

September EURO-LETTER 2009

No. 169
September
2009

ILGA-Europe's monthly
electronic LGBT political
and legal news bulletin

**Euro-Letter is published by ILGA-Europe - the European Region
of the International Lesbian, Gay, Bisexual, Transgender &
Intersex Association (ILGA)**

ISSN 1998-8117

Editor:

Nanna Moe

Contact us:

euroletter@ilga-europe.org

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ILGA-Europe is grateful to **Pantelis Ravidas**, **Danae Panagiotopoulou** and **Evdokia Sakka** for the Greek translations.



This publication is supported by the Directorate-General for Employment, social affairs and equal opportunities of the European Commission.

Its funding is provided for under the European Community Programme for Employment and Social Solidarity (2007-2013). This programme was established to financially support the implementation of the objectives of the European Union in the employment and social affairs area, as set out in the Social Agenda, and thereby contribute to the achievement of the Lisbon Strategy goals in these fields.

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For more information see:

http://ec.europa.eu/employment_social/progress/index_en.html

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- **Joël Le Deroff - new Policy and Programmes Officer**

by *Evelyne Paradis, ILGA-Europe Policy Director*



On 1 September, we welcomed Joël Le Deroff as our new Policy and Programmes Officer. Joël is joining our Policy team and will be responsible for the implementation of ILGA-Europe's policy work on combating homophobic and transphobic violence, and on the rights of LGBT asylum seekers. His tasks will include monitoring the development of the EU, the CoE and other institutions' agendas in these fields, and the implementation of relevant European and national policies and legislations. He will also be working closely with member organisations and partners such as human rights NGOs working in the areas of hate crime and asylum, as well as with European LGBT police officers' groups.

Before coming to Brussels and joining ILGA-Europe, Joël worked with the French Ministry of Labour, taking care of the supervision of public agencies operating in related areas, including the promotion of health at work and the implementation of European regulations. He also led a busy "activist" life as an elected delegate to European relations of the French think tank "Homosexualités et Socialisme" (HES), a member of the executive committee of Rainbow Rose (the network of European LGBT social-democrats) and as one of the co-delegates to European relations of the Paris-based NGOs federation Inter-LGBT. Joël has completed studies in political science and history and holds Master's degrees in international economy and geopolitics.

The policy team will undoubtedly benefit from Joël's experience in advocacy, his political thinking, his knowledge of EU institutions as well as his undeniable enthusiasm for activism and his evident desire to always learn new things.... Bienvenue Joël!

Joël can be reached at joel@ilga-europe.org

From Russia with Laws

by **Richard Köhler**, *ILGA-Europe Programmes Officer*

13 district attorneys, judges and lawyers from 10 Russian regions (Petrozavodsk, Tumen and St. Petersburg, Novosibirsk, Omsk, Arkhangelsk, Perm, Murmansk, Moscow Tomsk) attended on August 29th – 30th a seminar in St. Petersburg on legal mechanism and methods to protect the human rights of LGBT people in Russia. Practical aspects of How to set up Legal Consultancy Services for the LGBT-Community as well as International Mechanisms of Human Rights Protection were dealt with.

The legal experts participating in the seminar are getting ready for setting up professional legal support services in Russian regions. There is good reason to do so. Chairperson of the Russian LGBT Network, Igor Petrov says *“gays, lesbians and transgender face systematic violations of their rights and are often unable to receive professional legal help.”*

The experts strive to overcome this by providing accessible and professional support for those discriminated against on the basis of their sexual orientation or gender identity. Seminars for legal specialists on the regional level are planned for later this and next year to happen.

Building up expertise on how to defend human rights of LGBT-people by means of legal instruments is part of the long-haul strategy of the 3-year project ILGA-Europe and the Russian LGBT Network are implementing together. The project aims at empowering the LGBT-movement in Russia by building up organizational capacity and advocacy skills of the Russian LGBT Network and in the three pilot regions of the project Tumen (Western Siberia), Petrosavodsk (Karelia) and St. Petersburg.

The legal seminar was also the first activity of the Russian-wide *‘Legal Aid’* program, initiated by the Russian LGBT network. *‘Legal Aid’* builds up a long-needed pool of expertise on LGBT-related legal issues, providing a platform for exchange and coordinated action. The new program is just timely as legal topics are getting more popular among the LGBT community. The recently published brochure *“Family Law for Gays and Lesbians in Russia”* explaining how homosexual couples can use the Russian legislation is touching an up-to-date topic with Russian lesbians and gays.

In the light of upcoming events legal action is likely to become necessary. The *Side by Side* LGBT International Film Festival aiming at mainstream and LGBT audience in mayor cinemas in St. Petersburg on October 23rd – 29th has been already under attack from the City’s Committee of Culture.

Last year, *Side by Side* was forced by the City’s administration to go underground. This summer the City’s Committee of Culture already pressured co-operating cinemas and festivals to withdraw films with an LGBT focus.

European Commission: A commissioner to human rights to be appointed soon?

By Joël Le Deroff, ILGA-Europe Policy Officer

On 16 September 2009, the President of the European Commission, José Manuel Barroso, was reelected for a second term by the European Parliament, with a majority of 382 votes. 219 members of the European Parliament voted against his reelection, while 117 abstained.

The whole Commission still has to be approved by the Parliament, after the commissioners are appointed by national governments. During the next weeks, Mr. Barroso and the commissioners will have to answer the concerns that have been expressed about the political programme of the Commission. An intensive political dialogue will be going on, involving the European parliamentary groups.

On fundamental rights issues, the Alliance of Liberals and Democrats for Europe (ALDE), led by the former Belgian Prime Minister Guy Verhofstadt, asked for the creation of *"a specific commissioner's portfolio for fundamental rights and anti-discrimination"*. Before his confirmation by the Parliament, Mr. Barroso said he would take this proposal on board.

ILGA-Europe, as well as other human rights NGOs, welcomes the creation of such a portfolio, which will provide us with a clear interlocutor in the new Commission. This can be considered as positively facilitating our relations with this institution.

It will be very important that the new commissioner is selected upon his experience and skills in the field of human rights, and that his mandate includes a precise political agenda, with explicit mention of LGBT rights.

ILGA-Europe's members have a role to play at this level, by sending us all relevant information available at national level on the commissioners' nomination process. We kindly encourage our membership to participate to this monitoring, which is crucial in order to ensure that NGOs can make a good assessment of the nominee's background. For example, in 2004, the Italian nominee Rocco Buttiglione was eventually removed after making sexist and homophobic statements.

Budapest Pride – heavy police protection secured no violence during the pride march

By Nanna Moe, ILGA-Europe Communications Officer

Saturday the 5th of September, the Budapest Pride was taking place for the 14th time. ILGA-Europe was present together with a number of other international NGO's such as Amnesty International and IGLHRC.

Very violent scenes took place during the Budapest Pride in 2007 and in 2008. That occurred after many years where LGBT people in Hungary could enjoy peaceful and celebratory prides.

The Budapest Pride 2009 took place under extremely heavy police protection - police helicopter flying over the city centre and lots of riot police personnel. Moreover the main march avenue was fenced, but also all smaller streets leading towards the avenue too, as a result the protesters and also other people willing to observe were prevented of getting anywhere close to the march. The police made sure that a crowd of protestors never made their way to the pride march, and therefore the pride ended without any attacks as seen in 2007 and 2008.

ILGA-Europe was represented by Board Member Paata Sabelashvili, and Communication Manager, Juris Lavrikovs, who both held speeches as the only international NGO present before the Pride began.

Sadly, it was reported that a girl wearing a Budapest Pride t-shirt was harassed and beaten during the evening after the Pride event. Moreover we received news about a bigger group of neo-nazis and skinheads that tried to disrupt the march. Police made around 30 arrests.

The hate crime incident and the needed heavy police protection is a clear indication that even though Budapest Pride itself was without violent, that are a lot of work to do in Hungary and for future successful Budapest Prides.

Violence in Italy in the loupe of ILGA-Europe and its Italian members

By Joël Le Deroff, ILGA-Europe Policy Officer

During the last months, the number of homophobic and transphobic incidents reported in Italy has increased significantly. This may be partly due to the increasing awareness of the Italian media when it comes to discrimination against LGBT people. However, this phenomenon provides full evidence of an unacceptable level of violence against lesbian, gay, bisexual and transgender people.

From January 2009 on, ILGA-Europe member organisations in Italy reported a high number of other incidents, from bullying and blackmail to violence putting at risk the life of victims. On 22 August, 29 August and 2 September 2009, three homophobic attacks took place in Rome, causing at least one person to be seriously injured.

Thanks to this documenting activities, ILGA-Europe, ILGA, Arcilesbica, Arcigay and Crisalide sent a report on the status of lesbian, gay, bisexual and transgender rights in Italy to the Office of the UN High Commissioner on Human Rights in September 2009. NGOs are encouraged to submit information to feed the discussion during the review of the human rights records of each State, which is conducted every four years within the frame of the UN Human Rights Council.

Although Italy has now transposed the existing pieces of EU non-discrimination legislation, LGBT organisations denounce the lack of political will, at the national level, to tackle homophobia and transphobia and to promote equality. The strong influence of the Catholic Church on Italian politics is considered to be one of the reasons of this situation.

The Italian House of Representative is currently in the process of looking into a Bill proposed to match this objective, and we consider it as an important step towards a relevant improvement of the situation. The outcome of the debate is highly uncertain, because of some strong opposition coming from inside the ruling right-wing coalition. On 14 September, ILGA-Europe sent a letter to the President of the House, Mr. Gianfranco Fini, and to the members of its Committee on Justice, to stress that combating homophobia by means of legal provisions, including criminal law, is necessary.

Lithuania and the law against 'propaganda of homosexuality and bisexuality'

By **Nanna Moe**, *ILGA-Europe Communications Officer*

Things have developed on this case, since the Lithuanian Parliament in July 2009 adopted the clearly homophobic law.

The law has widely been criticized as institutionalizing homophobia, violating the freedom of expression and the right to be free from discrimination. It has been denounced by ILGA-Europe, Amnesty International, Human Rights Watch, the International Gay and Lesbian Human Rights Commission, members of the European Parliament, the Council of Europe Secretary General and Commissioner for Human Rights, among others.

A positive step was taken Thursday the 17th of September 2009, when the European Parliament voted for a resolution that condemns the law, and calls for a revision by the Lithuanian authorities. The resolution is a clear signal that the Lithuanian law is a violation of EU's human rights obligations. ILGA-Europe welcoming the positive reaction from the European Parliament, but is also aware that a resolution is nothing without actions from the Lithuanian authorities. But with the resolution in our hand we can together with other human rights NGO's put an extra pressure before the law is enforced in March 2010.

Another negative development is that the Lithuanian Parliament is planning to discuss a penal code amendment that would criminalize the "promotion of homosexual relations in public spaces". If the discussion turns into an adoption, this would go even further than the actual law from July. Individuals could be fined or imprisoned for activities that can be interpreted to dissemination of LGBT issues or holding events such as prides.

ILGA-Europe is closely monitoring the situation in Lithuania.

For more background information: http://www.ilga-europe.org/europe/guide/country_by_country/lithuania/lithuania_and_the_law_against_propaganda_of_homosexuality_and_bisexuality

Belgrade Pride banned – but the movement prepares for 2010

By Maxim Anmeghichean, ILGA-Europe Policy Director

The pride parade scheduled for 20 September of this year in the centre of Belgrade was cancelled by Serbian authorities. As an alternative, they offered the organizers to hold the event in the neighborhood of Belgrade called Ušæe, far from the centre, marching around the gloomy building of the Ministry of the Interior. The organizers refused the alternative, as it would be counter to the scope of the parade – to increase visibility of the LGBT community

In 2001 Belgrade Pride was violently broken up by groups of nationalists and members of right-wing organizations. Since then no pride event has taken place.

During the last couple of weeks warnings came that the parade would be attacked. Weeks before the event the Belgrade pride organizers were in close contact with authorities. The Ministry of Interior until the last day was promising support and deployment of thousands of police officers to ensure sufficient protection. However, on September 18 Serbian Prime Minister Mr. Tsvetkovic made the decision to cancel the event.

Pride organizers have managed to put together an impressive advocacy campaign in build-up for the pride. First pages of Serbian newspapers and first 5 to 10 minutes of all TV news were devoted to the issue, and every important politician, including the prime-minister and the president of the country, were forced to make statements supporting pride.

The level of political support has never been as high in Serbia as it is today. However, Serbian authorities have given in to threats of violence from neo-fascist groups, sending a message that the centre of Belgrade is controlled by a violent mob, not the government and the police. The events of the last few days demonstrate that the Serbian authorities should fill the legal gap by prohibiting and punishing incitement to violence.

The Serbian LGBT movement will undoubtedly recover from the ban, and will continue to work constructively as a platform of many different groups towards next year's pride.

Lesbians given equal birth rights in England and Wales

By James Lawrence, Stonewall

Women in same-sex relationships in England and Wales can now register both their names on the birth certificate of a child conceived as a result of fertility treatment. From Tuesday 1 September changes to the Registration of Births and Deaths Regulations mean female civil partners who use fertility treatment to conceive a child will be treated in the same way as married couples, with both female parents' names able to be included on the birth certificate. Female couples not in a civil partnership but receiving fertility treatment may also both be registered.

The law change applies to female couples in England and Wales who were having fertility treatment on or after 6 April 2009.

Stonewall lobbied for the Human Fertilisation and Embryology Act to ensure that lesbians can at last approach fertility clinics without fear of discrimination. The requirement that fertility clinics consider 'the need for a father' will be replaced with 'the need for supportive parenting' from 1 October 2009. This means health professionals can no longer refuse to treatment to female same-sex couples and single women.

Ruth Hunt, Stonewall's Head of Policy and Research, said: *'As the law improves to provide further equality, knowing your new rights will help people make full use of the services they're entitled to – and if discrimination occurs, the same knowledge can help them demand fair treatment. Now lesbian couples in Britain who make a considered decision to start a loving family will finally be afforded equal access to services they help fund as taxpayers. So life for lesbian families isn't only fairer – it's also much easier.'*

Important steps towards common adoption for homosexual parents in Germany

By Klaus Jetz, LSVD

In July 2009, the German Minister of Justice, Brigitte Zypries, presented the results of a representative and scientific study about children living with same sex parents (rainbow families). The main outcome: Same sex parents do have the same parental and educational capacities as heterosexual parents have. The children show a perfect and splendid development. There is no reason at all according to the study to deny common adoption rights to registered same sex couples. As a consequence Brigitte Zypries argued in favour of common adoption rights for registered lesbian and gay couples.

In August 2009, the German Constitutional Court affirmed that homosexual couples have the right to adopt their partner's children and that this right is not unconstitutional. The court overturned a lower court ruling and argued that social parenthood has to be treated like biological parenthood and that this ruling has to be applied to homosexual couples as well. Thus the Constitutional Court showed up with a positive position in favour of adoption rights within the political debate about the issue raised by Brigitte Zypries in the middle of the election campaign. As a first consequence the conservative Bavarian government decided to withdraw a complaint of unconstitutionality against the second parents adoption law that was introduced for homosexual couples in 2005.

Today in Germany there is a parliamentary majority in favour of the common adoption for homosexual couples. All parties represented in the Bundestag, except from the conservative Christian Democrats, support full equal rights for rainbow families. But it seems that the will of the Parliament cannot succeed in any coalition government. We will see more after the elections end of September.

The All Poland Alliance of Trade Unions (OPZZ) deal with Gays and Lesbians

By Tomasz Szypuła, Campaign Against Homophobia (KPH), Coordinator for Trade Union Affairs

Adam Rogalewski has been appointed as the OPZZ Gay and Lesbian Liaison for the All Poland Alliance of Trade Unions (OPZZ) by leader Jan Gruz. Rogalewski represents OPZZ in the British union Unison dealing with Polish workers' affairs.

"There are not many officially reported and litigated cases of sexual orientation discrimination in employment till now as most of them remained "in the closet", said Krzysztof Śmiszek from Campaign Against Homophobia's legal group.

Rogalewski is a lawyer graduated from Jagiellonian University in Krakow. He was the Secretary of KPH Krakow and later became the branch coordinator for the years 2005-2007. This is an unprecedented event as no Polish trade union has had a gay and lesbian liaison.

OPZZ was established in 1984 and is one of the largest Polish trade unions, uniting 700,000 members. OPZZ is affiliated to the International Trade Union Confederation (ITUC) and to the European Trade Union Confederation (ETUC).

For more information: <http://opzz.org.pl>

Hungarian police start investigating homophobic hate crime for the first time

By **Tamás Dombos**, *Háttér Society for LGBT People*

The Budapest Police Department has informed that it has started investigating an incident that took place after the Pride March as “violence against a member of a social group”, a new crime introduced in February 2009 to cover homophobic and other hate related incidents. The case involves the attack and beating up of a marcher wearing the official T-shirt of the Budapest Pride by a group of anti-gay protesters.

The 20 year old female student was waiting for public transportation close to the end point of the Pride March on Saturday afternoon when a group of anti-gay protesters approached her. She was verbally harassed and slapped by a female member of the group. When she fought back, male members of the group punched her to the ground and kept on kicking her. She called the police at once, but the attackers escaped. According to the first reports the police started investigating the case as “rowdyism” (a vaguely defined term in the Hungarian Criminal Code referring to violent behavior that incites fear and indignation). The Hungarian Civil Liberties Union petitioned the police referring to the incident as hate crime and calling on the police to investigate it according to the new provisions in the Criminal Code that prosecute hate crimes against any social group under the term “violence against member of a social group”. The police reported later the day that investigations will proceed on the grounds of this more severe crime punishable with a maximum of eight years imprisonment instead of three which is the maximum punishment for rowdyism. This will be the first investigation of its kind involving LGBT people since the new legislation entered into force on February 1, 2009.

The provisions on “violence against member of a social group” were adopted by the Hungarian Parliament in November 2008 following the attacks of the Pride Marches in 2007 and 2008. Previously, only hate crimes against national, ethnic and religious groups had been addressed specifically, and homophobic incidents were considered assault – with significantly lower levels of punishment. Rather than listing sexual orientation and gender identity as a specific ground, the new legislation retains the specific mentioning of national, ethnic and religious groups, but opens up the groups covered by adding the general category ‘other social group’. The hesitation concerning the legal evaluation of the incident shows that the police is still unwilling to give due attention to the problem of hate crimes. Hungarian LGBT NGOs have called on the government to organize trainings for the police, prosecutors and judges, as well as to start campaigns among LGBT people to increase reporting of such incidents.

TRANSGENDER:

Young transgenders: 34% of them attempt suicide

By **Laura Leprince**, HES

Two French LGBT organisations, HES (Homosexualités & Socialisme - www.hes-france.org) and MAG (Youth LGBT Movement - www.mag-paris.fr), conducted a joint survey in early 2009 among the transgender youth population.

As it was high time to raise awareness on transgender issues, to change conservative visions and to bring forward testimonies from a new generation of transgender persons still ignored today.

An on-line questionnaire had been prepared by trans youngsters from Le MAG in October 2008 restricting the survey to 16 to 26 year old people. The questions were covering personal history (family structure, education, homeplace), medical treatments, transphobia at school, transphobia within close relations and family, sexuality, inner feelings, attitude to suicide, relationships and projects.

The main tragic result concern the amount of suicide attempts (34%) out of a hundred answers, which is comparable to a widely known suicide attempt rate among homosexuals – 25%. Going deeper in the inner feeling analysis, we discovered that the self representation of trans identity is evolving from negative feelings and suffering under the age of 20 to much more positive ones as they grow up.

As far as transphobia is concerned, going into the intimacy of the family and closed relations shows contrasting situations. Most of the time, families offer a safe space for the young transgenders, but in 20% of cases, teens have to face various forms of rejection which can go as far as finding themselves ostracized from their family circle. When it comes to transphobia at school, we discovered that most transgender pupils and students deal with the situation; they either hide or postpone the coming-out in order to protect themselves. Only 13% have managed to impose their new gender identity to their schoolmates. 18% of MTFs get rejected and 24% of them suffer from insults. Coming out doesn't seem to help, suffering from insults goes from 14% (before) to 27% (after).

Trans youth survey full report

<http://www.hes-france.org/IMG/pdf/PreliminaryReportYoungTransSurvey2009.pdf>

NOTICE BOARD:

Call for submissions – Roma Rights 2/09: Multiple Discrimination

Source: European Roma Rights Centre

The European Roma Rights Centre (ERRC) is looking for original articles and other submissions (book reviews, interview with key figures and conference reports) from a broad range of disciplines addressing the issue of discrimination that Romani individuals, groups and communities face on multiple grounds.

Look for more details here: http://www.errc.org/Romarights_index.php

Process and deadlines

Full articles must be submitted to the ERRC by **15 October 2009**. All submissions will be reviewed by a committee of ERRC staff who will make the final selection of articles for publication.

Please send queries and submissions to the Coordinating Editor of Roma Rights, Sinan Gokcen: sinan.gokcen@errc.org

NOTICE BOARD:

LES Online

Source: <http://www.lespt.org/lesonline>

LES - Lesbian issues discussion group (www.lespt.org) aims to contribute to the study of lesbian issues and to promote actions that improve lesbian equal opportunities and civil rights. We believe that these actions will help to create a better quality of life for all.

In Portugal there is a gap on lesbian issues research and knowledge. In this context we aim to contribute to a greater visibility of lesbian issues by publishing a semi-annual online journal: LES Online.

The draft version of the digital journal is available at <http://www.lespt.org/lesonline>. All the information about the journal will be available in Portuguese and English.

Taking into account your contribution as a social player/actor on the issues addressed in Les Online, we invite you to collaborate with the following question:

Lesbian issues are often addressed within the framework of feminist or LGBT issues. Are there specific aspects relating lesbian issues that are not visible when using a feminist or LGBT frameworks that justify a specific approach?

The paper may address this question on a broad approach or focus on your expertise area.

All contributions must be sent as Word files, and follow the official APA documentation system

Papers may be presented in Portuguese, Spanish, English or French (it is a multi-language publication)

Paper dimension: 3500 words (max)

Deadline for paper submission: 27 November 2009

Publication date: December 2009

NOTICE BOARD:

Call for applications – the 31st annual International Human Rights Training Program (IH RTP)

Equitas will be holding its 31st International Human Rights Training Program (IH RTP) in Ste-Anne-de-Bellevue, Québec, Canada, from June 6th to June 25th, 2010. This annual, intensive three-week program brings together around 120 participants from approximately 60 countries.

The goal of the IH RTP is to strengthen the capacity of human rights organizations to undertake educational efforts aimed at building a global culture of human rights. The IH RTP aims at enabling participant organizations to undertake more effective human rights education activities. To this end, the Program places a strong emphasis on transfer of learning and on follow-up activities. Participants will be asked to develop an individual plan for putting their learning into action as part of the training.

Deadline for applications is November 21, 2009.

More information on program, curriculum, participant profile, location, dates and fee:

http://www.equitas.org/index_en.php