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Documents relating to ILGA -Europe can be found at ILGA -Europe's homepage <http://www.ilga-europe.org/>

EUROPEAN PARLIAMENT ADOPTS TWO RESOLUTIONS WITH SUPPORT FOR LESBIAN, GAY AND BISEXUAL RIGHTS
ILGA-Europe Press Release, 6 July, 2001.

European Parliament adopts two resolutions with support for lesbian, gay and bisexual rights

On Thursday, 5 July 2001, the European Parliament in Strasbourg debated and adopted its annual report and resolution on the respect of fundamental rights in the European Union (A5-0223/2001).

In sub-chapters "Discrimination on the basis of sexual orientation" and "Non-marital relationship", the European Parliament adopted six recommendations to the Member States (paragraphs 79-84 of the Resolution).

These include the appeal to Member States with anti-homosexual legislation to repeal such laws and to release all prisoners jailed according to such provisions - as in previous resolutions of the Parliament, Austria was especially mentioned in this context.

The Parliament also calls upon Member States to prohibit sexual orientation discrimination under criminal or civil law, and to not give their consent to the accession of any country that has discriminatory laws against homosexuals, such as Romania.

And finally, the Parliament recommends that Member States recognise non-marital relationships between persons of the same sex and assign them equal rights.

"ILGA-Europe, the European Region of the International Lesbian and Gay Association, welcomes these recommendations and we would like to echo these calls for action. The European Union is facing a big credibility problem when demanding the respect of fundamental rights from accession countries while some of the existing Member States, such as Austria, still have discriminatory provisions on their law books", states ILGA-Europe co-chair Jackie Lewis.

Also on 5 July, the Parliament adopted its annual report and resolution on the Union's human rights policy towards third countries (A5-0193). Under its section on "recommendations on other issues requiring urgent international action", the Parliament "stresses that homosexuals are still victims of discrimination, prejudice and denial of their basic human rights in countries all over the world, including some Member States and candidate countries such as Romania", "calls upon the eighty countries in the world which still prohibit homosexuality in their domestic law to change this legislation without delay" and "urges those States which impose the death penalty on homosexuals to stop doing so immedi-

ately".

"ILGA-Europe has provided the two rapporteurs, Thierry Cornillet (French conservative) and Matti Wuori (Finnish Green), with extensive information about the situation of lesbians, gays, bisexuals and transgendered people both in the Member States and world-wide", explains ILGA-Europe co-chair Kurt Krickler, "and we are very pleased that the rapporteurs have included some of this information and that also some of our specific proposals have been taken up by various political groupings."

The actual texts are:

Fundamental rights in the EU (2000) A5-0223/2001
<http://www3.europarl.eu.int/omk/omnsapir.so/pv2?APP=PV2&PRG=CALEND&FILE=010705&TPV=PROV&LANGUE=EN>

European Parliament resolution on the situation as regards fundamental rights in the European Union (2000) (2000/2231(INI))

Discrimination on the basis of sexual orientation

79. Recommends that the Member States include sexual orientation in Additional Protocol No 12 to the European Convention on Human Rights as one of the prohibited grounds for discrimination and extend the terms of reference of the European Commission against Racism and Intolerance to include homophobia based on sexual orientation;

80. Recommends that the Member States repeal all remaining discriminatory legislation concerning homosexuality and release from prison all persons jailed under such provisions, and calls in particular on Austria - in accordance with the ruling of the European Commission of Human Rights and the numerous appeals issued by the European Parliament - to revise the provisions concerning the age of consent;

81. Recommends that the Member States prohibit discrimination on grounds of sexual orientation and include it as an offence under the criminal or civil law of all Member States, and adopt appropriate employment-law measures to implement Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation(4);

82. Recommends that the Member States introduce legislation in line with Directive 2000/78/EC, which forbids discrimination on the grounds of sexual orientation in access to goods and services, health, housing, education and social protection; notes that to date only eight Member States have equivalent anti-discriminatory legislation;

83. Repeal discriminatory laws against gays and lesbians in criminal codes of current Member

States, as well as assuring that they will not ratify any accession of countries which have discriminatory laws against homosexuality, such as Romania's Article 200;

Non-marital relationships

84. Recommends that Member States:

(a) to amend their legislation in order to recognise non-marital relationships between persons of the same or the opposite sex and assign them equal rights,

(b) to put the issue of mutual recognition of legally recognised non-marital relationships on the EU agenda;

85. Recommends that the Member States introduce legislation which prohibits discrimination for long term co-habitants and provides the same judicial protection as for legally married couples;

ROMANIA REPEALS ARTICLE 200 BY EMERGENCY ORDINANCE

By Adrian Coman, Accept

During the meeting on June 21 2001, the Government discussed and approved an Emergency Ordinance to amend and complete several provisions in the Penal Code referring to sex life offences, in order to bring the Romanian legislation in line with the international standards.

The main provisions of the Ordinance are as follows:

In order to avoid any discrimination based on sexual orientation, the draft bill repeals article 200 from the Penal Code, which incriminates same-sex relations performed in public or resulting in a public scandal, inciting or encouraging a person a person to the practice of the same sex relations, as well as propaganda, association or other act of proselytising with the same purpose, and also stipulates several aggravating circumstances related to the under aged, as well as same-sex relations accomplished under compulsion or by using violence. Because the provisions comprised in paragraphs 2, 3, and 4 of article 200 regard very serious offences, which are incriminated by all the criminal codes throughout Europe, and for the purpose of avoiding the interpretation that by repealing article 200 we mean to decriminalise the deeds mentioned in these paragraphs, and the persons convicted under these paragraphs (currently in prison) be released from prisons, the draft bill includes a transit provision which should eliminate this interpretation. Hence, according to Chapter II of this draft bill, the deeds mentioned by article 200, paragraphs 2-4, currently under investigation or trial, if they are mentioned in

other texts from the Penal Code or other special laws, shall be dealt with in accordance with these texts. If a final conviction ruling has been pronounced and the punishment is currently being executed, the execution instance, either ex officio or by request of the prosecutor or the convicted, shall immediately proceed to deal with the deeds in accordance with these texts. Chapter II is also there in order to prevent a similar situation that occurred when repealing, in 1990, article 185 from the Penal Code dealing with abortion, which resulted in releasing from prison the persons who, by performing abortion operations to women, killed them. Therefore, a decision of the Supreme Court of Justice was needed in order to establish that by repealing article 185, the offence of unintentional crime had not been decriminalised. The draft bill brings essential specifications concerning the contents of rape acts and sexual relations with an under aged, in the sense that it uses the phrasing "sexual act of any kind with a person of the opposite sex or with a person of the same sex" in order to emphasize the fact that, after the repealing of article 200, the texts refer to both heterosexual relations and same-sex relations, without any discrimination whatsoever. Taking into consideration the seriousness of the raping acts and of sexual relations with an under aged, some punishments were increased and a complementary punishment of interdicting some rights was added. In order to protect the under-aged from any form of sexual corruption, a new paragraph of art 202 in the Penal Code incriminates the inciting of a person to accomplish sexual relations with an under aged of the opposite sex or of the same sex, with imprisonment from 1 to 5 years.

By repealing art 200 and amending and completing art 198, the draft bill meets the criteria of Romania's accession to the European Union and the resolution 1123 (1997) of the Parliamentary Assembly of the Council of Europe. The Emergency Ordinance shall be submitted to the Senate.

[translated by ACCEPT]

ACCEPT Press release

Bucharest, June 22, 2001

ACCEPT welcomes the Government's political will to repeal article 200 from the Penal Code concerning same sex relations, which was proved by adopting yesterday's emergency ordinance in this respect.

ACCEPT cannot provide any comments upon the contents of this ordinance yet, as we are not in possession of and we have not analysed the text.

We hope that the two chambers of the Romanian Parliament are going to show the same political will and adopt this emergency ordinance as soon as possible.

ACCEPT considers that it is in Romania's national interest to put an end to the discrimination of homosexuals, both to respect the human rights and minorities in Romania, as well as to comply with this requirement for accession to the European Union.

SAME-SEX MARRIAGE BILL IN BELGIUM

Press release from the Belgian government

On 22 June 2001, at the proposal of the Justice Minister, the [Belgian] Council of Ministers approved a draft Bill intended to open marriage to same-sex couples and to make certain changes in the Civil Codebook.

In our society today, marriage is regarded and experienced as a (formal) relationship between two persons, notably with the aim of creating long-lasting arrangements for two people to live together. Marriage offers both partners an opportunity to announce publicly their relationship and the feelings that each of them has for the other. As attitudes have evolved, there is no longer any reason for not opening marriage up to same-sex couples. The main argument in favour of this extension of the scope of marriage is, with the principle of non-discrimination as a back-cloth, that there is no longer an objective basis for restricting marriage to heterosexual couples. The starting-point for the Bill is thus to ensure that heterosexual and homosexual couples are treated equally so far as marriage is concerned. Consequently, the Bill would eliminate a form of discrimination that features in our legislation purely because of its historic context. Nevertheless, marriage has an important symbolic value, apart from its legal significance for the individual's civil status. If two people wish to bind themselves in such a framework, no discrimination on grounds of their sex or sexual orientation can be allowed to prevent them from doing so. In other words, the existing rules regarding the establishment, the termination and the impact of marriage will have, so far as is possible, to be made applicable to marriages between persons of the same sex.

However, there are also certain differences. In particular, a marriage between two people of the same sex has no impact on kinship [=filiation]. Thus, same-sex marriage is on a completely equal footing with that between persons of different sexes, except for those aspects that involve kinship. Those children who are born to a couple within wedlock are, as such, inherently linked in the present family law not only with their mother, but also with her husband. Usually, these children are the biological descendants of their parents. In that case, the law corresponds to the real situation. The law on kinship, in the particular case of children born within wedlock, reflects blood relationships that do indeed ex-

ist, or at least could in fact exist. The present law on kinship is based exclusively on biologically possible situations, and thus there is no need to amend it. The law also includes provisions enabling the kinship established on this basis to be challenged. But to extend the present law on kinship to apply unconditionally also within same-sex marriage would take it too far away from reality. Instead of consisting of refutable presumptions, such provisions would amount to a 'legal fiction'. The difference between reality and the legal framework created to represent it would then become too great.

This approach, whereby the provisions of the present kinship law would not be affected by same-sex marriage, has also been taken in the case of adoption. The existence of a marriage between two persons of the same sex does not imply that such a couple is recognised for the purpose of adoption. Retaining the existing law on adoption has the advantage of avoiding possible difficulties in getting such adoptions recognised abroad and in creating relationships that might be regarded as 'irregular' under private international law.

The Bill does not conflict with the principles of private international law applicable to marriage. Thus, same-sex marriages will be restricted by the same basic constraints that apply to marriage between persons of different sexes. In other words, such marriages will be permitted only where the personal status of the prospective partners under the national law is such that they are free to do so. Otherwise, the Registrar cannot perform the marriage ceremony. The extension of marriage to same-sex couples involves Belgium in introducing a legal institution that does not (yet) exist as such elsewhere, except in the Netherlands. It will not be surprising if the authorities in some other countries do not recognise such marriages. Consequently, it is possible that persons who are bound by a marriage that is perfectly valid in Belgium are regarded as unmarried when they are in certain other countries.

Such a situation, in which a person's legal status in one country is not recognised, or has significantly different consequences, in another country is sometimes known as a "discordant status". Obviously, those concerned are liable to experience various legal and practical problems.

Anybody considering entering into a same-sex marriage should therefore make sure that they obtain expert advice on the possible disadvantages that this may have if they travel abroad, or indeed if they acquire real property there (eg by inheritance...). However, such possible problems under private international law should be considered as a small price to pay for the advantages, under domestic law, of the elimination of this discrimination.

Certain articles of the Civil codebook will also be

amended to take account of the extension of marriage to same-sex couples, notably by adapting the terminology to a gender-neutral form. So that the Registrars will have time to prepare for its implementation, and for the local and other administrations to make the necessary changes to their data-processing systems, the new provisions will come into effect four months after they are published in the Official Gazette (Le Moniteur belge).

FOR FURTHER INFORMATION: Cabinet du Ministre de la Justice, Boulevard de Waterloo 115, 1000 Bruxelles, Belgium Press spokesman: Monsieur Joannes Thuy, Tél: 02/542.79.24 Fax: 02/542.70.02 Web: <http://just.fgov.be>

(Translated by Alan Reekie)

FWH PRESS RELEASE ON THE BELGIAN BILL

The FWH is both glad and critical of the Council of Ministers' decisions.

22 June 2001 the Council of Ministers approved two Bills: one opening marriage to same-sex couples, the other intended to reform the adoption laws.

The FWH (Federation of Working-groups on Homosexuality, representing 92 GLB organisations in Flanders and Brussels) is very happy with the Council of Ministers' decision to expand the scope of marriage. For everybody in the lesbian, gay and bisexual community and their friends, this is a historic moment.

However, only same-sex couples where both partners are Belgian or where one is Dutch will be allowed to marry. The FWH thinks this is regrettable. Marriage is often particularly important for couples whose partners have different nationalities. The arguments based on private international law can obviously be refuted. In the Netherlands, a solution was found and everybody in the Netherlands who holds a valid residence-permit can get married to a partner of the same sex there, regardless of their nationality. The FWH considers that the same should apply in Belgium.

Adoption

The government risks introducing a new form of discrimination in the way it plans to remove an existing one. Because of the veto from the PRL party (the most right-wing member of the governing 'rainbow coalition'), the Bill on the reform of the adoption laws which was approved the same day contains an exception excluding same-sex couples from its provisions. Apart from the fact that this is clearly discriminatory, it is illogical and anti-social.

Same-sex couples are already bringing up children

today: some 14% of lesbian and 8% of gays have children. The law makes no provision for such parenting. If a lesbian couple decide to have a child, eg by artificial insemination, the mother's partner has no official status, which prevents her from sharing the rights and responsibilities in looking after it. This causes numerous practical problems in everyday life as she remains legally a stranger; for example, if she bequeaths all her assets to the child they are subject to inheritance tax at the maximum rate. All these problems would be solved if the provisions of adoption law were applicable. Indeed, as an unmarried person is not forbidden to adopt a child, some lesbians and gay men have already adopted children, but if the Bill becomes law they will no longer be able to do so if they are living with a partner in an officially-recognised permanent relationship!

Solutions are possible

Both Louis Michel (PRL President) and the Justice Minister Marc Verwilgen (PRL) have stated that they are willing to discuss the possibilities for a compromise, and allow Parliament to adopt amendments after a free debate. The other coalition member-parties: VLD, SP, PS, Ecolo and Agalev have already announced their support for ensuring that the adoption law does not exclude same-sex couples. They should therefore submit proposed amendments to these Bills that would correct these anomalies and remove the discriminations against same-sex couples from them.

We call on all democratic members of Parliament to support these amendments.

For further information on this Press Release, please contact: Anke Hinkjens, Spokesperson, Federatie Werkgroepen Homoseksualiteit Kammerstraat 22 9000 Gent Tel: +329/223 69 29 anke.hintjens@fwh.be www.fwh.be

GERMAN STATES SUE TO BLOCK PARTNERSHIP LAW

By Rex Wockner

The German states of Bavaria, Saxony and Thuringia have filed suit in the Constitutional Court to block implementation of Germany's gay partnership law, which takes effect in August.

They say the law is an attack on heterosexual couples.

The measure extends spousal rights to registered same-sex couples in areas such as inheritance, tenancy, health insurance, immigration, hospital visitation, child custody and alimony.

Registered gay couples have nearly all rights of marriage in Denmark, France, Greenland, Iceland,

Norway, Sweden, and the U.S. state of Vermont. The Netherlands lets gays marry under the same laws as heterosexual couples. Court rulings have given gay couples many marriage rights in Canada and Hungary.

FIRST DECISION OF THE COURT

By Nico Beger

On July 18th the German constitutional court has rejected the interjunction asked for by the conservative governments of Bavaria and Sachsonia on gay and lesbian registered partnership. This is not the final decision about whether this law is constitutional (the case will be heard in full in a few months) just whether the consequences are worse if it comes into law now on 1st of August or is stalled. In practice however this means that the court is basically saying that they will decide in favour of registered partnership because they let people get registered now.

It is highly unlikely that they will find issue with it once it has come into force if they already had a chance to look at it. So I guess a lot of people, particularly those with non-EU partners, are making arrangements for a big party in August.

HEARING IN EP ABOUT THE ACCESSING COUNTRIES

By Nigel Warner

The hearing in the European Parliament was organised by a group of members of the European Parliament, the Intergroup for Gay and Lesbian Rights.

The hearing was preceded by a press conference on.

At the press conference research into sexual orientation discrimination in the EU accession countries was presented by ILGA Europe.

The statement made by ILGA Europe (see below), together with the summary report published by ILGA Europe, and a detailed report on sexual orientation discrimination in all accessing countries prepared by local g/l groups are all available at ILGA-Europe's web site: www.ilga-europe.org

ILGA Europe are calling on the European Union to insist that the governments of the accessing countries put in place measures to combat discrimination, including anti-discrimination legislation and programmes of education and awareness, as a condition of membership of the Union.

The various reports have been sent to appropriate members of the European Commission (and particularly the Enlargement Directorate), to relevant Members of the European Parliament, and to the

Polish mission to the European Union in Brussels.

The hearing referred to above was addressed by the EU Commissioner for Social Affairs (who has responsibility for non-discrimination), Ms Diamantopoulou. She welcomed the research by ILGA Europe. She stressed that the European Union Charter on Fundamental rights was "a framework in which we must all work". Article 21 of this Charter prohibits discrimination on the basis of sexual orientation.

The EU Commissioner for Enlargement, Mr Verheugen, was represented by a member of his Cabinet, Ms Petra Erler. She emphasised that there was no flexibility in the accession negotiations over the issues of equal opportunities and the treatment of minorities. Further, she stressed that what was wanted was a society in Europe that does not discriminate, including on the basis of sexual orientation.

The Members of the European Parliament present at the hearing emphasised the importance they attach to the observance of human rights, particularly in the accession process. The European Parliament has to approve the accession of any new member. In 1998 warned that it would not give its consent to the accession of any country that "through its legislation or policies violates the human rights of lesbians and gay men".

STATEMENT FOR PRESS CONFERENCE ON GAY AND LESBIAN RIGHTS IN THE ACCESSION COUNTRIES

EUROPEAN PARLIAMENT – 27 June 2001

By Nigel Warner and Tatjana Greif, members of the board of ILGA-Europe.

Nigel Warner:

ILGA-Europe is the European region of the International Lesbian and Gay Association, and has approximately 125 member organisations in some 30 European countries.

Over the last 18 months we have been working with our member organisations in the EU accession countries to research the extent of sexual orientation discrimination. This research has been supported by the Open Society Institute of Budapest.

We are now in a position to present the results. I will spend a few minutes doing that, and then my ILGA-Europe Board colleague, Tatjana Greif, will tell you what we think the candidate country governments and the European Union should be doing to help combat this discrimination.

Let me begin by summarising our findings.

In the great majority of the candidate countries sexual orientation discrimination is widespread and serious.

To put it at its most simple: any lesbian, gay or bisexual person who is open about their sexual orientation in their day-to-day life faces a very high risk, sooner or later, of experiencing discrimination.

Let me give examples of how this can arise:

- To walk hand-in-hand with your partner in the street is to run a serious risk of violence or harassment;
- To mention your partner to your employer can ruin your promotion possibilities, or lead to losing your job;
- To be visited by your partner when receiving healthcare can lay you open to prejudiced attitudes, and petty harassment by medical staff
- To be open about your sexual orientation when at school can lead to bullying by your schoolmates.

We believe this discrimination is so general and so pervasive in most of the candidate countries as to constitute a major social injustice.

We have tried to assess what the governments of candidate countries are doing to address this situation. So far as we can tell, the answer in most countries is little or nothing.

Let us now have a look at our research.

To have carried out detailed research in all 13 candidate countries was not practical. We have therefore conducted our research at 2 levels: the first, published as "Equality for Lesbians and Gay Men -- a Relevant issue in the EU accession process" [hold up the report] presents an overview of the situation in each of the countries. The second level involved detailed research in four countries, Hungary, Poland, Romania and Slovenia. [Hold up the reports]

All this represents a great deal of information. To make it easier to digest, we have prepared a summary [hold up example]. Copies of this, and the other documents, are available over there.

Let me now substantiate in a bit more detail the picture which I have painted.

First, let's look at public attitudes. If discrimination is as serious and as pervasive as we believe it is, then we would expect to find this reflected in the attitudes expressed in public opinion polls.

And we do: for example, in three countries where pollsters have put the question: "would you want to live near homosexuals", significant majorities re-

plied "no" -- 86% in Romania, 68% in Lithuania, and 60% in Slovenia.

Another test is the extent to which politicians and other leading figures in society, such as church leaders, feel able to make public statements which are so extreme as to be inflammatory. We have identified such statements by leading figures in nine of the candidate countries. For example:

- In 1999 the officials of the five main Christian denominations in Latvia signed a joint letter which compared homosexuality to kleptomania, vampirism, alcoholism, and drug addiction, and claimed that whether "these sicknesses are inborn or obtained in practice, we have to fight them".
- In July 2000, in Poland, former president Lech Walesa commented that "I believe those people need medical treatment, imagine if all people were like that -- we wouldn't have any descendants".

No doubt these statements sound laughable to many people here today. Unfortunately, for some people statements like these constitute an incitement to discrimination.

A second area we looked at is discrimination by the state itself. Four countries, Bulgaria, Cyprus, Hungary and Romania have discriminatory laws -- in the age of consent, and in other aspects of the criminal law. Hungary also restricts the freedom of association of young lesbians, gays and bisexuals, a denial of rights unique amongst the 43 member states of the Council of Europe.

A third area -- homophobic violence or harassment was a problem reported from numerous countries. In Romania 28% of respondents to a questionnaire survey had experienced violence, while the equivalent figure for Poland was 22%. In Slovenia 49% had experienced either violence or harassment, or both. These figures are serious enough in themselves. But they become very disturbing indeed when examined in the context of the proportion of respondents who take action to avoid to such violence by concealing their sexual orientation. In both Romania and Poland approximately 70 % of respondents to the surveys took steps to conceal their sexual orientation either all the time, or part of the time.

Discrimination and harassment in the workplace were also widely reported. Again, the detailed research suggested that, particularly if account is taken of the high proportion of individuals who conceal their sexual orientation, this is a very serious issue.

Violence or harassment by police officers and homophobic attitudes in the armed forces were also frequently reported.

Finally, we looked at the ways in which lesbians, gays and bisexuals react defensively against the wide discrimination which they face. The most common strategy -- already discussed -- is that of concealing one's sexual orientation. Another strategy is to emigrate to a more tolerant country. In Romania nearly half of survey respondents wished to leave the country because of sexual orientation discrimination, while in Poland and Slovenia the figure was one in three.

When such high proportions of a minority feel impelled to leave family, friends and homeland to escape discrimination, then surely the time has come for drastic and far-reaching remedial action.

Tatjana Greif:

I am going to look at two broad questions:

First, why there is an obligation on the European Union to give serious attention to sexual orientation discrimination in the enlargement negotiations.

And secondly, the actions we believe need to be taken by the accession country governments, and by the European Union to deal with this question.

For those unfamiliar with the enlargement process, it is necessary to explain that candidate countries must meet certain human rights criteria to qualify for accession. These can be expressed most simply as:

"the establishment of respect for human rights, including the protection of minorities".

In addition the European Union has established a clear policy of opposing and combating discrimination, including specifically sexual orientation discrimination. These policies derive from Article 13 of the Treaty of Amsterdam, and from the EU Charter of Fundamental Rights, whose Article 21 prohibits discrimination on the grounds of sexual orientation.

Taken together, the human rights accession criteria, and the European Union's policies on discrimination mean that in principle sexual orientation discrimination must be addressed in the accession negotiations.

To date this has not happened. Attention has concentrated almost exclusively on the discriminatory criminal laws in Romania. However discriminatory criminal laws exist in other countries. And, just as

importantly, the issue of sexual orientation discrimination is very much broader than the question of discriminatory criminal laws.

We believe that the findings of our research demonstrate that the discussion of sexual orientation discrimination must become a significant component in the accession negotiations with almost all candidate countries. As our research demonstrates, in many of the accession countries there is neither respect for the human rights of lesbians, gays and bisexuals, nor is there proper protection for this minority.

Turning now to the question of what action is needed by the governments of the candidate countries:

The first step must be for Bulgaria, Cyprus, Hungary and Romania to repeal their discriminatory criminal laws. We welcome the example set by two other applicant countries, Estonia and Lithuania, which have recently taken concrete steps to repeal such laws.

The second step must be for the applicant countries to provide laws protecting their lesbian, gay and bisexual citizens from discrimination.

The existence of the European Union Framework Directive for equal treatment in employment means that all the applicant countries will be obliged to introduce laws providing protection from sexual orientation discrimination at the workplace. We urge them to go beyond this, and provide general anti-discrimination legislation covering not just employment, but all aspects of the provision of goods and services.

To give credit where it is due, we welcome the introduction by the Slovenian government of general anti-discrimination legislation. We also welcome the moves by the Lithuanian government and by the Romanian government to introduce anti-discrimination provisions, although we express our concern in the case of Romania at whether this legislation will be adopted by the Parliament and become effective.

As has become so clear in the context of fighting race and sex discrimination, the implementation of anti-discrimination legislation is merely the first step. It must be backed up by practical programmes of training and public education, and the introduction of effective enforcement mechanisms. We therefore call upon the governments of the applicant countries to establish wide-ranging anti-discrimination programmes, including training and codes of conduct in public services such as the police, the Armed Forces, and the health services.

So far as the institutions of the European Union are

concerned, past experience has shown that international declarations and resolutions are not in themselves enough to bring about change. We therefore call upon them to insist on the repeal of ALL discriminatory laws, and on the implementation of anti-discrimination legislation, as a condition of accession. Furthermore, we call upon them to insist that applicant countries put in place broad ranging anti-discrimination programmes, as outlined above, prior to accession, and demonstrate the commitment to the carrying them through.

Only when such measures have been adopted will the applicant countries be in a position to satisfy the criteria of respect for human rights and the protection of minorities. Such steps will be no more than the beginning of the process required to achieve a society in which all, including lesbian, gay and bisexual people, can live free from the fear of violence and discrimination.

URGENT CALL FOR ACTION: BREAK UP OF SERBIA'S FIRST GYA PRIDE PARADE
By ILGA-EUROPE

On 30 June Serbia's first Gay pride parade was savagely broken up by soccer hooligans and nationalists thugs. For a photographic report, visit http://news.bbc.co.uk/1/hi/english/world/europe/news_id_1415000/1415789.stm

It seems clear that despite advanced warning that the parade would be attacked, Belgrade's police took inadequate measures to protect the safety of participants and to ensure their freedom of association and expression.

ILGA-Europe is protesting to the Serbian authorities, and will be taking up the matter with the European Commission, which pledged 530 million of aid to Yugoslavia at the 29th June Brussels Donor Conference. This aid is conditional upon compliance with generally recognised standards of human and minority rights.

ILGA-EUROPE IS ALSO CALLING ON ITS MEMBER ORGANISATIONS AND LGBT ACTIVISTS THROUGHOUT EUROPE TO SUPPORT SERBIA'S LGBT HUMAN RIGHTS MOVEMENT BY:

1. Protesting to the Serbian Minister of the Interior
2. Drawing these events to the attention of their Foreign Ministry, and requesting that they make clear to the Serbian authorities that protection of its LGBT minority is a part of the general human rights conditions agreed as part of the June 29th Brussels Donors' Conference. Countries in Europe which pledged financial support to Yugoslavia at this Conference were: Austria, Estonia, Finland,

France, Germany, Greece, Hungary, Italy, Luxembourg, Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom. The USA, Canada and Japan were also amongst the donors.

Suggested letters are as follows. Please translate them into your own language, and amend as appropriate to your circumstances:

LETTER TO THE SERBIAN MINISTER OF THE INTERIOR

Mr. Dusan Mihajlovic
Minister for Interior Affairs
Vlada Srbije
Nemanjina 11
11000 Beograd
Yugoslavia

Dear Mr Mihajlovic,

We are writing to you to express our grave concern at the failure of the Serbian authorities to provide adequate protection for the safety of participants in the 30th June gay pride parade in Belgrade and to ensure their freedom of association and freedom of expression.

We request that you take immediate steps to put in place the necessary policies to ensure that these human rights violations are not repeated, and that Serbia's lesbian, gay, bisexual and transgendered citizens are able to enjoy their full human rights without fear of violence and discrimination.

We ask further that this process start by the opening of a cooperative dialogue between yourself and the representatives of Serbia's lesbian, gay, bisexual and transgendered community, with a view to your government taking wide measures in support of a minority which is the subject of extensive discrimination.

We understand that, at the international donor conference in Brussels on 29th June, the Serbian government gave certain undertakings with regard to human rights and the protection of minorities. We believe that the failure to provide adequate protection for the Belgrade gay pride parade amounts to the breach of these conditions. Accordingly, we will be drawing the attention of the relevant officials at our Foreign Ministry to the failure of the Serbian authorities to protect the gay pride parade, and will be requesting that they take up this matter with you.

We welcome warmly the progress which Serbia has made towards becoming a democracy in recent months, but must stress that this will not be achieved until the human rights of ALL its citizens, including lesbian, gay, bisexual and transgendered

persons, are fully respected and protected.

LETTER TO YOUR FOREIGN MINISTER (for those countries which pledged aid in the 29th June Donor Conference)

Dear ,

Failure of Serbian authorities to protect participants in Belgrade gay pride parade

We are writing to ask that you make representations to the Serbian authorities over their failure to protect the safety and to guarantee the freedom of association of participants in Belgrade's June 30th Gay Pride Parade.

Serbia's first gay pride parade was to have taken place on June 30th. However, as participants assembled, they were savagely attacked and driven away by soccer hooligans and nationalists thugs. A number of participants in the parade were injured.

It seems clear that, despite advanced warning that the parade would be attacked, Belgrade's police took inadequate measures to protect the safety of participants and to ensure their freedom of association and expression.

These events followed immediately on the 29 June Brussels Donor Conference, at which some EUR 1.5 billion of aid was pledged to Yugoslavia, conditional upon compliance with generally respected standards of human and minority rights.

We believe that the failure of the Serbian authorities to provide protection for the participants in the gay pride parade is a serious breach of this condition. We therefore ask that you, as the Foreign Minister of one of the countries which pledged aid, make representations to the Serbian authorities over the need to guarantee the fundamental rights of the lesbian, gay, bisexual and transgendered minority, and to provide full and proper protection from violence and discrimination for this minority.

We thank you in advance for your support in this matter,

MEDIA RELEASE: ILGA-EUROPE CALLS ON SERBIAN AUTHORITIES TO GUARANTEE SAFETY AND FREEDOM OF ASSOCIATION FOR LGBT PEOPLE

Following the violent breakup of Serbia's first Gay Pride parade on 30th June, ILGA-Europe is calling on the Serbian authorities to guarantee the safety and freedom of association of lesbian, gay, bisexual and transgendered people in Serbia.

According to the Free Yugoslavia radio station, B92, the perpetrators of the violence - gangs of soccer hooligans and nationalists - had announced their intention to attack the parade in advance. ILGA-Europe is particularly concerned that, despite this information, the Belgrade police failed to provide an adequate level of protection for the parade. Numerous participants in the parade are reported to have been injured.

ILGA-Europe welcomes the recent progress in Serbia towards the development of a democratic society. However, such progress must encompass all groups within society, including the lesbian, gay, bisexual and transgendered community.

ILGA-Europe is bringing the circumstances of the break up of the parade to the attention of the European Commissioner for External Relations, Chris Patten. The European Union's commitment to grant EUR 530 million of aid to Yugoslavia at the 29 June Brussels Donors' Conference is conditional upon compliance with generally recognised standards of human rights and the protection of minorities. ILGA-Europe considers that the failure of the Serbian authorities to provide proper protection for the participants in the gay pride parade is in breach of this condition.

ILGA-Europe is also calling upon its member organisations from across Europe to protest to the Serbian authorities, and to draw the events in Belgrade to the attention of their own Foreign Ministry, where their country has pledged aid.

Co-chair Kurt Krickler commented: "We salute the courage and determination of Serbia's lesbian, gay, bisexual and transgendered community". Fellow co-chair Jackie Lewis added: "We are determined to do all we can to stop them being driven back into the closet by violence and discrimination. Effective state protection is essential if LGBT people are to exercise their full rights as citizens".

For pictures, see

http://news.bbc.co.uk/1/hi/english/world/europe/news_id_1415000/1415789.stm

ILGA EUROPE ROTTERDAM CONFERENCE TO ADDRESS ISSUES OF MAJOR IMPORTANCE TO LGBT RIGHTS IN EUROPE

ILGA-Europe 2001 conference to address issues of major importance to LGBT rights in Europe

ILGA-Europe's 2001 regional conference is to take place in Rotterdam, from 24th to 28 October, and will be organised by several Dutch members of ILGA, led by the Dutch national organisation, COC, under the theme "Creating Partnership".

The conference takes place at a time of momentous change for LGBT people in Europe. The last year has seen three developments of historic importance:

- The introduction by the European Union of legislation which will make employment discrimination on the basis of sexual orientation illegal throughout the Union - perhaps the most important legislative development in the history of our movement;
- The adoption by the European Union of the Charter of Fundamental Rights, which prohibits sexual orientation discrimination a "first" for any international human rights Charter;
- The opening up by the Netherlands of marriage to same-sex couples -- also a world "first".

And there is more to campaign for at the European level. For example, the enlargement of the European Union offers a unique opportunity to put pressure on the 13 candidate country governments to repeal homophobic laws; while the development of common policies in immigration/asylum enables us to work for an end to discrimination across Europe in these areas.

The conference will offer an exciting opportunity for participants to explore the significance of these developments, guided by some of the leading experts in the field, and to understand how, working together at European and national level, they can be used to push towards our long term objective of achieving equality in Europe.

The highlight of the conference will be a one-day special session devoted to the question of the legal recognition of same-sex partnerships, in celebration of the new Dutch marriage laws. Experts from various countries will join participants to discuss all relevant issues concerning partnership laws, as well as strategies to arrive at equal opportunities for same-sex couples in every country.

There will also be workshops addressing:

- the main areas of EU policy relevant to sexual orientation discrimination, including the implementation of the Framework Directive, which bans employment discrimination, the European Community's action programme against discrimination, EU Enlargement and immigration/asylum.
- transgender issues,
- the results of international projects dealing with violence against lesbians, homophobia in schools, equal opportunities and diversity in the work place, and successful anti-discrimination strategies

There will be 2 pre-conference events on Wednesday 24th October, a trades union conference, and a seminar run by the Schorer Stichting on commu-

nity-based working.

The HIVOS Foundation has made a significant grant for scholarships, and extensive involvement from Central and East European delegates is expected.

The Conference is being supported by Rotterdam City Council, and by the European Community.

Finally, there will be a full programme of social events in the evenings, including a reception at Rotterdam City Hall, a tour of the city, a cultural evening, and other social events.

The conference is intended both for delegates of ILGA-Europe member organisations, and for individuals interested in and committed to working for LGBT rights at the European level.

For more details of the Conference programme and arrangements, please visit the Conference web site at www.ilgaeurope2001.org. The Conference registration and scholarship application form can be completed online at the web site.

There is a reduced conference fee for registration forms/payments completed prior to 1st August. So why not sign up right away?