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

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ILGA-Europe published guidelines on two EU Directive:

by ILGA-Europe

- on Free Movement Directive:

In 2004, the European Union adopted a new Directive on Free Movement Rights which has relevance for same-sex families who want to exercise their right to free movement. The Directive sets out the rules applying to EU citizens and their family members who wish to move to and reside in another EU member state. While falling short of respecting the right to free movement for all families, the Directive opens the door for some recognition of same-sex families.

The goal of these guidelines is twofold. First, the guidelines are meant to assist organisations in monitoring national law in order to ensure that same-sex families enjoy the fullest protection in accordance with the Directive. Second, this document discusses how the provisions of the Directive can and should be applied to further advance the free movement rights of same-sex families.

- on Refugee Status Directive:

The Directive adopted in 2004 by the European Union sets out the minimum rules governing the award conditions under which of refugee status is granted. This new EU legislation, which defines criteria for being granted refugee status as well as the rights of people recognised as refugees, breaks ground by including specific reference to sexual orientation. As a result, the Directive will be highly relevant to the processing of asylum and refugee claims made by lesbian, gay, or bisexual and transgender people (LGBT)

The purpose of these guidelines is to identify the relevant parts of the Directive for LGBT persons and to enable national

organisations to assess whether national legislation meets the Directive's standards in this area.

Both Guidelines are available on our website: http://www.ilga-europe.org/europe/publications/non_periodical

ILGA-Europe launched new website

by ILGA-Europe

On 11 November 2005 ILGA-Europe launched its new website – www.ilga-europe.org. For the past few months we were busy consulting and putting together ideas on how to improve our site, how to make it more interactive and relevant to our members and all others working in the fields of equality and human rights.

Now we deliver the result of the first phase and on top of all the usual information about ILGA-Europe, its campaigns, projects and publications we provide space for our members and all other equality and human rights professionals and activists to advertise their work. We also provide an LGBT guide to Europe which will have information on LGBT situation in each European country and will explain the main European organisations and their relevance to LGBT people.

Our plan is ambitious! We want our site to be a place where you

- can learn and let others know about useful resources such as reports, books, projects and organisations,
- learn and let others know about news and developments on the situations for LGBT people in different European countries,
- read and exchange useful information and knowledge on lobbying, fundraising and many other areas we are all working on.

We encourage all interested organisations and individuals to contribute to the creation of this unique resource by submitting information on the legal and social situation for LGBT people in individual European countries, submit information on the projects you are planning, currently working on or have completed, resources you produced or know of.

Patricia Prendiville, Executive Director of ILGA-Europe said: “This is a significant development in our communication work. Not only has ILGA-Europe now a contemporary, professional and stylish on-line ‘business card’, but we also improved our ability to provide a space for a virtual networking, learning and information exchange. We look forward to your contributions, feedback and further improvement of the site”.

**ILGA-Europe & IGLYO:
tender for researcher**

by ILGA-Europe

ILGA-Europe and IGLYO are currently seeking a researcher to produce a comprehensive report on ‘Social Exclusion of LGBT Youth in the European Union’.

Proposed project

ILGA-Europe and IGLYO have collected extensive material on the vulnerable situation of lesbian, gay, bisexual and transgender (LGBT) youth across the European Union, and the consequences of discrimination of LGBT youth on their participation and inclusion in society. In 2005, ILGA-Europe has completed a paper presenting the current theoretical thinking around social inclusion of LGBT youth.

Using this data and material, IGLYO and ILGA-Europe now want to bring the research to another stage. In the next phase of the project, we seek to produce a publication to highlight the particular needs of LGBT youth, present examples of good

practices from different EU Member States, and formulate a set of recommendations to support advocacy and policy work in the area of social inclusion of LGBT youth.

The proposed report is intended firstly to give an overview of the situation of LGBT youth across

Europe, in particular in the field of education, and secondly to identify long-term consequences of the exclusion and marginalisation of LGBT youth. This report will review research material and best practices, and it will offer clear recommendations. The report is planned to be presented at a hearing of the European Parliament in the spring of 2006.

Terms of employment

ILGA-Europe and IGLYO are looking for a researcher to collate and to analyse the material which has been already collected, to complete the research where appropriate and necessary and to recommend on issues which require further research. In cooperation with an advisory group, the researcher will also define recommendations to advance advocacy on the issue of social exclusion of LGBT youth. In addition to the research component of the project, the researcher will be asked to coordinate submission of material in languages other than English.

The researcher will be expected to start working in January and to complete the report by the end of March 2006. The contract is for a maximum of thirty working days (rate of 500€/working day).

The researcher will be expected to carry out the following tasks:

- Compile a list collected material and documents, and update an existing database of documentation on social inclusion and LGBT youth;
- Identify gaps in the research and conduct additional research where needed;

- Prepare a working document, based on the collected material, to be discussed and approved by the advisory group;
- Draft a report on social exclusion of LGBT youth in Europe;
- Prepare an annotated bibliography of the collected material;
- Coordinate submission of English summaries of resource material in other languages.

While the project is a partnership between ILGA-Europe and IGLYO, ILGA-Europe will be the coordinating body. An advisory group, made up of ILGA-Europe and IGLYO representatives and external partners will advise the researcher and review the mid-term and final report.

Requirements

The researcher will have:

- Solid research and analytical skills
- Experience of planning and conducting research
- Proven ability to compile and draft reports
- Familiarity with LGBT organisations and network in Europe (preferable)
- Knowledge of social exclusion issues (preferable)
- Excellent writing skills (in English)

Tenders should include:

- An updated C.V.
- A statement of interest (1 page max.)
- A sample of written work
- A short outline on the proposed approach to the project

Completed tenders are to be sent to: evelyne@ilga-europe.org by **30 November 2005** at the latest. The successful tender will be selected by mid-December 2005.

Contact person:

Evelyne Paradis
Policy Officer (Networks)
tel.: +32-2 609 54 13

European Commission's work programme for 2006

Source: European Commission

The European Commission has recently adopted its work programme for 2006, setting out its key priorities for next year. It focuses on the key strategic objectives which the Commission has set out at the start of its mandate: prosperity, solidarity, security and Europe as a world partner. As far as 'solidarity' is concerned, the Commission intends to - among other things:

- set out ideas about how the Union can contribute to tackling the problem of Europe's demographic ageing,
- streamline the open methods of coordination in the social area, and launch cooperation on health and long-term care, "*in order to reinforce the support the EU provides to Member States in their efforts to modernise social protection systems and tackle social exclusion.*"

A mid-term review of the Work Programme in summer 2006 will help the Commission to take stock and, where appropriate, to amend the priority list.

The Commission Legislative and Work Programme 2006 can be downloaded from http://europa.eu.int/comm/atwork/programmes/docs/wp2006_en.pdf

EU Enlargement: Bulgaria and Romania have made "good progress"

Source: European Commission

On 25 October, the Commission adopted its [2005 Comprehensive Monitoring Reports on Bulgaria's and Romania's preparations for EU accession](#). The Reports show that both countries have made 'good progress'. They

should be able to meet the requirements of EU membership at the envisaged date of accession on 1 January 2007 - provided they speed up the reforms, in particular by improving public administration and the justice system, and by fighting corruption effectively. The European Commission will continue to provide financial support in 2006: EUR 545 million to Bulgaria, EUR 1155 million to Romania.

The Commission will continue to closely monitor their preparations. It will review the situation in April/May 2006 when it may recommend, if needed, to postpone the accession of Bulgaria or Romania until 1 January 2008 if there is a serious risk of any of those states being manifestly unprepared to meet the requirements of membership by January 2007 in a number of important areas.

For further information, see: [Memo/05/395](#) and [Memo/05/396](#)
Enlargement website:
<http://europa.eu.int/comm/enlargement/index.htm>

Quick guide to EU employment and social policies

Source: European Commission

A “Quick guide to EU employment and social policies” is now available online in English at:
http://europa.eu.int/comm/employment_social/social_model/index_en.html

A set of 15 policy briefs looks at what the EU is doing to create more and better jobs, ensure social protection and promote equal opportunities for all. The briefs also underline the role of the different policy instruments of EU social policy. The final brief explains what the EU is doing to promote the social dimension worldwide and how the European social model offers lessons for global policy players.

Partnership and age of consent legislation in Andorra

by Helmut Graupner

Andorra’s partnership legislation, similar to the French PACS, is available at:
<http://perso.wanadoo.fr/ciec-sg/Legislationpdf/Andorre-L.UnionsEstables21f-02-2005-EnVigueur24mars2005.pdf>

This year Andorra also adopted a new Criminal Code which lowered the (equal) age of consent from 16 to 14.

Homophobic constitutional amendment gets its first approval by the Latvian Parliament

by Juris Lavrikovs

On 26 October 2005, the Latvian Parliament approved a constitutional amendment to define marriage as a union of a man and woman during the first reading. The amendment was proposed earlier this year by the First Party of Latvia who initiated extreme homophobic campaign against the first LGBT Pride March last July in Riga. Although the First Party is stressing that the aim of the amendment is to protect and strengthen family, they openly stated they want to ensure that Latvia does not join other European countries which provide legal recognition for same-sex partners. They regard this amendment the most important decision to be taken during the current parliament term.

65 members of the 100 seats Latvian Parliament supported the amendment, 5 MPs voted against and 20 abstained. In order for the amendment to pass it needs to go through three readings. Constitutional amendment can be approved if during each reading there are at least 2/3 of the MPs presents and each reading gain support for the amendment from at least of 2/3 of the MPs present during the reading.

The second reading on the constitutional amendment is scheduled for 12 November 2005 and all the submissions regarding the constitutional amendment need to be sent to the Parliamentary Legal Committee (this committee is responsible for the amendment) before 12 November 2005.

Polish leader's anti-gay stance threatens EU voting rights

The Guardian, 25 October 2005

Poland could lose its EU voting rights if its newly elected president continues to oppose gay rights and seeks to introduce the death penalty, the European Commission warned yesterday.

In a shot across the bows of arch-conservative Lech Kaczynski, the commission declared that all member states must abide by EU rules which protect minorities and block the death penalty.

Failure to comply could trigger a special process under the Treaty of Nice which deprives errant member states of their voting rights in ministerial meetings. "We are going to follow the situation very attentively," the principal commission spokesman, Jonathan Todd, said yesterday.

Article continues

The commission intervened after Mr Kaczynski, the Law and Justice party candidate, was confirmed as the winner of Sunday's second round in the Polish presidential election with 54% of the vote. Donald Tusk, a more moderate conservative from the pro-market Civic Platform party, won 46% of the vote.

The election cleared the way for a strengthened Law and Justice party, headed by the new president's identical twin brother Jaroslaw, to launch formal coalition talks with Civic Platform. The two parties won a

conservative majority in parliamentary elections on September 25.

European diplomats will be watching the negotiations carefully after the success of the new president, who made his name as mayor of Warsaw. A strongly conservative Catholic, he refused to allow gay pride marches and supports the death penalty.

Friso Roscam Abbing, the European commission's justice spokesman, warned the new president he must abide by article 6 of the Treaty of Nice, which says that all member states must protect minority rights and not impose the death penalty.

A failure to comply could trigger article 7, which allows the EU to deprive a member state of voting rights. This allows voting rights to be withdrawn if a member state is in "serious breach" of its obligations on human rights.

Swedish Church approves gay blessings

The Local

<http://www.thelocal.se/article.php?ID=2375&date=20051027>

Homosexual couples will be able to have their registered partnership blessed in a special ceremony in the Swedish Church.

The decision follows a vote by the Church Assembly, the highest body of authority in the Swedish Church, on 27 October 2005.

The result, which saw 160 vote for the change, and 81 vote against, was not unexpected, since a Church Assembly committee had already declared its support for the move.

Gay marriage received another boost on that day with the news that from the spring of next year civil registrars may not be able to refuse to conduct partnership ceremonies for homosexual couples.

Currently, civil registrars may refuse gay partnership ceremonies and one fifth of Stockholm district's 256 registrars are not registered to perform them.

But that will change if a new law comes into force as planned by the government on April 1st, reported Dagens Nyheter.

"Those who refuse will lose their authorisation to perform wedding ceremonies," said Niklas Ljunggren, legal adviser at the Ministry of Justice.

Gender Equality in Europe towards 2007-2013, Brussels, 21-22 November 2005

The Interreg III C North Zone project W.IN.NET (Women In Net) holds its final conference whose aim is to launch the European Women's Resource Centres (WRCs) network and its Internet communication platform. It is also aimed at exchanging views with the European Institutions, national authorities, other networks and key stakeholders from the EU25 and beyond, on the future of the European gender policy and mainstreaming strategies and tools.

For further information and registration (deadline: 14 November), see: <http://women.eu.com/>

The Right to Be Different: International Conference on LGBT rights

26-29 July 2006, Palais des Congrès [Convention Centre], Montréal [2000 participants!!!]

This not-to-be-missed conference starts 9 months and 13 days from today! It will feature 7 plenary sessions with prominent keynote speakers from around the world, and 5 workshop sessions, with up to 75 workshops per session or up to 375 workshops in all. Joke Swiebel (openly lesbian Member of the European Parliament,

1999-2004) and I are Co-Presidents of the International Scientific Committee that is organising the content of the Conference.

(1) If you would like to speak in a workshop at the conference, please see the Call for Proposals (http://www.montreal2006.org/Call_for_Proposals_Montreal2006.pdf), follow the instructions in the Call, and send your proposal (preferably for a panel of 3 or 4 speakers, if possible, or for a single speaker) to conference@montreal2006.org **by no later than 31 October 2005**. The Conference is completely interdisciplinary and is by no means limited to lawyers or academics or activists.

(2) After sending your proposal, you and any other speakers in your workshop should register for the Conference using the same system as for the Outgames (http://www.montreal2006.org/en_register_now.html), and pay the Conference registration fee (http://www.montreal2006.org/en_registration_fee.html). Unfortunately, participants who are not eligible for the Outreach Programme (more information about this later; it is intended mainly for participants from Africa, Asia, Eastern Europe and Latin America) will have to seek an alternative source of funding for their registration fee and travel and accommodation expenses (e.g. a governmental or non-governmental organisation, private foundation, trade union, or university).

(3) If you would like to attend the Conference but do not wish to speak, you are most welcome! You do not need to respond to the Call for Proposals. You only need to register (see (2) above).

(4) Whether you plan to be a speaker or other participant in the Conference, or are unable to attend the conference, **PLEASE FORWARD THIS MESSAGE TO ANYONE YOU THINK MIGHT BE INTERESTED IN THE CONFERENCE**. If you have already done so, please do so

again as a reminder, now that the opening of the Conference is less than 10 months away.

New book on housing rights

Housing Rights and Human Rights (ISBN 9075529449) by Dr. Padraic Kenna is published in 2005 by FEANTSA – the European Federation of National Associations Working with the Homeless in Brussels. It is available from FEANTSA from mary.fay@feantsa.org for 10 euro including postage

Housing Rights and Human Rights sets out in one publication the range of international instruments which States have accepted guaranteeing housing rights to their citizens and others. It provides a valuable guide to understanding the origins and extent of contemporary human rights and housing rights instruments. The book examines the development and current status of housing rights as they are defined, monitored and implemented (or not) in line with various obligations of States, derived from the legal instruments of the United Nations, the Council of Europe and the European Union.

Housing Rights and Human Rights offers a valuable source of inspiration, as well as an established corpus of law and standards to counter ‘the race to the bottom’, where States compete for foreign direct investment,

low capital taxation levels and ‘competitive labour markets’, by reducing rights.

The book also examines the position of housing rights within the ‘new governance’ of the EU involving a shift away from hard law, towards such methods as the open method of co-ordination within the social inclusion policies of the Union. It posits the relevance of fundamental rights, such as are set out in the EU Charter of Fundamental Rights, in the context of these developments and the growth of New Public Management. The book provides an analysis of relevant EU reports and literature in this area.

Housing Rights and Human Rights provides an invaluable valuable source of information, including website addresses, for research, campaigning, advocacy or litigation purposes in the area of housing rights.

Dr. Padraic Kenna is a lecturer at the Faculty of Law, National University of Ireland, Galway, and has been involved in housing organisations for many years in developmental and advocacy roles. He has considerable expertise in socio-economic rights, especially housing rights at international and national level. Dr Kenna is currently chairperson of the FEANTSA Expert Group on Housing Rights.

Further information from
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