



The European Region  
of the International  
Lesbian and Gay Association

# Activity Report 2001/2002

28 OCTOBER 2001 - 23 OCTOBER 2002

# THANKS AND ACKNOWLEDGEMENTS



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**Activity Report 2001-2002**  
Brussels, October 2002

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This Annual Activity Report is published with the support of the European Commission



– The European Union against discrimination, and the *Homosexuelle Selbsthilfe*, Berlin. The information contained in this publication does not necessarily reflect the position or opinion of the European Commission. It is not liable for any use that may be made of this information.

We would like to thank everybody who has supported the work of ILGA-Europe during the period between the Rotterdam and Lisbon annual conferences. Without the commitment of many people and the financial and other support of many (member) organisations and individuals this work would not have been possible to the extent and in the way it finally was achieved. We cannot mention them all here but special thanks have to go to the following:

- Mark Bell, Robert Wintemute, Alberto Volpato, Cathal Kelly and Stephen Whittle for regular advice and provision of information;
- Tom Hoemig of the ILGA-World office;
- the activists of *Opus Gay* for helping prepare the ILGA-Europe Annual Conference in Lisbon in October 2002;
- Steffen Jensen for, together with other activists of the Danish national gay and lesbian association *LBL*, continuing to publish the *Euro-Letter* on behalf of ILGA-Europe;
- Sue Lee for advice and assistance regarding staff recruitment;
- again Steffen Jensen, and Bent Hansen of *LBL*, for helping prepare and participating in our meeting with representatives of the Danish EU Presidency in Copenhagen;
- António Serzedelo and Nikita Ivanov for translating our information leaflet into Portuguese and Russian, and activists of *HS* in St. Petersburg to do the layout of the Russian leaflet;
- Peter Ashman for continuing to represent ILGA-Europe in the *Pink Triangle Coalition*;
- Isabelle Cruette for representing us at the Marseilles Summer University;
- the *Heinrich-Böll-Stiftung* (Germany), the *Open Society Institute (OSI)* in Budapest, *Homosexuelle Selbsthilfe e. V.* (Germany), *COC Haaglanden* (Netherlands), *Pink Cross* (Switzerland), and *UNISON* (UK) for generously funding specific projects or activities of ILGA-Europe;
- *Stonewall Lobby Group* (UK) and the *UK Gay Community Organisation Distribution Service (GCODS)* for substantial financial contributions to our work;
- the European Commission for granting core funding and for the support of its anti-discrimination unit;
- MEPs Joke Swiebel, Michael Cashman, Lousewies van der Laan, Baroness Sarah Ludford, Marco Cappato, Torben Lund, Olle Schmidt, Jean Lambert, Joost Lagendijk and many others, including their assistants, for their commitment to support LGBT issues in the European Parliament.

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# INTRODUCTION

As in the past, ILGA-Europe has produced an annual activity report which covers the period between the last and the forthcoming annual conference, i. e. in the current case for the period from 28 October 2001 to 23 October 2002. The purpose of this publication is to report about the activities of the staff and the executive board in relation to the Work Programme 2001/02 as approved by the Rotterdam conference in October 2001.

As in last year's report, we have included the relevant chapters and items from the work programme in the corresponding sections of this report to make it easier to relate the reported activities to the programme adopted at Rotterdam. This report cannot detail our manifold activities and actions during the twelve months under review. Further information is available from our website, the *ILGA-Europe Newsletter* and the *Euro-Letter*.

The period covered by this report has been one of exceptional growth for us. The staffing of the office in Brussels has grown from one-and-a-half to four (executive director, Ailsa Spindler; information officer, Mette Vadstrup; administration officer, Olivier Collet; policy & research officer, Licínia Pereira); our EU National Co-ordination Network is now providing effective links between ILGA-Europe and national organisations in all EU member states; and our publications have enhanced our reputation for leadership in the field of LGBT rights in Europe.

This expansion has been achieved as a result of the hard work and dedication shown by many volunteers, including the particular contribution of some of our long-serving activists. In particular, certain board members have worked tirelessly with staff at the EU Commission to secure the funding which has fuelled the growth of our office-based resources. Without the invaluable contribution of volunteers – and, of course, the staff – the organisation of ILGA-Europe would not have gained the significant achievements detailed in this report. The executive board would like to give particular thanks to Adrian Coman, who is stepping down from the board this year, for his significant contribution to our work and his special expertise in eastern European matters.

## Future perspectives

With the office staff now at its full complement of four, we have an opportunity – indeed, a duty – to devote more resources to future planning. While we must be ready to react to sudden changes and developments in LGBT issues in Europe, we should also develop our own long-term agenda.



**ILGA-Europe staff now at its full complement of four:  
Ailsa Spindler, Licínia Pereira, Olivier Collet and Mette Vadstrup**

It has become increasingly clear that a co-ordinated strategy on “Article 13 discrimination” is likely to yield more positive results for LGBT rights than we are likely to achieve if we work alone. Closer co-operation with other European NGOs in this field will be developed in the months ahead.

There is a clear need for ILGA-Europe to develop independent funding sources, to reduce dependence on EU funding and to enable us to work on more projects outside EU member states. A marketing strategy will be formulated, to develop fundraising initiatives while also raising the profile of ILGA-Europe and LGBT rights. The continuing support of members and individuals will be vital as we move towards a self-sustaining position.

Another priority for the year ahead is the development of an information resource centre on discrimination. This will assist our daily work, and at the same time provide our members and our network of activists with more tools to fight discrimination at local and national level. By establishing such a resource, ILGA-Europe will build on its existing reputation as a source of reliable information on LGBT rights in Europe. In turn, this will help to justify our ongoing calls for support from LGBT organisations and their members.

This will also be part of a broader focus to offer an excellent service to our members. This will include lobbying skills of the highest order, effective and efficient administration, and clear communication using the various media available. By demonstrating our professionalism in these ways we will convince all of our contacts, and the wider public, of the seriousness of our cause.

THE EXECUTIVE BOARD OF ILGA-EUROPE  
Brussels, October 2002

# 1. EUROPEAN UNION

## 1.1 General Framework Directive for equal treatment in employment and occupation

The general Framework Directive on equal treatment in employment and occupation includes prohibition of discrimination on the grounds of sexual orientation. The directive must be implemented fully in the 15 member states by December 2003 and in the 13 candidate countries before accession to the EU.

In 2001 ILGA-Europe started a programme to ensure the proper implementation of the Employment Directive with regard to sexual orientation discrimination at national level. This includes monitoring developments in the member states, and explaining to member organisations the significance of the Employment Directive, the need to monitor its implementation, and the opportunities for national governments to adopt protective measures that go beyond the minimum standards set out in the directive.

This programme was continued with a session at the meeting of ILGA-Europe's National EU Co-ordination Network held in Brussels on 20-21 April 2002. Delegates of national member organisations together with board and staff members reviewed the progress of implementation of the directive on a country by country basis. They also discussed the representations made by member organisations to their governments, addressed a number of key issues and shared experiences of member organisations in working together with other NGOs, trades unions etc. The feedback from delegates made it clear that ILGA-Europe's implementation guidelines and awareness raising programme had been very important in enabling national member organisations to engage in dialogue with their governments. The developments debated at the Network meeting were published in the May *Newsletter*.

Other activities in support of the implementation of the Employment Directive included *ad hoc* correspondence with members regarding specific issues. In the

### Work programme 2001/2002

#### 1.1 General Framework Directive for equal treatment in employment and occupation

1.1.1 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,
- Exchanging information and best practice with other international networks working on the implementation of the Directive.

1.1.2 Work with other European level NGOs concerned with the implementation of the Directive to encourage co-operation and a common approach at national level.

December and April *Euro-Letter* we launched our policy paper (IE doc. # 3/2002, see also item 1.3. below) and reported developments in the United Kingdom. On 23 March co-chair Jackie Lewis spoke at the conference "Fight against discrimination – Current situation in Europe and in Belgium", organised by the Belgian Centre for Equal Opportunities and Opposition to Racism to discuss the implementation of the two Article 13 directives (the Framework Directive 2000/78/EC and the Race Directive 2000/43/EC). We also participated in the Belgian awareness day on promoting the European anti-discrimination legislation by having an information stand in the

centre of Brussels alongside other national and European NGOs.

In the process of monitoring the implementation of the Framework Directive ILGA-Europe has collaborated with the European Disability Forum (EDF), the European Older People's Platform AGE and the European Network against Racism (ENAR). The co-operation mainly seeks to inform each other on strategies and tools for monitoring and to explore ways of working together. At the Network meeting in April the national co-ordinators were encouraged to strengthen the co-operation with national members of the European NGOs and trade unions.



Participants of the second meeting of the EU National Co-ordination network in Brussels

We approached the European Trade Union Confederation (ETUC) to seek its support for co-operation in the implementation of the Framework, and are currently pursuing this. The ETUC has so far

been focusing on the implementation of the Race Directive. At the annual conference in Lisbon, ILGA-Europe will be working with national trade unions to focus on the Framework Directive.

ILGA-Europe has also been monitoring the implementation of the Framework Directive in the accession countries (for more details see item 1.5 below).

## 1.2 The Community Action Programme to combat discrimination

The Community Action Programme to combat discrimination (2001-2006) has a total budget of € 98 million. It is divided into three key areas: 1) raising awareness, 2) promoting and supporting capacity building and 3) monitoring implementation of the anti-discrimination directives, research and developments. The European Commission is implementing the action programme through calls for tenders on various projects and programmes.

ILGA-Europe has continued to promote the initiatives of the Community Action Programme. Most notably we were active in promoting phase 1 of the transnational exchange projects, responding to requests for information and assisting members and project partners with contact details. In the November *Newsletter* we reported on developments regarding these projects. We encouraged members to try to join appropriate projects among

### Work programme 2001/2002

#### 1.2 The Community Action Programme to combat discrimination

1.2.1 Work with member organisations in EU member states and accession states to ensure full and effective inclusion of LGBT human rights in the transnational anti-discrimination projects.

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

lead project partners: Centre Européen Juif d'Information and the Northern Ireland Council for Ethnic Minorities (project title: "Introduction of anti-discrimination training measures within public administrations"); SOLIDAR (project: "Who is the driver? Capacity building in fighting discrimination in NGO service providers"); and UNITED for Intercultural Action (project: "Making headlines together: Common action against discrimination in the media").

of experience. This experience will be shared in a workshop at the forthcoming annual conference in order to improve knowledge and be better prepared for the second round of funding of transnational projects which the Commission intends to launch in the end of 2003.

ILGA-Europe has also been monitoring and disseminating other calls for proposals and tenders which the Commission has launched under the Community Action Programme. One of these was the call for the establishing of legal expert groups on each of the specific grounds of discrimination. We followed the establishing of the expert group on sexual orientation discrimination, which is currently being finalised. The idea of such groups of legal experts from each member state is to assist the Commission in its research and monitoring of the implementation of the two Article 13 directives (see item 1.1 above).

In July 2002 the Commission published a call for tenders for carrying out information campaigns to combat discrimination. We were contacted by several public relations and advertising companies considering putting in a proposal. We provided them all with background information on sexual orientation and gender identity discrimination. The campaign is to start in 2003.

### Abbreviations used for political party groupings in the EP

ELDR:	Group of the European Liberal, Democratic and Reformist Party
EPP-ED:	Group of the European People's Party and European Democrats
Greens/EFA:	Group of the Greens/European Free Alliance
PES:	Group of the Party of European Socialists

the 71 that had been pre-selected for phase 1 starting on 1 October 2001. This lasted six months during which the pre-selected projects received funding to elaborate a detailed two-year work programme and find suitable partners. In July 2002 the Commission selected those projects that would continue to receive funding for phase 2 in which the proposed work programme is to be implemented.

ILGA-Europe itself has been involved in developing projects with the following

However, the project led by CEJI/NICEM was the only successful one to continue to phase 2 starting in October 2002. On 12 September ILGA-Europe took part, along with other European NGOs, in the meeting of the Co-ordination Steering Committee to explore further the role of the European NGOs in this project.

In this whole process – starting with the launch of the programme in March 2001 and ending with the final selection of projects in July 2002 – ILGA-Europe and several of our members have gained a lot



## 1.3 Going beyond the Framework Directive

In 2001 ILGA-Europe produced a policy paper on the need for a directive to prohibit sexual orientation discrimination in all areas of EU competence: "After the Framework Directive: Combating discrimination outside employment" (IE doc. # 3/2002). In April 2002, this policy paper, drafted by Mark Bell, was translated into French and Spanish. While all three versions are available in electronic format and can be downloaded from our website, the English version was also printed in 2,000 copies in April.

At the April National Co-ordination Network meeting we continued the process (initiated at Rotterdam) of developing a long-term strategy to work towards such a directive. The session started with a presentation by the director of the European Disability Forum on the experiences of his organisation in working towards such a directive in the field of disability. This was followed by a presentation by Mark Bell on ILGA-Europe's policy paper and by a general discussion on the development of a long-term strategy to achieve such a directive.

In April we established contact with members of the Committee of Regions who are interested in promoting such a directive. The timing of bringing the issue

onto the agenda of this Committee was discussed with a member of the Committee, Peter Moore.

The ILGA-Europe policy paper was also presented to leading members of the Parliament's Intergroup on Gay and Lesbian Rights and to the Spanish and the Danish EU Presidencies. The need to extend prohibition of sexual orientation discrimination to other areas was also addressed at the TAIEX seminar in July in which representatives of LGBT organisations and governments from all accession countries participated (see item 1.5 below).

The promotion of the issues presented in our policy papers is a way of also ad-

ressing the current hierarchy that exists between the Article 13 EC grounds of discrimination. We have also highlighted this in our submission to the Convention on the Future of Europe (see item 1.6 below).

We have also been working with MEP Michael Cashman (PES/UK) to raise the issue of future specific legislation on sexual orientation discrimination. On 11 September he posed this question to Commissioner Anna Diamantopoulou, responsible for the EU's anti-discrimination policy, when she was addressing the Citizens' Freedoms and Rights, Justice and Home Affairs ("LIBE") Committee in the European Parliament.

### Work programme 2001/2002

#### 1.3 Going beyond the Framework Directive

Begin work on a long-term campaign to persuade the European Union of the need for a Directive to cover sexual orientation discrimination in all areas of EU competence outside employment, by:

- Preparing an initial policy statement explaining the need for such a Directive
- Developing and implementing a long-term action plan involving both ILGA-Europe and its member organisations with the purpose of persuading the Commission and member states to introduce such a Directive.

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

Lobbying in the context of the EU's plans to establish an Area of Freedom, Security and Justice has been one of the priorities and areas of greatest activity for ILGA-Europe in the period under review.

In November 2001, we published a general policy paper – *Promoting equality for lesbian, gay, bisexual and transgender persons: EU Justice and Home Affairs policies* (IE doc. # 6/2001) – surveying the whole range of Justice and Home Affairs policy in relation to lesbians, gays, bisexuals and transgenders and making broad recommendations. Like all

our position papers in this field, this document was drafted by Mark Bell, lecturer in law at the University of Leicester. A French translation was also produced (IE doc. # 6/2001/FR).

We also produced position papers on new Commission draft directives and revised existing ones as follows:

- ▶ Our position paper (IE doc. # 5/2001) on the proposal for a *European Parliament and Council Directive on the right of citizens of the Union and their family members to move and reside freely with-*

*in the territory of the Member States (COM (2001) 257)* was revised in January 2002. At the same time, a summary was produced (IE doc. # 5a/2001).

- ▶ In February 2002, we published our position paper (IE doc. # 1/2002) on the proposal for a *Council Directive on 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)* and a summary version of it (IE doc. # 1a/2002). Both documents were later translated

and published in French and Spanish. ILGA-Europe's objectives with regard to this directive include the retention of "sexual orientation" in the examples given of fundamental characteristics to be used in defining the concept of "social group", the explicit mention of "gender identity" in this context, and the extension of the definition of "family member" to include the families of lesbian, gay, bisexual and transgender refugees.

► Also in February, we published our position paper (IE doc. # 2/2002) on the proposal for a *Council Regulation establishing the criteria and mechanisms for determining the Member State responsi-*

*(PES/NL)* and Michael Cashman – to agree a common strategy. The position paper was revised accordingly. It was then sent to the rapporteur and to the shadow rapporteurs and political groupings co-ordinators in the Citizens' Freedoms and Rights, Justice and Home Affairs ("LIBE") Committee. The summary of our proposals was sent to key members of this Committee and their substitutes. On 19 March we met the then rapporteur, Ana Palacio Vallelersundi (EPP-ED/E), to exchange views on the draft directive and how best to meet the needs of Europe's lesbian, gay and bisexual community. Palacio expressed her appreciation of the quality of the position

Party, which is also an international NGO enjoying consultative status with the United Nations, launched an on-line petition calling upon the European institutions and the governments of the member states to respect fully the freedom of movement of all EU citizens and to eliminate all discriminations against same-sex couples. ILGA-Europe supports this initiative and the call for signatures (see July *Euro-Letter* and August *Newsletter*).

European Commission: The position paper was sent to Commission officials in January. On 19 April we met a representative of the Commission, Alan Bruin, to discuss our amendments.

EU Presidency: The position paper was sent to the Spanish EU Presidency in January and to the forthcoming Danish Presidency in February. It was discussed with their representatives in May at meetings in Brussels and Copenhagen.

Member state governments: The position paper and lobbying guidelines were sent to national member organisations in January. National members of the EU Co-ordination Network were asked to send the position paper to their national government and to seek meetings to discuss it. At the Network's April meeting, a common strategy for putting forward the proposals formulated in our position paper was debated.

## Work programme 2001/2002

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

Take the opportunity of the EU's harmonisation plans to campaign for regulations which take account of LGBT rights. In particular:

- Work for the full recognition of the diversity of families, and of same-sex couples and those involving one or both partners 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
- Work for 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.

*ble for examining an asylum application lodged in one of the Member States by a third country national (COM (2001) 447).* This proposed amendments, *inter alia*, to ensure recognition of the family members of lesbian, gay, bisexual and transgender persons, and to bring about the suspension of transfers between countries of refugee applicants during appeals.

ILGA-Europe took the following steps to promote its proposed amendments to the above draft directives:

#### **COM (2001) 257** **"The Free Movement Directive"**

European Parliament: On 24 January, we met with two leading Members of the European Parliament Intergroup on Gay and Lesbian Rights – Joke Swiebel

paper. In February and March we worked with Joke Swiebel regarding the tabling of appropriate amendments in the Women's Rights and Equal Opportunities ("FEMM") Committee. We have already prepared a fax campaign in support of the amendments to be carried out upon the vote of this document in the FEMM Committee which has been postponed several months and is still pending.

The report on this draft directive has also been delayed in the LIBE Committee as Palacio left the Parliament in July. On 12 September Giacomo Santini (EPP-ED/I) was appointed the new rapporteur. On 13 September he presented his views on the Commission proposal in the LIBE Committee. We forwarded our position paper to him and asked for a meeting.

In July 2002, the Transnational Radical

#### **COM (2001) 510** **"The Refugee Definition Directive"**

European Parliament: In March our position paper was sent to MEP Jean Lambert (Greens/UK), the rapporteur for the LIBE Committee, and the shadow rapporteurs in the Committee as well as to Joke Swiebel and Michael Cashman. A meeting with Jean Lambert to obtain her support took place on 19 March. Jean Lambert and Joke Swiebel took up our proposed amendments. The Committee has been debating the amendments, but the vote was postponed to the October meeting of the LIBE Committee. We sent faxes in support of our amendments to the shadow rapporteurs, and we will, at the time of the vote, also send faxes to the other Committee members.

European Commission: A meeting with Commission officials Friso Roscam Abbing and Stefano Vincenzi took place on 3 June.

EU Presidency: Our proposals were presented to the Danish and Spanish EU Presidencies in meetings held in May 2002 in Copenhagen and Brussels respectively.

Member state governments: The position paper and draft lobbying guidelines were sent to member organisations. At the National EU Co-ordination Network meeting in April, our proposals were explained in detail, and the delegates' reactions to the draft lobbying guidelines were obtained.

Co-operation with other NGOs: ILGA-Europe sought support for its proposals from Amnesty International, the European Council for Refugees and Exiles, the UNHCR, the Red Cross, the European Network against Racism, and Human Rights Watch.

**COM (2001) 447**  
**“The Dublin Convention Replacement Directive”**

We provided copies of our position paper to Luís Marinho (PES/P), the rapporteur for the LIBE Committee, and to a number of other members of this Committee. Our proposed amendments, or variants of them, were tabled by Green, non-attached and ELDR MEPs in February. We sent faxes in support of the amendments to a wide range of Committee members immediately before the vote. However, the Committee did not adopt the amendments when voting upon the report in March. Ahead of the plenary debate, we held meetings with supportive MEPs to discuss prospects for tabling the amendments at the plenary. Our amendments, or variants thereof, were tabled by MEPs from the ELDR and Greens in March. We again sent faxes in support of the amendments to a wide range of MEPs immediately before the plenary vote. However, the Parliament

did not adopt the amendments in its plenary session on 9 April either. The campaign on this draft Directive, therefore, has to be considered as being concluded.

We also continued our lobbying work with regard to Commission draft directives dating from before the Rotterdam conference:

**COM (2001) 181**  
**“The Reception of Asylum Applicants Directive”**

In October 2001, ILGA-Europe produced its position paper (IE doc. # 4/2001) on this proposal for a *Council Directive laying down minimum standards on the reception of applicants for asylum in Member States*. We proposed a number of amendments to this draft directive to ensure recognition of the family members of lesbian, gay, bisexual and transgender persons, to strengthen its non-discrimination provisions, and to broaden the scope of the provisions relating to special needs in health and housing.

During the activity period ILGA-Europe provided copies of the position paper to Jorge Hernández Mollar (EPP-ED/E), the

rapporteur for the LIBE Committee, and to a number of other members of this Committee. Our proposed amendments, or variants of them, were tabled by PES, ELDR, and Lista Bonino MEPs in February and March respectively, and also received the support of the Greens. The amendments were not taken up by the Committee, but those dealing with non-discrimination and special needs were adopted by the EP plenary on 25 April, following a lobbying campaign by ILGA-Europe. However, the EP has no co-decision power here and only plays a consultative role. The amendments adopted by the EP were ignored by the Council when agreeing the final text in June 2002. ILGA-Europe's campaign in this matter is completed.

**COM (2001) 578**  
**“The Asylum Procedures Directive”**

The Council could not agree a final text on the Commission's proposal for a *Council Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status (COM (2000) 578)*. On 18 June the Commission, therefore, adopted an amended proposal (COM (2002) 326). In September ILGA-Europe subsequently replaced its June 2001 position paper (IE doc. # 2/2001) by a revised position paper (IE doc. # 5/2002). We will start our lobbying on this Commission proposal in October.

**COM (2001) 624**  
**“The Family Reunification Directive”**

The Council was also unable to agree a final text on the Commission's proposal for a *Council Directive on the right to family reunification (COM (2000) 624)*. On 2 May the Commission, therefore, adopted an amended proposal (COM (2002) 225). In September ILGA-Europe subsequently replaced its May 2001 position paper (IE doc. # 1/2001) by a revised position paper (IE doc. # 4/2002). We will start our lobbying on this Commission proposal in October.

**HS und HMS**  
**- zwei Schwestern, ein Ziel -**



Die Homosexuelle Selbsthilfe e. V. (HS) wurde 1989 mit dem Ziel gegründet, das Selbstbewußtsein, die Emanzipation und die Handlungsspielräume von Schwulen und Lesben in der Gesellschaft zu stärken. Im Jahr 1991 wurde mit gleichem Ziel von Prof. Dr. Andreas Meyer-Ranno die Hannchen-Mehrzweck-Stiftung (HMS) als zweites, gemeinsames Standbein gegründet. Die HS unterstützt Projekte, die nicht gemeinnützig sein müssen. Über die Vergabe von Förderungen beschließt die Mitgliederversammlung. Die Stiftung HMS fördert ausschließlich gemeinnützige Projekte. Über die Vergabe entscheidet der Vorstand. Er ist dem Stiftungsrat verantwortlich, dem auch drei HS-Mitglieder angehören. Die HS röhrt ihren Fond aus den Mitgliederbeiträgen und aus Spenden (steuerlich nicht absetzbar). Das Geld der HMS stammt aus den Zinsen des Stiftungskapitals und aus Spenden (steuerlich absetzbar).

**Nähere Informationen erhalten Sie über:**

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 Internet: <http://stift1.gay-net.de/hs>





## 1.5 Enlargement of the European Union

Enlargement of the European Union has proved to be an important opportunity to combat sexual orientation discrimination in the accession countries. Any candidate for EU membership must meet the Copenhagen criteria including these two important requirements:

- ▶ To respect the principles of “liberty, democracy, respect for human rights and fundamental freedoms and the rule of law”;
- ▶ To implement existing EU legislation (including the general Framework Directive prohibiting discrimination on the grounds of sexual orientation in the field of employment; see item 1.1. above).

ILGA-Europe, together with its members in the accession countries, continued to make the best use of this opportunity by providing reports and publications on the extent to which laws and practices in the accession countries fail to honour these obligations. The dialogues with Members of the European Parliament, the Commission and the EU Presidencies (Spain and Denmark) have continued, and our lobbying efforts have turned out to be extremely successful:

In all four countries where discrimination in the criminal law still existed a year ago, the relevant provisions have been repealed. In December 2001, the Romanian parliament voted to end the notorious Article 200, and in July 2002 the parliament of Cyprus abolished the discriminatory provisions in the penal code. On 3

September 2002 the Hungarian Constitutional Court declared the discriminatory age of consent law to be unconstitutional. In September the Bulgarian parliament repealed the discriminatory age of consent provision.

We spread information on the developments in the accession countries on a regular basis through periodical publications and specific media releases such as on Romania on 2 February (see *Euro-Letter* # 95), on Cyprus on 12 July and on Hungary on 5 September.

With regard to the European Parliament enlargement debate, we monitored the drafting of the report on the progress of candidate countries to accession. Rapporteur for the Parliament’s Foreign Affairs Committee was Elmar Brok (EPP-ED/D). The Committee’s report failed to make any reference to laws discriminating on the basis of sexual orientation. We worked with MEPs to table amendments making good this omission. References to the legal situation in Bulgaria and Cyprus were thus included upon voting the report in the Committee, however, Hungary was not mentioned. We again contacted Members of the European Parliament to ensure that the report (Doc. A5-0190/2002) was amended accordingly before being voted in plenary which indeed happened on 13 June 2002.

On 4 September we participated in the official re-launch of the Intergroup on Gay and Lesbian Rights in the European Parliament (see p. 16). This first official Inter-

group meeting put EU enlargement on the agenda. We provided an updated survey of the situation in the accession countries where discrimination in criminal law still existed at that time. Our updated overview was also sent to Commissioner Günter Verheugen, responsible for EU enlargement, in order to make sure that the Commission has up-to-date information at hand when finalising its own annual progress reports in October.

As mentioned above, the other criterion to be met by any accession country is the complete implementation of all existing EU law, the so-called *acquis communautaire*, into its national legislation.

ILGA-Europe worked together with the TAIEX office of DG Enlargement in the European Commission to arrange a seminar for participants from the 13 candidate countries. The topic of the seminar was the implementation of the Framework Directive and the Gender Employment Directive in relation to sexual orientation and gender identity discrimination.

The TAIEX seminar took place in Brussels on 10-11 July. Its agenda included presentations by speakers from the Commission giving detailed overviews of the directives, and by external experts highlighting the particular areas of concern in relation to sexual orientation and gender identity discrimination as well as practical experiences on the implementation process in some of the member states. The seminar was attended by 30 NGO participants representing lesbian, gay, bisexual, and transgender organisations from all the candidate countries and representatives from the central administrations of 11 candidate countries (Bulgaria, Cyprus, Czech Republic, Estonia, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia and Turkey).

ILGA-Europe also provided assistance to the International Lesbian, Gay, Bisexual and Transgender Youth and Student Organisation (IGLYO) in the preparation of their hearing on discrimination against LGBT youth in the EU accession countries.

### Work programme 2001/2002

#### 1.5 Enlargement of the European Union

1.5.1 Continue to use the EU accession process as a means of exerting pressure on applicant state governments to take action against sexual orientation discrimination by:

- Facilitating further research into sexual orientation discrimination in applicant countries
- Reporting the findings to the European Commission and Members of the European Parliament.

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

## Historic success

The repeal of the discriminatory Bulgarian age of consent law, announced just as this report is finalised, brings to a successful conclusion the campaign to use the EU enlargement process to force accession countries to repeal laws discriminating on the basis of sexual orientation. It is a major achievement: in only four years six countries (Bulgaria, Cyprus, Estonia, Hungary, Lithuania, Romania) have repealed discriminatory laws, despite strong opposition in several of these. Compare this with, for example, the United Kingdom, where more than a quarter of a century was required to repeal a discriminatory age of consent law, and where other discriminatory laws still exist. The success of the campaign is greatly to the credit of all those who have worked with such commitment: the LGBT movement in the relevant countries, Members of the European Parliament, the European Commission, and ILGA-Europe. It shows just how much can be achieved through effective co-operation between NGOs, working at national and European level, and the EU institutions.

The success of the campaign also shows how far we have progressed at the European level in recent years: as recently as 1995 Austria was able to join the EU without objections, despite having three discriminatory law provisions relating to the age of consent, freedom of association and freedom of expression (see item 1.7).

It is instructive to re-visit the first stage in the campaign, which came with the European Parliament's commitment that it would not "give its consent to the

accession of any country that, through its legislation or policies, violates the human rights of lesbians and gay men". This statement was adopted in an urgency resolution on 17 September 1998 (B4-0824 and 0852). This was a hard and difficult piece of lobbying work for ILGA-Europe, but it resulted in an important part of the political basis for putting pressure on the accession countries. This resolution was preceded by three similar draft resolutions, worded in consultation with ILGA-Europe and tabled by the Liberals, the Greens and the United European/Nordic Green Left. These had failed on 15 July 1998 due to lack of support from the Socialists. Their objection rested on the fact that, to be even-handed, the resolutions also called for the repeal of similar laws in member states such as Austria – which at the time held the EU Presidency. However, ILGA-Europe did not give up. We drafted a new resolution and, at the end of August 1998, sent it to supportive groups asking them to re-table it. At the same time, ILGA-Europe sent e-mail messages to all 214 MEPs of the Socialist group. We regretted their negative July vote and called upon them to support the new resolution. As evidence for the need to ignore Austrian sensitivities, we were able to point out that on 17 July 1998 the Austrian parliament had rejected a bill to repeal that country's discriminatory age of consent (see item 1.7 below). Austrian Liberal MEP Friedhelm Frischenschlager was the first to react announcing that he would re-table the resolution. On 9 September his group adopted the resolution at a meeting in Venice. ILGA-Europe mounted

a major pan-European lobbying campaign asking its member groups to contact the Socialist MEPs of their country and lobby them in support of the resolution. When it became clear that the resolution would be voted on, we again contacted a number of Socialist MEPs. The Greens had re-tabled their July resolution but now gave their support for Frischenschlager's, as did the Socialists, the United European/Nordic Green Left and the Radical European Alliance. Thus, a total of five parliamentary groups joined in tabling the motion. The "Frischi" Resolution was finally adopted by the European Parliament on 17 September 1998 and mentioned six applicant countries that "still have legal provisions in their penal codes that seriously discriminate against homosexuals: Bulgaria, Cyprus, Estonia, Hungary, Lithuania and Romania".<sup>1</sup>

There is not space here to go into detail concerning all the other actions taken in this campaign in the last two years, including the research by member organisations into discrimination in their countries, the European Parliament hearing organised by the Intergroup on Gay and Lesbian Rights in June 2001, representations made by individual MEPs to the governments concerned, numerous resolutions tabled in the European Parliament, and the firm position taken by the Commissioner for Enlargement. All of these were hugely important to the success that has been achieved.

<sup>1</sup> A detailed report on ILGA-Europe's lobbying for this resolution was given in our annual activity report 1997/98 (item D5), available at our web-site.

## 1.6 EU Charter of Fundamental Rights

The EU Charter of Fundamental Rights is the first international human rights agreement explicitly prohibiting discrimination on the grounds of sexual orientation. However, it is not (yet) legally binding for the member states.

ILGA-Europe is, therefore, working for the Charter to be strengthened and incorpo-

rated into the founding Treaties of the EU. In this campaign we are part of a broader coalition. As a member of the Platform of European Social NGOs, we are supporting the Platform's campaign for an "[Un]Conventional Europe – New Thinking for a New Europe". We also joined the Civil Society Contact Group bringing together representatives of four NGO "families"

active at European level in Brussels – the social, the development, the human rights and the environmental sectors – and the European Trade Union Confederation (ETUC). The Contact Group unites a strong civil society voice in the debate on the future of Europe, and it has been organising a series of informal meetings to update NGOs from these sectors.

In June we launched our first submission to the Convention. It is based on existing ILGA-Europe policies and outlines a number of recommendations. A short summary was also produced. The document was conveyed to the Convention Secretariat to be posted on the official Convention web-site. It was also distributed at the

two-day hearing of civil society by the Convention, held in the European Parliament in Brussels on 24-25 June and attended by ILGA-Europe representatives.

The European Economic and Social Committee (EESC) has been arranging, in co-operation with the Convention, regular

information sessions. ILGA-Europe participated in the May and June sessions, which were addressed by Jean-Luc Dehaene, Vice-President of the Convention, and António Vitorino, representative of the European Commission in the Praesidium of the Convention. One of the topics on the agenda was the role of the EU Charter on Fundamental Rights. We prepared a special contribution related to fundamental rights in a future Europe.

On 16 September board member Riccardo Gottardi presented ILGA-Europe's proposals to the Convention in a speech given in a seminar organised by the Italian Green Party in Rome and in which also Convention vice-president Giuliano Amato participated.

## Work programme 2001/2002

### 1.6 EU Charter of Fundamental Rights

1.6.1 Continue to participate in the Platform/ETUC campaign for the Charter to have formal legal status.

1.6.2 Seek to ensure increased recognition for LGBT rights in any proposals for development of the EU Charter of Fundamental Rights in the run-up to the 2004 Inter-Governmental Conference, including explicit reference to gender identity discrimination in the Charter's non-discrimination article.

## 1.7 Human Rights in the member states

On 17 April 2002 the European Parliament's Committee on Citizens' Freedoms and Rights, Justice and Home Affairs organised a hearing on "the respect for fundamental rights: situation within the European Union in 2001" in preparation of the Parliament's annual report on the situation of human rights in the EU in 2001. ILGA-Europe had met the rapporteur for this Committee, Joke Swiebel, in January to contribute relevant information. An appeal to provide Swiebel with relevant information for her report was also published in the March issue of the *Euro-Letter* (# 96). We were represented at the hearing and submitted written information on those EU member states that still had discriminatory (age of consent) provisions in their penal codes: Austria, Greece, Ireland, and Portugal.

On the occasion of this hearing, ILGA-Europe issued a press release expressing its great concern about the continuous existence and application by the courts of the relevant provision in the Austrian penal code (Article 209). Already in January 2002, we had written to EP president Patrick Cox (ELDR/IRL) requesting appropriate steps be taken to convince the responsible Austrian institutions to repeal this law, including an invitation to the

Austrian Constitutional Court to speed up its decision in the complaint case against Art. 209 that was pending before the Court. Similar letters denouncing the human rights violations against gay men in Austria were sent to Commissioner Anna Diamantopoulou and UN Human Rights High Commissioner Mary Robinson.

The matter was clear: In 1997 the European Human Rights Commission in Strasbourg had ruled in the complaint of Euan Sutherland against the United Kingdom that *any* unequal age of consent for homosexual and heterosexual relations is a violation of the European Convention on Human Rights. In 2001, Amnesty International had adopted as a prisoner of conscience a gay man persecuted under Article 209. The EP itself had urged Austria in six resolutions to repeal Article 209, including in all annual reports and resolutions on the respect for fundamen-

tal rights in the European Union since 1995 when Austria joined the EU. These six explicit calls upon Austria, by the way, were the result not at least of ILGA-Europe's persistent lobbying. However, the Austrian parliament and government had ignored not only these EP resolutions, but also the similar demands put forward by the United Nations Human Rights Committee and the Parliamentary Assembly of the Council of Europe.

Cox referred our letter to the LIBE Committee. Its then president, Ana Palacio, informed us that the Committee had asked Swiebel to deal with this matter in the annual report. Swiebel's draft report was published on 27 August and is scheduled to be debated in the Committee in October.

However, on 24 June Austria's Constitutional Court finally yielded to the inter-

## Work programme 2001/2002

### 1.7 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.

national pressure and declared Article 209 unconstitutional. It took five complaints and 16 years to "convince" the Court that such a discriminatory provision is a breach of human rights. This

was also a late victory for the LGBT movement in Austria, some organisations had campaigned for the repeal of Article 209 for more than 20 years. ILGA-Europe welcomed the Court decision in a press

release on the very same day (see also *Euro-Letter* # 99, July 2002). The Austrian parliament formally abolished Article 209 on 10 July.

## 1.8 Human rights in third countries

ILGA-Europe's largest campaign concerning third countries has been on the so-called *Cairo 52* or *Queen Boat* case about which we already reported in last year's activity report. On 14 November 2001, when the Cairo court handed down its sentences, ILGA-Europe issued a press release protesting against the conviction of 23 of the men on trial and encouraging our members and others to take action. ILGA-Europe also continued its activities in this matter:

Firstly, we sent another letter to Commissioner Chris Patten, responsible for External Affairs including the Mediterranean Area Development Programme, questioning the financial allocation and the EU support to co-operation programmes with Egypt. In a letter dated 8 January 2002, a member of his Cabinet informed us that the "EU, through the appropriate channels, has made its concerns known and will certainly continue to follow events".

Secondly, we sent a similar letter to the President of the EU Foreign Affairs Council, Belgian minister Louis Michel. In a letter dated 20 December 2001, he stated: "There is a clear contradiction between the severity of the verdicts pronounced by an Egyptian State Emergency Court against the 23 people of this group and our approach of human rights. Therefore, the European Union immediately decided to carry out a *démarche* with the Egyptian authorities ... The EU appeals to clemency and the presidential pardon and is determined to keep a close eye on the evolution of this case."

Thirdly, we followed the debate and approval of the Association Agreement between the European Union and Egypt in the European Parliament. In the run-up to the vote, a group of 32 MEPs, led by Marco Cappato and Olivier Dupuis (Lista

Bonino/I), expressed serious concerns and tabled a motion to delay the debate and the voting of the Association Agreement. This delay was to allow the Egyptian authorities to provide the Parliament with further and complete information

can only agree to it or refuse it. The EP obviously considered it to be more expedient to say yes to the Agreement and use it as a tool for further democratisation in Egypt. However, in order to highlight the various issues of concern,

### Work programme 2001/2002

#### 1.8 Human rights in third countries

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.

about the initiatives they would undertake to solve important human rights questions, such as laws restricting the building of churches and the poor protection of Christians, the persecution of intellectuals and homosexuals.

When we learned that the motion was defeated and the EP would proceed with the debate and the vote, we carried out a fax campaign requesting MEPs to vote against the approval of the Agreement "because Egypt is manifestly failing to honour its human rights obligations". However, on 29 November, the EP approved the Agreement with a great majority (429 in favour, 11 against, 58 abstentions; EP Doc. A5-0387/2001). Due to procedural constraints, the EP cannot make any changes to an agreement. It

including the arrest and conviction of allegedly gay men, the EP adopted another resolution on the same day (B5-0740/2001), calling, *inter alia*, upon the Egyptian authorities to free the 23 men as a matter of urgency.

As a reaction to these two resolutions, ILGA-Europe issued a media release on 29 November emphasising that the human rights clause in the Agreement must be used to further encourage Egypt to comply with its human rights obligations. We urged "all EU institutions to closely monitor developments in Egypt and insist that human rights abuses as described come to an end and the convicted men be pardoned and released from prison" (see also *Euro-Letter* # 94, December 2001).



The European Parliament continued to keep up the pressure on Egypt in various ways. ILGA-Europe was in close contact with the responsible MEPs and regularly reported about the case in the *Newsletter*. On 19 March we attended a meeting held in the EP in Brussels between MEPs and Egyptian ambassador to Belgium, Mr Soliman Awaad.

On 23 June the Egyptian government announced a decision to put 50 of the 52 men on a retrial. As a reaction to the ongoing human rights violation in Egypt in general and to the announcement of the retrial in particular, MEP Michael Cashman initiated an urgency resolution the Parliament debated and adopted on 4 July. It was the Parliament's third resolution dealing with human rights violations against homosexuals in Egypt during the past year. The EP again urged the Egyptian authorities to call a halt to all prosecution of citizens on the grounds of homosexuality and to protect their individual freedoms. On 5 July ILGA-Europe issued a media release calling for a shift in the EU's approach in promoting democracy and human rights in the world. It pointed out that if the EU is to succeed in having a coherent approach in promoting human rights, it is time to start implementing the measures set out in the human rights clauses. Since 1992, the EU has included in all its agreements with third countries a clause defining

respect for human rights as an "essential element" in the relationship between the EU and the third country. But so far the Commission and the Council have been reluctant to use these human rights clauses and have continued to set policies of trade and economic co-operation as higher values. The European Parliament, by adopting this urgency resolution, has shown the will to emphasise human rights, an approach ILGA-Europe hopes will be followed by the other EU institutions (see also *Euro-Letter* # 99 and # 100, July and August 2002).

### Specific EP reports

On 25 April the Parliament adopted its annual report "on human rights in the world in 2001 and European Union human rights policy" (Doc. A5-0106/2002), drafted by MEP Johan van Hecke (EPP-ED/B). In its chapter on a coherent and consistent EU strategy for human rights and democratisation, the report calls for the Council to ensure that particular attention be given to those groups of persons most vulnerable to human rights abuses including women, children, older people, disabled people, ethnic and religious minorities and homosexuals. The Parliament also recommends designating an ambassador for human rights, entrusted with the task of representing the Parliament, mainly at interna-

tional organisations and other EU institutions. ILGA-Europe closely monitored the process of drafting and adopting this report.

On the same day the Parliament adopted a report on the Commission Communication "on the European Union's role in promoting human rights and democratisation in third countries" (Doc. A5-0084/2002), drafted by MEP Rosa M. Díez González (PES/E). The Commission Communication (COM (2001) 252) puts focus on the need for a more coherent and consistent EU human rights policy and identifies areas where the Commission can act effectively. One of the specific areas mentioned is the integration of human rights and democratisation into dialogue and co-operation, for which the human rights clauses mentioned above provide the opportunity. The Parliament report on this Communication calls for this requirement for democratisation and respect for human rights to take, without exception, primacy over the economic, commercial or other legitimate interests of the Union or any of its member states. The report also calls for the Commission to draw up a proposal for an inter-institutional code of conduct for the Union's external relations in the field of human rights. ILGA-Europe closely monitored the process of drafting and adopting this report.

## 1.9 Development of EU policies in relation to transgendered persons

ILGA-Europe has established a transgender working group consisting of board members and activists from member organisations that have an interest in working on transgender issues.

We have been monitoring the developments regarding the revision of the 1976 Gender Employment Directive that was finally adopted by the European Parliament and the Council in June and July respectively. Member states must now implement the amended directive into their national legislation by 2005. We have commissioned Mark Bell to draft guidelines to be used by our members in

the implementation process at national level.

The European Commission is preparing a new gender equality directive, which is based on Article 13 and will cover areas outside employment. The publication of the draft directive is scheduled for the end of September (see also August *Newsletter* and September *Euro-Letter*, # 101). ILGA-Europe has worked with the European Women's Lobby to obtain updates on the progress of the Commission's work. In February we prepared a briefing note for the Commission explaining the importance of specifically mentioning "gender identity"

in the scope of the directive. In March we met with Alan Evans from the Commission's equal opportunities unit who is one of the Commission officials working on the draft directive. During the meeting the possibilities for the inclusion of gender identity were explored.

Members of the transgender working group attended the EU National Co-ordination Network meeting in April in order to contribute their expertise to the various areas of activities. The Network meeting provided an opportunity for the national co-ordinators to get information on the specific issues related to gender

identity discrimination. It was agreed that ILGA-Europe would produce implementation guidelines on the revised Gender Employment Directive that the national co-ordinators could use in their work. Additionally ILGA-Europe will monitor the developments regarding the draft directive on gender equality covering areas outside employment, when it is being published and will be debated in the Parliament and the Council.

The implementation of the Gender Employment Directive in relation to gender identity discrimination was also part of the TAIEX seminar (see item 1.5 above)

## Work programme 2001/2002

### 1.9 Development of EU policies in relation to transgendered persons

1.9.1 Research transgender rights in relation to European Union law and practice and develop a programme of work to address issues identified.

1.9.2 Work for the specific inclusion of gender identity discrimination in the proposed directive on gender discrimination in areas of EU competence outside employment.

1.9.3 Develop recommendations for further action by the Commission.

Regarding asylum and immigration activities, ILGA-Europe has been working to include gender identity in the general

anti-discrimination clause in the various directives such as the directive on refugee definition (see item 1.4 above).

## 1.10 Other EU programmes

ILGA-Europe has used its communication means, such as the *Newsletter*, to inform about relevant EU funding opportunities and relevant EU policies such as the fight against social exclusion (*August Newsletter*).

On 16-17 May board member Riccardo Gottardi attended the EQUAL programme conference "NetWORKing for Inclusion", organised by the European Commission in Barcelona.

Policy areas such as the European Social Agenda and the Employment Guidelines were addressed in the meeting of the EU National Co-ordination Network.

## Work programme 2001/2002

### 1.10 Other EU programmes

1.10.1 Seek to influence the implementation of the European Social Agenda programme to maximise the opportunities for working for LGBT rights.

1.10.2 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.

1.10.3 Explore the possibilities offered by the new powers covering "police and judicial co-operation" for combating discrimination in the criminal law, and follow-up with action, if appropriate.

1.10.4 Inform member organisations of relevant Calls for Proposals.

## 1.11 Civil and social dialogues

As a member of the Platform of European Social NGOs, ILGA-Europe is co-operating with a great number of NGOs working in various fields across EU policies. The setting-up of a staffed office in Brussels enabled us both to get involved in the work of other NGO platforms and to work together more closely with individual NGOs on specific issues where it can be of advantage to join forces.

### Social Platform

We have continued to participate actively in the Social Platform working groups on "Enlargement" and on "Social Policy" (which includes the sub-working group on "Anti-discrimination"), and now joined the "Civil Dialogue" working group.

The enlargement working group finalised a study on enlargement commissioned in April 2001. In each of its meetings, the group was joined by Brussels-based NGOs representing certain

areas of interest in certain accession countries and by Commission officials working in the area of enlargement. The working group is currently drafting an Enlargement statement and designing an Enlargement section for the Platform's web-site.

We have been participating in the sub-working group on anti-discrimination. The group produced a Platform anti-discrimination statement demanding more initiatives at EU level to combat discrimination and the strengthening of Article

## Work programme 2001/2002

### 1.11 Civil and social dialogues

1.11.1 Promote LGBT rights in the Civil Dialogue by participating in consultations on development of social policy, especially through the Platform of Social NGOs.

1.11.2 Encourage employers and unions to promote non-discrimination on all grounds through the social dialogue mechanism, e. g. through a code of practice on implementing the employment discrimination directives.

13. The group is now exploring ways of promoting the statement broadly across the EU institutions.

We have joined the working group on civil dialogue to secure that the Platform also represents the LGBT voice in this campaign area. The working group is actively monitoring the work of the Convention on the Future of Europe.

We took part in the Platform General Assembly, its Steering Group meetings, and the biannual meetings with the Commission and the European Parliament. Our involvement in ad hoc meetings and activities of the Platform included the working party on the Convention on the Future of Europe, the work on the regional implementation guidelines of the recently adopted UN strategy on Ageing, and attendance at the Platform's Barcelona conferences "From Lisbon to Barcelona: Creating a Social Europe" and on sustainable development in March.

We also provided space in each issue of the *Newsletter* to introduce one of our co-operation partners.

### Participation in other NGO Platforms

ILGA-Europe has been participating in the meetings of the coalition of NGOs working in the area of human rights – the Human Rights Contact Group. The meetings are organised and chaired by Human Rights Watch, Amnesty International and the International Federation of Human Rights Leagues. The Contact Group provides a forum for MEPs and NGOs to discuss current developments in the area of human rights.

The work on asylum and immigration being one of our priorities at EU level, we

have been in contact with several members of the Asylum Platform. In July we officially joined this platform as a member. The Asylum Platform consists of NGOs working specifically in areas of asylum and immigration and is co-ordinated by the UNHCR office in Brussels.

### Citizens' Assembly 2004

The *Citizens' Assembly 2004* is a series of events held during each EU Presidency at least until the next reform of the



Jackie Lewis chairs a Citizens' Assembly panel with Laurette Onkelinx, Belgian Deputy Prime Minister and Minister for Employment

European Union in 2004. The aim of the Citizens' Assembly is to give the citizens of Europe the opportunity to enter into a constructive and peaceful dialogue with the EU institutions and governments on the creation of a democratic Europe.

The 2001 Assembly in Brussels was organised as a parallel civil society event to the EU Summit held in Laeken in December. The event was co-ordinated by the European Movement and the Social Platform. We participated in a number of ways: Co-chair Jackie Lewis chaired one of the panels at the opening session, and board member Adrian Coman was a speaker on one of the clos-

ing panels. We also co-organised one of the workshops on fighting discrimination, where board member Nico Beger gave a presentation. During the two-day event we maintained an information stand where publications and information materials were distributed.

### Convention on the Future of Europe

On 15 March 2002 we participated in the launch of the Social Platform's campaign towards the Convention on the Future of Europe (see also item 1.6 above).

On 24-25 June the members of the Convention, who had been meeting once a month since February 2002, met with civil society. The Convention identified eight topical sectors in which pre-meetings with civil society had been arranged in order to allow NGOs and other organisations involved to co-ordinate speakers addressing the members of the Conven-

tion. We participated in the pre-meetings of three sectors: "social", "fundamental rights" and "citizens and institutions".

In August ILGA-Europe took the initiative to contact other European NGOs working in the field of anti-discrimination in order to start an Article 13 campaign in the context of the Convention. This is still in the process of being developed. It will focus on the strengthening of Article 13, the incorporation of the EU Charter into the EU Treaties and call upon the EU institutions to address the inequalities and hierarchy in the protection from discrimination that currently exists between the various Article 13 grounds.

## 1.12 Mainstreaming of LGBT issues

As part of our lobby campaigns on the asylum and immigration draft directives ILGA-Europe met with Commission officials and Members of the European Parliament. These meetings have also provided opportunities to raise awareness

for specific LGBT issues and to discuss possible future initiatives EU institutions could take.

In May we met with representatives of the Spanish and Danish EU Presidencies.

Mainstreaming LGBT issues into all appropriate EU policies was on our agenda in these meetings.

Through our increased activities in Brussels we had the opportunity to join informal coalitions of NGOs which are meeting on a regular basis to exchange information and update each other on developments in the various fields. Participation in these NGO platforms also provides the opportunity to raise awareness of and mainstream LGBT issues.

### Work programme 2001/2002

#### 1.12 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.

## Other EU activities

### Intergroup on Gay and Lesbian Rights

“Intergroups” at the European Parliament are loose groups of MEPs (across the political groupings), their assistants, officials of the European institutions, lobbyists and NGOs who work together on a specific issue. In the previous legislative period of the European Parliament, the Equal Rights for Gays and Lesbians Intergroup was active from 1997 until 1999, and ILGA-Europe took a proactive part in its work. After the EP elections in 1999, the status of the new Intergroup on Gay and Lesbian Rights was not clear. Although it did not receive official recognition it organised a successful hearing on the situation of LGBT people in the accession countries in June 2001.

In spring 2002 MEPs Joke Swiebel and Michael Cashman re-submitted an official application for the recognition of the Intergroup (see *May Newsletter*) which would also bring about the administrative support of the Parliament. Finally, on 4 September 2002 the Intergroup was officially re-launched in Strasbourg. Chaired by Joke Swiebel, the meeting was attended by more than 30 individuals, including a dozen MEPs, several assistants, and others interested in LGBT rights. On the platform, Swiebel was joined by Walter Rochel, a member of Commissioner Verheugen’s cabinet, MEPs Baroness Sarah Ludford, Michael Cash-

man, and ILGA-Europe executive director Ailsa Spindler.

After opening remarks from Ms Swiebel, thanking those who had helped and supported the formation of the Intergroup, discussion turned to LGBT rights in candidate countries. Mr Rochel presented an update of the situation in several countries, some of which had seen real improvement and progress towards meeting the Copenhagen criteria. Ms Spindler thanked the Commission for their strong stance on LGBT rights, but

There was general agreement on the need for the Intergroup to keep LGBT issues in the minds of all members of the European Parliament. It was agreed that there would be a programme of regular meetings, each looking at particular aspects of human rights as they affect the LGBT community in Europe. As in the past, ILGA-Europe will continue to work together with MEPs from the various political groupings, both in the context of specific Intergroup activities and in bilateral co-operation with individual MEPs.



**Intergroup re-launch: Ailsa Spindler, Walter Rochel, Joke Swiebel, Michael Cashman and Baroness Sarah Ludford**

observed that this view was not always repeated during bilateral meetings with EU delegations in candidate countries. She stressed the need to continue monitoring the situation carefully, ensuring that transposition of directives and implementation of new laws was carried out in the spirit of equality.

### Responding to specific reports and resolutions of the European Parliament

The European Parliament own initiative report on sexual and reproductive rights and health, initiated by the Women’s Rights and Equal Opportunities Committee (A5-0223/2002) – rapporteur Anne van Lancker (PES/B)



This report addresses the need to reinforce the concepts of sexual and reproductive health and rights in the EU and the accession countries. ILGA-Europe worked with MEPs to introduce an amendment “calling on the governments of the Member States and the Candidate Countries to provide access to sexual and reproductive health services without any discrimination on the grounds of sexual orientation, gender identity or marital status”. The amendment was adopted by the

Committee, and subsequently by the full Parliament on 3 July 2002 (Recommendation # 24 in the adopted resolution).

The European Parliament own initiative report on Women and Fundamentalism initiated by the Women’s Rights and Equal Opportunities Committee – rapporteur María Izquierdo Rojo (PES/E)

This report addresses the situation of women living in an environment of reli-

gious fundamentalism. The ELDR group tabled an amendment expressing concern for lesbian women who suffer from fundamentalism. ILGA-Europe carried out a lobbying campaign trying to convince the Parliament to adopt this recommendation. The report, including this recommendation, was adopted on 13 March 2002. Recommendation 33 read as follows: “[The EP] expresses its support for the difficult situation of lesbians who suffer from fundamentalism.”

## 2. COUNCIL OF EUROPE

### **Peter Schieder elected President of the Parliamentary Assembly**

In January 2002 Austrian MP Peter Schieder was elected President of the Parliamentary Assembly of the Council of Europe. ILGA-Europe warmly welcomed this development: Schieder has been a committed supporter of LGBT rights both in his own country and at the Council of Europe for many years. True to his record, he listed LGBT rights as a priority for his Presidency in his post-election statement to the media. An interview

with Schieder was published in the May *Newsletter*.

ILGA-Europe is very honoured that Mr Schieder has agreed to act as honorary patron of the 2002 annual conference, and to participate in a plenary session on human rights at the conference.

When on Tuesday, 23 April 2002, the news about a bill to re-criminalise homosexuality in Russia reached the ILGA-Europe office, we immediately sent an e-mail to Schieder as the Assembly was to

meet in Strasbourg the same week for its spring session. On that very day, its responsible committee was holding a hearing on Russia’s honouring of its human rights obligations under the European Convention. This was indeed a useful coincidence, and we asked Schieder to also talk with those Russian members of the Assembly who had tabled the bill in the Duma and who were likely to attend the Assembly’s session. Schieder reacted immediately confirming that our message had arrived in time. He had passed it on to the relevant committees, and he would try to convince one of the responsible MPs, Mr Rogozin, in a personal conversation that this bill was not in line with the human rights commitments Russia has entered with its admission to the Council of Europe.

### **Work programme 2001/2002**

#### **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.

#### **2.2 The Parliamentary Assembly**

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**

Follow up 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.

#### **2.4 Commissioner on Human Rights**

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

### **Applicants for membership of the Council of Europe**

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 are required to give binding undertakings that they will meet these standards within a short period following accession.

Armenia gained membership in 2001, having given undertakings (following representations by ILGA-Europe to the Assem-

bly) that it would repeal its ban on same-sex relations between men. The repeal of this ban is proposed in a draft of a new penal code, which received its first reading in the Armenian National Assembly on 23 June 2002. A second and final reading is due by 9 December 2002. We will maintain contact with the relevant officials at the Council of Europe, who continue to monitor the passage of the legislation.

The accession of the Federal Republic of Yugoslavia to the Council of Europe is due to be debated at the September 2002 session of the Parliamentary Assembly. Serbia's penal code maintains a discriminatory age of consent for sexual relations between men. ILGA-Europe has made representations to the rapporteur of the Legal Affairs and Human Rights Committee on Yugoslav accession that repeal of this legislation be made an obligation of membership. If the Assembly supports this proposal it will be the first occasion on which the repeal of discriminatory age of consent legislation has been made a condition of membership of the Council of Europe.

### The European Court of Human Rights

#### **Fretté vs. France**

On 26 February 2002, the European Court of Human Rights held, by four votes to three, that sexual orientation discrimination in access to adoption of children by unmarried individuals does not violate Article 14 (non-discrimination) of the European Convention on Human Rights,

combined with Article 8 (respect for private and family life). Although the ruling is a considerable disappointment, it is important to appreciate that three of the four judges who ruled against Philippe Fretté's case did so on the technical grounds that Article 14 did not apply because no other Convention right was sufficiently affected. The Convention's non-discrimination clause, Article 14, only applies where the discrimination in question affects another Convention right. Only one of the seven judges argued specifically that the difference in treatment based on sexual orientation was justified. For a full analysis of this complex judgement, see the March *Euro-Letter* (# 96) and the May *Newsletter*.

Dr Robert Wintemute had submitted written comments to the Court on behalf of ILGA-Europe on 15 June 2000, and presented the case for the applicant at the hearing in Strasbourg on 2 October 2001.

#### **Karner vs. Austria**

This case involves the eviction of a gay man from his flat, following the death of his partner in whose name the lease of the flat was held. The Austrian Supreme Court had held that the legislation that preserved a right to tenancy for unmarried partners in the event of the death of one of the partners should be interpreted as applying only to heterosexual couples.

The case was declared admissible on 11 September 2001. On 7 December 2001,

Dr Robert Wintemute was granted leave to make written submissions to the Court on behalf of ILGA-Europe and two other organisations, *Liberty* and *Stonewall* (both of the UK). These were delivered to the Court on 12 March 2002.

The Karner case is of great importance, since it is the first case to reach the European Court of Human Rights that deals with a same-sex partnership (as opposed to a different-sex partnership in which one partner is transsexual).

#### **Goodwin vs. the United Kingdom**

In a press release on 12 July 2002, ILGA-Europe welcomed the 11 July decision of the European Court of Human Rights in Strasbourg in the case Christine Goodwin vs. the United Kingdom. The Court found the UK in breach of the European Convention on Human Rights for not legally recognising the gender re-assignment of the complainant (see August *Euro-Letter*, # 100).

#### **Other Work Programme items**

The Work Programme listed other activities in relation to the Committee of Ministers, the ratification of Protocol 12 to the Convention, and the powers and role of the Commissioner on Human Rights. Competing claims on resources have prevented completion of these items.

## **3. ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE**

In the period under review, ILGA-Europe did not attend any OSCE meeting.

ILGA-Europe has been in contact with two members of the Parliamentary Assembly of the OSCE: Canadian MP Svend Robinson, who has been rapporteur for the Assembly's human rights committee, and Austrian MP Ulrike

### **Work programme 2001/2002**

#### **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.

Lunacek, who used to be an ILGA activist. On the occasion of the Assembly's Winter Meeting in Vienna in February, co-chair Kurt Krickler met Robinson to discuss the possibility of tabling a report and resolution on the situation and rights of LGBT

people in the OSCE member states. However, the theme for the human rights report in 2002 being the fight against terrorism, the first chance to have a report on LGBT issues would be in 2003. On 22 February Ulrike, Svend and Kurt partici-

pated in a round table organised by the Austrian Green Party in Vienna to discuss the role of the OSCE in protecting the human rights of LGBT people.

## 4. ACTIONS TO COUNTER HUMAN RIGHTS ABUSES AGAINST LGBT AND HIV-POSITIVE PEOPLE IN EUROPE

There have not been any activities other than those reported in the sections above, e. g. under items 1.5, 1.7, 1.8, and 2.

### Work programme 2001/2002

**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

There have not been any activities other than those reported in the sections above, e. g. under items 1.8 and 2.

### Work programme 2001/2002

**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 3 above)

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, EASTERN AND SOUTHERN EUROPE

It has been ILGA-Europe's policy to provide space in each issue of the *Newsletter* to cover developments in these countries.

ILGA-Europe representatives also participated in meetings organised in these countries, such as the IGLYO hearing on LGBT rights in January and the seminar "Equal Citizenship" for lesbian NGOs from former Yugoslavia in September, both held in Ljubljana and attended by board member Tatjana Greif.



Pierre Noël (left) and Russian gay and lesbian activists – Ignat Fialkovsky, Serguei Popov, Marina Balakina and Nadezhda Nartova – were speaking at a press conference in St. Petersburg

In June 2002, Pierre Noël, ILGA-Europe's representative to the ILGA-World board, and co-chair Kurt Krickler met activists from lesbian and gay groups in St. Petersburg on the occasion of a three-day Forum on social support to the popula-

tion. Pierre spoke in a press conference organised at the Forum by HS, a local activist group.

ILGA-Europe also used its communication means (i. e. e-mailing lists and the *Newsletter*) to spread information on relevant EU funding possibilities, in particular the Networking Facilities strand of the ACCESS programme which provides funding for people from accession countries to participate in NGO meetings in EU member states. Subsequent applications for funding in the various accession countries have led to a record number of LGBT activists getting funding under this programme to participate in the annual conference in Lisbon.

### Work programme 2001/2002

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

6.1 Encourage co-operation and mutual support between member organisations within Central and Eastern Europe and between organisations in this area and 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, Eastern and Southern Europe, 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, Eastern and Southern Europe and facilitate their participation in the work of ILGA-Europe, including subsidising participation in ILGA-Europe events.

## 7. HIV/AIDS

Due to resource constraints and priority setting no activities in this area were undertaken in the reporting period.

### Work programme 2001/2002

#### 7. HIV/AIDS

7.1 Co-operate closely 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

The reporting period – the time between the Rotterdam and Lisbon annual conferences – has been covered by three different grants by the European Community. The first core funding grant, which had started on 1 December 2000 under the Commission's budget-line "Support for the co-ordination activities of organisations operating at European level and active in fighting discrimination", ended on 30 November 2001. The accounts and reports for this grant have been submitted. The final funding ILGA-Europe had received for this period amounted to € 163,052.

On 1 December 2001, our second core funding period started but only lasted until 30 April 2002, due to the Commission's intention to start the following contracts with all European networks that would receive core funding under the Community Action Programme to combat discrimination (2001-2006) on 1 May 2002. The accounts and reports for this five-month funding period have been likewise completed and submitted to the Commission. The grant sum received totalled € 75,874.

### Work programme 2001/2002

#### 8.1 Organisational development and funding

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

8.1.2 Continue to develop the capacity of ILGA-Europe to carry out its work programme, including the recruitment of an Executive Director.

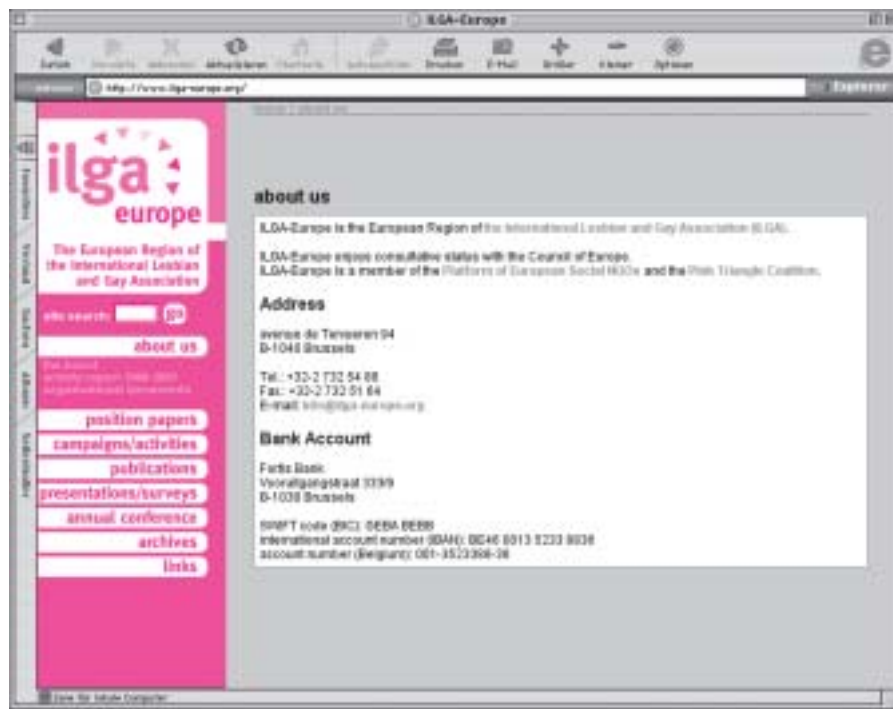
8.1.3 Develop stable funding, particularly with regard to the co-finance needed to supplement the European Commission's core funding, and to finance activities not covered by this core funding.

Our current core funding contract with the European Commission lasts from 1 May 2002 to 30 April 2003. This funding is again received under the Community Action Programme to combat discrimination, more precisely under the budget-line "support to umbrella European level non-governmental organisations representing and defending the rights of people exposed to discrimination". This programme also provides core funding to other European NGOs working against discrimination on the grounds listed in

Article 13 EC. We had submitted an application with a detailed activity programme. After formal approval by the Programme Committee, composed of representatives from all member states, the contract was signed in April. The Commission will finance 90% of our running costs for these twelve months up to the amount of € 498,000. While it is agreed that in principle ILGA-Europe, as well as the other European networks, would get financial support for at least two years, the contract will have to be renewed after one year upon submission of another detailed activity programme and budget for the period 1 May 2003 to 30 April 2004.

ILGA-Europe's accounts for 2001 and our financial position at the end of 2001 are presented in chapter 11 of this report. Unfortunately, the three different and overlapping periods, i. e. the fiscal year from January to December, the Commission funding period from May to April, and the activity/work programme period from October to October, not only complicate our reporting but also increase our work load with regard to preparing all these reports.

Finding core funding is never easy for an NGO, and it is owing to the tireless work of ILGA-Europe's treasurer, Nigel Warner, that we have secured the necessary co-finance this year. Contributions from the *Stonewall Group* (UK), the *Heinrich Böll Foundation*, the *Open Society Institute*



In November 2001 the web-site was re-launched in a re-designed and re-structured layout at the domain address [www.ilga-europe.org](http://www.ilga-europe.org)

(OSI), Pink Cross, COC Haaglanden and private trusts have helped to reach our funding target. However, the need to diversify our funding sources has never been greater, and in September the board took the first steps towards implementing a fundraising strategy. New developments will include a "Friends of ILGA-Europe" initiative and income-generating activities based on proven fundraising techniques.

The recruitment of an executive director, Ailsa Spindler, in June 2002 was followed by the recruitment of a policy and research officer, Licinia Pereira, in September. With these two appointments, and the change to full-time working of the administration officer, Olivier Collet, in June, the office is now up to full strength. This will make a significant increase in the capacity of ILGA-Europe to

deliver its work programme, and it will enable board members and other volunteers to develop new areas of work. The transition to a fully-staffed office has taken a short time to settle, but members and external contacts will see a real improvement in ILGA-Europe's capacity and professionalism in the years ahead.

Our means of communication and information have also dramatically improved. In November 2001, our web-site, after having been completely re-designed and re-structured, was re-launched at our own domain address: [www.ilga-europe.org](http://www.ilga-europe.org). The re-launch was announced in the November *Newsletter* and the December *Euro-Letter* (# 94). The web-site has since been continuously developed in order to be accessible and give an overview of our key activities.

Four issues of the quarterly *ILGA-Europe Newsletter* have been published – in November 2001, February, May and August 2002. The *Newsletter* has developed into a useful source for members, officials in the international institutions, European NGOs and politicians. The *Euro-Letter* also continued to be published on behalf of ILGA-Europe by *Landsforeningen for bøsser og lesbiske (LBL)*, the Danish national organisation for gays and lesbians. The 100<sup>th</sup> edition of this electronic medium was produced in August 2002. The *Euro-Letter* is also translated into German, Italian, and Portuguese.

Our basic information leaflet, already available in seven languages, was also translated into Portuguese and Russian. Both translations are available in electronic format at our web-site.

## 8.2 Enhanced involvement of, and work for, transgendered persons

During the past year we have been incorporating gender identity issues into exist-

ing ILGA-Europe policies. The establishment of an ILGA-Europe transgender

working group (see 1.9 above) will also increase the relevance of ILGA membership for organisations involved in transgender issues across Europe.

**Work programme 2001/2002**

**8.2 Enhanced involvement of, and work for, transgendered persons**

8.2.1 Actively seek to increase its transgendered membership.

8.2.2 Work to increase its visibility as a transgender lobby NGO at European level further.

8.2.3 Establish a work group of interested transgender activists to help the board with its work on transgender issues.

The postponement of the position paper on transgendered people in the EU has slowed the process of increasing visibility as a transgender lobby. However, work on transgender issues relevant to forthcoming directives will increase the profile of ILGA-Europe in these areas (see 1.9 above)

## 8.3 The rights of bisexuals

In July we commissioned Dr Katrina Roen to produce a report into the current situation of discrimination against bisexuals, and recommendations for ILGA-Europe policies on behalf of bisexuals. This report is intended to form the basis for a workshop at the Lisbon conference in October.

Discussion of the report and the conclusions of the workshop will help shape

ILGA-Europe's future work to promote equal rights for bisexual people.

**Work programme 2001/2002**

**8.3 The rights of bisexuals**

Investigate 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.

## 8.4 Documentation and research

Activities falling under this sub-chapter have been part of activities reported in other sections of this annual report, in particular with regard to EU enlargement (above item 1.5), human rights in the member states (1.7) and in third countries (1.8). The establishment of an information resource facility is a current priority for the policy & research officer.

### Work programme 2001/2002

#### 8.4 Documentation and research

- Develop and maintain a country-by-country inventory of discrimination laws and practices; monitor developments and keep up-to-date.
- Produce reports and provide information to European institutions, the United Nations, and to other organisations as appropriate.

## 9. OTHER ACTIVITIES

Board members attended a series of meetings and conferences in order to network with ILGA-Europe's constituency, to reach out to the LGBT movement in Europe, and to other NGOs to mainstream LGBT issues.

These meetings and events not mentioned in other sections of this report include the following (see also the calendar of meetings and events on p. 26):

Riccardo Gottardi was a speaker in the events to celebrate the 30<sup>th</sup> anniversary of the Italian gay movement in Rome in January. He also delivered a message of greetings at the national congress of *Arcigay* in Riccione in February and at the opening of the New Rights Office of *CGIL*, the major Italian trade union, in Bari in April. In June he represented ILGA-Europe as a panel speaker in three conferences in Turin, Padua and Milan respectively. ILGA-Europe had taken on the honorary patronage over the two latter ones organised by *Arcigay*.

On 24-26 May Jackie Lewis participated in the "European Forum on the Right to Marriage and Adoption" in Barcelona, and on 7-8 June in the seminar "Sharing the learning on LGBT anti-discrimination legislation and campaigning" in Belfast.

On 25 June Kurt Krickler was a panellist in a discussion on the integration of homosexual migrants in the context of the Intercultural Week organised as part of Europride 2002 in Cologne.



ILGA-Europe was represented at the Barcelona forum by co-chair Jackie Lewis and by Robert Wintemute of the School of Law, King's College London

Upon the invitation of the organising committee Pierre Noël attended, on behalf of ILGA-Europe, the Spanish national LGBT Pride March in Madrid on 29 June.

Ailsa Spindler attended the *Jornadas Lésbicas*, the first national conference for lesbians in Portugal, in Lisbon on 5-7 July organised by *Clube Safo*, where she gave a presentation on the situation of lesbians living in the EU.

Former board member Isabelle Cruette from France represented ILGA-Europe at the Summer University on Homosexualities in Marseilles on 20-27 July 2002. In a workshop titled "Homosexualité: vers

une intégration européenne?" ILGA and ILGA-Europe were presented together with the European Network of AIDS Helplines.

Information officer Mette Vadstrup attended the *CPHOM02* Conference of European LGBT university organisations held in Copenhagen on 14 August. She gave a presentation of ILGA-Europe and LGBT lobbying issues at European level.

Nigel Warner was a panellist at the annual conference of *Al-Fatiha UK* in London on 25 August.

# 10. BOARD MEMBERSHIP, MEETINGS AND BOARD OFFICERS

The eight Executive Board members elected by the 2001 Rotterdam conference were: **Tiia Aarnipuu** (*Seksuaalinen Tasavertaisuus (SETA)*, Finland), **Nico J. Beger** (*Lesbenbereich Bündnis 90/Die Grünen*, Germany), **Adrian Relu Coman** (*ACCEPT*, Romania), **Riccardo Gottardi** (*Arcigay Pridel*, Italy) **Tatjana Greif** (*ŠKUC-LL*, Slovenia), **Kurt Krickler** (*Homosexuelle Initiative (HOSI) Wien*, Austria), **Jackie Lewis** (*National Lesbian and Gay Committee of UNISON*, United Kingdom), **Nigel Warner** (*Stonewall Immigration Group*, United Kingdom).

As reserve members were elected: **Ali Jarvis** from *Stonewall Scotland* and **Anke Hintjens** from the Flemish *Federatie Werkgroepen Homoseksualiteit (FWH)* as

Lewis, and Nigel Warner. Apologies: Nico Beger. Also present: Miran Šolinc and Grada Schadee;

► on 15 and 16 December 2001 in Brussels. Board members present: Tiia, Nico (on Saturday), Adrian, Riccardo, Kurt, Jackie, and Nigel. Also present: Pierre Noël. Apologies were received from Tatjana.

Jackie and Kurt were elected co-chairs, Nigel was elected treasurer;

► on 16 and 17 February 2002 in Brussels: Present: Tiia, Nico, Adrian, Riccardo, Tatjana, Kurt, Jackie, and Nigel (on Sunday). Apologies were received from Pierre;

## Relations with ILGA-World

Jackie Lewis and Pierre Noël were re-elected by the 2001 conference as regional representatives on the ILGA Board.

As reported in *May's Newsletter*, the rejection of ILGA's application for consultative status to the UN's Economic and Social Council was essentially due to homophobia: two thirds of ILGA's opponents criminalise same-sex consensual sexual relations. The pretext was false allegations against ILGA of promoting paedophilia and the abolition of all age of consent laws. The behaviour of Spain, the only EU member that did not support ILGA, has been taken up by Spanish



The executive board and reserves as elected in Rotterdam: **Miran Šolinc** (SLO), **Tatjana Greif** (SLO), **Adrian Coman** (RO), **Riccardo Gottardi** (I), **Jackie Lewis** (UK), **Kurt Krickler** (A), **Nigel Warner** (UK), **Tiia Aarnipuu** (FIN), **Anke Hintjens** (B); "missing": **Nico Beger** (D), **Ali Jarvis** (UK)

first and second reserve for the women's seats; **Miran Šolinc** (*ŠKUC-Magnus*, Slovenia) as reserve for the men's seats on the Board.

**Jackie Lewis** and **Pierre Noël** (*Tels Quels*, Belgium) were re-elected ILGA-Europe's representatives on the ILGA-World Executive Board. **Miran Šolinc** and **Grada Schadee** (*AOB*, Netherlands) were elected as reserve members.

The Board held six meetings during its period of office:

► on 28 October 2001, immediately following the closing of the Rotterdam conference. Board members present: Tiia Aarnipuu, Adrian Coman, Riccardo Gottardi, Tatjana Greif, Kurt Krickler, Jackie

► on 21 April 2002 in Brussels. Present: Tiia, Riccardo, Kurt, Jackie, and Nigel. Apologies were received from Nico, Adrian, Tatjana and Pierre;

► on 1-3 June 2002 in Brussels. Present: Tiia, Nico, Riccardo, Tatjana, Kurt, Jackie, and Nigel. Apologies from Adrian and Pierre;

► on 14 and 15 September 2002 in Brussels. Present: Tiia, Kurt, Jackie, Nigel and Pierre. Apologies from Nico, Adrian, Riccardo, and Tatjana.

The Board will also meet on 23 October 2002 immediately before the start of the 24<sup>th</sup> ILGA European Conference in Lisbon.

organisations and opposition parties and by MEPs.

Jackie attended the Board meeting in Brussels in April; Pierre was not able to due to work commitments. The Board worked through a development plan, drafted by Jackie, and agreed a strategy for strengthening ILGA at world and regional levels. Work to implement this is continuing. ILGA-Asia now has a web-site ([www.ilga-asia.org](http://www.ilga-asia.org)) and will hold a regional conference in Mumbai, India, in October. The Latin America & Caribbean region also has a web-site ([www.ilgalac.org](http://www.ilgalac.org)). Co-ordination and co-operation between ILGA-Europe and ILGA-World continues to improve. The next world conference will be held in Manila, Philippines, from 6-13 November 2003.



# 11. FINANCIAL REPORT 2001

## Overview

The year 2001 saw a transformation of ILGA-Europe's financial position, thanks to the provision of core funding by the European Community. Expenditure totalled € 196,507. The equivalent in 2000 was € 8,506.

The overall result was a surplus of € 5,482, leading to an increase in reserves to € 19,183 – a modest figure in relation to ILGA-Europe's annual expenditure levels.

2001 was also very much a year of transition from the point of view of ILGA-Europe's accounting. The Annual Conference is of course the major event of ILGA-Europe's year. As in earlier years, it was organised, and accounted for, by the conference hosts. In 2001, it was arranged by *COC Nederland* in Rotterdam. The expenditure in ILGA-Europe's accounts (€ 12,024) is limited to ILGA-Europe's direct contribution. This is a fraction of the total cost of the conference (€ 76,227). This expenditure was financed from several sources: a grant from the city of Rotterdam of € 25,000, grants for scholarships from the *Heinrich Böll Foundation*, *HIVOS*, the *Open Society Institute (OSI)*, and *Mama Cash*, and contributions from delegates and the conference organisers. From 2002 onwards all conference costs will be accounted for in ILGA-Europe's books.

### Notice

The report 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](http://www.ilga-europe.org).

## Comparison to budget

The 2000 conference approved budget estimates for 2001 which provided for total expenditure of € 276,000 (including the complete conference). A detailed comparison of the budget estimates with

<b>ILGA-Europe Income and Expenditure Account for 2001</b>		
<u>EXPENDITURE</u>		<i>Euros</i>
<b>EU CO-FUNDED ACTIVITIES</b>		
<b>SECRETARIAT COSTS</b>		
Staff costs	63,335	
Office costs	31,425	94,760
<b>GOVERNING BODIES</b>		
Board meetings	9,861	
Annual Conference	12,024	21,885
<b>WORK PROGRAMME ACTIVITIES</b>		
Policy work and reports	10,120	
Information dissemination	29,861	
Network meeting	11,081	51,062
<b>OTHER COSTS</b>		
Travel (other than board meetings, conference, Network)	12,030	
Financial and legal advice, and bank charges	6,862	18,892
<b>TOTAL OF EU CO-FUNDED EXPENDITURE</b>		<b>186,599</b>
<b>NON-EU ELIGIBLE EXPENDITURE</b>		
EE board member travel (Board, Conference, Network)	2,848	
Other non-eligible costs	2,064	
Co-financing of projects	4,996	9,908
<b>TOTAL EXPENDITURE</b>		<b>196,507</b>
<u>INCOME</u>		
European Commission grant		176,062
Other sources:		
Donations from members and individuals	16,298	
Heinrich Böll Foundation	9,497	
Interest	131	25,926
<b>TOTAL FINANCING</b>		<b>201,988</b>
<b>SURPLUS FOR YEAR</b>		<b>5,482</b>

the actual expenditure is not possible for a number of reasons, including the fact that the conference was accounted for separately and the changes in accounting presentation referred to above. However the total of the expenditure incurred in the books of ILGA-Europe and in the Rot-

terdam conference accounts totalled € 260,710,<sup>1</sup> or 94% of the budget.

<sup>1</sup> Derived as follows: total ILGA-Europe expenditure (€ 196,507) + total Rotterdam conference expenditure (€ 76,227) = € 272,734. Less ILGA-Europe contribution to conference (€ 12,024) (to avoid double counting) = € 260,710.

## Meeting ILGA-Europe's funding needs

Under ILGA-Europe's contract with the European Commission for the 12 months to November 2001, ILGA-Europe was required to provide financing of 20% of the EU co-funded activities. The Rotterdam conference was one of these activi-

ties, and accordingly the City of Rotterdam grant, and the contributions of delegates and member organisations to the conference, counted as a part of ILGA-Europe's co-financing, substantially resolving ILGA-Europe's fundraising needs in 2001. A further grant by the Heinrich Böll Foundation and donations

by a number of member organisations and individuals were also important in securing ILGA-Europe's financial position.

Nigel Warner, treasurer  
31 July 2002

# 12. CALENDAR OF MEETINGS & EVENTS ATTENDED IN 2001/02<sup>1</sup>

## October 2001

**28:** ILGA-Europe Board meeting, **Rotterdam**

## November

**15-17:** Open Society Foundation Romania workshop: *Implementing European Anti-Discrimination Law*, **Sinaia**

**20-21:** Conference: *The European Social Agenda and the EU's International Partners*, **Brussels**

**21-22:** 3<sup>rd</sup> European Union Human Rights Discussion Forum, **Brussels**

**28:** Seminar: *Role of Religion in International Policy Making*, **Brussels**

**29:** ECAS discussion forum: *Civil Liberties under Pressure – What role for the EU Charter of Fundamental Rights?*, **Brussels**

**30:** Project presentation: *Site 13 – European Network of Local Authorities against Discrimination*, **Brussels**

## December

**1:** Meeting with EuroFLAG board members, **Brussels**

**13-14:** *Citizens' Assembly 2004*, **Brussels**

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

**17:** General Assembly of the Platform of European Social NGOs, **Brussels**

## January 2002

**9-13:** National convention to celebrate the 30<sup>th</sup> anniversary of the Italian gay movement, **Rome**

**18:** International Lesbian, Gay, Bisexual and Transgender Youth and Student Organisation (IGLYO) hearing on discrimination against LGBT youth in EU accession countries, **Ljubljana**

**18:** Seminar: *We are Family? – Recognition of Same-sex Partners in EU Law*, **Maastricht**

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

**24:** Meeting with MEPs Joke Swiebel und Michael Cashman, **Brussels**

**24:** Meeting of the Social Platform working group "EU Enlargement", **Brussels**

**25-27:** Expert meeting "Making Headlines Together" to prepare a project application for financing under the Community Action Programme to combat discrimination (2001-2006), **Amsterdam**

**28:** 1<sup>st</sup> meeting of SOLIDAR project "Non-discriminatory access to services provided by the voluntary sector: Promoting best practice" Steering Group to prepare an application for a follow-up project ("Who's the driver?") under the Community Action Programme to combat discrimination (2001-2006), **Brussels**

## February

**1-2:** European Network against Racism (ENAR) seminar: *A Common EU Immigration Policy – Dream or Reality?*, **Brussels**

**1-3:** National congress of Italy's national gay organisation *Arcigay*, **Riccione**

**16-17:** ILGA-Europe Board meeting, **Brussels**

**18-19:** Interviews with candidates for new staff position (executive director), **Brussels**

**19:** Biannual Meeting between the European Commission and the Social Platform, **Brussels**

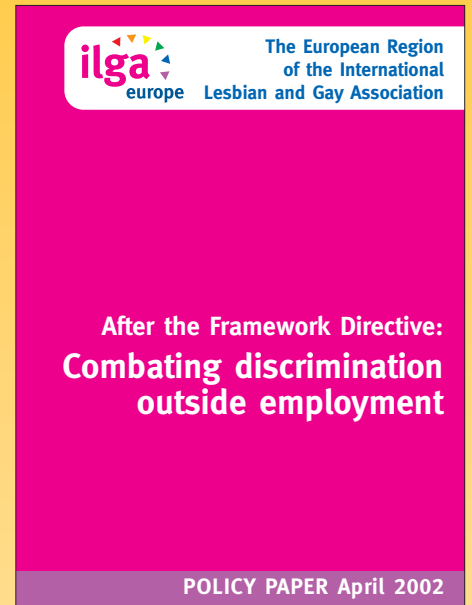
**22:** Round table: *Queering Europe – Und was die OSZE dazu macht... – Über die Situation von Lesben und Schwulen in Ländern der Organisation für Sicherheit und Zusammenarbeit in Europa*, **Vienna**

## March

**11:** 2<sup>nd</sup> meeting to prepare an application for the project "Who's the driver?" under the Community Action Programme to com-

<sup>1</sup> 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.

- bat discrimination (2001-2006), **Brussels**
- 20:** Meeting with European Commission official Alan Evans, **Brussels**
- 13:** Social Platform Steering Group meeting, **Barcelona**
- 13:** Social Platform Seminar: *From Lisbon to Barcelona: Creating a Social Europe?*, **Barcelona**
- 14:** ETUC, EEB & Social Platform *Joint Conference on Sustainable Development*, **Barcelona**
- 19:** European Parliament hearing on the *Cairo 52* with the Egyptian ambassador, **Brussels**
- 19:** Meeting with MEP Ana Palacio, rapporteur on Commission proposal 2001-257, **Brussels**
- 19:** Meeting with MEP Jean Lambert, rapporteur on Commission proposal 2001-510, **Brussels**
- 19:** Meeting with ELDR MEPs Sarah Ludford and Olle Schmidt, **Brussels**
- 23:** Conference: *Fight against Discrimination – Current Situation in Europe and in Belgium*, **Brussels**
- 19:** Meeting with European Commission official Alan Bruin, **Brussels**
- 20-21:** 2<sup>nd</sup> meeting of the ILGA-Europe EU National Co-ordination Network, **Brussels**
- 22:** ILGA-Europe Board meeting, **Brussels**
- May**
- 
- 7:** Focus Group Discussion: *External Evaluation of the EU Commission's preparatory measures aimed at combating and preventing discrimination*, **Brussels**
- 8-12:** Meeting with Opus Gay in preparation for the annual conference, **Lisbon**
- 16-17:** EQUAL Conference: *NetWorking for Inclusion*, **Barcelona**
- 22:** Meeting with representatives of the Danish EU Presidency, **Copenhagen**
- 24-26:** *Equal Rights for Gays and Lesbians: European Forum on the Right to Marriage and Adoption*, **Barcelona**
- 28:** Presentation to the European Community Action Programme against discrimination Programme Committee, **Brussels**
- 31:** Meeting with a representative of the Spanish EU Presidency, **Brussels**
- June**
- 
- 1-3:** ILGA-Europe Board meeting, **Brussels**
- 3:** Meeting with European Commission officials Friso Roscam Abbing and Stefano Vincenzi, **Brussels**
- 5:** Conference: *Marriage, Partnerships and Parenting in the 21<sup>st</sup> Century: The Current Situation and New Perspectives for Gay, Lesbian, Bisexual and Transgendered People and Their Families – A Comparative Approach*, **Turin**
- 7:** Conference on the eve of Italy's national LGBT pride march: *Europa è Libertà*, **Padua**
- 7-8:** Seminar: *Sharing the learning on LGBT anti-discrimination legislation and campaigning*, **Belfast**
- 8:** International Forum on Social Support to Population, **St. Petersburg**
- 21:** Conference on the eve of the Milan gay pride march: *Unione d'Europa*, **Milan**
- 24-25:** Session of the Convention on the Future of Europe with Civil Society, **Brussels**
- 25:** Panel discussion: *Integration von homosexuellen MigrantInnen* as part of the Intercultural Week of Europride 2002, **Cologne**
- 29:** *Marcha Estatal del Orgullo GLTB*, **Madrid**
- July**
- 
- 5-7:** Conference: *Jornadas Lésbicas*, **Lisbon**
- 8:** Meeting with Opus Gay in preparation for the annual conference, **Lisbon**
- 10-11:** TAIEX Seminar: *On the Implementation of the Employment Directive and the Gender Employment Directive in Relation to Sexual Orientation and Gender Identity Discrimination*, **Brussels**
- 20-27:** *Université d'été euro-méditerranéenne des homosexualités*, **Marseilles**
- 29-30:** Interviews with candidates for new staff position (research and policy officer), **Brussels**
- August**
- 
- 14:** *CPHOMO2* – conference of European LGBT university organisations, **Copenhagen**
- 25:** Annual Conference of *Al-Fatiha UK* (panel session), **London**
- September**
- 
- 4:** Re-launch meeting of the European Parliament Inter-group on Gay and Lesbian Rights, **Strasbourg**
- 12-14:** Seminar for lesbian NGOs from former Yugoslavia: *Equal Citizenship*, **Ljubljana**
- 14-15:** ILGA-Europe Board meeting, **Brussels**
- 16:** Seminar of the Italian Green Party on the Convention on the Future of Europe, **Rome**
- 24:** Meeting with Opus Gay in preparation for the annual conference, **Lisbon**
- October**
- 
- 23:** ILGA-Europe Board meeting, **Lisbon**



# Publications

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