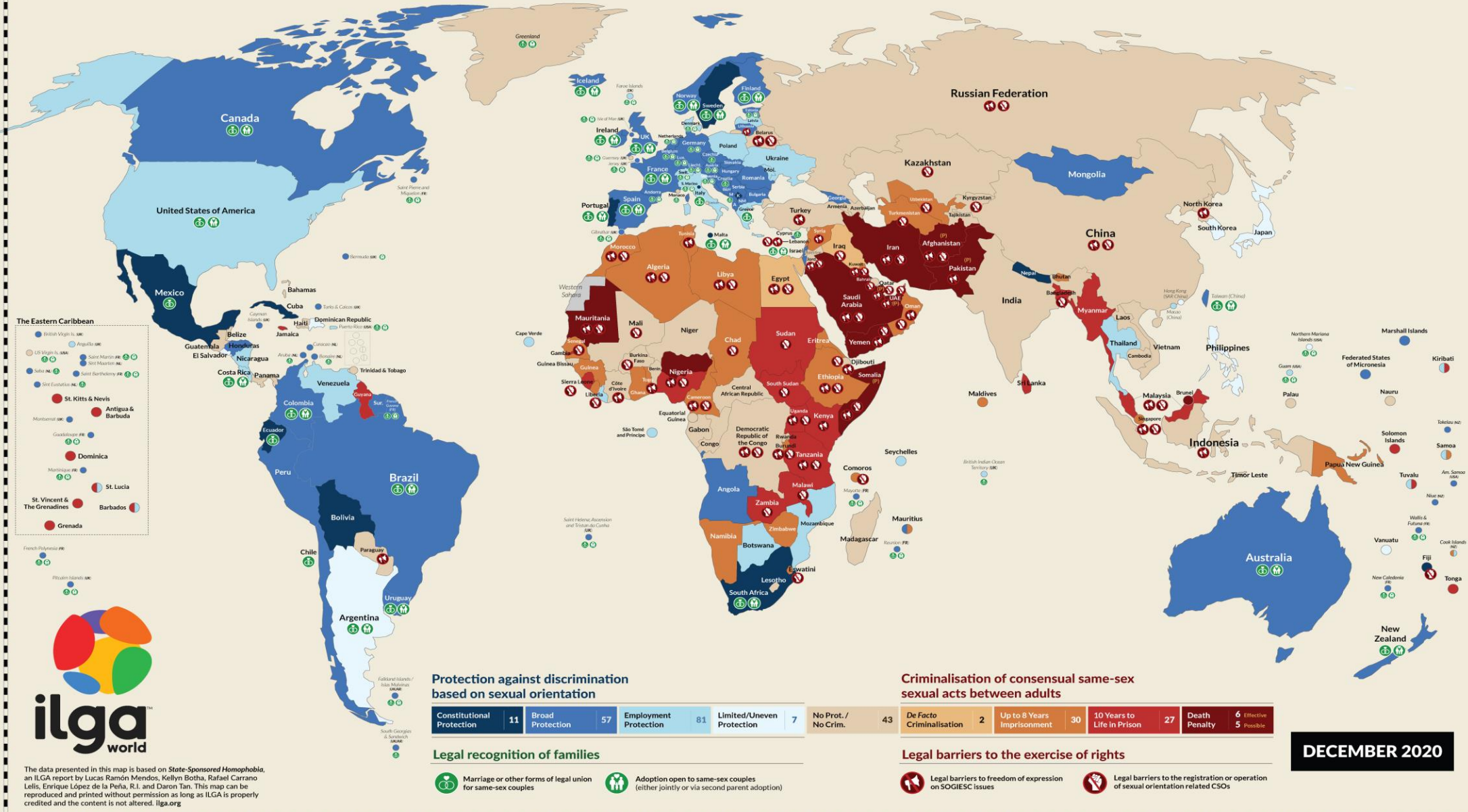


Civil Society-EU linkages in int'l LGBT+ rights promotion

Markus Thiel,
Florida International University, Miami

SEXUAL ORIENTATION LAWS IN THE WORLD

From criminalisation of consensual same-sex sexual acts between adults to protection against discrimination based on sexual orientation



RAINBOW EUROPE MAP 2020

REFLECTING THE LEGAL AND POLICY HUMAN RIGHTS SITUATION OF LESBIAN, GAY, BISEXUAL, TRANS AND INTERSEX (LGBTI) PEOPLE IN EUROPE

100% **RESPECT OF HUMAN RIGHTS, FULL EQUALITY**

95%

90% **MALTA 89**

85%

80%

75%

70% **BELGIUM / LUXEMBURG 73**

DENMARK / NORWAY 68

SPAIN 67

PORTUGAL / FINLAND / UNITED KINGDOM 66

65%

60%

SWEDEN 63

MONTENEGRO / NETHERLANDS 62

55%

50%

45%

40%

35%

30%

25%

20%

15%

10%

5%

0%

FRANCE 56

ICELAND 54

IRELAND 52

GERMANY 51

AUSTRIA 50

GREECE 48

CROATIA 46

SLOVENIA 42

ESTONIA 38

BOSNIA & HERZEGOVINA 37

SWITZERLAND 36

KOSOVO* / ANDORRA 35

SERBIA / HUNGARY 33

ALBANIA / CYPRUS 31

GEORGIA / SLOVAKIA 30

CZECH REPUBLIC 26

NORTH MACEDONIA 25

LITHUANIA / ITALY 23

UKRAINE 22

BULGARIA 20

MOLDOVA / ROMANIA 19

LIECHTENSTEIN 18

LATVIA 17

POLAND 16

SAN MARINO / BELARUS 13

MONACO 11

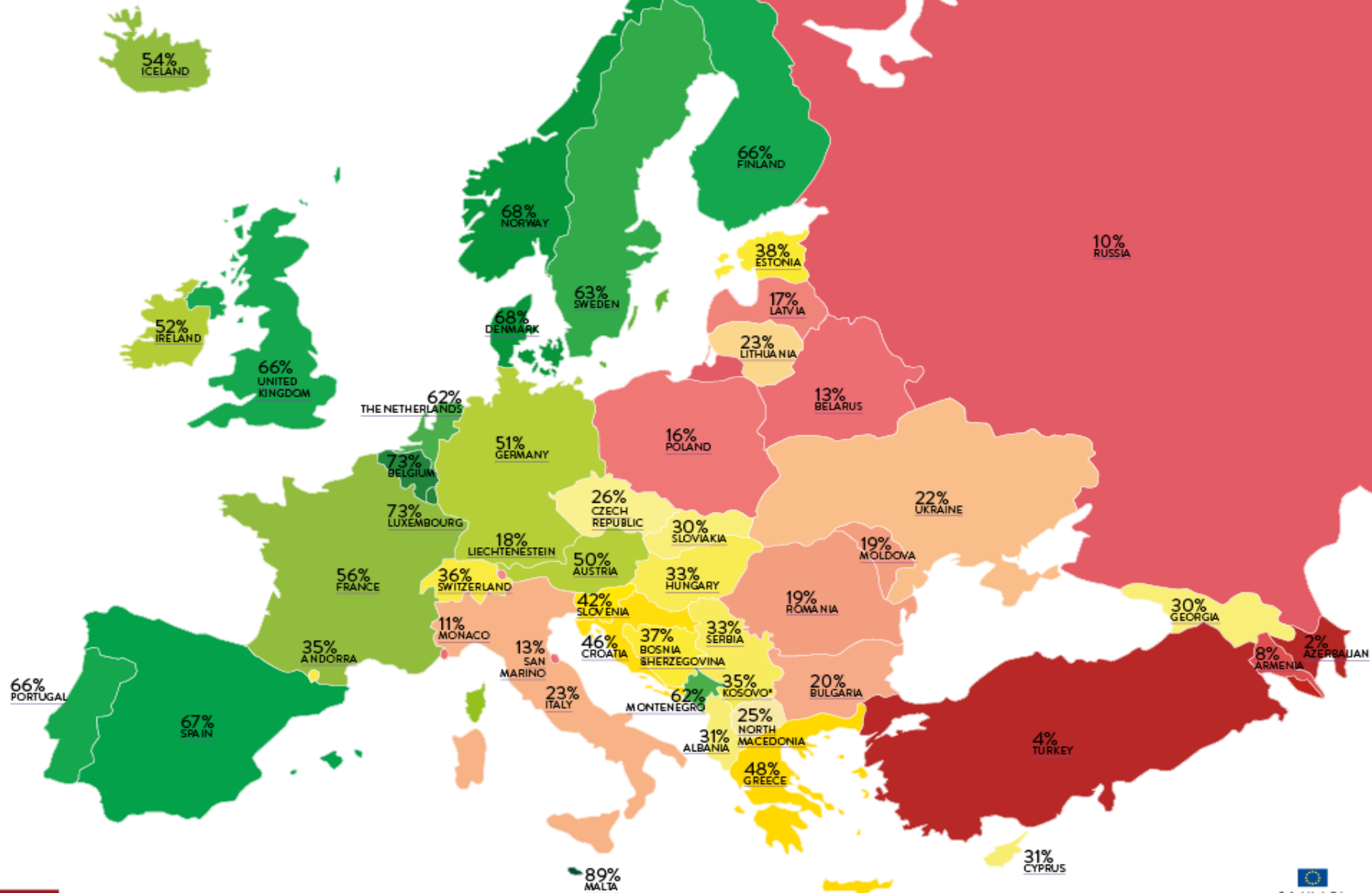
RUSSIA 10

ARMENIA 8

TURKEY 4

AZERBAIJAN 2

GROSS VIOLATIONS OF HUMAN RIGHTS, DISCRIMINATION



FIU



Introduction

- European governments together with EU institutions emphasize human and LGBTI rights in their internal and external policies (2013 Foreign Affairs Council guidelines etc.)
- Rights promotion is also actively advanced by powerful, large and EU co-financed NGOs such as ILGA (Europe), with access to EU institutions (Commission, Parliament etc.) and contacts to int'l rights activists, as well as by national development & LGBT+ rights NGOs, which can pressure domestic politicians
- EU human rights promotion in external relations & among development partners is often contested on grounds that it challenges sovereignty (esp. aid-withdrawals and/or public condemnation) and goes against prevailing culture (with regards to religion, gender etc.)
- EU Market-primacy & (inconsistent) political conditionality, Global North-South inequalities & post-colonial relations, and the EU's politicizing normative visibility further contribute to tensions

Rethinking int'l rights promotion

- Rights contestation is not solely based on countries' conservatism but also need to be viewed within broader democratic setbacks, and the unintended results of the EU's ambivalent rights promotion policies.
- Civil Society is an important rights promoter, but cannot and should not be the main one (govt's, especially courts & intergovernmental organizations are most significant)
- Improvements are contingent on domestic factors (such political elites, independent courts, socio-economic and cultural-religious conditions, quality of democracy) interacting with international ones (influence of international organizations, transnational mobilization of activists, access to information, issue-linkages, and conditionalities)

So what is to be done?

- EU ought to strengthen its internal & refugee rights regime
- Similarly, external (trade, aid, associational) policies need to be country-targeted, with less conditional pressure and more incentives
- Intersectional and less narrow policy on rights defenders taking into account other democracy-sustaining stakeholders (esp. women, education, media) > EU Action Plan on Democracy & HR, Int'l Cooperation & Development Commissioner?

For more see my upcoming 2021 book: *The EU's int'l promotion of LGBTI rights: promises & pitfalls* (Routledge)