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EURO COURT RULES FOR TRANSEXUALS

By Rex Wockner

The European Court of Justice said Jan. 7 that transsexuals must have equal access to marriage and pension rights.

The court was responding to a request for advice from Britain's Court of Appeal in a case where a woman is contesting her partner's ineligibility to apply for a widower's pension.

The case now faces further consideration in England, but could soon become irrelevant there since legislation to allow transsexuals to change their birth certificates and marry is presently moving through the House of Lords.

The Euro court's opinion applies to the other 14 European Union nations as well.

In 2002, the European Court of Human Rights – the court of final appeal for citizens of the 45 nations that make up the Council of Europe -- also ruled in favor of transsexuals' right to marry.

LATVIAN MPS AGAIN DENY LEGAL PROTECTION TO LGB WORKERS

By Juris Ludvigs Lavrikovs

On 14 January 2004, the Parliamentary Commission on Social and Employment Affairs of the Latvian Parliament debated the legislative amendments to the Labour Law prepared by the Latvian Welfare Minister Ms Dagnija Stake. The Commission supported the proposal to introduce for the first time in Latvian legislation a legal protection against sexual harassment in employment. However, the Commission rejected a proposal 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. The proposals from the Welfare Ministry were submitted to prepare the harmonisation of Latvian employment legislation with EU norms.

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.

This is not the first time Latvian MPs have rejected inclusion of the ban on sexual orientation discrimination in

employment. It is even more disappointing and shocking now when there are only four months left before Latvia officially joins the EU and still openly ignores obligations to harmonise its legislation with EU standards, thereby compromising the EU's dedication to protect LGB people from discrimination.

Previous EU reports of Latvia's progress towards joining the EU noted its insufficiency relating to anti-discrimination provision in employment legislation, but Latvia continues to ignore these remarks. Mr Andrejs Klementjevs of the Parliamentary Commission on Social and Employment Affairs said members of the Commission did not consider the issue of discrimination against LGB people in employment as pressing and timely and thought that the introduction of a ban on sexual orientation in employment would 'artificially actualise' the issue!

The Commission will continue to debate the proposals next week. According to the 2002 report 'Sexual Orientation Discrimination in Lithuania, Latvia and Estonia' published by LGB organisations in the Baltic countries:

- 2.6% of Latvian LGB individuals who completed the questionnaire had lost their jobs because of their sexuality
- 9.3% had encountered attempts to sack them because of their sexuality
- 6.7% 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.

According to the 2000 EU Directive on equal treatment in employment, all EU member states had to ban sexual orientation discrimination in employment by the end of 2003.

FOREIGNERS CAN NOW MARRY IN BELGIUM

By Rex Wockner

Gays from other nations can now get married in Belgium as long as one of the individuals lives there or visits regularly.

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 takes effect Feb. 6.

The Netherlands' marriage laws are similar to Belgium's. In the Canadian provinces of Ontario and British Columbia, however, foreign same-sex couples can arrive from abroad, buy a license, get married the same day, and go back home.

Introducing registered partnership changed (or not) the society. If it induced more divorces, less marriages, more or less kids being born - or it had no impact at all?

CZECH PARTNER BILL WITHDRAWN

By Rex Wockner

A gay registered-partnership bill was withdrawn from the Czech cabinet's agenda Jan. 28, the Czech News Agency reported.

The measure had been put forward by the justice and interior ministers.

A Justice Ministry spokeswoman said she was perplexed by the news, given that the government's Legislation Council had only "formal" not "factual" objections to the bill.

No official explanation for the development was forthcoming but Gay and Lesbian League activist Petr Zaloudek said there was merely a "technical" problem and that the measure will return to the agenda soon.

FIRST VICTORY AT REGISTERED PARTNERSHIP BATTLE IN POLAND

By *Slawek Starosta*

On the 10th of February the joined Commissions on health and justice of Polish Senate decided to work on the Draft of Registered Partnership Bill presented by Senator Maria Szyszkowska by 10 votes against 3. After 2-3 meetings of the mentioned commissions (which will roughly take one month) the draft will be presented in Senate and if it will pass - it will be sent to Sejm (lower chamber of Polish Parliament).

Szymon Niemiec from ILGCN Poland, Marta Abramowicz from Campaign Against Homophobia, Jerzy Marchwinski from Inna Strona - www.gej.net, and Slawek Starosta (Nowy Men magazine and www.gay.pl) were present at the Commission and several senators changed their opinion on the bill by hearing our stories of intolerance & homophobia.

As not all the senators are convinced to the project we urgently need some data about registered partnership in other countries (especially Scandinavian) about how in-