protect EU law and**

the Charter of Fundamental Rights. And when LGBTIQ+ people are being censored, criminalised, attacked, and erased by their own governments, that duty must come first.

This is no longer just about equality.

It is about the integrity of the rule of law in the European Union.

In the next strategy, the European Commission must commit to using all available enforcement mechanisms — not occasionally, not symbolically, but systematically:

✓ Enforce EU law through infringement procedures

The Commission must commit to launching infringement procedures whenever Member States adopt legislation or policies that violate EU law — including the Charter, anti-discrimination directives, and CJEU jurisprudence. Pride bans, censorship laws and attacks on NGOs are not policy disagreements. They are breaches of fundamental rights and must be treated as such.

✓ Request interim measures to stop harm

In cases of urgency, the Commission must request interim measures from the Court of Justice of the European Union to suspend harmful national laws immediately. It has used this tool before in other domains such as environmental protection. It should be used to protect fundamental rights too.

✓ Apply and extend funding conditionality mechanisms

The Commission has the power to withhold EU funds from governments undermining democracy and rights. This must be used wherever LGBTIQ+ people are deliberately targeted by state policies. Delaying activation of this tool sends the message that discrimination is politically tolerable. This tool must be extended to all EU programmes after 2027.

✓ Fund and protect civil society

Civil society organisations are the front line of resistance — and they are being directly targeted in many Member States. The Commission must continue supporting equality-focused projects, but that is not enough. The next strategy must significantly increase structural, core, and project-based funding for organisations confronting the so-called ‘anti-gender’ movement and working at the intersection of democracy, rule of law, and equality.

✓ Name the threats

The Commission must stop speaking in euphemisms. These are not “challenges” or “gaps.” They are intentional, coordinated attacks on the rights of LGBTIQ+ people. If the Commission can call out Russian disinformation or foreign interference, it must also name and condemn internal repression by Member States. Silence is complicity.

The Fire Is Real — and the Commission Must Wake Up

What LGBTIQ+ people face across the EU is not an oversight or a missing policy — it’s a targeted political campaign to dismantle hard-won rights and democracy that tests the limits of EU inaction. Pride marches are banned. Civil society is criminalised. ‘Anti-LGBT propaganda’ laws are normalised. And the Commission? Still asking the same polite questions it asked five years ago — as if nothing has changed.

But everything has changed. And the Commission risks being the last to notice — or the first to be remembered for not acting when it mattered most.

The 2020 strategy didn’t fail because it lacked ambition. It failed because the Commission misread the room. It proposed soft tools and dialogue while Member States were already rolling back rights and testing how far they could go without consequence. That was a serious mistake. Repeating it in 2025 would be a historic political failure.

The Commission is not a commentator. It is the guardian of the Treaties. It has legal tools to act — infringement procedures, interim measures, financial conditionality — and it has an obligation to use them. A real strategy would stop wasting time on legislation that won’t pass and focus instead on legal enforcement, protection of civil society, and direct confrontation with governments dismantling EU values from within.

**This is not about promoting inclusion.
It’s about defending the very core of the Union.**

*You don’t fight a wildfire with a watering can.
You don’t fight coordinated repression with
“best practices.”*

The next strategy must meet the moment. It must name the threat, stop pretending, and use every tool available — fast, visibly, and unapologetically. Because what’s at stake isn’t just

LGBTIQ+ equality. It's whether the EU still has the political courage to defend its own foundations.

We call on all citizens, civil society organisations, and allies to respond to this consultation clearly and forcefully.

The Commission must hear this — clearly and without illusion:

It cannot fail to act again

Failing now would not just be a mistake — it would be a betrayal.

A betrayal of LGBTIQ+ people. A betrayal of the values it's meant to protect.

This time, the Commission must get it right.

It must truly fight — and deliver a strategy that really helps us fight back.