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www.ilga-europe.org/europe/publications/euro_letter.

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The information contained in this publication does not necessarily reflect the position or opinion of the European Commission.

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ILGA-Europe's memorandum to Austrian presidency

by ILGA-Europe

On 1 January 2006, Austria takes over the EU Presidency for the next 6 months. Traditionally, ILGA-Europe publishes its memorandum to the EU Presidency highlighting how we see the Presidency should act to advance the issues of equality, non-discrimination and human rights in the EU.

Executive Summary

ILGA-Europe urges the Austrian Presidency to play an essential role in supporting:

Constitution

- The EU's accession to the European Convention on Human Rights (including Protocol 12) and the revised European Social Charter.

Value

- The mainstreaming of human rights in ALL EU policies and activities.
- The respect of the
- Copenhagen criteria by all countries in the EU, not only at time of accession.
- The independence, proper financial and staff resources for the Fundamental Rights Agency, a close involvement of NGOs and a mandate that would cover the key functions described in the UN Paris Principles.
- An inclusive approach in determining the speakers and the invitees to the conference on European Identity and values "Sound of Europe."

Enlargement

- The respect of the *acquis communautaires* in the enlargement process.
- The respect for human rights and democracy in all candidate countries.
- The monitoring the situation of lesbian, gay, bisexual and transgender (LGBT) people in Bulgaria, Turkey, Romania and Croatia.

- The consideration, at the time of the opening of accession, whether Macedonia and the Balkan States respects human rights of LGBT people.

Jobs and growth for Europe

- The re-affirmation of the EU's commitment to equality, non-discrimination and fundamental rights in relation to the Lisbon Strategy and the new EU Social Agenda
- The integration of equality and non-discrimination considerations in the formulation and evaluation of the review process of the National Reform Plans and the adoption of new "integrated guidelines"
- Give due priority to social inclusion objectives in the context of streamlined open method of co-ordination (OMC).
- Mainstreaming and explicitly mention equality considerations throughout the revised OMC on inclusion, pensions and healthcare.
- The inclusion of LGBT young people and the International Gay and Lesbian Youth Organisation (IGLYO) at the conference on the European Youth Pact in Bad Ischl.
- The inclusion of LGBT perspective in the conference "Demographic Challenges - Family needs Partnership" by inviting experts in this field.
- An inclusive definition of family when implementing the directive on freedom of movement.

Equality

- The inclusion of issues related to lesbian, bisexual and transgender women in the work on women and health.
- The inclusion of measures for the promotion of the rights of lesbian, bisexual and transgender women in the multi-annual work plan of the UN Commission on the Status of Women.
- The full implementation of the Framework Directive on Equal Treatment in Employment and Occupation in law and in fact.
- In the context of the European Year of Equal Opportunity, ensuring inclusion of groups representing all grounds of discrimination recognised by Article 13 of the TEU in National Implementing Body, and in national strategies and priorities.
- The harmonisation of anti-discrimination legislation on all grounds to ensure an equal degree of protection, in the context of the feasibility study to be launched by the European Commission in 2006.
- The promotion of a mainstreaming approach of equality.

Freedom, security and justice

- Measures addressing adequately hate crime motivated by homophobia and transphobia.
- The full transposition of the directive on minimum standards for the qualification and status of the refugee, in the national legislation of all EU member states.
- Mutual recognition of court judgements and harmonisation of private international law in the areas of inheritance law, probate law, divorce law, contract law and compensation including LGBT families.

Foreign policy

- The inclusion of human rights concerns and standards as a major factor in any new agreement signed with the new neighbours. This is especially important for the LGBT citizens of these countries.
- Ensuring that funds available through the European Initiative for Democracy and Human Rights (EIDHR) include projects that deal with rights of LGBT people.
- Ensuring that Commission's funding on development is directed at projects involving LGBT people and protecting their human rights.
- The introduction of human rights clauses in all agreements with third countries and proper monitoring of their respect.
- The expression of concerns for human rights with the third countries with which summits are organised during the Presidency (e.g. political dialogue with Iran).
- The consideration of the particularly vulnerable situation of LGBT people in relation to torture and death penalty and also to ensure the protection of LGBT activists.
- The reference in the Joint statement between the OSCE and the EU presidency to further work towards equality and anti-discrimination, including on grounds of sexual orientation and gender identity.

Full text is available on our website: www.ilga-europe.org.

ILGA-Europe's work on Turkey

by Christine Loudes

On 19-20 November 2005, ILGA-Europe took part in a seminar "LGBT Steps in Turkey". Christine Loudes, ILGA-Europe's Policy (Research) Officer met various

Turkish LGBT activists and Turkish officials. Please find below some relevant documents.

ILGA-Europe's work in relation to European institutions and Turkey

Aim

ILGA-Europe, the European Region of the International Lesbian and Gay Association, is a European NGO with more than 200 national and local lesbian, gay, bisexual and transgender¹ (LGBT) member organisations in 40 European countries. ILGA-Europe fights for human rights and against discrimination on grounds of sexual orientation, gender expression and gender identity at European level. One of ILGA-Europe's main objectives is to work towards an equal and inclusive Europe which respects fundamental rights as the basis of democracy and secures that everyone can live in equality and free from any kind of discrimination.

Areas of focus:

1. Strong instruments to ensure human rights in the European Union: Looking at the fundamental rights Agency for instance.

2. Ensure the end of human rights violations and the promotion of fundamental rights to LGBT people: in particular homophobic violence, hate speech, ban on pride marches and discrimination in relation to LGBT families.

3. Ensure equality in employment and beyond. We also look into the multiple discrimination LGBT people face because of their multiple identities. For e.g. a lesbian woman in a wheelchair who is discriminated in accessing employment might be victim of discrimination on grounds of sexual orientation, sex or disability or the three together.

Our work:

1. A major part of our work consists of lobbying the EU institutions, the OSCE, the Council of Europe on the topics mentioned earlier.
2. We also work with our members across Europe

2.1. We exchange information related to countries with the relevant institutions (the Commission, MEPs and the Council.)

Special focus on:

- Framework directive on equality in employment
- Occurrences of human rights violations in the EU member states

¹ ILGA-Europe uses the umbrella term transgender for people whose gender identity and/or gender expression differs from the sex they were assigned at birth. The term may include, but it is not limited to: transsexuals, intersex persons, cross-dressers, and other gender variant people. ILGA-Europe is aware that the issues relating to inter-sex people can be significantly different and need to be addressed separately where relevant.

2.2. Work with members at national level to co-ordinate lobbying strategies
This is done essentially through e-mails and bi-annual meetings of a group of members called the EU network. It consists of one participant by country. (Currently, we have 23 participants).

Example of issues we are working on right now are:

- Implementation of the directives on freedom of movement and on the definition of refugee.
- The fundamental rights agency the strategy is being developed with other NGOs working in the human rights and equality field.

3. Develop the capacity of our members in term of human rights monitoring (Ljubljana in February). This training is run on a couple of days and look into mechanisms for human rights monitoring for LGBT people.

Turkey

In relation to Turkey, the process of accession offers a great opportunity to raise human rights issues with the Commission and the Parliament.

What has been done:

- In October two representatives from Lambda Istanbul and for Kaos GL went to a meeting organized by the Intergroup on Lesbian and gay rights and raise many issues with MEPs.
- We drafted a letter that was signed by MEPs questioning the Turkish government on the refusal to register Kaos GL.
- We circulated information to the people following the accession process in the Commission and in the report that was recently published the issue is mentioned and a more general ban on discrimination on grounds of sexual orientation is mentioned.

Opportunity

The EU Commission is developing a scheme to strengthen civil society and funding will be available for transnational projects. A representative from the Commission said that they are particularly keen on funding projects considering LBT women.

We also would like Turkish organizations to be taking part in the event we are organizing:

- Our annual conference (scholarships are available)
- The training on human rights monitoring In Ljubljana
- The EU network (bi-annual meetings)
- Send articles for our newsletter
- Post information on our website (Country specific page).

Meetings with Turkish Officials in Ankara on Monday, 21 November

1. Meeting with Pinar Tanlak working on Justice Security and Freedom

I asked some clarification about the process of accession in this field.

Issues raised in relation to the accession process:

- On going trainings of the police and the judiciary on Human Rights should include the case law of the ECHR on LGBT rights.
- The drafting of the code of ethics for the police should include a section on homophobic violence and behaviour (by the police and third people).
- Inclusion of people persecuted on grounds of sexual orientation in the definition of refugee. (I gave her copies of the guidelines prepared by Mark Bell on Asylum and freedom of movement.)

2. Meeting with Bahar Yesim Deniz working on transposition of *Acquis Communautaire*

Issues raised:

- Lack of dispositions against discrimination on grounds of sexual orientation in the constitution (was withdrawn during the Parliamentary debate).
- Lack of disposition in the penal code on discrimination on grounds of Sexual orientation and gender identity and expression.
- Reminder of case law of the European Court of Human Rights in relation to rights of LGBT people.
- Need to look beyond the text of law, into administrative practices which are discriminatory for LGBT people (e.g. administrative decision regarding KAOS)
- Ban of gay men in the army
- Situation of Mehmet Tarhan (gave her a written briefing on this).

NB: She was very keen to communicate with Turkish NGOs and with ILGA-Europe (I had been in touch with her before the meeting and she organised for me the meetings with all the other officials)

3. Meeting with Ege Erkocak working on development of civil society and funding

He explained the different funding available and criteria:

Grants given according to EU rules.

- Particular areas: Human Rights, consumer protection, violence against women.
- LGBT organisations could claim funding under culture and human rights
- 40-70 000 euros grants.

Co-operation with organisation outside of Turkey (For instance ILGA-Europe)

- Need partners (i.e. bringing some of the money) and/or associates (i.e. offering support).

- Need to write project according to EU rules
- Information on websites:
 - www.abgs.gov.tr
 - www.deltur.cc.eu.int
 - www.cfcu.gov.tr
- Funding will be advertise in May-June 2006 (had just been approved)
- 40-50 000 euros
- Concentrate on women's rights (violence against women), disability.
- Encourage common projects: e.g. with the women or disability sector.
- Aim: Capacity building for people: training awareness raising, increasing political participation of people.
- Advise to involve public authorities in the project to increase success of selection.

He recommended that I should meet people working in the Civil Society Development Center. (EU funded NGO).

Meeting with Civil Society Development Center (STGM)

Meeting took place in the office of the STGM with Sunay Demircan (coordinator) and Gamze Goker (Communication Officer).

They explained the aim of the organization:

- Offering small grants to NGOs
- Offering some support in terms of photocopying, stationary
- Offering training in project cycle management and capacity building seminars. (Support in organizational, managerial, legal and institutional areas.) These training are organized in different cities throughout Turkey.
- They have a database with NGOs working in different fields in Turkey
- They establish communication networks and support and encourage national NGOs to exchange information.
- They said that somebody from KAOS GL took part in training and they were hoping that Lambda Istanbul could take part also in trainings.
- <http://www.stgm.org.tr/eng/>

Letter for Mehmet Tarhan

Dear Members of the European Parliament,

We are writing to you to draw your attention on the case of Mehmet Tarhan, a Turkish citizen. Tarhan was taken into custody on 8 April 2005 on the grounds that he was a "military service deserter," and transferred to Tokat 48th Infantry Regiment. He had declared his conscientious objection on October 27, 2001 at the Ankara branch of IHD (Human Rights Association) and he also declared that he is gay.

Turkish military still uses DSM II (Diagnostic and Statistical Manual of Mental Disorders) dating from 1968 whereas the medical community currently uses DSM IV-2000. According to DSM II homosexuality is a psychosexual disorder and those who have this “pathology” are considered “unfit to serve” in the Turkish Armed Forces. Exemption from military service on the grounds of homosexuality is an extremely difficult and humiliating process in Turkey: one is required to submit photographs or videos graphically displaying sexual intercourse with another man and/or submit to an anal examination that supposedly yields proof of passive anal sex. These are not guaranteed ways of being exempt from service; they are practiced arbitrarily at the whim of whatever military authority and are used more as a degrading strategy of systematic humiliation than anything else.

A decision by the Military Court of Appeals on the 2 November 2005 stated that Tarhan’s homosexuality (and therefore his “unfitness for military service”) had not been established via “proper physical examination procedures.” In consequences Mehmet Tarhan will be likely subjected to physical examination to determine his sexual orientation. Details of the case are attached to this letter.

We are asking that the European Parliament raise the issue of forced physical examinations with the Turkish government and Parliament since reference to the DSMII constitutes a discrimination on grounds of sexual orientation.

It is also important to encourage the Turkish government to put an end to discrimination on grounds of sexual orientation encountered by people working in the army. It has been reported that when found out to be gay, soldiers get fired from their position. This contravenes earlier decisions by the European Court of Human Rights.

Furthermore, urgent action is needed so that Mehmet Tarhan is not subjected to a treatment contrary to the protection of private life and freedom from degrading treatments protected under the European Convention of Human Rights and the European Charter of Fundamental Rights.

Thank you for your support in this case.

Yours Sincerely,

Kaos GL
Lambda Istanbul
Rainbow Antalya
ILGA
PGLO

Military Court of Appeals Overrules Objector’s Case over lack of physical examination “proving homosexuality”

On April 10, 2005, Sivas Military court filed a lawsuit against Mehmet Tarhan on the charge of “insistent insubordination before the unit with the intent of evading military service altogether” (Article 88 of the Military Criminal Code) after he refused “to wear military uniform.”

Mehmet Tarhan was kept in Sivas Military Prison from April 20–26, 2005 for examination about his homosexuality and his psychiatric condition. But Tarhan refused examination, defining the “unfit for service” report (widely known as “rotten” report) as the “rotteness of the militaristic order itself.”

On August 10, 2005 the cases were concluded and the military court sentenced Mehmet Tarhan to a total of 4 years on two different trials with charges of “insubordination” and the verdict was overruled November 2, 2005 by the Military Court of Appeals on the grounds of procedure.

The court’s first notification about its decision stated that the 4 year sentence was disproportionately high and was against the rule of fairness. The final written court decision, however, overruled on different procedural grounds: namely that Tarhan’s homosexuality (and therefore his “unfitness for military service”) had not been established via “proper physical examination procedures”

According to the verdict of the appeals court, if it was proven that Mehmet is gay through somatic examination then the elements of the “crime” would have disappeared and would nullify the lawsuit altogether. The military appeals court verdict also suggests that it is necessary to perform a compulsory physical examination of this kind and goes on to provide some sort of legal justification the local court can use.

Turkish military still uses DSM II (Diagnostic and Statistical Manual of Mental Disorders) dating from 1968 whereas the medical community currently uses DSM IV-2000. According to DSM II homosexuality is a psychosexual disorder and those who have this “pathology” are considered “unfit to serve” in the Turkish Armed Forces. Exemption from military service on the grounds of homosexuality is an extremely difficult and humiliating process in Turkey: one is required to submit photographs or videos graphically displaying sexual intercourse with another man and/or submit to an anal examination that supposedly yields proof of passive anal sex. These are not guaranteed ways of being exempt from service; they are practiced arbitrarily at the whim of whatever military authority and are used more as a degrading strategy of systematic humiliation than anything else.

In his first days in Sivas Military prison, after he was taken into custody on April 8, 2005, military prison official had tried to conduct a forced physical examination and Mehmet Tarhan had refused it. Now Mehmet possibly faces another threat of forced examination. Although we do not know for sure how the appeals court decision will be interpreted by the local military court in practice, we are extremely worried about Mehmet’s bodily integrity. Forced physical examination against one’s will is a violation of bodily boundaries that is comparable to rape.

Mehmet Tarhan does not want to go through physical examination which is demanded by the to prove that he is “unfit” for military service.

EUROPE:

Improving the measurement of discrimination

Source: European Commission

“Common Measures for Discrimination” – a two-year project funded under the Community Action Programme to combat discrimination – has issued a new report on improving the measurement of discrimination by linking different sources of data together.

The project aims to develop recommendations on how to measure ethnic discrimination in a way that is representative, comparable and allows for the description of trends.

The 100-page report presents a general overview of how multiple data sources can be combined to deliver a clear and accurate picture of discrimination.

Report is available at:

http://www.smed.no/commonmeasures/TowardsCommonMeasures_2005.pdf

Training manuals on non-discrimination now available

Source: European Commission

Training seminars on European and national anti-discrimination law and policy have taken place throughout the 10 new Member States and in Bulgaria, Romania and Turkey during 2005. The training manual is now available for download, and may be useful for individuals and organisations active in the fight against discrimination throughout the EU. Specific country versions, prepared by the contractor together with the national NGO partners, are also available.

The training was supported by the Community Action Programme to combat discrimination as part of the project 'Capacity Building of Civil Society dealing with Anti-Discrimination'. The contents of the national training manuals do not necessarily reflect the opinion or position of the European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities. A hard-copy version of the manual in all EU languages will be available in spring 2006.

Training manual:

http://europa.eu.int/comm/employment_social/fundamental_rights/pdf/civil/trainman_en.pdf

Country versions:

http://europa.eu.int/comm/employment_social/fundamental_rights/civil/civ_en.htm#map

Community Action Programme 2006 Annual Work Plan online

Source: European Commission

The 2006 work programme for the Community Action Programme to combat discrimination is now available. Most initiatives are a continuation of those launched in previous years, but there will be several new measures that take account of recent policy developments: the new framework strategy on non-discrimination and equal opportunities; and the declaration of 2007 as the European Year of Equal Opportunities for all.

One of the new measures proposed is to extend the training for NGOs and social partners to all 25 EU Member States plus Bulgaria, Romania and Turkey. The call for tenders is expected to be published in February 2006.

An annual budget of up to €18.77 million is foreseen to fund activities across the EU25. With the participation of EEA countries (Norway, Iceland and Liechtenstein) this may be increased by around 2.16% - up to €19.176 million.

2006 work programme is available at:

http://www.europa.eu.int/comm/employment_social/fundamental_rights/pdf/program/workplan06_en.pdf

FUNDING:

Presidency Fund

Source: Act4Europe campaign, 29 November 2005

Dear friends and colleagues,

I was asked to forward you the following information, which will be of interest for many NGO networks in the new Member States, especially from the development sector.

The Presidency Fund was established in 2004 under the leadership of the Irish Presidency to build capacities of civil society organisations in the New Member States to engage in European Development Policy Debate.

In this context, the Fund issues Calls for Proposals expecting project proposals from NGOs in the New Member States to further the objectives of the Fund. You will find the details of the Call for Proposals as well as background information on the Fund in the website: www.presidencyfund.org

Daphne II Programme 2004-2008: Call for proposals for specific co-funded projects in 2006

Source: European Commission

A new call for proposals concerning the Daphne II programme, aimed to prevent and combat violence against children, young people and women, and to protect victims and groups at risk, has been launched. In 2006, the European Commission is particularly seeking proposals for project activity in the following priority areas:

- Peer violence and peer protection mechanisms
- European legislation relating to violence
- Participation of children, young people and women in violence prevention and victim support
- Indicators and related data collection
- Extraction of policy issues from work achieved by Daphne-funded projects
- Exchange, adaptation and use of existing good practices

In 2006, the budget available for projects is EUR 9.085 million. The Commission's contribution will be between EUR 50,000 and EUR 175,000, and may not exceed 80% of the total direct eligible cost of the action in any 12-month period.

Deadline for submitting applications: **10 February 2005**. To assist applicants in the preparation of their proposals, a helpdesk has been set up. It can be accessed by e-mail: daphne-helpdesk@transtec.be

The text of the call, the application forms and the guidelines can be found on the Daphne website:
http://europa.eu.int/comm/justice_home/funding/daphne/funding_daphne_en.htm

EMPLOYMENT & DISCRIMINATION:

Latvia to ban sexual orientation discrimination in employment

by Juris Lavrikovs, 6 December 2005

Today the Social and Employment Committee of the Latvian Parliament, passed in the second reading an amendment to the Latvia's Labour Law explicitly banning sexual orientation in employment.

Latvia is still the only EU member state which did not comply with the EU directive 2000/78/EC requiring member state to explicitly ban sexual orientation discrimination in employment.

The Parliamentary Committee rejected a proposal from the Latvia's First Party to delete words 'sexual orientation' from the draft. Jānis Šmits from the First Party said that until last July (the first LGBT Pride March) when in his words sexual minorities have started 'imposing their persuasions in an aggressive tone' Latvia was a very loyal and tolerant country.

However the Parliamentary Committee supported a proposal from the First Party that will allow religious organisation to discriminate on the grounds of sexual orientation when person's 'views and persuasions' will not conform the teaching of religious organisation. Such proposal was also supported by representatives of various denominations who attended the meeting of the Parliamentary Committee.

The First Party of Latvia, popularly known as 'preachers' party' began their intensive homophobic campaign last July around the first LGBT Pride March in Riga and since proposed a constitutional amendment to define marriage as union of a man and a woman and explicitly stated they want to ensure Latvia never recognises any form of same-sex partnerships. The constitutional amendment already passed two reading with overwhelming supports from Latvian MPs and is very likely to be adopted in the third and the last reading.

Czech Republic to ban sexual orientation discrimination in employment

Sources: Prague Daily Monitor, 8 December 2005:

www.praquemonitor.com/ctk/?id=20051207F01192;story=Chamber-of-Deputies-approves-anti-discrimination-bill

The Chamber of Deputies today approved a new anti-discrimination law that is supposed to ensure the equal treatment of people regardless of their race, gender, age or sexual orientation.

If approved by the Senate and signed by the President, the law could come into effect on July 1, 2006.

The law should ensure equal treatment and access to education, employment, health care, social benefits and housing. It should also protect people from being discriminated against for their physical handicaps, language proficiency, religion,

political persuasion, property, family status, political party affiliation or trade union membership.

Mothers and pregnant women should also enjoy increased protection. The law should make it easier for them to prove they are being discriminated against by their employers.

The bill received unanimous support from the deputies of the three parties that form the governing coalition, namely the senior governing Social Democrats (CSSD), the junior governing Christian Democrats (KDU-CSL) and the junior governing Freedom Union (US-DEU).

Most of the deputies of the senior opposition Civic Democrats (ODS) and the junior opposition Communists (KSCM) voted against the bill.

The KSCM had indicated it would support the anti-discrimination bill under the condition that parliament first votes to annul the existing lustration laws. However, the Chamber of Deputies today voted to uphold the lustration legislation.

The country's lustration laws oblige applicants for specified civil service jobs to corroborate that they were not agents of the former Communist regime's secret police prior to 1989 or did not hold senior positions in the regime's apparatus.

The approved anti-discrimination legislation is to fulfil the requirements of an EU directive that the Czech Republic is supposed to comply with in light of its accession to the EU in 2004.

"Other European state have similar bills and we approved ours somewhat belatedly," Justice Minister Pavel Nemeč (US-DEU) told CTK. According to him, the law should primarily have a preventive effect.

"It would be normal if people did not need such legislation," he said, adding that he expects only a minimum of cases to end in court in connection with the law.

On the contrary, deputy Marek Benda (ODS) worries that a consistent application of the law could overburden Czech courts with thousands of lawsuits.

"The law is either a mere proclamation and will not have any effect or it will give rise to thousands of court disputes that will be terribly difficult to substantiate," Benda told CTK.

According to Benda, sufficient protection from discrimination is already provided by the country's Charter of Fundamental Rights and Freedoms and by other valid legislation.

The current legislation regulating protection from discrimination is mostly restricted to labour relations. However, according to an April survey by the STEM polling agency, three- fourths of the country's inhabitants believe that discrimination exists on the Czech labour market, specifically.

The survey's respondents listed age, motherhood and pregnancy, one's medical condition or physical handicap as the most frequent reason why certain groups of people are disadvantaged.

The newly approved legislation stipulates that the ombudsman, the country's public defender of rights, should see to it that people are treated equally. The ombudsman would provide victims of discrimination with information about possible legal recourse. The ombudsman would also record their specific complaints and issue findings over them.

Stonewall and Skill Boosters launch video training package

Source: Stonewall media release, 13 December 2005

Stonewall and Skill Boosters have launched a video training package called **'Sexual Orientation: respecting lesbian, gay and bisexual people in the workplace'**.

The video uses a blend of documentary, drama and real-life experiences to help employers successfully tackle this area, bringing huge benefits to their business and employees.

"6% of the population is lesbian, gay or bisexual" said Stephen Frost, Stonewall's Diversity Champions programme manager. "In this context, employers are learning to move beyond mere compliance with employment regulations towards actively engaging with lesbian and gay staff in order to build reputation, enhance productivity and avoid risk. It makes no business sense to do otherwise."

The training package will help managers and staff to:

- Treat lesbian and gay people with respect and dignity in order to create a pleasant working atmosphere and boost morale and performance.
- Respect confidentiality - most people have gay colleagues and customers but as not all gay people are out at work, it might not always be obvious.
- Understand employment law to avoid costly legal cases and potential brand damage.

To receive a free review copy of 'Sexual Orientation' please contact: Rachel Pollard, Marketing Manager, Skill Boosters on + 44 20 7940 9707 or rachelpollard@bdpmedia.com.

Stonewall welcomes early implementation date for goods and services protection

Source: Stonewall media release, 8 December 2005

Stonewall welcomes today's Government's announcement that new provisions in the Equality Bill giving lesbian and gay people protection from discrimination in the provision of goods and services will be implemented by October 2006.

Meg Munn MP, parliamentary under-secretary of state for women and equality, said that public consultation on the new provisions will begin early in the new year, with implementation following in October, at exactly the same time as similar protections being introduced for faith communities.

'We're extremely pleased that Ministers have agreed to introduce these urgently needed measures swiftly,' said Ben Summerskill, Stonewall chief executive. 'It sends a clear message that the Government takes protection of gay people seriously and is no longer prepared to allow them to receive second class treatment from services such as the NHS. We'll continue to press for the new regulations to be both robust and comprehensive'.

SAME-SEX FAMILIES:

Latvia amends constitution to ban same-sex marriage

ILGA-Europe's media release, 15 December 2005

Latvia cements homophobia in the constitution

Today the Latvian parliament adopted a constitutional amendment in the third and final reading to define marriage as a union of a man and a woman to prevent any possibility for same-sex marriage.

The constitutional amendment was proposed earlier this year by the First Party of Latvia which stirred a hysterical homophobic campaign following the first lesbian, gay, bisexual and transgender (LGBT) Pride March last July in Riga. The constitution now explicitly defines marriage as a union of a man and a woman and the First Party openly stated their motivation for this amendment was to prevent Latvia from any legal recognition of same-sex partners.

Same-sex marriage is already explicitly banned in Latvia's Civil Law since 1993. However the conservative politicians in Latvia put forward an argument that implementing the European Union's (EU) anti-discrimination employment legislation might open an opportunity for same-sex partners to challenge the Civil Law's ban on same-sex marriage and therefore the constitutional ban is needed.

Same-sex partners in Latvia are entirely ignored by the law and do not enjoy any of the rights and protections that married opposite sex partners do. Consequently they suffer discrimination and disadvantages in such areas as inheritance, property arrangement, tenancy, pensions, tax, and social security to name a few. In 1999, the Human Rights Committee of the Latvian Parliament rejected a proposal for registered partnership legislation for same-sex partners.

Patricia Prendiville, Executive Director of ILGA-Europe, said:

“We are appalled and seriously concerned with these homophobic developments in Latvia. As an EU member state, Latvia is acting disrespectfully to the principles of equality and non-discrimination agreed and confirmed by various EU treaties. Not only has Latvia now a discriminatory constitutional provision motivated solely by homophobia, but Latvia is still the only EU member state which did not ban sexual orientation discrimination in employment as required by the EU employment equality directive.

While Europe is moving towards being a continent of equal opportunities, inclusion and respect and while more countries provide protection against discrimination on grounds of sexual orientation and recognition of same-sex families, Latvia in contrast is moving towards discrimination, disrespect and marginalisation of LGBT people.

We call upon the European Union to scrutinise Latvia’s disregard and disrespect of EU principles and laws. We also call upon the Latvian authorities to comply with their European obligations and instead of institutionalising discrimination, to work towards ensuring respect and legal recognition of same-sex families.”

Notes:

(1) ILGA-Europe is the European Region of the International Lesbian and Gay Association and works towards equality for lesbian, gay, bisexual and transgender people at European level.

(2) Amended Article 110 of the Latvian Constitution now reads: “The State protects and support marriage – a union between a man and a woman, family, rights of parents and children. The State provides special protection to disabled children, those children left without parents’ and children who suffered from violence.”

(3) Article 35.2 of the Latvia’s Civil Law explicitly prohibits marriage between persons of the same gender.

(4) Same-sex partners are legally recognised in following European countries: Andorra, Austria, Belgium, Croatia, Czech Republic, Denmark, Finland, France, Germany, Hungary, Iceland, Luxembourg, Netherlands, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland, and UK. Legal recognition of same-sex partnerships is currently being proposed or debated also in Liechtenstein and Ireland. Details on our website: www.ilga-europe.org/europe/issues/marriage_and_partnership/same_sex_marriage_and_partnership_country_by_country

Europarliament's Gay and Lesbian Rights Intergroups asks Latvian President not to sign constitutional amendment
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Brussels, 20th December 2005

Dear President Vike-Freiberga,

We are writing to you to ask you to reject the amendment to Article 110 of the Constitution defining marriage as a union of a man and a woman only, which was adopted on 15 December by the Latvian Parliament. The amendment, initiated by the First Party of Latvia, is clearly motivated by homophobia and a result of the aggressive homophobic campaign following the first LGBT Pride march in Riga last July. In our view it is important to send a strong signal that such actions are unacceptable.

More than half of the EU member states support the recognition of same-sex partners, and subsequently granting them rights and obligations which are secured by marriage for heterosexual couples such as rent, pensions and inheritance. Representatives of the First Party have not hidden the fact that the basic motivation behind this amendment is to keep Latvia from joining the European member states that legally recognise partnerships between persons of the same sex.

The constitutional amendment is legally pointless, since same-sex marriage is already banned in Article 35.2 of the Civil Law, and discriminatory, because it limits rights of a certain group of people instead of extending them. In addition, the amendment risks stimulating further development of intolerance and homophobia in Latvia.

Latvia has joined the European Union and the Council of Europe, thus supporting values such as equality and non-discrimination. We would therefore kindly like to remind you of Latvia's European obligations:

- When joining the Council of Europe, Latvia acceded the European Human Rights Convention, whose Article 12 bans discrimination on the basis of sexual orientation;
- The European Court of Human Rights has ruled that the Convention protects the rights of same-sex partners to family life (the ruling Karner vs. Austria, 2003), thus establishing legal practice which makes clear that discrimination on the basis of sexual orientation is a violation of the Convention
- Article 13 of the founding treaty of the European Communities states one of the fundamental principles of the EU - a ban against discrimination on the basis of sexual orientation;
- Similarly, Article 21 of the European Union's Charter of Human Rights bans any discrimination on the basis of sexual orientation;
- Directive 2000/78/EC on equal rights in employment specifies that EU member states must ban all discrimination in the field of employment, including discrimination based on sexual orientation;
- Directive 2004/38/EC recognises same sex partners and awards them the same right that applies to one of the fundamental principles of the EU - free movement within the EU;

For the reasons listed in this letter, we ask you to reject the amendment and remind the members of the Latvian government of its obligations with regard to protection against discrimination as formulated in article 13 of the Treaty on the European Communities.

Yours sincerely,

Michael Cashman
President, European Parliament's Intergroup on Gay and Lesbian Rights

Sophie in 't Veld
Raúl Romeva
Alexander Stubb
Vice Presidents, European Parliament's Intergroup on Gay and Lesbian Rights

Latvian President signs homophobic constitutional amendment
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by Juris Lavrikovs, 21 December 2005

Today Vaira Vike-Freiberga, the President of Latvia, made a statement that she is signing a constitutional amendment which defines marriage as a union of a

man and a woman. Therefore this legally pointless, discriminatory, homophobic and populist amendment becomes a law from now.

Statement by the President of Latvia regarding her decision to sign a constitutional amendment defining marriage as a union of a man and a woman: [unofficial translation by Juris Lavrikovs, official English translation of the President's speech is available on her website: www.president.lv]

"Indeed as a 'nice Christmas present' I had a constitutional amendment on my desk. I examined its substance and decided that in fact and honestly speaking it does not change anything. What happened is that what is stated in the Civil Law is taken to a constitutional level, that definition of what is marriage. Despite the fact that is already clearly stated in the Civil Law. In terms of the law there are no changes, neither in terms of practicalities. One could say that by upgrading this provision and writing that marriage is a union between man and woman somehow family will be strengthened. But this is just a declaration without any practical consequences since its real consequences are already provided in the Civil Law. If one had in mind that by adding such requirement to the constitution it will guarantee that it will stay there for ever and all the time, than it is of course an illusion, a wrong hope. This is because this Seima [parliament], or during the next session can, providing it has necessary support, amend it whatever way it likes.

Honestly speaking, I, as a president, cannot see clearly the benefit of this amendment to the nation. However since indeed it does not change anything in substance for the better neither for the worst, I do not see any reason not to sign it. Servants of the nation agreed on such definition therefore literary it remains that according the law of Latvia marriage takes places between two partners, a man and a woman. Our Civil Law has other provisions, for example, prohibiting marriage between sisters and brothers or half-sisters and half-brothers, there are also other provisions, which already included in the Civil Law.

I would also like to stress that this constitutional amendment in no way introduces any discriminatory requirements towards gays and lesbians. Everything remains exactly the same as it was before, as it was defined by the Civil Law and what conforms to the international standards which allow a state to choose a definition of marriage the way society wants. It is already defined by the Civil Law and according to the letters I received conforms to the wishes of a significant proportion of our society.

What else I would like to add is that the debates which took place in the Saeima [parliament] when discussing this amendment, in my view, very often demonstrated very explicit intolerance and explicit homophobia, which I believe, in a democratic nation neither should be unexpected or encouraged. People can have their own religious beliefs, their own understanding of what is sin and what is not, what is appropriate and what is not appropriate behaviour. However, as a

president, I would like to remind, that in a democratic nation as we are, a private life is separated from a public sphere and what people do in their intimacy is no one's business, unless it contradicts our Therefore this Christmas eve I would like to remind everyone, that we want to see our nation where democracy, in its most deepest and true expression, prevails, which means each and everyone is equally valued as a human being, before the state and not only before the God. Everyone is equal in their rights. I also would like to ask people not come out with extreme statements which encourage and promote hate, prejudice and which humiliate and devalue those thinking or living differently. We all want to enjoy freedom provided by our constitution and our democracy. Please, let us be tolerant towards other people's freedom of choice!"

Latvian LGBT activists expressed their 'bitter disappointment' with the President's decision and calling on her to introduce partnerships registration legislation for same-sex partners.

Between last Sunday morning and today **2000 signatures** calling on the Latvian President not to sign the amendment and sent it back to the parliament were collected on a special on-line petition: <http://pret.diskriminaciju.esmu.es>.

Lithuania could follow in Latvia's footsteps on banning gay marriage

Source: *The Baltic Times*, 24 December 2005,
www.baltictimes.com/hot1.php?art_id=14314

Irena Degutiene, a member of the Homeland Union (Conservatives) will reportedly begin collecting signatures in January as part of a drive to amend the constitution so that same-sex marriages will be banned.

The news caused consternation among some MPs, who said the Lithuanian constitution already bans gay and lesbian marriages. Julius Sabatauskas, a Social Democrat and chairman of Parliament's legal committee, said such marriages were already unconstitutional in Lithuania.

"The Civil Code also gives a comprehensible definition of marriage with a person of the opposite sex. The Civil Code defines marriage as a voluntary agreement between a man and a woman to create legal family relations between a woman and a man, as stipulated by law," he told the Baltic News Service in Thursday.

Latvia's Parliament passed a similar amendment to that nation's constitution in December.

Estonian officials call for debate on same-sex marriage

Source: *Delfi.ee*, 23 December 2005,
www.delfi.ee/news/paevauudised/eesti/article.php?id=11858563

The Estonian Ministry for Social Affairs called all interested parts to take part in a public debate regarding legalisation of homosexual couples as Estonia will have to decide whether to allow or ban same-sex marriages.

Jaak Aab, Minister for Social Affairs and Maarja Mändmaa, chancellor of the Ministry of Justice, pointed that there is a need for analysis of increasing recognition of same-sex unions and as a result Estonia needs to make a public and legal decision on the recognition of same-sex union.

Estonian daily Eesti Päevaleht writes that current version of the family law has a stamp of conservatism as its first article states that marriage is a union of a man and a woman.

Delfi.ee further notes that last summer Catholic Spain legalised same-sex marriage, recently a law recognising same-sex partners came into force in the UK. However Latvia chosen another way and the country's parliament adopted an amendment banning homosexuals from entering marriage.

'Gay weddings' become law in UK

Source: BBC NEWS 5 December 2005, http://news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/4493094.stm

Hundreds of gay couples are preparing to form civil partnerships in the coming weeks as the law changes after decades of campaigning.

At least 1,200 ceremonies are confirmed as being scheduled already, according to figures from councils compiled by the BBC News website.

Councils are preparing for the first ceremonies, with couples permitted to register from Monday morning.

Campaigners says the law ends inequalities for same-sex couples.

The first ceremonies under the Civil Partnerships Act can take place in Northern Ireland on 19 December, followed by Scotland the next day and England and Wales on 21 December.

Under the law, couples who want to form a partnership must register their intentions with local councils. Unlike marriages, the signing of the legal partnership papers does not need to happen in public.

Hundreds of couples are expected to go ahead quickly, with Brighton conducting 198 ceremonies before the end of the year. Overall, the city has taken 510 bookings for the coming months, thought to be the highest in the country.

Other cities which have seen strong interest include London, Manchester, Birmingham, Newcastle and Edinburgh.

Meg Munn, minister for equality, said the government expected 4,500 couples to get "partnered" in the first year.

"This is an important piece of legislation that gives legal recognition to relationships which until now were invisible in the eyes of the law," Ms Munn told the BBC News website.

"It accords people in same-sex relationships the same sort of rights and responsibilities that are available to married couples.

"We know there are people who have been together maybe 40 years and have been waiting for the chance to do this kind of thing, because of the important differences it makes to their lives.

"They have the same concerns as married couples - tenancy, ownership, pensions and inheritance.

"People now have this as an option to consider when they feel they are in a permanent relationship and feel it is the right thing to do. It is just as serious a commitment to make as marriage."

Alan Wardle, of gay campaign group Stonewall, said the importance of the change should not be underestimated.

"Our view is that civil partnerships are transformative for the lives of individual couples and their rights, but also for society more generally.

"Society now legally recognises gay relationships for the first time.

"It's a big day but 21 December, when the first partnerships take place, will be even bigger because that will see gay and lesbian people removing discrimination."

Reticent councils

Campaigners have however focused on councils which have been equivocal about the new law.

Bromley in south-east London had initially planned not to offer public ceremonies. Lisburn in Northern Ireland also overturned a proposed ban.

Some registrars have objected to officiating at ceremonies, according to reports in some newspapers.

Ms Munn said any councils dragging their feet needed to comply with the both the spirit and letter of the law.

"The legislation requires that every authority must offer a civil partnership. The basic level of that is a simple signing of a register - some couples may just want that alone.

"But if any councils are saying they won't allow [public] ceremonies, for couples who want that kind of celebration, then it's time they came into the 21st century.

"Most people I have spoken to have had very moving stories. If councils won't, then there are plenty of people willing to take the business."

Ireland: State likely to introduce civil partnership law

by Carl O'Brien, Social Affairs Correspondent, The Irish Times, 6 December 2005

The Government is likely to introduce a new civil partnership law which would provide legal recognition for tens of thousands of same-sex or cohabiting couples, Minister for Justice Michael McDowell signalled yesterday.

As of yesterday gay couples in the North are able to have their relationships recognised in law, which would give them rights similar to marriage.

Mr McDowell's proposals are likely to stop short of providing for gay marriage, but could provide for greater equality between married and cohabiting couples in areas such as tax, inheritance and social welfare.

Such a partnership could also be open to people who are not in a sexual relationship but have a dependent or shared relationship. Latest Census figures for 2002 show there are about 77,000 cohabiting couples and 1,300 same-sex couples in the State.

Despite lobbying by gay rights groups such as the Gay and Lesbian Equality Network (Glen), which is campaigning for civil marriage for same-sex couples, Mr McDowell said such steps would be fraught with legal and Constitutional problems.

"Attempting to mimic marriage is not the way forward. A measure which effectively provides for all the attributes of marriage for people who are not married would fall foul of the Constitution. That is the advice of the Attorney General . . . What we can do is address the real unfairness that people experience," he said.

He said marriage in law was a "generational thing", involving children, and that the special status provided to marriage in the Constitution was linked to this interpretation. Mr McDowell suggested there was not a demand among the gay community for marriage given the restrictions that come with such a measure.

Glen welcomed the Minister's announcement, but expressed concern that such measures may not provide for full equality for gay and lesbian couples.

"We very much welcome the statements of principle of the Minister and welcome moves towards equality and legal recognition. However, we would still urge the Government at this time to go for full equality and become the sixth country in the world to do that," said Eoin Collins, director of policy change at Glen.

Belgium, Canada, the Netherlands, South Africa and Spain provide for gay marriage.

Mr McDowell said a number of factors would inform drafting legislation, such as the recommendations of the All-Party Oireachtas Committee on the Constitution.

The committee's report, due next month, is likely to advocate civil partnerships but stop short of recommending changes to the Constitution.

Czech Republic: Lower house approves registered partnerships for same-sex couples
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Sources: Radio Prague, 16 December 2005, www.radio.cz/en/news#1 & The Advocate, www.advocate.com/news_detail_ektid23478.asp

The lower house of the Czech Republic has approved a bill allowing for registered partnerships for homosexual couples. The bill had been rejected on four previous occasions, the last time by just one vote. On Friday all present MPs from the Civic Democrats and Christian Democrats voted against the bill, which must now go before the Civic-Democrat dominated Senate.

The lower chamber of the Czech parliament voted in support of a draft law granting some legal rights to same-sex partners. Eighty-six of the 147 deputies present voted in favour of the draft, 54 were against, and seven abstained from the vote.

Most of the deputies for the Social Democrats and Communists voted in favour of the draft, while Christian Democrats and deputies of the centre-right Civic Democratic Party opposed it. The draft still needs approval by the senate and the president to become valid. "This is a great encouragement, but we remain

realistic ahead of the senate vote," said Jiri Hromada, a leading Czech gay activist.

The 81-seat senate is dominated by the conservative Civic Democratic Party, which opposed the legislation in the lower house. It was not immediately clear when the senate vote would take place. The vote seems to indicate a change of position by Czech lawmakers. The parliament turned down similar proposals five times in the past. It was rejected by a majority of just one vote in the last vote on the issue in February.

If enacted, the legislation would allow couples who register their partnership with authorities to have rights to inheritance and health care that are similar to those granted now to heterosexual married couples. The draft does not allow marriage or adoption of children by same-sex partners. "Our ideas [about same-sex partnerships] are much wider than the draft, but this is an acceptable compromise," Hromada said. (AP)

Berlusconi: Italy would never accept gay marriage

Source: Special service by AGI on behalf of the Italian Prime Minister's office
<http://www.agi.it/english/news.pl?doc=200512202054-1269-RT1-CRO-0-NF82&page=0&id=agionline-eng.italyonline>

(AGI) - Rome, Italy, Dec. 20 - "Gay marriages could never be in Italy": that's what PM Berlusconi apparently said, according to some attendants, replying to a question during a lunch at Palazzo Chigi with the foreign press, allegedly pointing out that "Italy is the most Catholic country in Europe, and the majority of Italians would never accept changes in the concept of family". (AGI)

Belgian lower house approves gay adoption law

Source: SwissInfo, 2 December
2005, www.swissinfo.org/sen/swissinfo.html?siteSect=143&sid=6284112&cKey=11

BRUSSELS (Reuters) - Belgium moved closer to becoming the third European Union member state to grant homosexual couples equal rights in adoption when its lower house passed a controversial bill early on Friday.

Lawmakers voted 77 in favour and 62 against the bill giving same-sex couples the right to adopt children, with seven abstentions, a spokesman for the Flemish Christian Democratic party told Reuters.

The bill will pass into law once it wins the approval of the Senate, which is expected in March.

The bill resembles laws in Spain and Sweden, where same-sex couples can adopt children of any nationality.

Lawmakers said they favoured the bill because it gave the children of homosexual couples the same rights to inheritance and succession as those of heterosexual couples.

"There are already a lot of children who live with homosexual couples. We want them to have two parents with whom they have full, legal rights," said Fons Borginon, president of the lower house's justice committee.

"What happens when the biological parent dies?" asked Borginon, whose VLD Flemish Liberal party supports the bill.

"It is better to have a clear situation and all parties agree there is a legal problem with the rights of the child. It is better to have a system of full adoption," he said.

Gay adoption is legal in other EU countries, but with some restrictions.

In the Netherlands, homosexual couples may only adopt Dutch children, while in Germany and Denmark, adoption is restricted to the biological child or children of one of the partners.

There had been some opposition to the measure.

"Every child has the right to a mother and a father. We think that a man and a woman living together is the best basis to educate a child," said Peter De Crem, head of the Flemish Christian Democrats in the lower house.

"The party is worried about the fact that it is not generally or socially acceptable for homosexual couples to raise children," he said.

The Christian Democrats had proposed that a natural parent's partner could become a legal guardian of the child to resolve issues such as inheritance. But they were against homosexual couples adopting someone else's biological child.

TRANSGENDER:

Landmark transgender case in German Constitutional Court

by Philipp Braun, LSVD, 20 December 2005

Today in a unanimous decision the German constitutional Court considerably strengthened the rights of transgender people under German law, particularly the

rights of non-operative transsexual people who live in same-gender relationships. The court decision was welcomed by LSVD and the Liberal and Green Groups in the German Bundestag (Parliament).

You can find the official press release (in German) here:

http://www.bundesverfassungsgericht.de/bverfg_cgi/pressemitteilungen/frames/bvg05-127

You can find the full Court opinion (in German) here :

http://www.bundesverfassungsgericht.de/entscheidungen/ls20051206_1bvl000303.

Our press release:

[http://typo3.lsvd.de/336.0.html?&no_cache=1&tx_ttnews\[tt_news\]=1700&tx_ttnews\[backPid\]=221](http://typo3.lsvd.de/336.0.html?&no_cache=1&tx_ttnews[tt_news]=1700&tx_ttnews[backPid]=221)

The case was brought by prominent lawyer Maria-Sabine Augstein, who also filled the Constitutional Court case that led to the introduction of the 1981 transsexuality law (Transsexuellengesetz - TSG in German), and was supported in a brief LSVD.

In this overview I am using terms such as pre- and non-operative transsexuals as this is the language used by the Court and the TSG. Within that conceptual framework the Constitutional Court is quite progressive.

In Germany pre- or non-operative transsexuals can change their first name to reflect their new identity (so called “small solution” as opposed to the “big solution” of full surgery) – however legally they remain in their birth sex. In the case decided by the Const. Court a male-to-female non-operative transsexual who had opted for the small solution and had changed her first name wanted to get her relationship with her female partner recognized by the state – in her perspective she is living in a same-sex relationship. When she went to the marriage registrar and married, she was told that under the TSG her first name had changed back to her previous male name – thus losing her female gender identity in the process. This rule was enacted in 1981 to prevent what would be seen as “same-sex marriage”. Since she is still legally male she can also not get a registered partnership – as these are only available to partners of the same legal gender.

The current law in effect is a prohibition of marriage and partnership for pre- or non-operative homosexual transsexuals in Germany (under the partnership law heterosexual pre- or non-operative transsexuals can register a partnership without having to change their first names back). This aspect of the TSG has been found to violate the Constitution by the Court today as it contravenes the intimate sphere (including the right to one’s first name) and gender identity of the affected individuals. Crucially the Court in its opinion also stresses that many pre-

operative transsexuals in Germany do not desire to undergo full surgery and that their gender identity has to be respected by the law. The Court also notes that the 1981 TSG is outdated in its expectation that all transsexuals will be heterosexual – noting that there are many transsexuals who are in fact homosexual.

The German Government and Bundestag now have to reform the TSG to allow pre- or non-operative homosexual transsexuals the ability to get their partnerships recognized.

LSVD has urged the government to use this Court decision as an opportunity to reform the TSG as a whole and make it less burdensome for transgender people as a whole (including the requirement for full surgery to legally change their gender and the requirement for divorce in that case). Also we hope that this Court decision is a good basis to lobby for pre- or non-operative transsexuals with the “small-solution” to receive passports that reflect their gender identity rather than their legal sex – enabling them to travel without hassles outside Europe (in Europe they can use identity cards that do not identify sex).

FREEDOM OF ASSEMBLY:

Ban on Poznan March declared illegal

by Marcin Sobczyk (Warsaw Independent), 14 December 2005

POZNAN, Poland The voivodeship administrative court in Poznan ruled that the ban of the Equality March in November by Ryszard Grobelny, the mayor of Poznan, was illegal under the Polish and European laws.

The Equality March was supposed to promote the equality of minority groups in Poland. It took place despite the ban on Nov. 19, and the police in Poznan briefly detained and interrogated 68 demonstrators, who protested against discrimination based on sexual orientation, gender, race, and disability.

The march was banned by the mayor of Poznan, who cited security reasons. A year earlier, a similar legal event led to street riots with far-right activists. The organizers of the march claimed that the mayor of Poznan, Ryszard Grobelny, surrendered to the demands of far-right parties and the Catholic clergy, who believed the demonstration was immoral.

Grobelny's decision was sued by the organizers of the march, whose claims were also supported by the Citizens' Rights Ombudsman.

HATE CRIME:

Sweden: Increase in homophobic hate crimes

Source: SR International - Radio Sweden, 30 November 2005, www.sr.se/cgi-bin/International/nyhetssidor/artikel.asp?ProgramID=2054&Nyheter=&artikel=743907

The Swedish police say hate crimes are on the increase here, especially those aimed at homosexuals.

According to the latest annual report on criminality linked to national security, the number of complaints of homophobic crimes increased last year by 117 percent. This continues a trend going back 5 years.

The police say the increase in anti-homosexual crimes is greater than those with anti-Semitic or anti-immigrant motives.

NOTICE BOARD:

European Conference on Equal Opportunities – Call for papers

The issue

Aiming at equal opportunities at the beginning of someone's life on the one hand, making sure everyone ends equally on the other hand. These are two politico-philosophical and policy approaches on a just society that have proven their defects. For they don't take into account the diversity that exists within every society stemming from individual and group-based characteristics. Both dimensions, equality and diversity, are therefore important.

However, (in)equality encompasses more than merely similarities and differences between people; it is also a question of individual's divergent means. Not just the outcome (the continuum equality-diversity) should be brought into focus, the means too (equal opportunities) should be taken into account.

Inequality of opportunities arises when people are unable to develop their individual skills, including choice skills; when they are confronted with discrimination or are living in a society where people are not or inadequately prepared to protect each other and the general interest.

Differences between individuals cease to be acceptable when they restrict some individuals, despite proportionality of effort, in attaining or consolidating a desired position.

In actual practice this isn't always feasible:

- Women earn less than men and all the higher the post one holds, so much the bigger the difference;
- Fellow citizens of allochthonous origin are being given fewer chances when they present themselves on the labour market;
- Married homosexuals, lesbians and bisexuals aren't allowed to adopt children;
- Older employees experience difficulties or don't succeed in finding a job once they're out of work.

The challenge

With this conference, we accept the challenge of trying to grasp the notion of equal opportunities in increasingly diverse societal contexts. The expertise that the Policy Research Centre on Equal Opportunities (PRCEO) has acquired over the years shall serve as a guideline.

This expertise encompasses:

- An intersectional (i.e. not limited to a single dimension of equal opportunities), integral (i.e. encompassing various domains of life) and dynamic (i.e. variable over the life course) approach to equal opportunities;
- The opportunity dimensions of gender, age, ethnicity and sexual preference;
- Various public and private life domains: education, labour market (incl. retirement phase), politics, voluntary work, the media (imaging, media behaviour), ICT (e-inclusion), healthcare, social networks (individual and in relation to social movements), family and relationship formation, socialisation and perception of identity;
- Statistics and indicators on equal opportunities and research into the subjective perception of equal opportunities.

The scope

We examine equal opportunities from different point of views: a conceptual-theoretical interpretation (to conceptualise), a qualitative empirical interpretation (to explore), a quantitative empirical interpretation (to monitor) and a policy-related interpretation (to enhance).

To conceptualise

'Equal opportunities' is a normatively charged umbrella term. In order to give equal opportunities a scientific basis and to pursue a good policy on equal opportunities, it's imperative to define this concept as well as related words (emancipation, diversity, non-discrimination, solidarity, the life course and so on).

Moreover the rhetoric on equal opportunities ought to be scrutinized: who speaks about equal opportunities?, in what context (when, where)?, with what purpose?, and in what manner?

To explore

Since every individual puts a different meaning on equal opportunities it is important to pay attention to the subjective perception of equal opportunities. Which mechanisms of exclusion do individuals recognize? Likewise: why do some people fail to lead an active and autonomous life, both in the social and economical sphere, despite the opportunities they have been given?

To monitor

In addition to the above-mentioned qualitative dimension, research into equal opportunities posits the use of statistics and indicators. Qualitative and quantitative research into equal opportunities draws a picture of the sort, the scope and the factors that impede or favour individuals throughout their lives.

To enhance

An equal opportunities policy aims at, as best one can, preventing or making up arrears in life. Which form do equal opportunities policies take in different countries and over time? Which conceptual (emancipation, equal opportunities and/or diversity) and strategic decisions (collective and/or individual approach, equal treatment, positive action and/or mainstreaming) do policymakers make? Where do civil society and the research community come into this?

The PRCEO takes into account all dimensions and domains that touch on equal opportunities. Subscribers to the conference are free to submit abstracts that bear upon the PRCEO's expertise or that add something to it (a new opportunity dimension, an underexposed lifedomain and so forth). We give preference to contributions that incorporate the principle of intersectionality.

Abstracts

28 February 2006: deadline for the receipt of abstracts by the Programme Committee.

Abstracts should meet the following **criteria**:

- Name(s) and affiliation(s) of the author(s);
- Contact details of presenting author (postal address, telephone, fax and email address);
- Title of proposed presentation;

- Keywords, including the domain(s) (2 at the most) and the opportunity dimension(s)
- Abstract of a maximum of 200 words;
.txt, .rtf, .doc, .odt or .swx format.

Website: www.equalisnotenough.org/call-for-papers.php