

Project “Prevention and Empowerment in the NIS”

ILGA-Europe Activity Report 2006

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Programme objective:

- to advocate for inclusive HIV/AIDS and other STIs prevention and sexual and reproductive health policies in the programme region

Work towards results for year 1:

R1: An overview of relevant existing policies on sexual and reproductive health and rights and HIV/AIDS is compiled

R2: Guidelines on using existing international policies on HIV/AIDS, sexual and reproductive rights and sexual minorities in the local context are developed (phase 1, start of work, to be finished in year 2)

R3: International and national relevant institutions are more sensitive towards including sexual minorities into their sexual and reproductive health and rights and HIV/AIDS strategies

Activities:

To achieve Result 1:

To enhance the partner’s ability to advocate at the national level one of ILGA-Europe’s tasks is to create a compilation of references to sexual and reproductive health and rights as related (sometimes indirectly in form of references to ‘marginalized’ populations, sex workers, etc.) to sexual orientation and gender identity in the international documents ratified by the project partner countries, policy papers of the international organizations (mostly UN / UNAIDS / WHO), Global Fund strategies etc. The document is not meant to be for wide public distribution, but is rather a compilation of references from different documents and materials, with explanation notes where relevant and needed. The draft document is available in English in electronic format and will be distributed to the project partners by the end of February in the final form. The target audience is LGBT activists from the project partner countries. Please, see annex 1 for the current draft text.

To achieve Result 2:

ILGA-Europe has started to work in year one also on the guidelines for programme partners on existing international policies on HIV/AIDS, sexual health and rights and how they can be ‘translated’ and implemented in the national context. The activity will be finished in year 2 and is described in more detail in the ILGA-Europe 2007 work plan submitted to COC Netherlands in October 2006.

To achieve result 3:

1. Yogyakarta Expert Meeting

ILGA-Europe has taken part in 1 important international event related to the theme of the programme with networking and lobby purposes. Between 6-9 November 2006 International Service for Human Rights (ISHR) and International Commission of Jurists (ICJ), in collaboration with a coalition of human rights and lesbian, gay, bisexual, transgender and intersex (LGBTI) non-government organisations, has organised an international legal experts' seminar bringing together 20 internationally recognised human rights experts with diverse backgrounds and expertise to address as human rights issues the experiences of LGBTI persons, including discrimination, violence and other abuses targeting persons because of their actual or perceived sexual orientation or gender identity. One of the 20 experts was Maxim Anmeghichean, ILGA-Europe's Programmes Director.

The seminar sought to clarify the nature, scope and implementation of human rights obligations of States in relation to sexual orientation and gender identity under existing human rights treaties and law. It has also addressed possible gaps in the existing standards as they apply to sexual orientation and gender identity and in the human rights protection system.

The experts' seminar was a milestone in the development of international human rights law and its application in relation to sexual orientation and gender identity. It produced a statement of principles of the participating experts on the implications of international human rights law with regard to abuses based on sexual orientation and gender identity.

The agenda of the meeting covered the following topics:

The agenda for the meeting will cover the following topics:

- sexual orientation and gender identity as diverse identities
- terminology and definition of key terms
- sexual orientation and gender identity in a historical, cultural and religious context, including the heritage of colonialism and its impact on sexual orientation and gender identity
- overview of the international jurisprudential framework pertaining to sexual orientation and gender identity
- rights to life, personal integrity and dignity
- freedoms of association, assembly, expression, religion and personal and community identity and the right to privacy
- right to health, education and work
- intersectionality.

The principles are being finalised by the secretariat. They will be widely used by ILGA-Europe in its advocacy work with partners of the programme. ILGA-Europe will also

take part in developing an advocacy manual from the principles, which will be distributed to the partner organisations and used both nationally and internationally for lobby.

2. Fact-Finding Mission to South Caucasus

ILGA-Europe has organised jointly with COC Netherlands a fact-finding mission to the South Caucasus (Georgia, Armenia and Azerbaijan). ILGA-Europe has prepared tools for the mission (questionnaire, model for interviews with the victims of human rights violations, initial contacts in the countries). It was also ILGA-Europe's responsibility to write three reports on the results of the mission. The reports are comprehensive accounts of social and legal position of LGBT communities in South Caucasus. The content includes the following information:

- Introduction
- Aims of mission / methodology used
- Info about the country // region
- Democratic processes
- Presentation of the civil society situation
- Minority rights / women's rights in general
- Social / cultural dimension
- Description of findings of the LGBT situation in the region (organizations / activists, LGBT persons, community, social and political aspects, etc.)
- Notes of meetings with different actors
- Testimonies of LGBT people
- Indicative findings of the questionnaire
- Conclusions
- Recommendations (divided by international institutions they are addressed to)
- References
- Bibliography

The Georgian and Azerbaijani reports are already finalized and used for advocacy purposes with the European Union and the Council of Europe. The report on Armenia will only be finalized in the summer of 2007. An additional trip will be scheduled for June 2007 before finalization of the report.

3. Lobbying international institutions

Moldova:

ILGA-Europe has prepared a comprehensive report on human rights violations related to freedom of assembly for LGBT people in Moldova. The report was used for advocacy purposes at the national level by GenderDoc-M and at the international level by ILGA-Europe with the European Union institutions and the Council of Europe. In the European Union we have sent the report and the letter to the Commissioner on External Relations Mrs. Ferrero-Waldner, to the EU Special Representative to Moldova Mr. Jacobovitz and to the European Parliament's Delegation to Moldova + LGBT Rights Intergroup. Mr.

Jacotovitz has replied by saying he immediately raised the issue at the meeting with the Minister of Justice of Moldova. The European Commission replied they have been raising the issue before and will continue to do so within political dialogue with Moldova. And the European Parliament has issued a statement in December, which was reported by Moldovan media. The lobby related to the report is continuing, next step being the Parliamentary Assembly of the Council of Europe January session.

ILGA-Europe has also provided consultancy to GenderDoc-M for submission of a complaint on access to healthcare for LGBT people in Moldova to the UN Special Rapporteur on Health. GenderDoc-M has drafted the complaint; it will be revised by ILGA-Europe in February 2007 and submitted by GenderDoc-M through relevant channels.

Georgia:

ILGA-Europe has provided consultancy to Inclusive Foundation on preparing a report on hate speech by Georgian politicians and decision makers. The report was drafted in December 2006 and will be finalized in the beginning of 2007. Together with the general report on the position of sexual minorities in Georgia it will be used for advocacy purposes with European and other international institutions.

We have also put in touch Inclusive Foundation with the Council of Europe Human Rights Commissioner. He met with the representatives of the LGBT movement when on an official visit to Georgia and will include relevant information into his country report, which is to be published in 2007.

Ukraine:

ILGA-Europe has produced a summary of Nash Mir report on discrimination of LGBT people in Ukraine, and submitted it to the Council of Europe Human Rights Commissioner. The Commissioner has also met with representatives of the LGBT movement while on an official visit to Ukraine. He will be including information on sexual minorities into his country report, which is to be published in 2007.

List of Annexes:

- Annex 1: Financial report
- Annex 2: ILGA-Europe report “Moldova: Comprehensive Denial to Moldova’s Principle LGBT organization of the right to freedom of assembly”
- Annex 3: Report “Homophobic statements by public officials in Georgia”
- Annex 4: Report on ILGA-Europe / COC Mission to Georgia
- Annex 5: Report on ILGA-Europe / COC Mission to Azerbaijan
- Annex 6: Ukraine: Gay Rights Are Human Rights Summary (by ILGA-Europe)
- Annex 7: Georgia Summary Report