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EUROPEAN ELECTIONS 2004

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## EDITORIAL

Welcome to the first ILGA-Europe Newsletter in 2004. After a long winter, spring is finally making its way to Brussels. It promises to be a period as busy as ever. Not only on the political level but also on an organisational one. Don Bisson, new director for the Eastern Europe, Council of Europe and Transgender Programme began work in the Brussels office in the middle of January. He already took first steps to bring this programme to life and to make sure we use this unique opportunity to strengthen LGBT organisations in Europe (see p. 5). As we welcome our new Policy and Research officer, Christine Laudes, we are also saying goodbye to Sheila Swatschek, who had joined us on a temporary contract in April last year and has made a great contribution to our work (see p. 3). ILGA-Europe has undergone fundamental and far-reaching change. To foster a better management of this change, the executive board is currently consulting its membership on some of the organisation's most basic structures. Get involved by answering the questionnaire (p. 4). Though it seems only days ago when we last met in Glasgow, preparations for the annual conference 2004 is well under way. Find out what *Coming out to the EU* is all about! Book your tickets now and be sure to attend our next conference in Budapest from 27-31 October 2004 (see p. 3).

## NEWS FROM THE EU

On 1 May 2004, ten new member states will join the Union, increasing membership to twenty-five. Shortly afterwards, from 10-13 June, millions of Europeans will vote for the new European Parliament in the largest elections ever. This is a great opportunity to express clearly what we want Europe to be. Find out more about ILGA-Europe's election campaign on p. 8. In 1999, the EU agreed to construct an 'Area of Freedom, Security and Justice' by 2004. ILGA-Europe has been very active in attempting to secure full recognition of the diversity of families within the context of asylum, immigration and free movement. Are we making progress? See p. 5, for some answers. On 2 December 2003 the deadline for the national transposition of the Employment Framework Directive passed. Though many current and future member states still fail to comply, the first cases of sexual orientation discrimination under the new laws are being brought to national courts; for example, Hungarian NGO *Hättér* is taking a Calvinist university to court.

## HUMAN RIGHTS IN EUROPE AND BEYOND

Between 15 March and 23 April 2004, the UN Human Rights Commission will re-visit the Brazilian initiative resolution on sexual orientation and human rights, which had been postponed in 2003. The EU has declared its support for this initiative and will back Brazil throughout the process (see p. 12). Though the legal situation for gays and lesbians may be improving, a recent case from Macedonia illustrates the continued hostility to gay, lesbian, bisexual and transgender persons throughout the world (see p. 13).

# ILGA-EUROPE HIRES NEW POLICY AND RESEARCH OFFICER

Regular readers of this *Newsletter* will know that we were very pleased to announce the arrival of Sheila Swatschek last April. Sheila joined us on a temporary contract when we were in danger of being left short-handed by Lúcia Pereira's move to the Commission. Since then, Sheila has made a great contribution to our work in her role as Policy & Research Officer, seamlessly continuing the progress on the Muslim LGBT project, the discrimination information database and much of the routine monitoring of legal and policy developments in the EU. Her training as a fully qualified barrister and political scientist has helped Sheila to make perceptive analyses and valuable contributions to our policy discussions, and she has been a valued team member. As a volunteer, Sheila has also participated in the transgender working group. We will miss her warmth, her humour - and her baking skills, which have made their mark on our waistlines! We wish Sheila well in her future career and in her life in general; we hope she stays in touch.

As we say goodbye to Sheila, we also welcome our new Policy & Research Officer, Christine Loudes. Originally from Strasbourg, Christine joins us from Belfast, Northern Ireland, where she has been employed as an investigations worker with the Northern Ireland Human

rights Commission, dealing with the rights of several minority groups and developing policy papers. Prior to that, Christine worked for NICES as a research and development officer, monitoring the implementation of race equality measures in public authorities, and as a tutor in the law department of Queen's University of Belfast. Her educational qualifications include a Ph.D. in Law

(thesis on increasing women's political representation) and a LL.M. in Human Rights (transsexuals' rights), and she has several publications on LGBT issues to her name. We are sure that Christine will settle into the team very quickly; ILGA-Europe members and newsletter readers will soon have the opportunity to meet her and see the results of her work.



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Recent staff increases and plans for future development have forced us to seek larger premises than our first-floor office in Tervurenlaan. Fortunately, the tenant in the building's lower floors has moved out, so we are now able to move into the ground and basement floors. Once new cabling and IT connections have been completed, we will be able to work more effectively, and in a space which allows us to consider taking up offers of volunteer help. Until now we have had to turn away offers of help, but we will be contacting several people who have offered their time and we hope to see a corresponding increase in our output.

» AILSA SPINDLER

## ILGA'S ANNUAL EUROPEAN CONFERENCE 2004

# 'COMING OUT TO THE EU'

ILGA's 26<sup>th</sup> annual European conference will be taking place in Budapest, Hungary, this year, from 27-31 October. Hätter's conference organising team is already working to prepare a wonderful conference for the delegates of your organisations. The conference venue is the European Youth Centre, which some of you may already know. Together with ILGA-Europe's staff, we are planning an inspiring and enjoyable event. We can promise you easy

access to our country with a growing number of low cost flights between Budapest and other European cities, a conference venue that will not only give you one of the best views of the city, but accommodation on the spot and very close by. Conference workshop topics will include: organising LGBT life in rural areas, women's issues, faith, HIV/AIDS, other health issues, multiple discrimination, transgender, fundraising/grant applications, media,

provision of legal aid, transposition of the Framework Directive, to name but a few. Representatives of LGBT organisations across Europe will be invited to prepare contributions to workshop topics. We will contact the organisations about this during spring. As far as the social programme is concerned, participants will be able to get familiar with the touristy as well as the gay spots of the city, and enjoy great food and drinks. Look forward to Hungary's famous



hot baths, the beautiful Danube waterfront and many other highlights along the way. We wish you every success in your work and hope to meet you in Budapest in October.

» THE CONFERENCE TEAM  
HÄTTER

# WORKING TOWARDS A STRONGER ORGANISATION

The ILGA-Europe that we live in today has become an increasingly dynamic body, more and more capable of answering the basic needs of its European-wide constituency, from East to West, from North to South. In the last three years ILGA-Europe underwent fundamental and far-reaching changes. From a small-sized, volunteer-only organisation, to a medium-sized, staff-supported network is a long way to go in a relatively short time. Whilst in the year 2000, we had a budget of only EUR 8,000; we are now responsible for EUR 800,000 a year and six full-time members of staff. This has been a great opportunity - it enabled us to be much more effective in the European arena in pursuing our mission of fighting for LGBT people's rights and against discrimination based on sexual orientation and gender identity.

Managing this change has been challenging. It has required ILGA-Europe and its executive board to significantly alter its procedures, to undergo a critical process of self-capacity building in the field of governance, to become a responsible employer and manager, to continue the pursuit of donors to face the increased co-funding needs, to name a few examples. Another challenge of this organisational growth relates to the level of interaction and involvement member organisations and individuals feel they can have with the association. When ILGA-Europe was small, it was much easier to participate and feel part of the association, while today even those who work in the ILGA-Europe context on a daily basis find it difficult to always grasp the organisation fully.

After the Glasgow conference it was clear to everybody – members and executive board alike – that a few changes in the basic structure of ILGA-Europe are necessary. This includes revising the constitution and standing orders. It is not an easy task though to construct a whole new ILGA-Europe, stronger, more capable of acquiring the needed competencies to achieve its goals, more representative of the diversity of its constituency and of the people it aims to support and protect. For this reason, and in line with the Conference decision, the executive board has started a consultation process of ILGA-Europe's members, in order to be able to formulate a proposal for the Budapest conference that reflects our views and needs.

## Get involved in the membership consultation

Members should have received a general questionnaire on the future of ILGA-Europe. It is of the utmost importance that the office receives feedback by 15 April in order to allow for a second round of more specific consultation. If you are a full member and have not yet received the questionnaire, contact

Olivier at the ILGA-Europe office ([Olivier@ilga-europe.org](mailto:Olivier@ilga-europe.org)).

We will consider your feedback in April/May and begin a second round of consultation by 10 June. The next questionnaire will be shorter, containing concrete, specific proposals. As a consequence,

the deadline for responses will be tighter : by 15 July we hope to have all your answers.

If you have not already done so, answer the questionnaire now.

## Come on board: why not stand for elections next year?

The constitutional change is an important first step, but it is not enough. We need a more diverse governing body, both with regard to competencies and backgrounds. It may be difficult at first, to get a clear grasp of what it implies to become more involved in ILGA-Europe.

Unfortunately, there is no definitive answer to this feeling of uneasiness, as continuous change – of procedures, policies and strategies – will be a core element of ILGA-Europe's successful existence. Still, there is light at the end of the tunnel. Sprouting from last year's evaluation/capacity building workshop, the board has put together its new governance procedures in the form of a "board manual". This will be made available to members in the near future and should shed some light on the actual board work and on the roles and responsibilities of the actors within ILGA-Europe. At the same time, the board together with members of staff, is defining and implementing key strategies: a human resources strategy - ways of promoting volunteer participation and involving members; effective fundraising tools to guarantee the continuing existence of a strong ILGA-Europe; a media & communication strategy, to be effective both in supporting members and promoting equality

We need your input to ensure this consultation is effective and any future proposals of the new constitution reflect your ideals, expectations and objectives. This is your chance to get involved and have your voice heard.

within the European institutions and societies.

I remember when I first got involved with ILGA-Europe some years ago, it was not easy to understand "how things worked". It took time and energy. Today this has not become any easier, but a path for ILGA-Europe has been outlined and some instruments for those who want to get involved have been created. No doubt, the policies and procedures that we have put together are not perfect. They are intended to be living documents, subject to continuous revision and adaptation, but they are nonetheless an extremely useful guidance to find a way around ILGA-Europe governance.

Much attention is turned today toward ILGA-Europe and its board since the hopes and expectations of millions of people reside with us. This is a great responsibility but it should not prevent anybody from getting involved. What we most need on the board now are different kinds of specialists: people capable of managing staff or planning strategically ; people who are willing to take up that responsibility so that ILGA-Europe can respond to the expectations of those we, as a network association, strive to support.

» RICCARDO GOTTARDI  
Co-Chair, ILGA-Europe Board

## FIRST STEPS TAKEN

Don Bisson, the newly appointed director of the East Europe, Council of Europe and Transgender programmes began work in the Brussels office in the middle of January.

The first task undertaken by the new director was a review of the East Europe programme that was proposed last year in our submission to the Raising trust. A briefing paper was discussed at the board meeting of 7-8 February. Based upon the recommendations made by the director, the board agreed the following actions:

1. To postpone a decision on the opening of an office in East Europe for six months. The Board will revisit the issue at that time.
2. To employ a project assistant for the East Europe, Council of Europe and Transgender programmes based in Brussels. The project assistant will help with project development and implementation along with handling administrative tasks.
3. The director will draft a work plan for the East Europe Programme and begin planning

for several trainings and seminars in the region.

These decisions were taken after acknowledging the need to further evaluate ILGA-Europe's work in East Europe and the logistical and economic issues involved in the opening of an office in the region. All agreed that ILGA-Europe needed to start working in Eastern Europe immediately and that the best way forward was to leverage the funds from the Raising Trust by finding partners to co-fund and co-sponsor trainings and seminars. In light of the COC

Netherlands 4-year capacity-building project in East Europe, we are currently jointly looking at ways of avoiding duplication and maximising resources. We will be looking to our member organisations in the region to work with us on the implementation of the East Europe programme. This will help member organisations raise their profile in their respective countries and also gain experience in project management and implementation.

BY DON BISSON

## MAKING PROGRESS?

In 1999, the EU agreed to construct an 'Area of Freedom, Security and Justice' by 2004. This involved the adoption of new EU legislation regulating asylum and immigration, as well as a revision of the existing legislation governing the free movement of EU citizens within the Union. Regular readers of the *Newsletter* will be aware that ILGA-Europe has been very active in attempting to influence the direction of these initiatives. There were a number of key objectives. First, ILGA-Europe has focused on securing full recognition of the diversity of families in Europe, in particular, families that include lesbian, gay, bisexual or transgender people. Secondly, ILGA-Europe has been raising awareness of the need to adjust laws in order to include new legal forms of partnership that have emerged in some parts of Europe, such as registered partnership and the opening of marriage to same-sex couples. Finally, there has been a campaign to ensure recognition of the situation of LGBT refugees and asylum-seekers, alongside the need for asylum laws to include persecution based on sexual orientation or gender identity.

Much of the basic legislation has now been adopted or should be completed in the coming months, so this is a useful moment to reflect on what has been accomplished. On the positive side, LGBT issues were firmly placed on the agenda as a result of campaigning and became prominent points of debate, most especially in relation to the Free Movement for EU Citizens Directive. Frequently, the amendments ILGA-Europe submitted were taken up by supporters in the European Parliament and often incorporated into the Parliament's final reports. This has certainly brought more visibility to the difficulties faced by LGBT families in the area of migration. The commitment found within the Parliament did not, however, translate into support within the Council of Ministers. Unfortunately, in matters of asylum and immigration, the Council remains free to disregard the opinions of the Parliament and often the useful amendments approved by the Parliament were then removed during the Council negotiations. Some advances can be seen with the legislative texts adopted. Many of these now explicitly refer to the

situation of registered partners and/or unmarried partners, whereas previously only marriage was mentioned. Yet, the substance of the rights is generally limited. Whilst all member states must recognise married partners (and their children) in relation to immigration, asylum and free movement, the inclusion of unmarried partners is mainly left to national discretion. The only obligations imposed are typically on those states that already treat unmarried couples similarly to married couples in national law. However, the primary barriers facing LGBT families are encountered in moving to those states where national law does not already contain recognition of unmarried couples (and their children). Perhaps the most disappointing outcome is in relation to the free movement of EU citizens. The Parliament, which shares legislative powers with the Council in the area of free movement, has agreed on 19 February 2004 to accept the Council's text in the interests of completing this Directive before enlargement. This will mean that for most states in the expanded EU there will be no obligation to admit the same-sex

partners of EU citizens (see p. 7)<sup>1</sup>. Overall, it seems that ILGA-Europe has been successful in raising awareness of LGBT issues, whereas before this aspect was almost invisible in EU policies relating to migration. Persuading national governments to change their attitudes has proven much more difficult. Nonetheless, these are issues that will not disappear from the agenda. It seems likely that some EU citizens whose families are not recognised may decide to bring legal challenges, invoking rights to free movement, equality and family life. In the area of asylum, the Directive defining the grounds of persecution recognised by law is not yet adopted and there seems a better prospect that this may, at least, explicitly include sexual orientation. In the medium term, change seems to be moving from the national level upwards. As an increasing number of states reform their national laws in order to introduce legal recognition for same-sex and unmarried couples, the consequences for these families when they move within the Union will inevitably return to the EU policy agenda.

BY MARK BELL

<sup>1</sup> 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, COM (2001) 257. See also ILGA-Europe Newsletter # 1/03, p. 6; ILGA-Europe Newsletter # 2/03, p. 7; ILGA-Europe Newsletter # 4/03, p. 14.

# FAMILY LIFE - A RIGHT, NOT A PRIVILEGE

On 22 September 2003, the Council adopted Directive 2003/86 on the right to family reunification by third country nationals. The directive regulates the right of third country nationals to be joined in the EU by other third country national family members. For several years, ILGA-Europe has been campaigning to ensure equal treatment of LGBT families in this area of immigration law. In the past *Newsletter*, we have analysed the directive's implications for LGBT persons and their families<sup>1</sup>. Falling significantly short of our expectations, the final text perpetuates inequality of same-sex families by restricting the right to family reunification to spouses and minor children alone. Registered partners or unmarried partners in a stable relationship do not automatically enjoy this right: it is left to the discretion of each individual member state.

ILGA-Europe is not alone in pointing out the short-comings of the directive. The directive was widely criticised as exemplary of the EU's restrictive approach to asylum and immigration in the context of constructing an area of freedom, security and justice. Numerous migration and human rights NGOs, including the churches, have been very active in highlighting the flaws and defects of this new piece of legislation. Whilst it is important to focus on the specific implication for LGBT persons and their families, it is useful to put it into the context of the wider debate on EU immigration policy. There are important lessons to be learnt about the EU's policy priorities, the legislative process and the difficulty to harmonise existing national legislation in this highly sensitive area. Despite the differences in agenda, the concern for human rights is what unites a full range of diverse organisations across Europe.

It is the directive's failure to conform to core human rights standards that forms the basis not only of the NGOs reaction but also of the recent European Parliament response to the Council. On 16 December 2003, Pat Cox, President of the European Parliament, challenged the Family Reunification Directive, claiming that it falls short of minimum human rights standards. This step was preceded by a recommendation of the European Parliament Committee on Citizens' Freedoms and Rights, supported unanimously by the Committee on Legal Affairs. The case is still pending a decision by the European Court of Justice. ILGA-Europe spoke to Doris Peschke from the Churches' Commission for Migrants in Europe (CCME) to find out what their main areas of concern are.

**Birgit Hardt:** *What are the main short-comings of the family reunification directive for you?*

**Doris Peschke:** The directive on family reunification allows EU member states to prevent third-country nationals legally residing in the EU from reuniting with their families. The most contested issue is that in the case of children older than 12 years, member states may restrict the right to family reunification and make it dependent on the child's integration conditions.

**BH:** *Is that reason enough to declare the directive illegal, as the European Parliament has done?*

**DP:** We argue it is. The CCME and its Christian partner organisations have stated on various occasions that restricting the right of children to live with their parents is a direct breach of international standards. The International Convention on the Rights of the Child clearly provides for the right of minors to be united with their family. International law must take



**Churches' Commission for Migrants in Europe**

Commission des Eglises auprès des migrants en Europe  
Kommission der Kirchen für Migranten in Europa

precedence over national legislation and considerations of migration control.

**BH:** *From your perspective, are there any other issues?*

**DP:** Yes, another important restriction that crept into the text in the final stages of the negotiations relates to the renewal of residence permits for family members.

The directive puts forward material conditions for such a renewal. The European Convention on Human Rights as well as the International Convention on the Rights of the Child however, regard it as an obligation of the state to safeguard and protect families, especially with regard to children. Respect for family unity is found in most European Union member states' constitutions as well.

**BH:** *The European Commission presented the first draft directive on family reunification in 1999. Are there any differences between the initial proposal and the final text that was agreed in Council?*

**DP:** Indeed there are. The first draft was a true attempt to harmonise existing legislation in member states. It acknowledged the importance of family life both for the concerned individuals and for society at large, because family life has proven to be an asset for the integration of migrants in society. During the negotiations however, the standards have been reduced even below existing legislation: none of the EU member states currently has legislation

in force preventing children below 16 years to join their parents.

**BH:** *It is surprising to see that ministers seem to use EU legislation to undermine existing minimum standards at national level. Do you think such a discrepancy between national, EU and international level will be permissible?*

**DP:** That remains to be seen. It is clear that by adopting this directive, EU member states failed in their responsibility to implement international and European human rights standards in the harmonisation of EU legislation. The final decision will be for the European Court of Justice to take. The appeal against the directive is a precedent. It is now up to the Court to clarify whether the EU – to date not signatory to the above mentioned conventions – can define minimum legislative standards that fall significantly short of European and international requirements.

**BH:** *What else can be done now that the directive is adopted?*

**DP:** Parallel to the Court's proceedings, it is important to monitor the transposition of this directive at national level. We have to use the opportunity to urge member states to go beyond the minimum requirements defined in the directive. Advocacy at national level is vital to protect and ensure foreigners' right to family life.

» BIRGIT HARDT  
» DORIS PESCHKE (CCME)

<sup>1</sup> See for the latest update ILGA-Europe Newsletter # 4/03, p. 14. ILGA-Europe published its position paper on the Commission's draft (COM (2000) 624) in April 2001 (IE doc. # 1/2001).

# EUROPEAN PARLIAMENT ACCEPTS COUNCIL DECISION ON FREE MOVEMENT

On 19 February 2004 the Citizens' Rights Committee of the European Parliament adopted without amendment a second-reading report that recommended the acceptance of the Council's common position on the right to move and reside freely within the EU (COM (2003) 199).<sup>1</sup> After a lengthy discussion in the Citizens' Rights Committee in January, a great majority of MEPs agreed to speed the legislation through before the end of Parliament's current term in June. Though many

clearly defined but will be ultimately for the European courts to resolve.<sup>2</sup> An EU citizen will only be entitled to be joined by his or her registered partner (and their family members) if the host state "treats registered partnerships as equivalent to married couples". Whilst the meaning of "equivalent" is open to debate, it most likely applies to registered partners moving to and from Denmark, Sweden, the Netherlands, and Finland whilst it is less certain with regard to Germany, France

"We may have lost the vote but our argument for equality remains; only with full equality will lesbians and gay men be afforded real freedom of movement. Until then, our citizenship remains diminished and unequal. Our fight for partnership rights or marriage must now be carried to the member states."

MEP Michael Cashman (PES/UK)

MEPs expressed their discontent at the weak provisions for same-sex couples and their families, they feared it was the best possible compromise in the current political climate. Discussions in Council on the definition of family members had been very controversial and heated; any challenge to the compromise achieved with such great difficulty, it was argued, might bring down the directive as a whole. The directive, though not perfect, was nonetheless seen as a step in the right direction and a significant advance in the area of free movement. The directive will come into effect from 1 July 2005.

What are the implications of the new directive for LGBT families in the EU? The right to free movement would primarily remain limited to a 'spouse' and the children of either the spouse or the sponsor. Whether or not this includes same-sex spouses is not

and Belgium. Registered partners moving to states that do not treat registered partners as equivalent to married couples and unmarried partners, regardless of where they are moving to or from have no automatic right to free movement. They are treated separately, through Article 3 (2) which states that "the host member state shall, in accordance with its own national legislation, facilitate entry and residence" for these persons. The directive gives some indication of what this would entail, but the exact details are left for the member states to define: it implies a positive duty to permit admission; no blanket policy of never admitting unmarried couples is possible; yet, equally, member states cannot be obliged to admit unmarried couples and their family members in every case; a mechanism for a case-by-case assessment based on coherent criteria will need to be established;

"The European Parliament has surrendered - as usual - to the Council, that had menaced to block the directive in case the EP dared to change a word during second reading. The EP lost an important opportunity to revise the definition of family in the EU. It has left the way open to continued discrimination based on sexual orientation and nationality."

Maurizio Turco, President of Radical MEPs

host states must justify a denial of entry or residence bearing in mind the anti-discrimination principle set out in Recital 31; procedural fairness has to be guaranteed (e.g. transparent criteria, clear justifications).

Though the final directive is symbolically important as the first official acknowledgment of the existence of registered same-sex couples, from an LGBT perspective the outcome is nonetheless disappointing. It is an opportunity lost in creating a coherent approach to the recognition of the diversity of family relations in Europe. In its first reading of the directive in February 2003, the Parliament had adopted a draft



parliamentarians. Underlying the decision are pragmatic considerations: member states' opposition in Council, the accession of the ten new member states in May and the Parliament elections in June all have contributed to the judgment that in the current political climate this was all we could gain. Political pragmatism aside, the struggle for a full

"Let's count our blessings. For the first time in EU law, registered partnerships and durable relations are on the political agenda. Member states can no longer deny that de facto partners have a problem when willing to reside in another member state. The obligation to give a justification for refusing entry and residence to these EU-citizens is a possibility to extend the scope of free movement in front of a Court. Given the current political context we got the maximum possible out of the discussion."

MEP Joke Swiebel (PES/NL), Chair of Intergroup on Gay and Lesbian Rights

that would have truly respected the right to free movement for all families.<sup>3</sup> Although the acceptance of a position that falls substantially short of the Parliament's original demands is surprising at first, it does not necessarily signal fading support for LGBT rights amongst Europe's

recognition of same-sex families will continue. The directive is but one step. Closely monitoring transposition into national law, challenging its limitations through legal action at both national and European level are part of further action we can take towards full equality.

<sup>1</sup> See also EGA-Europe Newsletter # 4/03, p. 14.

<sup>2</sup> Recent ECHR case law makes an exclusion of same-sex spouses unlikely. In *Kamer v. Austria* the ECHR held on 24 July 2003 that different treatment based on sexual orientation needs "particularly serious reasons" for justification. Moreover, it must be shown that the difference in treatment is "necessary". Austria's justification - namely the protection of the traditional family unit - was seen as neither sufficient nor justified.

<sup>3</sup> See EGA-Europe Newsletter # 1/03, p. 6 and EGA-Europe Newsletter # 2/03, p. 7.

# CAMPAIGN FOR LGBT RIGHTS

Between 10 and 13 June this year, millions of people all over Europe will go to the polls to vote for the new European Parliament (EP). The elections coincide with a historic and challenging time for the EU.

impressive. With the adoption of Article 13 of the Treaty of Amsterdam in 1999, the Union was empowered for the first time to combat discrimination on the grounds of inter alia sexual orien-

were further emphasised with the adoption in 2000 of the Charter of Fundamental Rights. Article 21 prohibits discrimination on a number of grounds, including sexual orientation.

will be sent to political parties and candidates across the EU's current and future member states. It will raise awareness of LGBT rights and enable us to assess the extent of support amongst prospective members of the European Parliament. The questionnaire addresses three main demands: the fight against discrimination at European level, the protection of the human rights of LGBT people and the recognition of the diversity of family relationships across the EU (see below). Responses will be collected and analysed throughout March and April. Look out for the results and any other information about the European election on the ILGA-Europe website, [www.ilga-europe.org](http://www.ilga-europe.org), from April onwards.

**“THE ELECTIONS ARE A GREAT OPPORTUNITY TO KEEP UP THE MOMENTUM AND ENSURE THAT THE FIGHT AGAINST DISCRIMINATION REMAINS HIGH ON THE POLITICAL AGENDA.”**

On 1 May 2004, ten new member states will join the Union, increasing its membership to twenty-five. Negotiations on a constitutional treaty for the EU are still ongoing and will have a significant impact on the future shape of the Union. This is a vital moment to express clearly what sort of Europe we want.

The European Parliament plays an increasingly important role in the decision-making process at EU level. The EP participates in the preparation of Community legislation, sharing this power with the Council of Ministers. Depending on the policy area, MEPs are either consulted, are required to consent or have the power to co-decide with the Council representatives. International agreements or enlargement of the Union can only go ahead if the parliament agrees. In addition, the European Parliament uses reports and resolutions to express its political views. Though not legally binding, they are influential instruments in shaping the policy agenda. In the 2002 Fundamental Rights Report, for instance, the EP explicitly spoke out for same-sex marriage and adoption rights for gays and lesbians.

Looking back at the tenure of the present parliament (1999-2004), the extent of change has been

tation. Two directives were adopted subsequently in 2000, setting minimum legal standards for combating discrimination<sup>1</sup>. The new laws were complemented by an Action Programme (2001 - 2006), which provides funding for anti-discrimination work. The importance of the principles of equality and non-discrimination

Despite these progressive developments, discrimination continues to be a serious concern for many of us. The elections are a great opportunity to keep up the momentum and ensure that the fight against discrimination remains high on the political agenda. To this end ILGA-Europe is coordinating a questionnaire that

## TOWARDS A EUROPE OF EQUALITY AND RESPECT FOR THE FUNDAMENTAL RIGHTS OF ALL

### → Continuing the fight against discrimination at a European level

To address discrimination effectively, the questionnaire suggests four main measures: (a) a comprehensive legal framework that guarantees the protection from discrimination in all areas of EU competence; (b) an explicit prohibition of discrimination based on gender identity; (c) the continuation beyond 2006 of the EU Action Programme to combat discrimination and finally (d) the adoption of a strategy on systematically mainstreaming anti-discrimination principles across all areas of Community policy, programmes and initiatives.

### → Protecting the human rights of lesbians, gays, bisexuals and transgender persons

In the field of human rights, the survey calls for a stronger response by the EU to human rights violations against LGBT persons, including particularly a more effective use of the human rights clauses in third country partnerships and co-operation agreements.

### → Recognising the diversity of family relationships across the EU

Finally, candidate MEPs are asked to support a full recognition of the diversity of family relationships across the EU. The text highlights the uncertain and discriminatory nature of the current situation. It explains specifically how the absence of any EU-wide recognition of the legal status of same-sex partners and their families has entrenched discriminatory barriers, hindered free movement of EU citizens and restricted the right to family reunification to conventional families alone.

<sup>1</sup> One, the Equal Treatment Directive in Employment, prohibits employment discrimination in respect of religion or belief, disability, age and sexual orientation. The other prohibits racial discrimination in all areas of EU competence.



# THE WORK GOES ON...

Dear ILGA-Europe readers,

This year is full of important events for all EU citizens and for our fight against discrimination and for the achievement of human rights for all. Key dates from an EU perspective include the accession of the ten candidate countries in May and the European Parliament elections in June this year.

But we have not forgotten another very important issue around the 60<sup>th</sup> UN Commission on Human Rights: the Brazilian resolution on sexual orientation discrimination. Due to combined efforts from different political parties, the EP voted and adopted a resolution on 10 February 2004 on the EU's rights, priorities and recommendations for the 60<sup>th</sup> Session of the UN Commission on Human Rights in Geneva (see article on p. 12). The European Parliament called specifically on the EU Presidency to act in favour of the Brazilian initiative on discrimination on grounds of sexual orientation and gender identity by signing and gathering other countries' support for the resolution tabled by Brazil, and to ensure that the issue stays on the agenda. This resolution is very important not only in itself, but also because behind the scene, many MEPs and political groups within the Parliament have fought very hard in order to have it included.

## Wider Europe

Neither will we forget the situation of our neighbouring countries after accession (the so-called Wider Europe). A lot of work has to be done if we want these countries to have equal and non-discriminatory

societies as well. In order to send the message before the end of the parliamentary term, we are holding a meeting in Strasbourg on 31 March to discuss the European Neighbourhood Policy or Wider Europe. The Intergroup would like to discuss how the EU monitors human rights in these countries, how the situation of LGBT people is and whether there are any plans to have co-operation agreements that mention the need to put in place anti-discrimination legislation. Since, in its strategy towards a Wider Europe, the Commission has decided that Ukraine and Moldova are priority

countries for 2004, we have decided to take Moldova as a case study. Speakers are Jan Marinus Wiersma, MEP and chair of the EP-delegation for relations with Ukraine, Moldova and Belarus, Pascolina Napolitano, MEP and rapporteur of the EP report 'Wider Europe - Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours', Rutger Wissels, Director of the EC-Task force European Neighbourhood Policy, and Maxim Amnégichean, director of the *Information*

## Free movement EU-citizens and their family members and Staff regulations

The Intergroup is following up on other dossiers such as the Free Movement of EU-Citizens and the recognition of non-marital partnerships within the staff reform of the EC (in this sense we have had very good news coming from the UN, where Kofi Annan has taken the decision of giving equal rights

to recognise unmarried partnerships, which was included in the report of the EP in first reading, got lost in the debate between Council, Commission and Parliament and is not included in the current report of Harbour and Medina.

## Implementation of the Framework Directive

We are also closely monitoring the implementation of the employment framework directive. As the deadline for implementation, 2 December has passed, it is time for the Commission to start infringing procedures. The Intergroup is in close contact with the Commission and taking good note of all the countries that have failed to fulfil their duties. Unfortunately, it does not look good: letters of formal notice have been sent for non-communication of all the measures necessary to transpose the Directive to Germany, Austria, Denmark, Netherlands, Ireland, Luxembourg and Greece. The United Kingdom, Belgium and Finland also got one because their legislation does not cover 100% of their respective territories. Italy, France and Sweden have notified their legislation and Spain and Portugal have sent their legislation informally, but the Commission has not yet examined it. We will provide regular updates on implementation through our mailing list and website. Furthermore, the report of our November hearing will soon be online and hard copies will become available as well.

The last meeting of our Intergroup during this parliamentary term will be in April, co-organised with ILGA-Europe, on the European Elections.

ROSA SANTRICH



to partners of UN-staff, including same-sex partners, under the only condition that their partnership must be recognised in their country of origin). On 19 February the LIBE-Committee adopted the report on free movement of EU-citizens, and by doing so approved the common position of the Council. It is very likely that this result will be accepted by the plenary in March. The Staff Regulations have been voted in the JURI-Committee on 19 February as well. Unfortunately, the amendment on the criteria

FOR FURTHER INFORMATION SEE: website [www.gayandlesbianrightsintergroup.org](http://www.gayandlesbianrightsintergroup.org)

# WORKING FOR A EUROPE OF SOLIDARITY

Created in 1990 by organisations working with people experiencing poverty and social exclusion, the European Anti Poverty Network (EAPN) works for a society where the effective exercise of fundamental rights by all is a reality, where everyone can be a full member of society, and where poverty and social exclusion are seen as a denial of fundamental rights.

EAPN is a representative network made up of national, regional and local networks of anti-poverty NGOs and grassroots groups in all the member states of the EU and in Bulgaria. Twenty-five European organisations mainly active in the field of poverty and social exclusion are also in membership of EAPN.

EAPN strives to put the fight against poverty and social exclusion at the top of the political agenda; promote and enhance the effectiveness of actions against poverty and social exclusion; and lobby for and with people and groups facing poverty and social exclusion. EAPN also includes the objectives of gender equality and anti-discrimination in all its areas of work.



## The vision of EAPN

**'Mainstreaming':** Poverty and social exclusion arise from a complex and multidimensional process. Therefore an integrated approach is needed, where the fight against poverty and social exclusion is 'mainstreamed' as a priority of all public policies and not just social policy to which it tends to be confined.

**Participation:** People experiencing poverty have the right to influence and participate in the decisions that affect them. Particular measures are needed to ensure that their 'voices' are heard in policy making, policy implementation and policy evaluation.

**Partnership:** More can be achieved when state authorities and public sector bodies work in close co-operation with each other, with trade unions and employers and with NGOs. The benefits of such co-operation are a better co-ordination of activities, a more efficient use of resources, and the adoption of multi-dimensional approaches.

**Solidarity:** EAPN works for a better sharing of wealth, opportunities and resources and calls for the establishment of public systems of regulation at local, national, European and world level, in order to restore the capacity of all societies to determine their future in a democratic, participatory and sustainable way, for the common good and the development of all.

## MAKING THE STRUCTURAL FUNDS WORK TOWARDS SOCIAL INCLUSION

EAPN has been working for several years to ensure that the structural funds support actions that have a real impact on poverty and social exclusion. This has been done through lobbying work but also through capacity building of NGOs to engage in the management and monitoring of the structural funds, and through information gathering and sharing on effective experiences. EAPN is currently working in the context of the *Mid-Term Review* of the structural funds, agenda 2007 and enlargement to ensure that:

**Social inclusion become an overarching policy priority in the Structural Funds**  
Clear links are made between the European Social Inclusion Strategy, the Structural Funds and the Employment Strategy; NGOs are involved in the policy designing, monitoring and evaluation of the Structural Funds; Intermediary funding bodies are considered as effective delivery mechanisms in the future; The Community Initiative Programmes, as an important access point to the Structural Funds, are maintained in the future. Capacity building be a specific priority of the Structural Funds, whereby European employment and social policy is effectively developed with the positive involvement of the hardest to reach not only in favour of a fully inclusive labour market but also as a means of combating social exclusion.

EAPN reports on the Structural Funds can be accessed in the publications section of our website [www.eapn.org](http://www.eapn.org)

## Main EAPN activities

**Lobbying/Advocacy:** EAPN is one of the main partners on the European strategy to combat social exclusion. It lobbies for the integration of the fight against poverty and social exclusion into all Community policies.

**Analysis:** EAPN closely reviews Community policies and programmes likely to impact on groups facing poverty and social exclusion. The network also develops links with the research sector in order to enhance knowledge of poverty and social exclusion within the EU.

**Information:** The [www.eapn.org](http://www.eapn.org) web site is the reference portal on poverty and social exclusion in Europe. A newsletter and a bimonthly news sheet provide information on EAPN and EU policy/events, and on Community programmes and initiatives of interest to EAPN members. EAPN also produces a range of materials on specific issues.

**Exchange:** EAPN sets up task forces and hosts transnational seminars. It is also a forum for exchange of information on national policies for social inclusion. It facilitates partnership building among its

members and liaises with relevant NGOs within and outside the European Union.

**Capacity building:** EAPN provides training for its members on networking and European policies.

EAPN is supported by the European Commission, has consultative status with the Council of Europe and is a founding member of the Platform of European Social NGOs.

VINCENT FOREST  
PATRIZIA BRANDELLERO

FOR FURTHER INFORMATION SEE:

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## STRENGTHENING TRANSGENDER RIGHTS

On 7 January 2004, in *K.B. v. National Health Service Pensions Agency*, the European Court of Justice (ECJ) held that a United Kingdom employer's refusal to provide a survivor's pension to the transsexual male partner (R.) of a non-transsexual female employee (K.B.), because they are not married (under current UK law they are legally a same-sex couple and therefore unable to marry) is in principle sex discrimination with regard to pay, violating Article 141 of the European Community Treaty<sup>1</sup>.

The ECJ's judgment is easier to understand if one first reads the 10 June 2003 opinion of Advocate General Ruiz-Jarabo Colomer. Ruiz-Jarabo Colomer questions whether granting widow(er)'s pensions should really be dependent on marriage. He further suggests that "on grounds of fairness, cases of genuine cohabitation having no official recognition [should be] equated to marriage", expressing his conviction that this would be the natural course of evolution of the law. Acknowledging that it is "perhaps premature" to decide the point in *K.B.*, he framed the issue as whether a particular impediment to the marriage necessary to qualify for the pension is "an expression of discrimination based on sex". For the Advocate General, "the unequal treatment to which transsexuals are subject amounts to sexual discrimination", because "the impediment to marriage is based on the gender reassignment of [the employee's partner], which is covered by Article 141 EC<sup>2</sup>". He stresses that one should not confuse problems arising from transsexualism with those related

to sexual orientation. Though the above case of discrimination may not directly fall within the rights protected by the EC Treaty (namely the right to equal pay, including

couple where neither partner's identity is the result of gender reassignment surgery and the couple are therefore able to marry; (...) a couple such as K.B. and R. are

**34.** Legislation... which, in breach of the ECHR, prevents a couple such as K.B. and R. from fulfilling the marriage requirement which must be met for one of them to be able to benefit from part of the pay of the other must be regarded as being, in principle, incompatible with the requirements of Article 141 EC.

**35.** Since it is for the member states to determine the conditions under which legal recognition is given to the change of gender of a person in R.'s situation it is for the national court to determine whether a person in K.B.'s situation can rely on Article 141 EC in order to gain recognition of her right to nominate her partner as the beneficiary of a survivor's pension.

pension benefits) but rather affects a precondition for the enjoyment of this right (access to civil marriage), this should not make a difference. "It is not a question of developing 'European matrimonial law' but of ensuring that the principle that there should be no discrimination based on sex is fully effective."

Though the ECJ reached the same overall conclusion, it did not agree with the Advocate General's point on the problem of the marriage requirement and its impact on transsexual partners: "the decision to restrict certain benefits to married couples is either a matter for the legislature to decide or a matter for the national courts, and individuals cannot claim that there is discrimination on grounds of sex, prohibited by Community law<sup>3</sup>". The marriage requirement did not amount to direct sex discrimination, "since for the purposes of awarding the survivor's pension it is irrelevant whether the claimant is a man or a woman". However, the ECJ appeared to find indirect sex discrimination: "by comparison with a heterosexual

quite unable to satisfy the marriage requirement."

In their final conclusion, the ECJ referred directly to the European Court of Human Rights judgment on *Christine Goodwin v. UK<sup>4</sup>*, which interpreted the European Convention on Human Rights (ECHR) as guaranteeing the right of transsexual individuals to have their birth certificates changed and to marry in their reassigned sex. In line with the above judgment, the ECJ held that:

Para. 34 appears effectively to exempt a couple who are factually but not legally of different sexes (i.e., one partner's gender reassignment has not been recognised) from the requirement that they be married in order to qualify for a survivor's pension. Para. 35 seems to say that the national court determines whether the employee's partner has transitioned sufficiently to make the couple different-sex for the purposes of Article 141 EC, whether or not the transitioning has been recognised under national law. (It is implicit in paras. 34 and 35 that same-sex partners, neither of whom had undergone gender reassignment, would not qualify for the exemption.) *K.B.* is significant both because it extends

the ECJ's P. judgment, and because it allows access to employment benefits linked to marriage even though marriage is not yet possible under national law. Thus, if K.B. were to die tomorrow, her transsexual male partner R. would qualify for a survivor's pension even though K.B. and R. were unable to marry before K.B.'s death<sup>5</sup>. *Goodwin* will eventually supersede *K.B.*: once a member state has complied with *Goodwin*, different-sex marriage will be possible for couples like K.B. and R. and employers will be able to require them to marry to qualify for a survivor's pension. There is a notable pattern in ECJ judgments on sexual orientation and gender identity to date: unless the ECHR has already provided some protection, the ECJ will do nothing for LGBT individuals with regard to a particular issue. P. (ECJ, 1996) was arguably made possible by *B. v France* (ECHR, 1992), *K.B.* (ECJ, 2004) was preceded by *Goodwin* (ECHR, 2002). *Grant v. South-West Trains* (ECJ, 1998) and D. (ECJ, 2001) on the other hand failed, because there was not yet any positive case law from the ECHR on couples that are factually and legally same-sex<sup>6</sup>. *Karner v. Austria* (ECHR, 2003) makes it almost certain that the ECJ will interpret Council Directive 2000/78/EC as requiring that employment benefits for unmarried partners be the same whether the partners are different-sex or same-sex. The same will probably hold true for different-sex and same-sex registered partners and different-sex and same-sex married partners. However, until the ECHR holds that an employment or other benefit provided only to married different-sex partners must also be provided to same-sex partners who are unable to marry<sup>7</sup>, the ECJ is unlikely to do so.

<sup>1</sup> see <http://eur-lex.europa.eu/info/jurispr/cgi-bin/form.pl?lang=en; Case C-117/01>.

<sup>2</sup> *P. v. S.*, ECJ, 30 April 1996.

<sup>3</sup> see *D. v. Council*, [ECJ, 31 May 2001].

<sup>4</sup> *Christine Goodwin v. UK*, European Court of Human Rights (ECHR), 11 July 2002.

<sup>5</sup> The Gender Recognition Bill, through which the UK will comply with *Goodwin*, has not yet been passed.

<sup>6</sup> i.e., where neither partner has undergone gender reassignment.

<sup>7</sup> The pending ECHR case of *M.W. v. UK*, Application No. 11313/02, raises this issue.

# TESTING THE FRAMEWORK DIRECTIVE: HÁTTÉR TAKES UNIVERSITY TO COURT

For the first time ever in Hungary, *Háttér Support Society for LGBT* People started litigation procedures as an organisation on the basis of the brand new law on equal opportunities (CXXV/2003) on 5 February 2004. The law came into force on 27 January 2004, implementing EU directives 2000/78/EC and 2000/43/EC. Its effectiveness in protecting against discrimination on the grounds of sexual orientation (Article 8.m) will now be tested against the *Károli Gáspár University of the Hungarian Reformed Church*.

In September 2003 *Károli University* expelled a senior student for being gay. A teacher and another student that both spoke out for the expelled

student, were subsequently banned for a year each. At first, the media was not interested. But when another scandalous case involving Christian churches evoked public uproar, the earlier case was widely publicised. This coincided with the man's father's decision to take his son's case to court. When the student was expelled, it was only the Hungarian constitution (art. 70/a) that – under the words “and other...” – protected LGB people from discrimination. Whilst the current proceedings treat the case under the old anti-discrimination instruments only, *Háttér* started a separate court case against the same university under the new law. As an aftermath of expelling the student

the *School of Divinity* published its views entitled “On Homosexuality” stating that “those who openly live a life like that cannot find their place among the ones that take God's rule and will seriously”.

Views conflict on the question of whether *Károli University* is subject to the rules of the state or the rules of the church. The university claims that the law provides them with derogation from the law on equal opportunities as a religious institution. *Háttér* claims that as the university receives regular state support as an institution of further education, the institution cannot disregard the rules of law concerning non-discrimination against persons on the ground of their

sexual orientation. The case is in process. The outcome of the proceedings will test the usefulness of the new equal opportunities law in tackling direct discrimination. This is particularly true with regard to the problematic rights of religious institutions to protect their institutional ethos, where the Hungarian legislation mirrors the limitations of the EU Framework directive. *Háttér Support Society for LGBT* People points out that even though the Reformed Church may not intend to allow gay priests to practise, all students have the right to finish their studies at any religious university without fear of being expelled for being lesbian, gay or bisexual.

» HÁTTÉR

## HUMAN RIGHTS IN THE WORLD

# EP VOTES FOR BRAZILIAN RESOLUTION

On 9 February the European Parliament approved a resolution *On the EU's rights, priorities and recommendations for the 60<sup>th</sup> session of the UN Commission on Human Rights in Geneva (15 March to 23 April 2004)*<sup>1</sup>. Thanks to the initiative by the Greens and Radicals, the resolution that was approved by a great majority of all MEPs urges the UN to adopt a resolution on non-discrimination on the grounds of sexual orientation and gender identity:

In April 2003, the Brazilian delegation to the United Nations Commission on Human Rights introduced an historic resolution prohibiting discrimination based on sexual orientation<sup>2</sup>. The resolution elicited strong opposition

from a number of countries<sup>3</sup>. After prolonged debate, the UNCHR voted to postpone further discussion on the resolution to the 2004 Commission session, due to commence in March. Brazil is currently

The Brazilian initiative resolution on human rights and sexual orientation was a subject addressed as well in the meeting of the Human Rights EU Contact Group at the European Parliament on 3 February

including the Brazilian resolution on non-discrimination and sexual orientation. John Biggar, Head of the Human Rights Unit of the Irish Department for Foreign Affairs and current Chair of the Council working group on human rights, proceeded to present the state of play in the debate at Council level. He clearly expressed the intention of the EU to support the Brazilian initiative on non-discrimination and sexual orientation. He did not, however, explicitly mention the inclusion of gender identity. ILGA-Europe used the opportunity to reinforce the parliament's demands for the extension of protection to those discriminated against on grounds of gender identity as well as sexual orientation.

**21. Calls on the EU to support the full integration of a gender perspective throughout the United Nations system;**

**26. Calls specifically on the Presidency to act in favour of the Brazilian initiative on discrimination on grounds of sexual orientation and gender identity by signing and gathering other countries' support for the resolution tabled by Brazil, and to ensure that the issue stays on the agenda;**

re-drafting the resolution text. As co-sponsors, the EU delegations play a vital role in this process and are urged to ensure that the text is not watered down.

2004. The *International Federation for Human Rights (FIDH)* addressed some of the vital challenges, shortcomings and potentials of this year's UN Commission and looked at some of the key issues this year,

» BH

<sup>1</sup> P6\_TA-PROV(2004)0079.

<sup>2</sup> E/CN.4/2003/SL.32 “Human Rights and sexual orientation” and proposed amendments E/CN.4/2003/SL.106-110.

<sup>3</sup> Resolution E/CN.4/2003/L.32 was sponsored by Austria, Belgium, Brazil, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland. Croatia, Cyprus, New Zealand, Poland, Serbia and Montenegro, Slovenia and Switzerland subsequently joined whilst some Latin American and East European countries as well as Canada, Japan and Korea supported it.

# LGB RIGHTS UNDER ATTACK

"U.S. taxpayer funds should not be used to promote alternative lifestyles in my country, and I do not believe that most Americans would appreciate this".

At the sight of billboards promoting tolerance of lesbian and gay people, many leading figures of Macedonia's political and legal system expressed outrage. In response to the campaign *Face the Diversity - Campaign to Promote the Rights of Sexual Minorities* (see poster) president Trajkovski<sup>1</sup> launched a sustained verbal attack on homosexuality and gender identity. The billboards and displays could be seen publicly in the capital Skopje and in another 18 towns throughout Macedonia. The project was supported by both the Swedish and American embassies in Macedonia. President Trajkovski criticised the USA for wasting their money on homosexuals in Macedonia. When there are so many other causes that desperately need help, Trajkovski asserted, the US American government should not be spending it on promoting alternative lifestyles.

The situation of homosexuals in Macedonia continues to be difficult. Many people still live in everyday fear of public condemnation, humiliation and physical abuse. Most Macedonians continue to react with hostility to what many perceive

as an import from the West.

Neither church nor state would listen to the argument that, the very fact the Swedish and the US governments decided to fund a campaign promoting the rights of sexual minorities in Macedonia must be a testament to the hardships and discrimination faced. The Centre for Civil and Human Rights (CCHR), Macedonia's first gay and lesbian group and organisers of the Campaign to Promote the Rights of Sexual Minorities, have reacted to the President's derogatory criticism. Pointing out that Macedonia is not his country alone, the CCHR reminded Trajkovski that he represents the interests of all citizens, including those that belong to sexual minorities. Gays and lesbians are citizens like everyone else, they are voters, they pay their taxes, they have the same rights and obligations and should not be disregarded, neglected or insulted.

President Trajkovski was not alone in his attack of the CCHR's US and Swedish-supported poster campaign. Severe criticism has now come from conservative quarters from within the United States. The fundamentalist, US-based group *Frontiers of Freedom* has found it necessary to react to this "unacceptable US support for social experimentation abroad"<sup>2</sup>. In their view, the portrayal of a homosexual lifestyle via photos, billboards



and flyers was not only "graphic, immoral and offensive to the overwhelming majority of Macedonians, it was also a 'gross misappropriation of US taxpayer money'". Author Houston further criticises the US embassy for getting their priorities wrong in sponsoring such "agitation for unwelcome social change", thus perpetuating tensions in the country and alienating the host government from the United States. Houston points the finger of blame at her fellow countryman, Ambassador Lawrence Butler. "It is mystifying why an experienced diplomat with in-depth knowledge of the Balkan ethnic unrest and cultural mores would eschew caution and sensitivity when dealing with inter-ethnic protocol. That our embassy would not just support, but sponsor, billboards that offend the entire national spectrum is particularly egregious and ill-advised."

This hostile reaction may not come as a surprise, considering that many fundamentalist, church-based

organisations continue to struggle to come to grips with a changed social reality. This does not make her unreasonable attack any less harmful or more acceptable. The poster-campaign was a vital tool in raising awareness of the situation of gays and lesbians in Macedonia. As the CCHR asserts, it was not intended to promote homosexuality as a lifestyle but to contribute to the creation of a democratic, diverse and equal society in Macedonia. The main objective was to tell the Macedonian public that sexual minorities exist, even in Macedonia. Promoting the rights of sexual minorities in a culturally hostile society is precisely the type of human rights work that needs support from abroad. US ambassador Lawrence Butler deserves respect for his administration's decision to support the struggle for equality and human rights.

» JAIN GILL  
» BH

## MACEDONIA IS ON THE MAP!

# INTERNATIONAL SUPPORT FOR MACEDONIAN GAY RIGHTS GROUP CCHR

At the end of November some fifty people representing LGBT groups from the Balkan countries as well as the COC (Netherlands), RFSL (Sweden) and the International Lesbian and Gay Cultural Network,

found their way to Skopje to take part in the first international conference organised by the Centre for Civil and Human Rights (CCHR) – the first and only LGBT group in Macedonia, founded in February

2002. The aim of the conference was to learn from each other's experience in fighting for equal rights. To this end, the CCHR invited delegates from *Accept* (Romania) and *Gemini* (Bulgaria) as well

as groups from Albania, Bosnia-Herzegovina and Kosovo.

"We want to help create a modern civil society in Macedonia in which LGBT rights and freedoms are legally

<sup>1</sup> Macedonian President Trajkovski in reaction to US support to a campaign on promoting tolerance of lesbian and gay people by the CCHR

<sup>2</sup> President Trajkovski died in a tragic plane crash on 26 February 2004 in the way to the southern Bosnian town of Mostar.

<sup>3</sup> Kenny Houston, 30 Jan 2004: [http://ff.org/center/cdcp/opedr/13020040401\\_houston.html](http://ff.org/center/cdcp/opedr/13020040401_houston.html)

secured and publicly supported", explains Radomir Trajkovic, vice president of the CCHR. Ninoslav Milanovic, a lawyer, and president of the CCHR, made a point which is true for many accession countries and potential members of the EU: "the recent Macedonian legislation has been one of artificial incorporation of prescribed, ready-made laws from the west into the Macedonian legal system. As well-meaning as they might be, these laws simply do not reflect either the will or the awareness of the Macedonian people. Many Macedonians find it difficult to comprehend that homosexuality exists in Macedonia. Since the protection of the rights of homosexuals is rooted precisely in those laws, which are generally believed to have been imposed by the west, it is a frequent standpoint that homosexuality as a phenomenon, has itself been imported for the west. In Macedonia in reality homosexuals are neither recognised nor protected but still live in constant fear of humiliation, public insult and physical attack."

Many of the experiences reported were similar. All emphasised the extreme importance of the internet,

especially to the isolated, and to LGBT people who have to hide themselves for fear of losing jobs or even lives. Many reports were more sombre and indicative of the great problems facing LGBT people in the region. But, positive developments, such as the recent implementation of the EU anti-discrimination directive in Bulgaria, were also noted.

VERA Cîmpeanu from ACCEPT reported about continued homophobia in Romania: in a questionnaire of September 2003, 45% of Romanians believed that homosexuals should not be accepted; 86% believed that there was no homosexual amongst their family or friends; 70% said that there is no homosexual among their neighbours; 35% believed there were no gays or lesbians living in their town. 22% said that no gay or lesbian should be permitted to live in Romania. "One of the major problems is that Romania is an Orthodox country where after the revolution of 1989 and the end of the communist period, a lot of people discovered God.

The Orthodox Church is so strong that the politicians and the members of Parliament – although

Romania is not a religious country – ask for permission from the church when they want to pass legislation to which they know the church could object."

The delegate from Kosovo highlighted the lack of access to proper psychological counselling and mental health. In other aspects of health the access of the LGBT community is as good as any other members of the community. There is the problem though that people dare not openly admit to the doctor that they are gay, which means they will not be able to get specific advice related to their lifestyle."

Prof. Mirjana Najpevska of the Macedonian Helsinki Committee alluded to another major obstacle: the fact that sex itself is a taboo. Many Macedonians continue to see homosexuality as an illness: 64 % consider homosexuality a disease. And although 75% are in favour of free sexual choice, they would not include homosexuality in this. 55% go as far as suggesting that homosexuals should be kept apart from society. Finally, despite recent improvements

in the legal situation of homosexuals in Macedonia, Article 121 of the law on military and army service continues to discriminate on the basis of sexual orientation.

All delegates agreed that even though progress may be slow, there is change. As Vera Cîmpeanu stated in the context of Romania: "If I look back on what the situation was five years ago it is obvious that although it is too slow for what we want, we have made a lot of progress." In its short life the CCHR has been able to publish a basic leaflet in three languages, start a counselling programme with trained psychologists, initiate a bill board campaign, carry out a research project in co-operation with the Macedonian Helsinki Committee, organise workshops on human rights and tolerance for the youth of political organisations, start a website, and – with the financial support of the Swedish Claf Palme International Foundation – hold a successful international conference. I can only wish them the strength and courage to keep this pace up!

COLIN DE LA MOTTE-SHERMAN

MAKING USE OF THE NEW RIGHTS

## CAPACITY-BUILDING CONFERENCE IN SOFIA, BULGARIA

Although Bulgaria and Romania are not scheduled to join the European Union until 2007, the governments of both countries decided last year to subscribe to the Community Action Programme to Combat Discrimination. This made it possible for us to include work in these countries in our EU work programme for 2003-4. After discussions with our member organisations there, we decided to hold a joint conference in Sofia, so that activists for LGBT rights could share experiences. The two-day event was hosted and organised by BGO Gemni, under

the title "Preventing and combating discrimination". It was co-sponsored by ILGA-Europe and COC Nederland, with ACCEPT co-ordinating the involvement of Romanian NGOs. A total of 47 participants heard updates and legal opinions of the anti-discrimination laws in Bulgaria, Romania and in current and future states of the EU. Workshop sessions discussed in detail the practical lessons learned by those NGOs already using anti-discrimination law (in Romania) and the possible mechanisms for ensuring that citizens are



aware of their rights and know how to use them (in Bulgaria in particular).

Representatives from Romania, where NGOs have already been able to gain some experience

in using the new anti-discrimination legislation, were able to share their experiences with Bulgarian organisations that are still in the early stages of development. The conference helped the process of development by bringing together several small groups in a way that is not easy when funds are restricted. We expect that some organisations will join ILGA now that the roles of national and international bodies have been made clear.

In the current climate for LGBT rights in Bulgaria, increasing visibility of our issues was an important goal of the conference. BGO Gemini organised a closing press conference, which was attended by many mainstream publications

and media representatives, as well as members of the "pink press". Coverage of the event was very good, with balanced accounts of the issues and no sensationalist articles, as may have been the case in earlier times. The representatives of the organisations involved also gave individual interviews to journalists, and the resulting press coverage has not yet been published. BGO Gemini was satisfied with the results of the media interest, which was in itself a good example of "best practice".

While it was clear that both countries have some way to go towards creating an equal society, there were some encouraging signs that



the situation is improving. Bulgaria has adopted very comprehensive legislation in order to transpose the Framework Directive on Equal Treatment in Employment and Romania has seen improving attitudes in society. All participants

agreed that the conference was useful and stressed the need for follow-up action. This might include another joint conference to assess progress.



## NATIONAL COUNCIL FOR COMBATING DISCRIMINATION

# FIGHTING FOR HUMAN RIGHTS IN ROMANIA

Sorina Blaciu is a Programme Co-ordinator for the National Council for Combating Discrimination in Romania, having studied Political Science, Management and Community Law prior to her appointment. Through this academic approach Sorina acquired a taste for protection of minorities' rights in her country. She entered the equality arena with commitment and drive to play her part in remedying the appalling history of human rights abuses in her country. She is invited by ILGA-Europe to give her opinions on the social and legal situation of Romania.

**Iain Gill:** *How can a person with modest hands on experience become such an enthusiastic and committed human rights worker in Romania?*

**Sorina Blaciu:** My Professor of Human Rights at university, Mr. Mazilu, was a political prisoner during the communist era. His critical manner in dealing with lawmakers and the abuse of human rights really opened my eyes to a different world. During my university years I observed discriminatory attitudes from peers and those around me. So it was inevitable really, my decision to try and make a difference. This brought me to the National Council for Combating Discrimination. Sure, I am not feeding the hungry ones or giving homes to the homeless, but the results of the work done in the NCCD will be

seen in the future for its long term importance. Currently, I am working on a manual of human rights education for small children, so that the children will grow up without prejudice or intolerance. This is a hugely important factor in dealing with youth in our society.

**IG:** *What are your responsibilities within the NCCD?*

**SB:** I focus on researching, developing and implementing projects. One key element is finding the funding to that we can implement projects concerning children, people with disabilities or lesbians, gays and bisexuals.

**IG:** *Can a government-initiated institution lead these national campaigns to eradicate discrimination when in the recent past it*

*has vocally and demonstratively upheld and perpetuated them?*

**SB:** The National Council for Combating Discrimination is a governmental institution, but it carries its activities out independently. The NCCD is involved on three levels: sanctioning discriminatory action, preventing discrimination and co-operating with public and private sector partners. Even though the NCCD is a governmental institution, we often receive funds for campaigns and projects from external individuals, states or organisations. The government grants we receive are approved by the parliament and cover our administrative costs. If there is a surplus we use it for small campaigns such as leaflets, posters, conferences or protocols.

**IG:** *What checks and balances are in place so as to guarantee fair and unbiased proceedings on your activities?*

**SB:** First of all, there is continuous sanctioning activity. Discriminatory action is investigated and – if proven – punished with fees that

can go up to 40 million Lei (around EUR 1027). There are 15 grounds covered by the Romanian anti-discrimination legal framework. A new procedure in solving discrimination deeds is mediation. Through mediation, members of the Steering Board try to conclude discrimination cases in their incipient phase. The prevention activity is also continuous.

**IG:** *Whilst Romania may move fast along the road to political and legal equality, is there not a danger of a rising gap between the legal and the socio-cultural situation? Does social discrimination persist?*

**SB:** Much of our work aims at tackling the problems of social discrimination: in creating anti-discrimination research centres in universities across the country or establishing the National Alliance Against Discrimination along with 58 Romanian NGOs, in organising seminars, round tables, conferences, public debates and awareness-raising campaigns or events. We constantly look out for new co-operation partners from both public and private sector to strengthen

the fight against discrimination. One example is the collaboration protocols the NCCD signed with different ministries.

**IG:** *What, in your view, has Romania done to come in line with the European Community acquis requirements for entry to the European Union?*

**SB:** By implementing the *acquis communautaire* regarding anti-discrimination and by establishing the NCCD, Romania has taken an important step forward in preventing and combating discrimination. In the past years, the NCCD has successfully applied sanctions for discriminatory deeds. If you look at the 38 sanctions applied until now, you will see that the NCCD treats all 15 discriminatory grounds equally. One example concerning sexual orientation discrimination was the use of discriminatory language in newspapers. The attitude of the media is now starting to change after these sanctions. So things are improving and

adjusting for the better each day that passes.

So, with regard to the legislative framework and the ways of actually making use of the new rights, I think that in Romania human rights are well protected. As for the awareness-raising campaigns and educational projects concerning human rights, the NCCD collaborates with different NGOs.

**IG:** *One of the conditions of EU membership is the full protection of minorities. Does the National Council feel that countries that fail to implement this piece of legislation should be prevented from joining?*

**SB:** As you know, even some member states have not yet fully implemented the *acquis communautaire* in the field of discrimination. So this decision is for the member states to take. In any case, Romania has fully implemented the *acquis* in the field of discrimination through the last legislative amendments.

**IG:** *Do you feel it is a case then that the member states are setting a bad example to accession country governments by missing the deadlines?*

**SB:** Each state has the opportunity to implement anti-discrimination provisions. Only the long term effects and time will tell, if the decision taken is right or not. I can only say that I am proud that Romania can be a good example.

**IG:** *Where do you see Romania in ten years time? – What does the future hold?*

**SB:** Legally our situation has improved much and it still improving each day. Socially people will have to realize that we are what we do, so if they are not satisfied with one situation it is everybody's guilt more or less. So I believe that 10 years will be sufficient enough for people to realise this and also to become more tolerant and open minded. I think in 10 years Romania will be closer than ever to what

Romania was once in Europe and in the world.

**IG:** *What are your most rewarding moments when you look back at the work you have put in to defending minority rights and moreover to those of a different sexual orientation and gender identity?*

**SB:** One of the most satisfying moments was when I saw football players raising red cards as a sign of sanctioning discrimination in football. Another success was the training of key-players in public administration in non-discrimination. That was unheard of not so long ago. Other ministries have now followed our example and implemented anti-discrimination projects with our help. The most truly rewarding moment, however, was the establishment of the National Alliance against Discrimination when 58 NGOs agreed to be partners in a unique initiative to combat and prevent discrimination.

» IG

## BEING A GAY ACTIVIST IN GIBRALTAR

# WHY SIZE MATTERS!

*Gib Gay Rights (GGR)*, Gibraltar's gay and human rights organisation, was founded 3 years ago. In effect, we had to start from zero: silence, taboo, shame and fear meant there was no discussion, debate or acknowledgement of LGBT people's existence. Much has changed since.

First of all, debate has been more than alive; the media has played a large part in this. Individuals started to come out, political parties adopted LGBT-friendly policies to one degree or another – with Gibraltar's main opposition party taking a firm and committed stand in supporting wide legislative measures to bring Gibraltar up to European standards on these issues. This has not been achieved without a great deal of hard work, personal sacrifice and difficulty. The price paid, however, is beginning to pay off. On 6 February

2004, Gibraltar's Parliament engaged in a 4-hour debate around the introduction of the equal opportunities ordinance, which transposes both EU anti-discrimination directives. However, much still remains to be achieved.

The aim of *GGR* is to build the gay and human rights movement in Gibraltar in such a way as to advance our social politics. This is done with vision and hard work, but with no premises, no funding, and all the disadvantages that being an organisation of such a tiny community entails. Not for us (at least) the millions from national lottery funding, nor international celebrities' financial support. We therefore work as closely as possible with international organisations (including Spanish groups) and politicians to build support and contact where

otherwise we might be isolated. It is sometimes disheartening to find large rights organisations passing us over, forgetting that we exist, precisely because we form part of such a tiny community. Inclusion, a word we so often use in these circles, is sometimes forgotten when it comes to Gibraltar. The difficulties faced by small organisations in small territories must be taken on board by equality networks, especially in the context of annual subscription fees and other issues which can lead to non-attendance of conferences and non-membership of equality platforms, thus adding to the sense of invisibility suffered. If we are to be coherent in our politics we must also be

coherent with the small territories. This applies equally to the EU's funding programmes. We appeal to MEPs to lobby for project funding on a smaller scale. Large trans-national programmes are fine and necessary, but exclusion of groups such as *GGR* is just not on! Burdened with already difficult social situations, the least that can be done is for funding support to be advanced to encourage the important work that needs to be undertaken in the smaller territories. ILGA could play an important role in this respect.

» FELIX ALVAREZ  
Chairman, GGR

FOR FURTHER INFORMATION SEE:  
[www.geocities.com/gibgayrights3](http://www.geocities.com/gibgayrights3) or [gibgayrights@yahoo.co.uk](mailto:gibgayrights@yahoo.co.uk)



# NEWS CLIPS

## Turkey

### Plans to ban discrimination of gays, lesbians and bisexuals

KAOS GL, Turkey's oldest GLBT magazine, has reported on 20 February that the recent draft penal code, submitted to parliament in May 2003, includes "sexual orientation" in its discrimination clause. The draft penal code is currently under review at the parliamentary Justice Commission. During its deliberations on 29 January 2004, the Commission decided to add "sexual orientation" to the "discrimination clause." The clause will

allow for the imposition of a 6-month to 1-year jail term for those who discriminate on the basis of sexual orientation. If the draft penal code were approved by parliament, Turkey would become the first predominantly Muslim country to ban discrimination against gays, lesbians and bisexuals. The draft, which is expected to be presented for parliamentary review by mid-2004, also addresses other human rights concerns.

#### FOR FURTHER INFORMATION SEE:

[www.kaosgl.com/english/index.html](http://www.kaosgl.com/english/index.html)  
[www.lambdaisistanbul.org](http://www.lambdaisistanbul.org)  
[www.e-legato.org/english.html](http://www.e-legato.org/english.html)

## United Kingdom

### Adoption the favoured choice by same sex couples

In the UK, according to recently published statistics, adoption seems to be the favoured choice of same sex couples as an avenue for raising a family. The highest recorded proportion of them taking place is in the southern English town of Brighton. There, the city's council was applauded for targeting the lesbian and gay community as potential parents in its advertising and promotion strategies. The current rate of lesbian and gay adoption stands at 16% on the official city records and is growing steadily. A spokesman said the city aims at making the reality of adoption a possibility for all those of different community life, and is proud to top the "league" of same-sex couples registering for adoption.

The UK parliament will debate a commons proposal on same sex partnership rights this year, already the Labour Party have pledged support as have the Liberal Democrats whilst the Conservative Party has lifted any party whip on the motion. Many high profiled Conservative members, including the leader have said they will support a motion of same sex partnerships. This will add essential financial and legal recognition for partnerships with already existing benefits of entitlements to adopt.

#### FOR FURTHER INFORMATION SEE:

<http://uk.gay.com/headlines>

## Luxembourg

### The Council of State proposes to open up marriage to homosexual couples

On 13 January 2004, the Council of State (Luxembourg's 2nd Chamber) proposed to open up marriage to homosexual couples. Giving its opinion on the new draft bill on partnership rights of 2 May 2002, the Council invited the government to follow the Belgian model. Recent case law of the European Court of Human Rights will make the refusal of opening marriage to homosexual couples increasingly difficult to justify, the Council continued to argue.

The opinion was published in reaction to the draft bill on the "legal effects on certain partnerships", submitted by the government to the Council of State, on May 7, 2002. This partnership law is on the priority list of draft bills still to be voted before the next parliamentary elections on 13 June 2004. It has its majority assured, as the two coalition partners, the Christian Democrats (CSV) and the Liberals (DP) have declared to vote for a partnership law in their coalition programme. The opposition parties, the Greens and the Socialists, have been critical of the bill, and

specifically of the provisions of derived pension rights to the non-earning partner in case of separation.

The official aim of the draft bill is to create an alternative regime for heterosexual couples that do not wish to marry as well as to establish a legal partnership possibility for homosexual couples that do not have the right to marry. Partners are invited by the law to conclude a private agreement concerning their patrimonial regime and the inventory of values brought into the partnership. No rights concerning children are included in the draft bill, as are no regulations on the recognition of foreign partnerships or foreign homosexual marriages. Except for the fiscal field, the draft bill would grant the same social rights to partners as are enjoyed already by spouses. Whilst collective taxation on income would not be possible, with regard to donation and inheritance tax partners would be treated equivalent to spouses after a "sloge" of three years.

FRANÇOIS DIDERICH

## Belgium

### Same-sex marriage now possible for foreigners also

Thanks to a communiqué of the Belgian Ministry of Justice of 27 January 2004, it is now possible for Belgians and foreigners residing in Belgium to marry their non-Belgian partners. Previously, same-sex marriage had been

open only to Belgians and people from nations that also allow same-sex marriage, namely the Netherlands and two provinces of Canada. The change took effect on 6 February 2004.

#### FOR FURTHER INFORMATION SEE:

Isha Van Alsenoy, [isha.vanalsenoy@holebifederalite.be](mailto:isha.vanalsenoy@holebifederalite.be)  
[www.holebifederalite.be](http://www.holebifederalite.be)

## Cyprus

### Government proposed equality legislation

On 11 January 2004, the long-awaited letter from the Ministry of Labour and Social Insurances of Cyprus concerning equal treatment in employment and occupation finally arrived. "EXTREMELY URGENT" written on top, it contained a copy of the draft legislation and the respective European directives.

The letter was addressed to all relevant NGO's of the island – representing minorities of religion or belief, age, racial or ethnic origin and sexual orientation (disability had been addressed by a separate piece of legislation). NGOs were given five days to study the draft proposal and to submit suggestions due to the supposedly tight timeline in Parliament.

The draft covers all grounds and forms of discrimination but still does not go far enough. The *Gay Liberation Movement of Cyprus* reacted critically, expressing their disappointment at the insufficient consultation, the short timeframe and the failure to respond to the

needs of minorities in Cyprus. Though it may meet the minimum European requirements, it will not bring the desired effects and protections to Cyprus' LGB communities. In the face of continuous pressure, hostility by the Greek Orthodox church and a society that ostracises gays and lesbians for their sexual orientation alone, more is needed, including a special body for the protection of minority rights in general and LGBT rights in particular. As NGOs, we need legal and financial support from the government in order to be able to contribute to the development of equality and social justice. Although the draft bill was a welcome first step, there is still a long way to go for Cyprus towards the full accomplishment of social equality. The *Gay Liberation Movement of Cyprus* will continue to aim to actively co-operate with the government in order to achieve this.

by ALECOS MODINOS

## United Nations

### U.N. Extends Partner Rights to Legally Recognized Gay Employees

The United Nations this week extended family benefits to U.N. employees with homosexual partners, but only for those whose partnerships are legally recognized in their home countries, reflecting the sensitivity of the issue in many countries. U.N. Secretary General Kofi Annan said, "family status" will be granted "in all cases" to U.N. officials according to the principle that "matters of personal status are determined by reference to the law of nationality of the staff

member concerned." The measure applies to marriage and "legally recognized domestic partnership." Stefan Schweinfest, treasurer of Globe, the United Nations' gay, lesbian and bisexual rights lobby, described Annan's move as "a courageous step to bring this organization in line with what others such as the World Bank and European Union". The new policy went into effect on 1 February 2004.

by G.

## Belgium

### Cardinal Gustaaf Joos sued for homophobic comment

Belgian Cardinal Gustaaf Joos, in a public interview with the *Heddomadaire* Belgian magazine stated that: "I am prepared to write with my own blood that, of all those who identify as lesbian and gay, only 5 or 10% are decent, the rest of them are nothing but sexual pervers"; a comment met with outrage from local, national and international LGB groups. One of Belgium's leading civil rights groups has announced its intent to sue the cardinal for violat-

ing the country's anti-discrimination laws. The *Centre for Equal Opportunities and the Fight against Racism (CEOFAR)* argued that under Belgium's anti-discrimination legislation, such statements were unacceptable and illegal. CEOFAR added that it was suing Joos alone, not the Roman Catholic church.

FOR FURTHER INFORMATION SEE:  
[www.diversiteit.be](http://www.diversiteit.be)

## Latvia

### Still no legal protection for LGB workers

On 14 January 2004, the Parliamentary Commission on Social & Employment Affairs of the Latvian Parliament debated legislative amendments to expand anti-discrimination provision of the labour Law and to include sexual orientation among the grounds on the basis of which discrimination is illegal. Currently Latvian labour law bans discrimination in employment on grounds of race, skin colour, sex, age, disability, religious or political persuasion, ethnic or social background, material or family status but not sexual orientation. Mr Andrejs Klementjevs of the Parliamentary Commission said members of the Commission did not consider the issue of discrimination against LGB people in employment as pressing, and that introduction of a ban on sexual

orientation in employment would "artificially actualise" the issue. This is not only disappointing in view of Latvia's accession to the EU in May. It is also in direct contradiction to the findings of a 2002 report on 'Sexual Orientation Discrimination in Lithuania, Latvia and Estonia', which showed that - 9.3% had encountered attempts to sack them because of their sexuality - 6.7% of Latvian LGB individuals reported having been dismissed from a job because of their sexuality - 17% had encountered harassment at the workplace - 58% felt their sexuality had to be kept hidden in any job.

FOR FURTHER INFORMATION SEE:  
[jvarkivoks@hotmail.com](mailto:jvarkivoks@hotmail.com)

## LGBT Youth

### IGLYO study session on Media Relations

The *International, Lesbian, Gay, Bisexual and Transgender Youth and Student Organisation* are hosting their study session 'LGBT Youth and the Media' for LGBT youth organisations around Europe and beyond. The event is to take place from 14 - 21 March in the European Youth Centre, Strasbourg with special guest Klaus Wowereit, mayor of Berlin, to chair a session on 'Life Experience- Personal Politics & Media'. The event will focus on practical tools for young LGBT groups through workshops and programmes on how to lobby and manipulate their own respective medias. Selected delegates hail from a wide variety of the international community, ranging from Armenia to Israel, Lebanon

to Ukraine, Belarus to Iceland, and Lithuania to the United Kingdom.

Iain Gill, course director, believes "by focusing on practical sides of media skills, we can provide youth organisations with substantial input, confidence and motivation in proficiently dealing with their national, local and international LGBT media." IGLYO would like to express gratitude to ILGA-Europe for its support and use of services and facilities regarding the study session, it has been both beneficial and much appreciated.

FOR FURTHER INFORMATION SEE:  
[www.iglyo.net](http://www.iglyo.net)

## Northern Ireland

### Shocking statistics on gay youth

Recent news this month emerged on findings from an in-depth Northern Ireland survey suggesting that close to a third of all young lesbian, gay and bisexual people had, at one stage or more attempted suicide. The report, which questioned young people from throughout the region, says that an alarming 29% of young people had turned to suicide after bullying had become so intolerable that they felt

they could no longer cope. Additionally, 26% regularly harmed themselves. The report also highlighted the fact that lesbian and gay teenagers are 20 times more likely to suffer from eating disorders than their heterosexual counterparts. Although disturbing, the report does back up previous studies in the troubled province which painted a bleak picture for Northern Ireland's LGBT community.

FOR FURTHER INFORMATION SEE:  
[www.cara-friend.org.uk/glyni/home.php](http://www.cara-friend.org.uk/glyni/home.php)

## Baltic Region

### LGBT youth start co-operation



Between 18 and 25 January 2004, 30 young LGBT persons from Sweden, Latvia, Estonia and Lithuania met in Riga for an 8-day seminar entitled *LGBT youth in the Baltic Sea Region*. Initiated by the Swedish youth federation for LGBT rights (RFSL Ungdom), the project was supported financially by the Swedish National Youth Board and NGOs centre for development. It aimed to strengthen young lesbian, gay, bisexual and transgender groups in Baltic countries.

In Lithuania, Latvia and Estonia people are still very homophobic. LGBT youth have to run their organisations without any support from governments or local communities. The focus of the course was to give knowledge on management of youth organisations, project planning, work with media and lobbying and other crucial skills for effective work. This project was a success: LGBT youth groups established good contacts and are already planning common future activities. We hope this co-operation will expand into a well-functioning LGBT youth network fighting discrimination in the entire Baltic Sea Region. To find out more, see: [www.rfslungdom.se/international](http://www.rfslungdom.se/international)

Matis SERGEJENKO  
RFSL Ungdom

FOR FURTHER INFORMATION SEE:  
[kontra@zamir.net](mailto:kontra@zamir.net)

## The Netherlands

### Police organises symposium for European gay police officers

The *National Expertise Centre for Diversity* of the Dutch police is organising, in co-operation with the *Homo Network of the Amsterdam- Amsteldam Police Corps*, a symposium for European gay police officers. The symposium will run from the 5 - 6 August 2004 in



this information to all its members and contacts, as the wish is to make this event as diverse and widely inclusive as possible.

FOR FURTHER INFORMATION SEE:  
[lecd@lsop.nl](mailto:lecd@lsop.nl)



# 26<sup>th</sup> ILGA European Conference

27-31<sup>st</sup> October 2004

‘COMING OUT TO THE EU’

BUDAPEST

