



**The European Region
of the International
Lesbian and Gay Association**

ACTIVITY REPORT 2002 / 2003

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Although the expansion of the office capacity has increased the amount of work done by ILGA-Europe, it has also increased expectations. Consequently we still depend on considerable volunteer effort to achieve our goals. It is not possible to list every voluntary contribution, and all are valued, but particular thanks go to the following:

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INTRODUCTION

The *Annual Activity Report* is an important communication tool, as it is the primary means by which the executive board of ILGA-Europe informs the membership of the activities of the staff and the board in relation to the annual work programme. This activity report covers the period between the start of the Lisbon conference in 2002 and the start of the Glasgow conference in 2003.

This has been a period of continuing growth and development for the organisation, building on the work of previous years and responding to new challenges. We have reported our activities and developments in the *Newsletter* and the *Euro-Letter* as they have occurred, but this document presents them in summary form, while relating them to the programme of work agreed at Lisbon.

Following considerable expansion of staff resources last year, we were expecting a period of stability, and it is true that numbers have remained the same during the year. However, there have been two changes in personnel to report. In November we were sorry to say goodbye to Mette Vadstrup, who had been with us since the opening of the Brussels office. Mette left to develop her career in another NGO, but in a more commercial sphere of activity; we are delighted to hear that she is enjoy-

ing her new position. The gap she left was soon filled by Birgit Hardt, who joined us in February. Birgit came from a commercial consultancy background, and her incisive thinking and broad experience helped her to settle in very quickly. She is a valued member of the staff team.

No sooner had we adjusted to Birgit's arrival, than we had to cope with more change; Lúcia Pereira was lured away by the European Commission, who had recognised her talents in the short time she had spent with us. We were very fortunate to find an extremely able and available replacement in Sheila Swatschek, and disruption was minimised by Sheila's prompt start in April 2003. Sheila is a qualified barrister with experience in a law practice in Berlin; she has also worked in the European Parliament.

In spite of the excellence of the staff, there are times when we struggle with the workload in Brussels. This reflects the huge expectation and demand on the office, which performs a similar range of tasks as that of other NGOs with twice the resources. We are fortunate that good co-operation between the staff, the board, and other volunteers helps to maximise our efficiency and output.



**ILGA-Europe staff, September 2003:
Birgit Hardt, Sheila Swatschek, Olivier Collet,
Ailsa Spindler**

In a year of many advances in our campaign for LGBT equality – which are detailed in following sections of the report – perhaps the most significant development has been the success in securing funding for the establishment of an office to work on matters not covered by our EU grant aid. This development is in its early stages, and will be reported more comprehensively in next year's activity report. It will represent a huge leap in our capacity to represent our membership and their constituencies across the whole of Europe.

Just as this report went to press, we were able to appoint Iain Gill for a six-month internship. Iain is well known to many of our members as an activist in Ireland and as a representative on our EU Co-ordination Network. His contribution is sure to be appreciated.

1. EUROPEAN UNION

1.1 Employment

Framework Directive for equal treatment in employment and occupation

ILGA-Europe has kept in close touch with its member organisations over the proper implementation of the Directive. There have been concerns in a number of countries: Malta's implementation has omitted sexual orientation discrimination entirely. ILGA-Europe worked with the Malta Gay Rights Movement to bring this to the attention of relevant officials in the European Commission. There are concerns that Slovakia may also omit sexual orientation discrimination.



**April 2003: EU Coordination Network meets
in Ghent**

Italy, just days after assuming the Presidency of the European Union, issued a decree

intended to fulfil its EU obligations to provide protection from discrimination in the workplace, but, perversely, included provisions which could permit the police, armed forces, and prison and rescue services to discriminate against lesbians, gays and bisexuals. The UK has introduced legislation with exemptions for religious organisations which may allow them to discriminate on the basis of sexual orientation, in contravention of the Directive.

ILGA-Europe will follow these, and any other examples, closely and work to ensure that all possible action is taken at European level

to achieve full and effective implementation of the Directive across the member states.

Two activities were held to promote the Directive at the annual conference in October: a plenary panel session on the role of trades unions in implementing the Employment Directive, and a workshop for delegates on implementation of the Directive at national level. The former arose from discussions with representatives of Portuguese trades unions, from which it became clear that a panel session on this issue would be beneficial. Representatives of one Portuguese trades union attended the plenary panel session.

The March issue of the ILGA-Europe *Newsletter* included a three-page article with updates on the situation regarding implementation in all member states and accession countries.

We have continued to strengthen the role of the EU Co-ordination Network. The Network has been kept informed of developments on our current campaigns, including the implementation of the Framework Directive, with specific advice on lobbying actions at national and local level. A successful Network meeting in Ghent in April included further briefing on the subject from our EU legal expert Mark Bell, and an update from each national representative.

Regular meetings with counterparts in the

Work programme 2002/2003

1.1 EMPLOYMENT

1.1.2 Amended Equal Treatment Directive (sex discrimination)

Work with member organisations in EU member states and in applicant countries during implementation at national level to ensure the inclusion of specific references to gender identity discrimination in national legislation.

1.1.3 The Employment Guidelines

Use the mechanism of the annual Employment Guidelines, and the related National Action Plans and Joint Employment Reports, to combat employment discrimination within the member states.

European Network Against Racism, the European Disability Forum, Eurolink AGE and other Article 13 NGOs have led to improved co-operation on monitoring implementation. ILGA-Europe's executive director chairs the Social Platform working party which has formalised these meetings, and represents the NGOs on the EU Advisory Group assisting the Commission with its "Information Campaign to Combat Discrimination in the European Union". This campaign, launched in June 2003, will concentrate on combating discrimination in the workplace in its first year.

ILGA-Europe has engaged in initial dialogue with the European Trade Union Confederation (ETUC) on its role in the implementation of the Employment Directive in relation to sexual orientation discrimination. At present the ETUC is not very active in this field. However the General Secretary

of the ETUC, in responding to inquiries initiated by ILGA-Europe with a letter of support to the Lisbon conference, has stated that the ETUC "encourages its affiliate unions to take up the opportunity this [the Employment Directive] presents to tackle discrimination against lesbian and gay workers, in terms of collective bargaining, promoting awareness of the new rights, recruiting and organising groups of affected members and pursuing remedies where rights are breached". It is hoped that this statement can be used to encourage trades unions to become active in implementing the Employment Directive. We will follow up the statement of support and look forward to closer links with trades union representatives. ETUC and UNICE (the employers' representative body) are both involved in the information campaign referred to above.

Amended Equal Treatment Directive

During the EU Co-ordination Network meeting this point was particularly emphasised and followed up in lobby instructions for the network and guidelines for members. ILGA-Europe promotes the wording "gender identity" and opposes the term sexual identity which has come up in several national implementations to cover both sexual orientation and gender identity. Work in this area is on-going; staff increases (see 6.4 below) will enable more specific work on gender identity to be carried out in future.

The Employment Guidelines

ILGA-Europe's links with the Social Platform enable us to monitor developments in this area, with input on LGBT concerns when appropriate.

Work programme 2002/2003

1.1 EMPLOYMENT

1.1.1 General Framework Directive for equal treatment in employment and occupation (also known as the Employment Directive)

- Work with member organisations in EU member states and in applicant countries to ensure full and effective implementation of the Directive at national level by providing guidance on technical matters and resources, promoting exchange of information between member organisations, and exchanging information and best practice with other international networks working on the implementation of the Article 13 Directives;
- Work with other European level NGOs concerned with the implementation of the Article 13 Directives to encourage co-operation and a common approach at national level;
- After the implementation deadline of 2nd December 2003, monitor enforcement of the Directive, start gathering evidence for the first Commission review in 2005, and look out for possible test cases.

1.2 Protection from discrimination in areas of EU competence other than employment (social security and healthcare, education and access to supply of goods and services, including housing)

Going beyond the Framework Directive

ILGA-Europe is in the process of developing a long-term plan aimed at the introduction of a directive providing protection from sexual orientation discrimination in areas of EC competence outside employment. The Racial Equality Directive identifies a number of such areas as relevant to discrimination on the ground of race: social protection, including social security and healthcare; social advantages; education; and access to supply of goods and services, including housing. All of these are relevant also to sexual orientation discrimination.

Proposed directive on gender discrimination outside employment

Progress on this directive through the

Work programme 2002/2003

1.2 PROTECTION FROM DISCRIMINATION IN AREAS OF EU COMPETENCE OTHER THAN EMPLOYMENT

1.2.1 Going beyond the Framework Directive

Develop and implement a long-term action plan (involving both ILGA-Europe and its member organisations) to persuade the European Union of the need for a Directive to cover sexual orientation discrimination in all areas of EU competence outside employment.

1.2.2 Proposed directive on gender discrimination outside employment

Work for the inclusion of specific references to gender identity discrimination in the proposed directive.

European institutions has been very slow, but ILGA-Europe has not put any further effort into lobbying it. An already published draft by the Commission was withdrawn and will be re-evaluated, yet it is

unlikely that we will still achieve changes in our favour. We will continue to monitor developments regarding this directive, and take action as appropriate, making use of our increased staff resources (see 6.4 below).

1.3 The Community Action Programme to combat discrimination

A workshop was held at the annual conference in October, at which transnational exchange projects were explained, member organisations that have participated so far shared experiences, and participation in the second round of projects was discussed.

ILGA-Europe is a partner in one of the projects selected for funding in phase two, "Introduction of Anti-Discrimination training measures within Public Administrations" (led by the Centre Européen Juif d'Information and the Northern Ireland Council for Ethnic Minorities). In the role of partner we have provided technical assis-

tance in the compilation of a data sheet on sexual orientation discrimination, and we

continue to work closely with both lead organisations.

Work programme 2002/2003

1.3 The Community Action Programme to combat discrimination

1.3.1 Work with member organisations in EU member states and participating accession countries to ensure full and effective inclusion of sexual orientation discrimination in the second round of the transnational anti-discrimination projects.

1.3.2 Lobby for admission of accession countries to funding under the Programme.

1.3.3 Seek to ensure that sexual orientation discrimination is fairly represented in research, evaluation or awareness-raising projects sponsored by the Commission under the Programme.

1.4 Asylum and immigration – harmonisation of regulations under the EU plans to create an Area of Freedom, Security and Justice

The policy paper "Families, Partners, Children and the European Union" (IE doc. 1/2003) was published in English, French, German, Italian and Spanish in April 2003. This document, drawn up by Mark Bell, examines how various aspects of EU law are impacting upon national rules relating to personal status. These rules have impli-

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cations for the free movement of citizens and their families in the EU.

The proposed Freedom of Movement Directive¹

ILGA-Europe is currently working to ensure

that the proposed Freedom of Movement Directive is drafted in such a way as to eliminate the discrimination currently experienced by same-sex partners and their families in the exercise of the right to freedom of movement. In September 2002 ILGA-Europe developed a fall-back position, in case the main proposal for the

1.4 Asylum and immigration – harmonisation of regulations under the EU plans to create an Area of Freedom, Security and Justice

recognition of same-sex partners and their families is not successful. This position is based on the concept of mutual recognition, and would ensure that those partners/families that are recognised in their own countries would be similarly recognised when moving to another EU member state.

ILGA-Europe's proposals were sent to the rapporteur for the LIBE Committee,² Mr Giacomo Santini, in September. However his draft report, published in November, ignored them. ILGA-Europe worked with members of the Committee across party lines, to formulate amendments which were tabled on 25 November. Following discussions with MEPs and intense lobbying activity, the "mutual recognition" amendments were adopted by the LIBE Committee and by the full Parliament. This marked an important recognition that the right to free movement cannot be limited to opposite-sex married couples in the modern European Union. However, in April the Commission re-drafted its proposals on free movement, removing almost all recognition of unmarried relationships. ILGA-Europe is continuing to press for same-sex partnership recognition as this directive continues through the EU institutions in the autumn of 2003.

Member organisations have been encouraged to enter into dialogue with their governments, both through regular updates on developments and through briefings at the Lisbon conference and the Network meeting in Ghent.

The Status of Refugees Directive³

ILGA-Europe is also currently working to ensure that the Status of Refugees Directive reflects a number of concerns. These include ensuring the retention in the draft Directive of the recognition of persecution on the grounds of sexual orientation, the recognition of persecution on the grounds of gender identity, the full recognition of same-sex partners and their families, the inclusion of an anti-discrimination clause, and a strengthened clause on subsidiary protection. All ILGA-Europe's proposals were duly put forward in the LIBE Committee in early October 2002. A hostile amendment seeking to eliminate recognition of persecution on the basis of sexual orientation

was also tabled. ILGA-Europe sent briefings to all members of the Committee before the vote. Recognition of sexual orientation persecution was retained, and ILGA-Europe's main proposals were supported, except that relating to the definition of family. Prior to the vote in the plenary session (22 October 2002), ILGA-Europe again sent briefings to a large number of MEPs. All the ILGA-Europe proposals supported in the LIBE Committee were supported by the full Parliament. Following these developments, the focus is on the negotiations in the Council, which are scheduled for discussion in October 2003. Network member organisations have been encouraged to enter into dialogue with their government, through regular updates and briefings.

Work programme 2002/2003

1.4 ASYLUM AND IMMIGRATION – HARMONISATION OF REGULATIONS UNDER THE EU PLANS TO CREATE AN AREA OF FREEDOM, SECURITY AND JUSTICE

Continue to make use of the EU's harmonisation plans to promote the fundamental rights of LGBT people, including working for:

- The full recognition of the diversity of families, and of same-sex partnerships and those involving a partner of transgendered status, in the draft Directive on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States;
- The explicit inclusion of persecution on the basis of sexual orientation or gender identity in the definition of refugee status to be included in the proposed Directive on the approximation of rules on the recognition and content of refugee status; and of the full recognition of same-sex families.

Work similarly on other relevant Directives and Regulations in this field. Monitor implementation at national level.

¹ Amended Proposal for a Directive of the European Parliament and the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (COM (2003) 199).

² The European Parliament Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

³ Proposal for a Council Directive laying down minimum standards for the qualification and status of third country nationals and stateless persons as refugees or as persons who otherwise need international protection (COM (2001) 510).

1.5 Enlargement of the European Union

Previous lobbying and pressure exerted by ILGA-Europe was effective in removing discriminatory provisions in the penal codes of several accession states, and it seemed that Bulgaria would be the last state to pass the necessary amendments. On 16 September 2002 the Bulgarian parliament

amended the clauses of the criminal code which discriminate on the basis of sexual orientation. Initial reports suggested that all significant discriminatory elements had been eliminated. However, it became clear that the discriminatory age of consent remains in place. On 7 January 2003, ILGA-

Europe wrote to Commissioner Günter Verheugen and to representatives of the Bulgarian government, and we have monitored progress since then. The discrimination remains and we will continue to pursue this matter with the relevant actors.

In January 2003, the Polish government, in a response to pressure from the Catholic Church, sought assurances from the EU that “no EU treaties or annexes to those treaties would hamper the Polish government in regulating moral issues”. The media saw this primarily as an issue concerning abortion. ILGA-Europe, working with Polish member organisations, was able to demonstrate in a briefing to the European Commission that it went

wider, and would, if accepted, absolve Poland from its obligations towards lesbian, gay, bisexual and transgendered persons under the Framework Directive on employment, under Article 21 of the EU Charter of Fundamental Rights, and, in respect of transgendered persons, under the Equal Treatment Directive. The EU rejected the Polish government’s request. In April 2003, the lower house of the Polish parliament focussed once again on

the matter, spelling out clearly that the “moral order of the social life, family dignity, marriage and education” must not be challenged by international regulations.

Work programme 2002/2003

1.5 ENLARGEMENT OF THE EUROPEAN UNION

1.5.1 Continue to use the EU accession process to exert pressure on applicant states still in the accession process (Bulgaria, Romania, Turkey) to take action against sexual orientation discrimination by:

- Facilitating further research into sexual orientation discrimination;
- Reporting the findings to the relevant EU institutions.

1.5.2 Seek also to ensure that the EU accession process takes account of gender identity discrimination, particularly around human rights violations against transgendered people.



Campaign against homophobia, Poland
(Photo: Karolina Bregula)

1.6 2003 Intergovernmental Conference (IGC)

In October 2002 ILGA-Europe continued to develop its plans concerning the Convention and the IGC 2003 with a workshop at the Lisbon conference.

Since then, the Convention on the Future of Europe has concluded its work and ILGA-Europe monitored the debate, lobbying Convention members where appropriate, and activated the EU Network at several occasions. ILGA-Europe has also worked closely with the Anti-discrimination and Constitution working parties of the Social Platform, and its regular working

groups on Social Policy and Civil Dialogue. The IGC starts on 4 October 2003 and ILGA-Europe will continue its campaign to fight for the inclusion of those points we have not been able to achieve. Our joint efforts bore fruit at the last moment, in the final draft of the Constitution, where “equality” was included as a value, “combating discrimination” was included as an objective, and a new horizontal clause was inserted in Part III on policies to fight discrimination (including, explicitly, sexual orientation discrimination) in relation to defining and implementing the policies of the



The Convention hands over the draft constitution to the Member States in July 2003

EU. However, the actual anti-discrimination article (III-5) still requires unanimity, which will likely prevent any further anti-discrimination legislation on sexual orientation in the EU of 25. Until the very last moment a huge majority of Convention members supported qualified majority voting for this article. The campaign around the IGC is of greatest importance in terms of retaining the gains we made in the final draft of the Constitution and in lobbying to change the anti-discrimination article to majority voting. These developments are potentially of the greatest importance.

Work programme 2002/2003

1.6 2003 INTERGOVERNMENTAL CONFERENCE (IGC)

1.6.1 Continue to press for achievement of full equality for LGBT people and in particular for the achievement of the objectives outlined in ILGA-Europe’s submission to the Convention on the Future of Europe, including the incorporation of the Charter of Fundamental Rights into the provisions of the founding Treaties, the strengthening of the Charter’s provisions, and the strengthening of Article 13. In addition, seek a revision to the EU Treaty provisions on police and judicial co-operation to permit expressly action to combat crimes motivated by discrimination based on sexual orientation or gender identity.

1.7 Human rights

EP annual report on human rights in the EU

The report for 2001 (rapporteur Joke Swiebel) was adopted on 15 January 2003; it included recommendations on the recognition of same-sex partnerships consistent with ILGA-Europe's demands. The report for 2002 (rapporteur Fodé Sylla) was adopted on 4 September 2003; it included concerns about discrimination based on sexual orientation and a call from the EP to the member states to recognise marriage/couple and adoption rights of gay and lesbian people. In the case of both reports ILGA-Europe made strong representations for the inclusion of our concerns; this included a contribution to the plenary debate in the Parliament on 24 April.

EP annual report on human rights in the world and European Union's human rights policy

The report for 2002 (rapporteur Bob van den Bos) was adopted on 4 September 2003; it included the disapproval of the Vatican's statements to deny legal recognition to same-sex unions, the issue of the prosecution of men in Egypt on the basis of their alleged homosexuality ("Queen Boat case") and a call from the EP to the EU and the member states to address and take concrete measures against countries with laws that discriminate on the grounds of sexual orientation. In this report, ILGA-Europe

made a contribution directly to the rapporteur who included our amendment on discriminatory legislation and amended his own report according to one of our strongest concerns.

EU Commissioner for External Relations

The EU Commissioner for External Relations, The Rt. Hon. Christopher Patten, was contacted regarding police harassment in Ukraine (see 6.4 below for full details). In response, Mr Patten welcomed our action in bringing the matter to his attention and undertook to make further investigations.

Violations of lesbian, gay and bisexual rights in third countries

Work on this project started in September 2002, following the appointment of the Policy and Research officer at the beginning of that month. A detailed project description was prepared by the P&R officer. Links with human rights NGOs, such as Amnesty International and Human Rights Watch, were strengthened through exchanges of information and meetings. Throughout the period of this report, ILGA-Europe has closely monitored the developments in Egypt with regard to the persecution of gay men. This is continuing.

Work programme 2002/2003

1.7 HUMAN RIGHTS

1.7.1 Human rights in the member states

Publicise violations of EU human rights standards, inter alia, by seeking to persuade the European Parliament to refer to them in its annual human rights resolution, and by persuading the Council to include them in its annual human rights report.

1.7.2 Human rights outside the EU

Promote LGBT rights in countries outside the EU ("third countries") by:

- Alerting the Presidency, European Parliament, and Commission to grave violations of the rights of LGBT people, with a view to persuading these bodies to make representations to the government in question;
- Researching and providing information on LGBT human rights violations to the Commission and Presidency of the Council for use in bilateral trade and development negotiations;
- Working with the Commission to implement EU human rights and democratisation strategies in third countries in regard to the rights of LGBT people;
- Working for the inclusion of specific reference to Article 13 discrimination in the human rights clauses of bilateral trade and co-operation agreements with third countries.

1.8 Other EU programmes

Through our membership of the Social Platform, ILGA-Europe monitors developments in several other programmes, with

input on LGBT issues when appropriate. Regular monitoring, of databases and calls for proposals, allows us to remain aware

of other funding sources for our work and that of our members.

Work programme 2002/2003

1.8 OTHER EU PROGRAMMES

- 1.8.1 Use the mechanism of the Social Inclusion process, and the related National Action Plans and Joint Reports on Social Inclusion, to promote the social inclusion of LGBT people.
- 1.8.2 Seek to influence the implementation of the European Social Agenda programme to maximise the opportunities for working for LGBT rights.
- 1.8.3 Participate in EU sponsored projects on the exchange of best practice, extent of discrimination, and methods used to combat discrimination, in such fields as employment, education and health care.
- 1.8.4 Investigate the possibility of funding through the EU external co-operation and support programmes.
- 1.8.5 Inform member organisations of relevant calls for proposals.

1.9 Civil and social dialogues

ILGA-Europe has continued its close involvement with the work of the Social Platform, participating in the working groups on Enlargement, Social Policy, and Civil Dialogue, and a sub-working group on Anti-discrimination, and contributing to a variety of Platform documents and position papers. The campaign for the strengthening of the Charter of Fundamental Rights, and for its implementation as a legally binding charter, became incorporated within the work around the Convention on the Future of Europe.

ILGA-Europe contributed to the Social Platform's responses to the Convention's

Work programme 2002/2003

1.9 CIVIL AND SOCIAL DIALOGUES

1.9.1 Promote LGBT rights in the civil dialogue by participating in consultations on development of social policy, especially through the Platform of Social NGOs, and by working with other European level NGO networks in fields such as human rights and immigration.

1.9.2 Working with the ETUC, and the European employers' organisations (UNICE/-CEEP), encourage employers and unions to promote non-discrimination, for example, through a code of practice on implementing the employment discrimination directives.

Preliminary Draft Constitution, and participated in the biannual meetings with the Commission, and the conference on Cor-

porate Social Responsibility organised by the Danish EU Presidency in Helsingør on 21-22 November. We contributed to further drafting of responses to detailed proposals for the Constitution throughout the life of the Convention, as explained above.

ILGA-Europe's exchanges with the ETUC on the question of the implementation of the Employment Directive are described in paragraph 1.1 above. Links have been made with the European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (CEEP) and the European Union of Craftsmen and of Small and Medium Enterprises (UEAPME), and co-operation through the Commission's information campaign has led to improved understanding.



Anti-discrimination NGOs demonstrate for their rights at the Convention meeting in June (Photo: EDF)

1.10 Mainstreaming of LGBT issues

Throughout the year the presence of a fully-staffed office in Brussels has ensured that our concerns have been heard by a wider audience than ever before. Through our various networks and through contacts with the EU institutions we ensure that our message cannot be ignored. Slowly but

surely, equality for LGBT people is being included at an early stage in more and more proposals and documents.

ILGA-Europe participated again in the European Union Human Rights Discussion Forum, organised by the Danish EU Presidency in

Copenhagen on 20-21 December. We were disappointed to be ignored by the Greek EU Presidency in the first half of 2003, but were slightly consoled that they seemed reluctant to engage in the social debate at all, so it was not just LGBT issues being ignored. The Italian Presidency started well for us, with a high-level meeting with the Ministry for Equal Opportunities in Rome in May. Subsequent contacts have been less encouraging, and we had to fight to get sexual orientation mentioned at their conference on fighting discrimination in Milan in July.

Work programme 2002/2003

1.10 MAINSTREAMING OF LGBT ISSUES

Engage in dialogue with the Presidency and the Commission so that systematic consideration is given to ensuring equality for LGBT people in all Community policies, at the point of planning, implementing and evaluation.

2. COUNCIL OF EUROPE ⁴

2.1 The European Convention on Human Rights

European Convention on Human Rights

The period since the Lisbon conference has seen further substantial progress for LGBT rights with three major rulings in relation to recognition of same-sex partners, the age of consent for gay men and the recovery of gender reassignment costs under health insurance plans.

Tenancy succession rights for same-sex partners (KARNER V. AUSTRIA)

This case arose because a landlord evicted a surviving same-sex partner after the death of his partner, the official tenant. Austrian rent-control legislation provided protection from such evictions to a “life companion”, but the Austrian Supreme Court held that the Austrian parliament had intended this to apply only to unmarried different-sex partners.

tification”. The Austrian government’s justification for the eviction of Mr Karner was “protection of the family in the traditional sense”. The Court said that this abstract aim is legitimate but that the concrete measures used to implement it must be “necessary” where there is a difference in treatment based on sexual orientation. The Austrian government had failed to provide “convincing and weighty reasons” showing “that it was necessary to exclude persons living in a homosexual relationship from the scope of application of Section 14 of the Rent Act [protecting “life companions”] in order to achieve that aim [protection of the family in the traditional sense]”.

Professor Robert Wintemute, our legal adviser on Council of Europe questions, submitted written comments (an *amicus curiae* brief) to the Court on behalf of ILGA-Europe, Stonewall (UK), and Liberty (the

authorised as it highlights the general importance of the issue. ...In these particular circumstances, the Court finds that respect for human rights as defined in the Convention (...) requires a continuation of the examination of the case...” The Austrian judge disagreed, making the vote for finding a violation of the Convention technically 6 to 1, but he would have joined the majority (consisting of judges from Bulgaria, Croatia, Denmark, Greece, Italy and Malta) had Mr Karner been alive.

The age of consent (L. AND V. V. AUSTRIA, S. L. V. AUSTRIA)

In two judgments covering three separate cases the Court found unanimously that Article 209 of Austria’s criminal code, which set an age of consent of 18 for male-to-male relations compared to 14 for heterosexual and female-to-female relations, was in violation of the European Convention. The Court found that the Austrian government had not offered any convincing and weighty reasons for maintaining discrimination.

The outcome of the cases was similar to that of *Sutherland v. UK* in 1997. However this latter case never reached the full Court, being settled between the parties following a hearing before the European Commission on Human Rights, an administrative body which, under procedures abandoned in 1998, gave preliminary advisory rulings in cases. These did not carry the weight of judgments by the Court, making it easier for governments practising similar discrimination to ignore them.

Accordingly, one of the important consequences of the Austrian cases is that other governments which still discriminate in the age of consent (Albania, Bulgaria, Greece, Ireland, Portugal, Serbia, and the UK territories of the Channel Islands, Isle of Man and Gibraltar) can no longer argue that such discrimination is not a clear violation of the Convention. ILGA-Europe is in the process of using these Court judgments to put pressure on these governments. So far

Work programme 2002/2003

2.1 THE EUROPEAN CONVENTION ON HUMAN RIGHTS

2.1.1 Promote the effective use of the European Convention in support of LGBT rights by inter alia encouraging and supporting individuals and organisations to take suitable test cases.

2.1.2 Seek to develop co-operation with other organisations to campaign for Council of Europe member states to ratify Protocol 12 to the Convention.

The Court found that the ruling of the Austrian Supreme Court amounted to sexual orientation discrimination violating Article 14 (non-discrimination) together with Article 8 (respect for home). This is the first victory under an international human rights treaty by same-sex partners. The Court’s judgment makes it clear that whenever governments in the forty-five countries of the Council of Europe grant rights or benefits to different-sex cohabiting partners, they must grant the same rights or benefits to same-sex cohabiting partners.

The Court ruled that “differences [in treatment] based on sexual orientation require particularly serious reasons by way of jus-

UK’s main civil liberties NGO). This was cited by the Court both in relation to Article 14 and in connection with an important procedural issue. Siegmund Karner had died in 2000, leaving no heirs who wished to pursue his application. The Court had to decide whether to hear the case. It concluded that “the subject matter of the present application – the difference in treatment of homosexuals as regards succession to tenancies under Austrian law – involves an important question of general interest not only for Austria but also for other Member States of the Convention. In this respect the Court refers to the submissions made by ILGA-Europe, Liberty and Stonewall, whose intervention in the proceedings as third parties was

⁴ The commentaries on the Karner and van Kück cases draw heavily on material prepared by Professor Robert Wintemute, School of Law, King’s College, London.

actions include letters to the Albanian government, and parliamentary questions to the UK government, tabled with the help of Stonewall.

The recovery of gender reassignment costs under health insurance plans (VAN KÜCK V. GERMANY)

In this case the Court made some important statements about gender identity being a fundamental aspect of an individual's private life under Article 8 of the Convention.

The Court held by 4 votes to 3 that German courts violated Articles 6 (right to a fair hearing) and 8 (respect for private life) of the European Convention on Human Rights, by interpreting a health insurance contract between a transsexual woman and a private

insurance company as not requiring reimbursement of the cost of the hormones, surgery and other medical treatment required for her gender reassignment.

The right to a fair hearing was violated because the German courts failed to obtain sufficient expert advice on whether the gender reassignment was medically necessary, and to support the view taken by the courts that the applicant had deliberately caused her transsexuality.

With regard to respect for private life, the majority held that "[T]he facts complained of (...) had repercussions (...) on a fundamental aspect of [the applicant's] right to respect for private life, namely her right to gender identity and personal development. ...[W]hat matters is not the entitle-

ment to reimbursement as such, but the impact of the court decisions on the applicant's right to respect for her sexual self-determination..."

The majority did not decide that the Convention requires reimbursement of the cost of gender reassignment. What it decided is that, where a public or private health insurance plan reimburses the cost of "medically necessary" treatment, the plan must cover the cost of gender reassignment even if the usual strict criteria for determining "medical necessity" do not appear to be satisfied. These criteria must be relaxed in order to respect the transsexual individual's self-determination of their gender identity, and to take into account the lack of scientific certainty in this area.

2.2 The Parliamentary Assembly

Applicants for membership of the Council of Europe are required to demonstrate to the satisfaction of the Parliamentary Assembly that their observance of human rights is at least consistent with the minimum standards set by the Council of Europe, or required to give binding undertakings that they will meet the standard within a short period following accession.

Armenia gained membership in 2001, having given undertakings (following representations by ILGA-Europe to the Parliamentary Assembly) that it would repeal its ban on same-sex relations between men. After much delay, a new criminal code was only approved by the National Assembly on 18 April 2003, and ratified by the President on 30 April. With its entry into force on 1 August 2003, the last law in any Euro-

pean country criminalising relationships between people of the same sex has been eliminated. Thus, for the first time in many centuries, and probably since the enactment of Byzantine Emperor Justinian's legal code in the 6th Century AD, there is no part of Europe where lesbians, gays and bisexuals face the threat of criminal prosecution simply because of their love for a person of the same sex.

In late 2002 Nash Mir, a member organisation of ILGA-Europe in Ukraine, brought to our attention a case of police harassment of the lesbian, gay and bisexual community involving some 150 people in the city of Dnepropetrovsk. ILGA-Europe raised the matter with one of the Monitoring Committee rapporteurs for Ukraine, Ms Hanne Severinsen (Denmark), and with members

of the Secretariat of the Committee. Following these discussions, ILGA-Europe submitted recommendations to Ms Severinsen for inclusion in her next report on Ukraine for the Parliamentary Assembly. The report, which is to be debated and voted on at the September session of the Assembly, includes the following draft recommendation: "iii. to investigate allegations of police harassment of the lesbian and gay community and to take disciplinary action as appropriate. The police should be made aware of the need to respect the rights of lesbian, gay, bisexual and transgendered persons, inter alia through the inclusion of relevant material in police training courses and manuals." In last year's report we described our work to persuade the Parliamentary Assembly to make repeal of discriminatory age of consent laws a condition of Serbia and Montenegro's accession to the Council of Europe. The vote on this proposal took place just after the report had gone to press, in September 2002. Disappointingly, the Assembly did not support the proposal, possibly because it was introduced at too late a stage in the process of Serbia and Montenegro's accession.

Work programme 2002/2003

2.2 THE PARLIAMENTARY ASSEMBLY

2.2.1 Work with the rapporteurs of the Monitoring Committee to ensure that Armenia complies with its obligation to repeal the law that criminalises same-sex acts between men and releases any people still imprisoned under this law.

2.3 The Committee of Ministers

The Committee of Ministers had called for a wide debate within the Council of Europe on how the institutions of the Council of Europe could work to counter sexual orientation discrimination. ILGA-Europe held discussions with staff at the European Commission on Racism and Intolerance and at the Human Rights Directorate's Police and Human Rights Programme with a view to exploring ways

Work programme 2002/2003

Follow up the responses of the Committee of Ministers to the Recommendations of the Parliamentary Assembly on the Asylum/Migration and Discrimination issues, and contribute to the implementation of any actions proposed by the Committee of Ministers.

in which these organisations could work on sexual orientation discrimination. The discussions led to the generation of a

number of ideas, but to no immediate actions.

2.4 Commissioner on Human Rights

During the period ILGA-Europe opened a dialogue with the office of the Commissioner for Human Rights to explore areas of co-operation. The Commissioner prepares regular reports on the human rights situation in individual member states. ILGA-Europe agreed to encourage member organisations to provide evidence of

Work programme 2002/2003

Review the powers and role of the Commissioner on Human Rights, and explore scope for promoting LGBT human rights through this position.

human rights violations for inclusion in the reports.

2.5 Monitoring and reporting human rights violations by member states

See paragraphs 2.2 and 2.4.

Work programme 2002/2003

Monitor the continuing compliance of member states with the human rights policies of the Council of Europe, and take up cases of non-compliance with the relevant authorities.

2.6 Participation in NGO meetings at Council of Europe

NGOs with consultative status are entitled to take part in regular meetings addressing issues such as human rights, gender equality, etc. which take place during the

quarterly meetings of the Assembly. These provide a valuable opportunity to keep up-to-date with developments at the Council of Europe and to network with other NGOs.

ILGA-Europe's delegates participated in the January and April meetings.

2.7 Future activities at the Council of Europe

All too often in recent years the level of our activities at the Council of Europe has been constrained by lack of resource. As described in 6.4 below, the planned

appointment of a director for East Europe, Council of Europe and transgender programmes, made possible by core funding from the Sigrid Rausing Trust, will enable

ILGA-Europe to promote LGBT human rights to full effect at the Council of Europe.

3. ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

On the occasion of the annual winter meeting of the Parliamentary Assembly of the OSCE in Vienna in February 2003, ILGA-Europe met again with Svend Robinson and Ulrike Lunacek, two members of the Assembly from Canada and Austria interested in LGBT rights, to discuss how this issue could be addressed in this forum.

ILGA-Europe provided also background information on LGBT rights and issues to a member of the ODIHR's human rights department who was investigating the possibility of organising a side event on sexual orientation discrimination at the 2003 Human Dimension Implementation

Meeting, a project that unfortunately did not materialise although the Netherlands have been holding the OSCE Presidency in 2003.

Co-chair Kurt Krickler also participated in the "OSCE Conference on Racism, Xenophobia, and Discrimination" in Vienna on 4-5 September where he made an oral statement in one of the sessions. A written statement of ILGA-Europe was distributed to delegates and participants. In its intervention, ILGA-Europe questioned the role the Vatican is allowed to play in international organisations such as the OSCE, where it is one of 55 member states. We

also addressed the case of Uzbek human rights activist Ruslan Sharipov, who was sentenced, on 13 August 2003, to a five-and-a-half year prison term on accusations – most likely fabricated – of homosexual acts and sexual contacts with minors. ILGA-Europe urged the Uzbek authorities to conduct a prompt and impartial investigation into the allegations that Sharipov was forced to confess to the charges and to allow a fair re-trial that meets international standards. We also called upon Uzbekistan and Turkmenistan, the only two OSCE member states that still prohibit homosexuality, to repeal the relevant criminal code provisions.

Work programme 2002/2003

3. ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

3.1 Prepare submissions for and participate in the Review Conferences and the relevant meetings of the Office for Democratic Institutions and Human Rights (ODIHR), especially the Implementation Meetings of the Human Dimension.

3.2 Establish contacts with the Parliamentary Assembly of the OSCE.

ILGA-Europe intends to participate in part of the 2003 Human Dimension Implementation Meeting to be held in Warsaw 6-17 October, i. e. on 7 and 8 October when fundamental freedoms and tolerance and non-discrimination will be on the agenda. We will prepare both written and oral statements to this meeting.

4. ACTIONS TO COUNTER HUMAN RIGHTS ABUSES AGAINST LGBT AND HIV-POSITIVE PEOPLE IN EUROPE (other than through the mechanisms set out in sections 1 to 3 above)

There have not been any specific activities in this area, other than those reported in 1.5, 1.7, 1.8, and 2. above.

Work programme 2002/2003

4. ACTIONS TO COUNTER HUMAN RIGHTS ABUSES AGAINST LGBT AND HIV-POSITIVE PEOPLE IN EUROPE (other than through the mechanisms set out in sections 1 to 3 above)

4.1 Monitor human rights abuses based on sexual orientation, gender identity and HIV status in Europe.

4.2 Mobilise international support for victims of such abuses by organising support campaigns by ILGA-Europe's members, and by other international NGOs such as Amnesty International, Human Rights Watch, and the International Gay and Lesbian Human Rights Commission.

5. ACTIONS TO COUNTER HUMAN RIGHTS ABUSES AGAINST LGBT AND HIV-POSITIVE PEOPLE OUTSIDE EUROPE (other than through the mechanisms set out in sections 1 to 4 above)

There have not been any specific activities in this area, other than those reported in 1.5, 1.7, 1.8, and 2. above.

Work programme 2002/2003

Respond to calls for action, particularly from ILGA, Amnesty International and the International Gay and Lesbian Human Rights Commission, and encourage member organisations to do likewise.

6. PROGRAMME OF ACTIVITIES IN SUPPORT OF LGBT HUMAN RIGHTS ORGANISATIONS IN CENTRAL AND EASTERN EUROPE AND IN THE MEDITERRANEAN AREA (other than through the mechanisms set out in sections 1 to 4 above)

ILGA-Europe's work in this area has to date been dependent on volunteer effort. Inevitably it has been far less than the board would have wished, and far from meeting the needs of LGBT communities in Central, Eastern and South Eastern Europe.

In March of this year we applied to the UK-based Sigrid Rausing Trust for core funding to allow us to develop three main areas of activity for which our resourcing was inadequate: East Europe, Council of Europe and transgender issues. We were delighted when in June the trustees made an initial grant to ILGA-Europe of £120,000. The development will take place in two main phases: first, the appointment of a director who will be responsible for activity in all three areas. This position was advertised in July 2003, and it is planned to make the appointment towards the end of the year. The second phase involves setting up a small office in East Europe (consisting of 3 staff), with the purpose of supporting the development of the LGBT movement. The plan is to establish the office in the spring or early summer of 2004.

The East Europe office will be responsible for supporting the development of the LGBT movement in all East and South East European countries (except the 10 new EU member states). It will do so by concentrating on the development of LGBT organisations through training and exchange of best practice, in close co-operation with other organisations working in the field.

Work programme 2002/2003

6. PROGRAMME OF ACTIVITIES IN SUPPORT OF LGBT HUMAN RIGHTS ORGANISATIONS IN CENTRAL AND EASTERN EUROPE AND IN THE MEDITERRANEAN AREA (other than through the mechanisms set out in sections 1 to 4 above)

6.1 Encourage co-operation and mutual support between member organisations in Central and Eastern Europe and in the Mediterranean area and between those organisations and members in Western Europe.

6.2 Find means of providing support and technical advice to assist in the development of LGBT human rights organisations in Central and Eastern Europe and in the Mediterranean area, in such areas as lobbying skills, funding, organisational development, combating discrimination and mobilising international pressure in respect of particular human rights violations.

6.3 Consider developing proposals for joint projects in the LGBT field under the PHARE/TACIS/ACCESS programmes.

6.4 Seek to increase number of member organisations in Central and Eastern Europe and the Mediterranean Area and facilitate their participation in the work of ILGA-Europe, including subsidising participation in ILGA-Europe events.

Example of technical support – a case of police harassment in Ukraine

In late 2002 Nash Mir, a member organisation of ILGA-Europe in Ukraine, brought to our attention a case of police harassment of the lesbian, gay and bisexual community in July 2002 in the city of Dnepropetrovsk following the murder of a man believed to be gay. Approximately 150 individuals were reported to have been interrogated, generally without any particular grounds, and on the basis solely of their presumed sexual orientation as lesbian, gay or bisexual. ILGA-Europe advised Nash Mir on the

preparation of a report documenting the harassment. This provided evidence of numerous unacceptable practices, such as verbal and physical harassment, extortion, violations of due process, and the existence of a photograph album identifying people living in the town who were identified by the police as lesbian, gay or bisexual. ILGA-Europe took up this case with the Ukrainian Minister of the Interior, with the EU Commission for External Relations (see 1.7 above), and with the Monitoring Committee of the Parliamentary Assembly of the Council of Europe (see 2.2 above).

7. HIV/AIDS

Due to resource constraints and priority setting, activity in this area was confined to a single meeting with the Gay European Network for HIV Prevention.

Work programme 2002/2003

7. HIV/AIDS

7.1 Co-operate with the Gay European Network for HIV Prevention, and encourage ILGA-Europe members to co-operate in AIDS prevention projects within this network, including when seeking funding from the EU and other institutions.

7.2 Co-operate with other international NGOs working in AIDS prevention, e.g. the European Council of AIDS Service Organisations and the Global Network of People Living with HIV/AIDS.

7.3 Participate in campaigning initiatives to promote access to treatment.

8. DEVELOPMENT OF ILGA-EUROPE

8.1 Organisational development and funding

During the period four editions of the *Newsletter* were published. They included articles covering, among other things, ILGA-Europe's campaigns on the employment, free movement, refugee definition and asylum directives; the Convention on the Future of Europe; updates on the enlargement of the Union; regular news from the European Parliament Intergroup on Gay and Lesbian Rights and from the Social Platform; the *Act4Europe* Campaign; initiatives in relation to the persecution of homosexuals in Egypt and to discriminatory laws in European states; news of developments in the capacity and management of ILGA-Europe; and profiles of three NGOs with whom we work closely: the European Disability Forum, the Comité européen des associations d'intérêt général, and the European Women's Lobby.

During the year nine editions of the *Euro-Letter* were published, and this invaluable news service is now available in five languages. The website continued to be updated with information about ILGA-Europe's work programme. Its development as a resource for best practice in fighting discrimination was enhanced by the approval by the board in November of proposals to develop a discrimination information centre. Work on this facility continues.

This *Annual Activity Report* was published as planned.

ILGA-Europe is investigating its capacity-building role through a pilot project which aims to provide support to LGBT Muslim groups. A representative from Al-Fatihah UK and another from the Safra Project (which

Work programme 2002/2003

8.1 ORGANISATIONAL DEVELOPMENT AND FUNDING

8.1.1 Ensure transparency and members' involvement, through regular and prompt consultations with and information to members (e. g. electronic mailing, *newsletter*, meetings,...), and consider the members when making decisions.

8.1.2 Develop stable funding, particularly with regard to the co-finance needed to supplement the European Commission's core funding, and to finance activities not covered by this core funding.

8.1.3 Develop a communications and media strategy to ensure the fully effective communication of ILGA-Europe's policies and work both within the LGBT community and outside, and, within the LGBT community, of the European Community's policies and actions relevant for combating discrimination.

addresses the problems of LGBT Muslim women in the UK) took part in two workshops at the Lisbon conference. Member organisations working in other countries in this field also contributed. These discussions provided an opportunity for a general exchange of ideas on how LGBT Muslim communities can be supported at the European level, and were an important stage in the feasibility study. The study outline was accepted by the board at the end of November, and work has begun on the implementation of the proposal. An evaluation is planned for a pre-conference seminar in Glasgow in October 2003.

The annual conference took place as planned in Lisbon in October 2002. It was attended by 133 delegates, from 32 countries, who participated in a range of workshops and plenary sessions. These addressed issues from the work programme, including implementation of the Framework Directive; other legislative developments; LGBT organising and capacity-building; working with

trades unions; and issues facing minorities within LGBT communities. A survey of participants at the end of the conference gave generally good performance ratings, identified areas for improvement at the conference in 2003, and gave valuable feedback on preferred subjects and participation styles.

The support of major funders, such as the Sigrid Rausing Trust (see section 6 above), has enabled the scope of our work to increase and deepen, but this brings a need for further fundraising. The management team are looking at ways of establishing a dependable income stream, to reduce reliance on "project" funding approaches and to raise more funds from our constituents.

A benchmarking survey of our communications was initiated in September 2003; this will provide a sound knowledge base for the development of an integrated communication strategy.

8.2 Enhanced involvement of, and work for, transgendered persons

Apart from granting specific scholarships to transgender activists to attend the Glasgow conference, no work was done to increase ILGA-Europe's transgendered membership.

The re-establishment of a formal Transgender Issues working group in May 2003 was the beginning of a more co-ordinated activity of the board in this field. The working group has finalised ILGA-Europe's principle position on gender identity discrimination (definitions and demands), has developed the webpage section in this area (soon to

Work programme 2002/2003

8.2 ENHANCED INVOLVEMENT OF, AND WORK FOR, TRANSGENDERED PERSONS

8.2.1 Actively seek to increase ILGA-Europe's transgendered membership.

8.2.2 Work to increase ILGA-Europe's visibility as a transgender lobby NGO at European level.

be brought on-line), and will work with the board to explore a potential capacity-building project in the next Commission funding period. The working group will give regular updates in the *Newsletter*, will start lobbying activities on the proposed

gender directive (see section 1.2.2 above), and will develop the plan for future work under the Sigrid Rausing Trust funding, which enables some staff time for transgender work.

8.3 The rights of bisexuals

The paper on bisexuality which was commissioned during the previous year was considered by the board in October, and a version for Board resolution was circulated in May. Its recommendations have been evaluated and implemented in most of our internal work, and we will continue to implement them across all of ILGA-Europe's activities. One of the main benefits of this study was to raise awareness of the complexity that bisexual issues add to sexual orientation work and the need for special consideration of future work in this field. We have discussed

Work programme 2002/2003

8.3 THE RIGHTS OF BISEXUALS

Establish what practical steps can be taken at European level to promote the rights of bisexual people, beyond those issues already being addressed by work to eliminate sexual orientation discrimination, and work on their implementation.

among ourselves biphobia, monosexuality, non-identities and more queer attitudes, and the importance of inclusive language. In Glasgow we will have a workshop on bisexuality. We have also decided to add biphobia,

when relevant, into our texts and "proof read" our texts better to make sure bisexuality is there in its own right. Further we have decided to add bisexuality texts on the website and proof read our webpages.

8.4 Documentation and research

This work is on-going, but the contributions by the Policy & Research officer have given us an excellent start to the database project. Future work will consolidate this start, and include records of successful legal challenges to discrimination.

Work programme 2002/2003

8.4 DOCUMENTATION AND RESEARCH

8.4.1 Develop and maintain a country-by-country inventory of discrimination laws and practices; monitor developments and keep up-to-date; develop information resource on best practice in combating discrimination.

8.4.2 Produce reports and provide information to European institutions, the United Nations, and to other organisations as appropriate.

9. MEDIA COVERAGE

An important part of ILGA-Europe's work is to raise the public awareness of LGBT issues. One means of doing this is through press and other media coverage. During

the year we gave a number of interviews to the news media; these included interviews with Euronews (Europe), ORF (Austria), GayTV (Italy), Antena 3 (Spain), and several

Portuguese channels covering the Lisbon conference. Press releases and radio interviews added to our public profile in many European countries.

10. FINANCIAL REPORT 2002

Overview

2002 saw ILGA-Europe's levels of income and expenditure grow substantially for the second year running. Total expenditure was €382,262, compared to €196,507 in 2001, and €8,506 in 2000. The increase between 2001 and 2002 was due to two main factors: first, staff levels rose, with the appointment of the executive director and Policy and Research officer taking the total ILGA-Europe staff to four. This increase was of course made possible by the financial support of the European Community. The second factor was the inclusion in ILGA-Europe's accounts of the total cost of the annual conference. In previous years conference costs were accounted for by the host organisation.

Income totalled €401,114, of which approximately three-quarters consisted of European Community financing. Other donors included the Ruben and Elizabeth Rausing Trust, Homosexuelle Selbsthilfe (Germany), the Stonewall Group (UK), the Gay Community Organisation Distribution Service (UK), the Open Society Institute, the Heinrich Böll Foundation (Germany), COC-Haaglanden (Netherlands) and Pink Cross (Switzerland).

Of the resulting surplus of €18,852, the board proposes to commit €10,000 to a separate fund for developing ILGA-Europe's activities in East Europe, leaving a transfer to general reserves of €8,852. The transfer to the East Europe development fund is subject to the agreement of the conference.

Comparison to budget

The indicative budget for 2002 approved at the 2001 Rotterdam conference proposed expenditure of €407,172. In the event, total expenditure amounted to €382,262, or 94% of the budgeted figure. Total EU co-funded expenditure, at €342,496 was 88% of budget. By contrast, the total for non-EU expenditure, at €39,767, was significantly above the budgeted figure of €17,248. The main reason for this variance is that the budget did not include

ILGA-Europe Income and Expenditure Account for 2002		
<i>EXPENDITURE</i>		<i>Euros</i>
EU CO-FUNDED ACTIVITIES		
SECRETARIAT COSTS		
Staff costs	145,526	
Office costs	49,920	195,446
GOVERNING BODIES		
Board meetings	12,111	
Annual Conference	66,017	78,128
WORK PROGRAMME ACTIVITIES		
Policy work and reports	7,872	
Information dissemination	25,054	
Network meeting	8,463	41,389
OTHER COSTS		
Travel (other than board meetings, conference, Network)	21,089	
Financial and legal advice, and bank charges	6,444	27,533
TOTAL OF EU CO-FUNDED EXPENDITURE		342,496
OTHER EXPENDITURE		
Travel (EE Board members, Council of Europe)	5,416	
Conference costs (scholars and others)	31,749	
Other costs	2,602	39,767
TOTAL EXPENDITURE		382,262
<i>FINANCING</i>		
European Commission grant	303,247	
Conference scholarship grants	17,233	
Participants' contributions to Annual Conference	38,709	
Other grants and donations	40,829	
Interest	1,096	
TOTAL FINANCING		401,114
Transfer to East Europe development fund		10,000
Balance transferred to general reserves		8,852

Notice: The reports and audited accounts presented here are in summary form. The full versions, including the report of the auditor, are available at www.ilga-europe.org.

estimates for the costs of conference participants not eligible for support under the EU grant agreement. Such participants included delegates funded under the EU ACCESS programme, and those on East

Europe and transgender scholarships, and delegates from other non-EU countries.

Nigel Warner, treasurer – 1 July 2003

11. Calendar of meetings & events attended in 2002/2003⁵

October 2002

23-27: ILGA-Europe Annual Conference, **Lisbon**

27: ILGA-Europe Board meeting, **Lisbon**

November

14-15: Danish EU Presidency conference on Non-discrimination, **Copenhagen**

21: Meeting of the European Parliament's Intergroup on Gay and Lesbian Rights, **Strasbourg**

21-22: Danish EU Presidency conference "Mainstreaming Corporate Social Responsibility Across Europe", **Helsingør**

24: Danish member organisation *LBL* general assembly, **Copenhagen**

29-1 DEC: ILGA-Europe Board meeting, **Brussels**

December

2: Social Platform Steering Group meeting, **Brussels**

2-3: Interviews with candidates for new staff position (Public Affairs officer), **Brussels**

3-4: Conference in the Swedish parliament: "LGBT in the World", **Stockholm**

12-14: Social Platform study visit to Polish NGOs, **Warsaw**

16: Meeting with Yoesuf Foundation (Muslim LGBT capacity-building project), **Antwerp**

18: Meeting with Safra Project (Muslim LGBT capacity-building project), **London**

20-21: 4th European Union Human Rights Discussion Forum, **Copenhagen**

January 2003

21: Meeting with Stonewall-Scotland in preparation of the 2003 Annual Conference, **London**

26: European Year of People with Disabilities opening ceremony, **Athens**

27-29: Meetings at Council of Europe during session of the Parliamentary Assembly, **Strasbourg**

February

12: Meeting of the European Parliament's Intergroup on Gay and Lesbian Rights, **Strasbourg**

15-16: ILGA-Europe Board meeting, **Brussels**

24: Social Platform Steering Group meeting, **Brussels**

25: Biannual meeting between European Commission and Social Platform, **Brussels**

March

3-4: Audit at the European Commission, **Brussels**

19-20: Conference "Mid Term Review of the Social Policy Agenda: Achievements and Perspectives", **Brussels**

21: Social Platform general assembly, **Brussels**

27-30: Conference "Beyond Homophobia", **Timișoara**

29: German member organisation *LSVD* general assembly, **Cologne**

31-4 APRIL: Meetings at Council of Europe during session of the Parliamentary Assembly, **Strasbourg**

April

3: Meeting with *Inter LGBT*, **Paris**

5-6: 3rd ILGA-Europe's EU Co-ordination Network meeting, **Ghent**

8: Meeting with the Dutch Ministry of Health, **Amsterdam**

9: Meeting with the European Parliament's Intergroup on Gay and Lesbian Rights, **Strasbourg**

24: Speech at public hearing in the European Parliament on "Fundamental rights in the EU in 2002", **Brussels**

24-26: Meeting "Equal Sexualities at work" (transnational projects), **Amsterdam**

27: Meeting of ILGA-Europe's Transgender Issues working group, **Brussels**

May

1: Meeting with Stonewall-Scotland in preparation of ILGA-Europe's 2003 Annual Conference, **London**

2: Participation in Brussels Gay Pride debate on LGBT rights in accession states, **Brussels**

6: European Parliament: "PES Group in Dialogue with Civil Society – Europe's Future Constitution", **Brussels**

8: Meeting with a coalition of European Parliament Intergroups on Anti-discrimination and the Convention, **Strasbourg**

16-17: International conference „Herausforderung Vielfalt“, **Bad Segeberg**

21: European Parliament: Press conference on Anti-discrimination and the Convention, **Brussels**

24: Belgian member organisation *FAGL* general assembly, **Brussels**

27: Meeting with representatives of the forthcoming Italian EU Presidency, **Rome**

⁵ In this section we cannot list each single meeting a staff or board member attended. Therefore, we only include meetings in Brussels to which board members travelled from abroad and those of special relevance attended by staff members (in most cases not mentioned elsewhere in this report). Regular routine meetings of Social Platform working groups etc. in Brussels, which staff members attended, are not listed. However, meetings outside Brussels in which staff members participated are included.

29-31: Conference “Violence against Lesbians: Violence in Lesbian Relationships”, 2nd European Symposium, **Frankfurt/Main**

31-2 JUNE: ILGA-Europe Board Meeting, **Brussels**

June

5: Conference at Italian Gay Pride, **Bari**

12: Information evening with European Commission stagiaires’ group *QueerStagiaires*, **Brussels**

13: Mini-conference on the role of European NGOs in combating discrimination, **Maastricht**

17: Conference “Time to act for Europe! – Civil Society’s next steps after the Convention” (Civil Society Contact Group), **Brussels**

23-24: EU Commission conference on “Civil Dialogue in an enlarged Europe”, **Budapest**

26: Diversity conference, **Frankfurt/Main**

27: Speech at Gay Pride Festivities, **Zagreb**

July

5: Speech at Christopher Street Day, **Cologne**

8: European Parliament public hearing on the implementation of the Race Directive, **Brussels**

21-22: Italian EU Presidency conference “Fighting Discrimination: from Theory to Practice”, **Milan**

26: Belfast Gay Pride opening speech, **Belfast**

27: Meeting of ILGA-Europe’s Transgender Issues working group, **Brussels**

August

22: Europride, workshop participation, **Manchester**

September

3: Meeting of the EP’s Inter-group on Gay and Lesbian Rights, **Strasbourg**

4-5: OSCE conference on “Racism, Xenophobia, and Discrimination”, **Vienna**

10: Meeting with NICEM (transnational) project team, **Brussels**

13-14: ILGA-Europe Board meeting, **Brussels**

19-20: Social Platform study visit, **Prague**

20-21: Interviews with candidates for new staff position (director for East Europe, Council of Europe and transgender programmes), **Brussels**

25-26: Conference on “Same-sex Couples, Same-sex Partnerships and Homosexual Marriages”, **Stockholm**

26: Conference “Lesbians, Gay Men and Bisexuals in Working Life”, **Stockholm**

29-1 OCT: Social Platform study visit and meeting on Irish Presidency, **Dublin**

30-1 OCT: Meetings at Council of Europe during session of the Parliamentary Assembly, **Strasbourg**

October

7: Article 13 diversity forum, **Brussels**

7-8: OSCE Human Dimension Implementation Meeting, **Warsaw**

10: NICEM round table conference with European NGOs, **Brussels**

11-12: Conference on “Rainbow Families”, **Berlin**

14: ILGA-Europe Board meeting, **Glasgow**

15: Ilga-Europe’s Muslim LGBT pre-seminar, **Glasgow**

15: ILGA-Europe EU Co-ordination Network meeting, **Glasgow**

16-19: ILGA-Europe’s Annual Conference, **Glasgow**

SPECIAL THANKS

At the time of going to press, it was clear that there would be contested elections for the seats on the ILGA-Europe executive board. It is not possible to predict the outcome of those elections, but we can be sure that we are losing the services of two board members, Kurt Krickler and Nico Beger. Both will be missed, not just for their direct contribution to board meetings, but for their outstanding commitment to our cause. Kurt has been on the board from the start, he has never missed a board meeting – forty-one in all – and he has represented ILGA-Europe as co-

chair and board member in countless meetings and conferences. His sharp eye for detail has helped to maintain the high standard of publications for which we are known, and his linguistic skills have been invaluable. Nico has brought an academic



Nico Beger



Kurt Krickler

approach to our work, improving the board’s grasp of queer theory, while initiating several practical activities, notably in our work on transgender issues. In thanking Nico and Kurt for their valuable input over the years, and in wishing them well for the future, we hope that they will continue to support our work, as volunteers, as supporters of member organisations, and most of all, as friends.

THE EXECUTIVE BOARD OF ILGA-EUROPE
Brussels, October 2003



Publications

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