

EURO-LETTER

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ILGA-EUROPE:

ILGA-Europe invited all its members to discuss new Strategic Plan 2008-2011

by Patricia Prendiville

Following the promise made at the last ILGA-Europe annual conference in Sofia, all ILGA-Europe members are now invited to take active part in consultation on the organisation's next Strategic Plan 2008-2011. We have prepared a questionnaireit might look long, but it has only 3 sections! The current strategic objectives, strategies, vision and mission are included to help your discussion.

The time-table for the stages in the process is provided below and we look forward to hearing your reflections, opinions and suggestions.

We very much hope to hear from a large number of you, and to see some of you at the meeting on 7th July, 2007.

The Strategic Plan 2008-2011 is to be accepted in Vilnius in October 2007, so now is the time for engaging and discussing!

Important dates to remember:

We seek review comments and suggestions from Members

March – 10th April 2007

A paper is developed and circulated from members, board and staff

18th June 2007

Open invitation meeting on Strategic Plan

7th July 2007

Comments on first paper invited until end July 2007
Second draft of the plan distributed in the 2nd mailing

August 2007

Open to comments suggestions to the plan

9th September 2007

Third draft circulated prior to the conference

Early October 2007

Presentation and agreement at conference

28th October 2007

Please send your replies as soon as possible, but before 10th April 2007 at the latest to: patricia@ilga-europe.org

With thanks and appreciation for your time!

ILGA-Europe launched shadow directive for further protection against sexual orientation discrimination

ILGA-Europe media release, 7 March 2007

On 7 March at the European Parliament, ILGA-Europe in cooperation with the European Parliament's Intergroup on Gay and Lesbian Rights, launched a Shadow Directive on Equal Treatment of Persons Irrespective of Sexual Orientation which aims at extending protection against discrimination based on sexual orientation to areas outside employment such as social protection, social benefits, education, provisions of goods and services, and housing.

Currently discrimination on the basis of sexual orientation in the European Union is only prohibited in employment. Discrimination on the basis of gender and race is banned not only in employment but also in other areas. The Shadow Directive seeks to extend protections from discrimination which already exists on the basis of gender and race to discrimination on the basis of sexual orientation.

Professor Mark Bell, author of the Shadow Directive, introduced the document and explained its rationale and its scope. The proposed Shadow Directive promotes social inclusion, combat multiple discrimination, harmonise the legal framework of the EU anti-discrimination legislation and establish a minimum European benchmark for national law.

Belinda Pyke, Director of the European Commission's unit dealing with equality and discrimination issues, provided the Commission's response to these document by highlighting two particular items: the Commission has already completed a mapping exercise on anti-discrimination legislation in EU member states and currently is working on assessing the impact of the proposed legislation, including the financial and legal implications of extending sexual orientation discrimination to areas other than employment.

Professor Olivier de Schutter highlighted foreseeable challenges to the adoption of a new anti-discrimination Directive. In particular, he spoke of the need to find a balanced approach between protecting persons from discrimination on the basis of sexual orientation and for respect for freedom of religion and belief.

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

"This is a very important initiative aimed at achieving one of our main objectives for this year which is the European Year of Equal Opportunities for All – harmonisation of EU anti-discrimination laws and establishing the same protection against sexual orientation discrimination which already exists for discrimination on grounds of gender and race.

We feel there is will and determination within the European institutions to enhance anti-discrimination legislation and we encourage the Commission to take political leadership on this issue."

Text of the ILGA-Europe's Shadow Directive is available on our website:

www.ilga-europe.org/europe/news/ilga_europe_launched_shadow_directive_for_further_protection_against_sexual_orientation_discrimination

Study Visit for LGBT Human Rights Defenders to EU

by Maxim Anmeghichean, Programmes Director

Thirteen European LGBT activists from ten countries have taken part in a study visit to the European Union institutions, which was organised by ILGA-Europe on 5-7 May of this year. First day of the visit involved preparations for meetings with EU officials in form of training sessions and interactive role play and exercises. And already on the first day's evening a high-level meeting of the Commissioner for Enlargement, Olli Rehn, with activists from Macedonia, Croatia, Turkey and Finland took place. The Commissioner promised to keep a close eye on developments in the field of human rights for LGBT people in countries which are candidates for accession and Turkey, and to specifically monitor implementation of EU anti-discrimination provisions at the national level.

The program included meetings with officials of the European Commission and members of the European Parliament. Also part of the program were events such as training on strategic litigation on LGBT issues in the EU / Council of Europe context by Professor Mark Bell, launch by ILGA-Europe in the European Parliament of the Shadow Directive on Prohibiting Discrimination on the Grounds of Sexual Orientation Outside Employment, a lunch with vice-president of LGBT Intergroup Mrs. Sophie Int'Veld devoted to freedom of assembly, a meeting with European Parliamentarians on EU accession process.

"It was a totally new experience for us", said Chair of the Macedonian Association "MASSO" Kocho Andonovski. "We had a number of high-level meetings, every official we have met was open to us, many commitments were made. Now we have the feeling the EU is supporting us in efforts to promote a comprehensive anti-discrimination legislation in Macedonia. There is a lot of follow up work ahead!"

The study visit was possible with the support of the European Commission, Open Society Institute and the Sigrid Rausing Trust.

Job opportunity with ILGA-Europe: Programmes/Policy Officer

by ILGA-Europe

The post holder will be responsible for coordination of capacity building / advocacy projects at regional and pan-European level, organisation of events, and for providing effective policy and research services to support the work of ILGA-Europe and the achievement of the tasks set out in the work programmes and the postholder's agreed objectives. Full job advert and applications form on our website:

www.ilga-europe.org/europe/about_us/job_opportunity

EUROPE:

Call for action: urge your Member of the European Parliament to sign Written Declaration on homophobic bullying

by ILGA-Europe

ILGA-Europe is calling on its members and supporters in the EU to ask members of the European Parliament to sign a written declaration on combating homophobic bullying. This declaration, which strongly condemns homophobic bullying, calls for specific actions, including at national level, and would be an important step forward in having the European Union engaging in the field of discrimination in education. It can open up opportunities for all of us in this field.

The declaration, drafted in close cooperation with IGLYO and ILGA-Europe, was presented on 14 February 2007 by MEP John Bowis and the Parliament's LGBT Intergroup in Strasbourg during a joint meeting of the European Parliament's Intergroup on Gay and Lesbian Rights and the Trade Union Coordination Group. ILGA-Europe and IGLYO took active part in this meeting. The declaration is available in all EU languages on IGLYO's website at <http://www.iglyo.com/content/activities/EPdeclaration.html>

How can you help?

The declaration will only be adopted by the European Parliament if it is signed by 393 members of parliament by 30 April 2007 (on 25 March there were 147 signatures). In order to mobilise MEPs to sign the declaration, we ask members and supporters to get in touch with MEPs to encourage them to sign the declaration. A template letter and a "Fact sheet on homophobic bullying" are available on the Website at

http://www.ilga-europe.org/europe/news/call_for_action_let_s_stump_out_homophobic_bullying_in_europe

If you have any questions, do not hesitate to contact Evelyne Paradis, ILGA-Europe Policy Officer:

evelyne@ilga-europe.org

Call on ILGA-Europe members to raise LGBT issues using EC Truck

by Evelyne Paradis

You may have heard about the European Commission's Truck Tour: the big yellow truck which has been travelling around the EU these past few years to raise awareness about non-discrimination and equality.

The truck will be touring again around Europe, and in some places, it could prove to be a good way to give visibility to your organisation and to LGBT issues. We would therefore encourage you to contact Media Consulta to discuss having material on LGBT issues, including material from your organisation, displayed at the truck tour stop. It would be easy and would not require much of your time.

We think you should argue for the importance of giving good visibility to LGBT issues at the events organised in the different cities. We know that in the past, local LGBT organisations have been invited to be part of the truck tour stops in some cities so it should be possible!

The person to contact at Media Consulta is Yasmin Love (y.love@media-consulta.com)

So here are the dates for the next tour....think about it for a pride or another LGBT event!

Dates of the Truck Tour:

01.05	Munich, Germany
07.05	Graz, Austria
09.05	Maribor, Slovenia
18.05	Riga, Latvia
22.05	Tartu, Estonia
25.05	Vilnius, Lithuania
31.05	Szeged, Hungary
04.06	Sofia, Bulgaria
16.06	Valetta, Malta
21.06	Genova, Italy
30.06	Madrid, Spain
04.07	Sevilla, Spain
13.07	Lisbon, Portugal
20.07	Luxembourg
24/25.07	Liverpool, UK
04.08	Bratislava, Slovakia
08.08	Budapest, Hungary
15.08	Copenhagen, Denmark
17.08	Aalborg, Denmark

Social NGOs on Berlin Declaration: Not enough to mobilise citizens

Source: Social Platform media release 26 March 2007

The Social Platform is disappointed by the 50th anniversary Berlin declaration. The declaration not only lacks a clear common strategy to tackle the challenges faced by the Union, but fails to spell out a social dimension that would engage European citizens in the future of Europe.

“Europeans want to know that their leaders are fully committed to finding a path to cope together with the challenges of the 21st century: a globalised economy, demographic and social change and global warming. The declaration is a list of policies put together with no real vision,” said Anne-Sophie Parent commenting on the Berlin declaration adopted yesterday in Germany.

Social NGOs feel the German Presidency could have done better both in the approach as well as the content of the declaration. The text was prepared behind closed doors by a group of advisers and diplomats. The document was not even signed by member’s state heads of government who were just invited to attend the ceremony. Is that the right method? “More openness and involvement of civil society would definitely have helped to raise the general level of ambitions for this declaration by helping to put pressure on reluctant Member States,” comments the Social Platform’s President.

The final text misses indeed some key social issues. “For us the individual is paramount” says the declaration – but at the same time **not a single reference is made to the millions of Europeans living in poverty, unemployed or affected by discrimination**. 2007 is the European Year of Equal Opportunities and this should have been a key inspiration for the Berlin’s declaration. In that respect it is also unacceptable for Social NGOs that the fight against illegal immigration is mentioned in the same sentence as the fight against terrorism and organised crime. “Fair trade agreements and international solidarity are the only solutions to illegal immigration, not the police and the army!”

“To build support of the European citizens you need more than just a heartless text, you need a common vision,” concludes Anne-Sophie Parent. *“If you look at the Messina declaration that gave the input for the Treaty of Rome, the vision and the roadmap were well defined. Here we have a list of policies, no vision and no roadmap, only a reminder that something needs to be done to get the EU out of the deadlock it is in by 2009.”*

You can also view ILGA-Europe’s media release on the Berlin Declaration:

www.ilga-europe.org/europe/media/berlin_declaration_needs_to_reaffirm_european_values_of_equality_and_human_rights

MEPs keen to investigate Polish anti-gay law

Source: *EUobserver*, 21 March 2007, <http://euobserver.com/?aid=23746>

The European Parliament is poised to investigate the legality of draft restrictions against discussion of homosexuality in Polish schools, if a bill is formally proposed. But a leading NGO has already expressed concern over civil liberties in Poland.

Warsaw is planning to ban discussions on homosexuality in schools and educational institutions across the deeply orthodox Roman Catholic country, with teachers set to be fired, fined or imprisoned if they violate the rules. Openly gay teachers would also be in line to lose their jobs.

The European Parliament's committee on civil liberties discussed the Polish ideas on Tuesday (20 March) and decided to launch a study into the compatibility of such legislation with EU rules, if the bill is ever officially submitted to the Polish lower house.

"The disturbing proposals to outlaw discussion of homosexuality raise serious concerns about the commitment to fundamental rights in Poland," said Dutch green MEP Kathalijne Buitenweg in a statement after the meeting.

"It is shocking that the government of a modern European country would even consider such draconian legislation. The promotion of gay hatred is the antithesis of EU anti-discrimination rules and the Polish government must publicly reject this approach," she added.

The committee would like the EU parliament's legal services to probe any Polish bill on two grounds, firstly to see if it is compatible with European anti-discrimination norms and secondly to see if it violates European norms on freedom of expression.

Ms Buitenweg and other MEPs are also preparing oral questions to the European Commission and the German EU presidency for the 10-11 April plenary session in Strasbourg.

Poland's education minister Roman Giertych - the leader of the League of Polish Families party which originated the proposal - said last week the measures would aim to "prohibit the promotion of homosexuality and other deviance."

Slovene LGBT organisations has won the lawsuit against the Ministry of Labour, Family and Social Affairs

Source: media release by LEGEBITRA, 22 March 2007

Organisation Društvo informacijski center LEGEBITRA, which is running programs against discrimination on the basis of sexual orientation, received an official decision of the Administrative Court of the Republic of Slovenia at the end of February 2007, which stated that the Court complies with the lawsuit as filed against The Ministry of Labour, Family and Social Affairs (the Ministry). Following the Court's decision, the Ministry is to nullify its litigious conclusion as issued on 7th July 2007. Consequently the organization today received an official conclusion, which states that the Ministry will comply with the decision and co-finance the program "Informational centre LEGEBITRA – counseling and self-help" in the amount of € 2.175. This conclusion also annulled all the previous conclusions which the Ministry used in 2006 to refuse the co-financing of Legebitra's programs.

In the beginning of June 2006 the Ministry rejected an application to fund a twelve-month youth program submitted by Društvo informacijski center LEGEBITRA. The Ministry rejected the submitted program, which has already been supported and assessed favorably in the previous years on the basis "that ŠKUC (that is, another non-governmental organisation) already received considerable means from the European EQUAL program to run projects dealing with the discrimination on the basis of sexual orientation." Consequently, Legebitra filed an official complaint to this conclusion, which did not alter the ministry's stance. In their press releases to the media, the Ministry insisted that the means were allocated fairly and rejected Legebitra's arguments as unfounded. Four months of ineffective dialogue with the Ministry finally forced the organization to file an official lawsuit at the Administrative Court in Slovenia. With this, the case of Legebitra also got an international recognition as the issue of unequal treatment of the NGO received the attention of foreign media and was also raised within the European Parliament.

In their conclusion, as of 20th March 2007, the Ministry writes : "The complainant's indication that Društvo informacijski center LEGEBITRA is an independent legal entity which is not in any formal or legal way connected to ŠKUC is well founded that is why the means intended for the program to prevent discrimination on the basis of sexual orientation that ŠKUC received from the European EQUAL program cannot in any way serve as a basis to reject the complainant's application."

At Društvo informacijski center LEGEBITRA, we are very satisfied with the final decision of the Court and see it as an important step towards a legal state. It would be unacceptable that the ministries would have the possibility to develop additional criteria at public tenders and selectively, pass the set terms and conditions, disable the work of non-governmental organisations.

SAME-SEX FAMILIES:

Sweden: Same-Sex Marriage by 1 January 2008?

Source: Report from Hans Ytterberg, Ombudsman against Discrimination because of Sexual Orientation, Stockholm, <http://www.homo.se>

The special commissioner for consideration of the possibility of making marriage available to same-sex couples presented his report to the Minister for Justice 21 March 2007. The report contains proposals for a draft bill amending the Swedish Marriage Code, making it gender neutral. In his report the commissioner also proposes the repeal of the Swedish Registered Partnership Act. Registered partnerships that have not been dissolved at the time of entry into force of the amended Marriage Code would take effect as marriages. Representatives of religious communities would have the legal capacity but not the obligation to perform marriages irrespective of the gender of the future spouses. The amendments are proposed to take legal effect 1 January 2008.

The Minister for Justice announced that the report will now be subject to the customary consultations before the Government takes a stand on presenting Parliament with a bill containing the proposed amendments.

The report contains a summary in English and is available here:

<http://www.regeringen.se/content/1/c6/07/90/62/e8a5bc51.pdf>

Czech minister wants to discuss child adoptions by same-sex couples

Source: Prague Daily Monitor, 27 February 2007, www.praguemonitor.com/en/32/czech_national_news/2020/

Děamila Stehlíková, minister without portfolio (Greens), said yesterday she is convinced that now is the right time to start a public debate on child adoptions by same-sex couples in the Czech Republic. She said in an on-line interview with Novinky.cz that the debate should be started also because many children in the country are growing up in institutions. "Every child has the right to parental love and care," Stehlikova said.

Same-sex couples have been able to enter registered partnership since last July. A total of 235 couples have used the opportunity by end-2006. The law defines property relations, for instance, but not child adoptions.

The junior government Christian Democrats (KDU-ČSL) have always been against registered partnerships. Opponents as well as supporters are among the Social Democrats (ČSSD), the Civic Democrats (ODS) and the Communists (KSČM). The critics of the law, including churches, say they are afraid that the effort to push through child adoptions will be the next step taken by the "homosexual lobby."

Michaela Sojdrová, KDU-ČSL deputy group chairwoman, said that it is by no means good for the development of children to grow up with adoptive parents of the same sex. "They would acquire a deformed, unhealthy, unnatural view of the family and of who forms it," she told CTK. Sojdrová said that the interests and well being of the children, not the adults' feeling that they offer a harmonious background and safety to the child is the priority.

The Czech Republic has one of the highest numbers of children in institutional care. About 7,500 children live in child homes and another more than 1,500 live in institutions for children under three years of age. More than 10,000 children stay in social care institutions. According to a British study, 60 children per 10,000 live in institutional care in the Czech Republic, compared with none in Slovenia and Iceland, one in Britain and two in Norway.

Spain passes transsexuals' name and gender law

Source: 3 March 2007,

www.eitb24.com/new/en/B24_37351/life/OPPOSED-BY-POPULAR-PARTY-Spain-passes-transsexuals-name-and/

Spain's parliament passed a law allowing transsexuals to change their name and gender on official documents without needing to undergo surgery first. The law, which had progressed through the country's lower legislative chamber earlier in the week, was opposed by the conservative opposition Popular Party.

The new legislation requires transsexuals to present an official medical diagnosis stating a clinically proven case of gender dysfunction and to have undergone appropriate treatment for two years before changes in identity documents can be performed.

Up until now, transsexuals in Spain could only change name and gender officially after a sex change operation and with the approval of law courts.

Pedro Zerolo, spokesman for social affairs in the ruling socialist party and Carla Antonelli, who represents gay and lesbian interests in the party, said "Spain has placed itself at the forefront of Europe, as a leader in transsexual rights." Zerolo said the law would bring Spain into line with countries such as Britain, whose Gender Recognition Act also loosened restrictions on transsexuals in 2004.

Legislation easing social barriers on transsexuals is the latest in a series of laws aimed at promoting greater social equality in Spain since the Socialist government came to power in March 2004. Same gender marriages were approved by parliament in this once staunchly Catholic and conservative country in 2005.

Malta: Court stays issuing of marriage bans

by Claudia Calleja, *Tomes of Malta*, 8 March 2007, www.timesofmalta.com/core/article.php?id=254421

The marriage bans for a transsexual, who was born a man but legally declared a woman following surgery, must not be issued within the next 40 days, a court has ruled.

Mr Justice Joseph R. Micallef gave the ruling in a case initiated by the director of Public Registry requesting the reversal of a court decree ordering marriage bans to be issued in favour of the transsexual and her male partner.

In staying the issuing of the marriage bans for 40 days the judge ruled that this was to ensure that the interests of both parties involved in the case would not be compromised.

On February 12 Mr Justice Gino Camilleri ordered the director of Public Registry to issue the marriage bans for the transsexual after noting that the union between the transsexual, now a woman, and her male partner did not contravene any provision of the Marriage Act.

A week later, on February 28, the director of Public Registry, in his capacity as Registrar of Marriages, filed an application requesting the reversal of the court decree permitting marriage bans to be issued.

In his application the director argued that the change in the Act of Birth of the transsexual, allowing a change of name and gender, was only intended to protect the right to privacy and to avoid embarrassment.

Such a change, the director said, should not mean that the person is considered a female for the purpose of marriage since the surgery was cosmetic and, therefore, the person involved was essentially still a man.

Then, last week, the director filed an urgent application in which he outlined that on March 1 the transsexual's lawyers had gone to the Public Registry and insisted, even through a legal letter, that they fix an appointment so their client could apply for the marriage bans to be issued. The registry had to set the date to March 7.

In the urgent application the director argued that, if he was forced to issue the marriage bans, the requests made in the application filed on February 28 (requesting the revocation of the judgement allowing the marriage bans to be issued) would be "irremediably prejudiced".

So he filed the application with urgency requesting the court to authorise him not to issue the marriage bans until the original application was decided upon.

Mr Justice Micallef upheld the application as it seemed wise not to do anything that could prejudice the case of either party until the application was decided on.

NOTICE BOARD:

LGBT-included - www.lgbt-included.eu

LGBT-included is a platform to facilitate collaboration between professionals and activists who work against discrimination on the ground of sexual orientation and gender identity in the European Region. It aims to link different stakeholders involved either in policy formulation or project implementation and to provide them with relevant information on transnational project co-operation. It will support collaboration by offering both public and restricted access forums.

The platform is an initiative of COC Netherlands, ILGA-Europe and Empowerment Lifestyle Services. It is sponsored by the Dutch Ministry of Health, Welfare and Sports.

Picture a world without discrimination: EU launches European Photo Competition for Diversity

Source: European Commission

Photography students from across the European Union can make a creative statement about diversity while having their work showcased to an EU-wide audience by entering the 2007 "Breaking Stereotypes" photo competition.

The competition runs from March 1st to June 30th, 2007, as part of the EU's "For Diversity. Against Discrimination." campaign and under the umbrella of the European Year of Equal Opportunities for All. A total of €9000 prize money will be shared among the first, second and third place winners as well as the first place winner's university or academy. The overall winning design will be printed on flyers spreading the "For Diversity. Against Discrimination." message throughout the EU.

Vladimir Špidla, European Commissioner for Employment, Social Affairs and Equal Opportunities, said of the competition: "It is vital that we continue to fight discrimination in the EU, and the 'Breaking Stereotypes' photo competition is an ideal way of doing that. As well as promoting the benefits of diversity, it gives students a chance to showcase their talents to a wide and appreciative audience."

The winners will be selected in August 2007 from a field of the 35 best entries. All 35 will feature in a touring exhibition starting in Brussels and visiting the capital cities of the three winners. A glossy catalogue will also be produced with the photographs and information about the artists who created them.

The competition is open to students registered at an art and design institution in disciplines such as photography, fine arts and graphic design. A pan-European jury of photographers, young design artists and design and visual communication experts will select the finalists and winners.

Posters, flyers and information packs will be distributed to educational establishments in March to launch the contest. The European Photo Competition for Diversity will also be supported by PR material and events aimed at young people, as well as a specially developed website providing regularly updated information.

Links:

<http://www.stop-discrimination.info/>

http://ec.europa.eu/employment_social/eyeq/index.cfm?language=EN