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For more information see:

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

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Message from Dirk

Dear Euroletter readers, ILGA-Europe members, friends and supporters,

This month a new season of LGBT Pride events started. Unfortunately Europe still witnesses bans, homophobic rhetoric and violence. Moldovan LGBT activists organised a series of indoor events and considering recent developments in the country abandoned the idea of a March. The Baltic Pride March became a pre-election tool for homophobic politicians in Riga, it was banned, but fortunately the ban was lifted by the court and the March went ahead accompanied by loud religious protesters. Moscow Pride was banned once again by the mayor and the police ruthlessly arrested those activists trying to exercise their constitutional right to peacefully express their views and gather together. Municipal authorities in the Ukrainian town of Mykolayiv prevented LGBT activists from staging the entire festival!

At the same time there are also encouraging news – LGBT activists in St Petersburg and other Russian towns successfully organised Rainbow Flashmobs and provided visibility to LGBT community in the country.

How long Europe will tolerate such blatant violations of one of the fundamental rights for peaceful assembly? We need to find the way to end such peculiar 'interpretations' of the national constitutions and the European Convention of Human Rights by some local authorities.

The other item I would like to mention is that there only a few days left before citizens of the European Unions will go to the polls and vote for a new European Parliament. Our Be Bothered! campaign has already successfully mobilised nearly 500 candidates from 24 EU member states for our 10 point Pledge. We hope that during those few remaining days more candidates will join us and will pledge to fight discrimination and injustices. We also hope that most of you and your friends will be active during these elections and will vote for the candidates who support human rights and will continue ensuring that the European Parliament is our strongest and closest ally in our joint quest for Europe of equality and respect for everyone!

Dirk De Meirleir

Executive Director



Staff news: Richard Köhler

by Maxim Anmeghichean, ILGA-Europe's Programmes Director

On 18th of May ILGA-Europe welcomed Richard Köhler into its team in the newly created position of Programmes and Policy Officer for Russia within the Programmes Service Area. In this post, Richard will oversee ILGA-Europe's work on building capacity of the Russian LGBT movement and advocacy before European institutions related to LGBT situation in Russia.

Richard is an experienced activist from Berlin, Germany, member of the steering Committee of Transgender Europe, and has previously worked for the German development agency GTZ in a programme supporting national ethnic minorities living in the ex-Soviet Union. Richard studied International Business Administration at the European University Viadrina (Frankfurt/ O) and Copenhagen, Denmark. In 2001 he has been living for a year in Russia, taking part in the European Volunteer Service. Since then Richard has been in on & off in Russia, Ukraine and Kyrgyzstan being active in the fields of HIV-Prevention, Youth-exchange and LGBT empowerment.

You can contact him at richard@ilga-europe.org or on the [phone + 32 2 609 54 10](tel:+3226095410).

Be Bothered! campaign

by Juris Lavrikovs, ILGA-Europe's Communications Manager

There is only one week left before the European Parliament Elections 2009. ILGA-Europe and its members did great a job and already managed to get 500 MEP candidates from 24 EU Member States to sign ILGA-Europe's European Election Pledge. The signatures and the candidates' commitment to fight discrimination on the grounds of sexual orientation and gender identity is just one part of our campaign. There were numerous meetings/debates organised by ILGA-Europe's members with the candidates. A lot of work has been done also to mobilise voters across the EU to take an active part in the elections and to make an informed decision on who to vote for.

During the last week before the elections we encourage our EU members and supporters to continue being engaged with the candidates, to raise the issues of human rights and LGBT peoples' rights, and to challenge those who do not necessarily support full equality for LGBT people.

On our campaign website you can find information on who signed ILGA-Europe's European Election Pledge. You can check how MEPs voted on 7 major reports/resolutions on human rights and LGBT rights during the last Parliament (2004-2009). We also provide additional resources which will enable you to get better understanding on how the Parliament works, and why it is important to vote.

Be active, be bothered, and vote! Let's make sure the next European Parliament remains our friend and closest ally in our fight for equality and respect!

www.ilga-europe.org/EuropeanElections2009

ILGA-Europe and TGEU's Transgender Rights & Capacity Building Seminar

by ILGA-Europe's Policy team

More than 40 participants gathered in Budapest from 29 April to 2 June for the Transgender Rights & Capacity Building Seminar organised by ILGA-Europe in liaison with Transgender Europe (TGEU).

The aim of this seminar was to build further capacity amongst activists for transgender rights. The focus of the first day was the mapping of the current state of the art with regard to transgender issues in the EU and how TGEU, ILGA-Europe and the activists at national level can enhance their effectiveness at local, national and regional level. The following days were dedicated to capacity development on how to build a strong movement advocating for the rights of trans people. Throughout the event, several participants had an opportunity to make presentations about the situation of trans people in their country and to share good, and bad, practices from their organisations.

Later this year, ILGA-Europe will be holding a Trans pre-Conference to its Annual Conference (October 2009) which will be looking at the level of sensibility that the European Institutions place on trans human rights.

For more information on this seminar or ILGA-Europe's work on the rights of transgender people, please contact Silvan Agius at silvan@ilga-europe.org

Human Rights Commissioner of Council of Europe to conduct a study on LGBT situation across Europe

Source: http://www.coe.int/T/dc/files/CallForTenders/apof2009ao08_en.asp

The Office of the Commissioner for Human Rights of the Council of Europe announces a call for tenders for the project *"Comparative study on the situation concerning homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in the Council of Europe member states"*.

The aim of the tender is to provide the Commissioner for Human Rights with a comprehensive report containing a socio-legal analysis of the situation of lesbians, gay, bisexual and transgender (LGBT) persons in the Council of Europe member states.

If you/ your organisation/ your company wish to be consulted and have the expertise satisfying ALL criteria specified in the document *"Technical specifications for project "Comparative study on the situation concerning homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in the Council of Europe member states"*, please indicate your interest in this call for tenders by sending an e-mail, one page maximum, to: cdm@coe.int giving the following reference: 2009 AO 08. You will then receive the document mentioned above.

The e-mail should contain:

- Your contact details (e-mail, postal address, and telephone number of person to be contacted)
- A brief description of your organisation/ company (activity, number of staff, locations)
- Reference to related activities in this field

To apply, your organisation or company must be based and legally registered in one of the Council of Europe member states.

For further specific requirements, please consult the document *"Technical specifications for project "Comparative study on the situation concerning homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in the Council of Europe member states"*.

The deadline for submitting bids is **24 June 2009 at 2PM CET**. The tender bids may be submitted in English or French, the two working languages of the Council of Europe.

The Council of Europe reserves the right not to contact you concerning this call for tenders if you do not satisfy the specified criteria or fail to supply some of the information requested.

Lithuanian Parliament urged to stop anti-democratic law amendments

Source: media release from the European Parliament's Intergroup on LGBT rights, 14 May 2009

European Parliament's Intergroup on gay and lesbian rights urges the Parliament of Lithuania (Seimas) to stop the anti-democratic law amendments which would severely impair the freedom of speech of LGBT citizens. Lithuanian government has proposed to amend the law on protection of children and if passed, it will criminalise public information of any kind on homosexuality or bisexuality.

"I am shocked and dismayed that in Lithuania, which has been a member of the European Union for 5 years, such a legal text can be proposed ", said Michael Cashman, President of the Intergroup. "This proposal is not only a grave disrespect towards common European values on equality of all our citizens, but also is a breach of Lithuania's European and international liabilities in the area of human rights. Lithuanian government should work against discrimination on the ground of sexual orientation and not promote discrimination."

"International Convention on the Rights of Child rules that States shall respect rights of a child without discrimination of any kind. Child shall have the right to freedom of expression, which includes freedom to receive information of all kinds. It is peculiar that this law which is meant to protect children actually will diminish their rights," adds Mr. Cashman. "The European Parliament has asked the European Commission to intervene. It is unacceptable that a Member State of the EU cracks down on democratic rights of its citizens."

Greek court rules first same-sex weddings invalid

Source: Reuters, Athens (by Renee Maltezos, editing by Paul Casciato)

www.reuters.com/article/worldNews/idUSTRE54449H20090505

The Civil Court of island of Rhodes ruled that the first ever same sex civil marriages that took place last June in the town hall of the tiny neighbouring island of Tilos were invalid. The case was brought to Court by the Public Prosecutor last June, after the mayor of island of Tilos agreed to marry a gay and a lesbian couple, based on the fact that the Greek civil code does not explicitly require the difference of sex as prerequisite for marriage.

The fact that the institution of marriage in Greece refers to heterosexuals only has always been a - solid-matter of interpretation of the law; hence, such a decision of the Court was expected. However, this “legal activism” has surely been beneficial not only in terms of publicity and awareness-raising but also – and most importantly – as part of the long term socio-legal effort for the recognition of same sex partnerships in Greece. Interestingly the Court’s decision concludes with the following paragraph: *«Certain necessary observations, though, have to be made regarding the issue that came up with this action at law; taking into consideration that the national legislation is growing and evolving in order to actually reflect the social reality and the contemporary demands, and that, in the context of the function of the European union it is indeed subject to interaction between itself and the law of the member states, a legislative solution to the issue of the partnership pact in particular is safer. Towards that direction, it has to be highlighted that many European countries have already legally recognized same sex partnerships (Denmark 1989, Sweden 1994, Holland 1998, France 1999, Germany 2000, Finland 2001, Luxemburg 2004, Ireland 2005, United Kingdom, Czech Republic and Slovenia 2005)».*

The two same sex couples are currently preparing their appeal, aiming to exhaust all legal remedies in Greece and have the right to take their case to the European Court of Human rights; nevertheless – and for the sake of its possible argumentation - a Court of Appeals decision is eagerly anticipated.

France: "Disordered no more!"

by *Laura Leprince, HES - Déléguée aux Questions d'Identité de Genre*

The French Health Ministry made an announcement on 16 May 2009 stating that France will no longer consider transsexuality as a psychiatric disorder. The "Haute Autorité de Santé" (main medical authority) is assigned to propose a decree to enforce this new situation. The main consequence of this policy change is that transsexuality shall be declassified from a long term psychiatric disorder class within the French health insurance codification.

This classification has the advantage to provide full medical insurance coverage (medicine and surgery) to people who are diagnosed with gender dysphoria for a period of a minimum of 5 years. Without going into the details, the French Health Ministry promised that a medical coverage will be maintained.

French LGBT activists are very happy with this governmental announcement mainly because of its strong symbolic dimension. Yet, there are concerns too, since two months ago this same Haute Autorité de Santé had called for a public consultation about a new health organisation and care practises for transsexuals.

The new French proposal is similar to the Belgium health care system and procedure with centralisation in few medical centres along with unacceptable restrictions like:

- mandatory authorization for any doctor that would like to provide care to transsexuals,
- a national register of transgender people (purposively to make medical study and follow up but also to prevent trans people from changing their practitioners in case of dissatisfaction),
- standardised medical transition that would still not follow the Standards of Care (SOC) updated in 2001 by the World Professional Association for Transgender Health (WPATH) including for example a mandatory real life test without hormones

In a country where gender reassignment and sterilisation remain mandatory to get its papers changed, the requirement for closer control of the French transgender population by medical centres cannot be excluded. This will continue to exclude transgender people that would not fit the requirement of the standard full transition path. This is also likely to push more people to auto-medication, by closing the doors of all practitioners that had made some move to follow at least the Standards of Care.

Austrian Administrative High Court lifts Mandatory Surgery for Transsexuals

by *Rechtskomitee LAMBDA*, 28 April 2009

As just announced the Austrian Administrative High Court in a landmark judgment of 27 February 2009 declared mandatory sex change surgery for transsexuals unlawful.

Rechtskomitee LAMBDA (RKL), Austria's civil rights organisation for homo- and bisexual as well as transgender women and men, speaks of a historic decision. Austria, different than other countries (Spain, United Kingdom, Hungary, Sweden and Estonia) only recognized the new gender of (male-to-female-)transsexuals if they let remove their genitals. Not all transsexuals however are able to fulfil this condition, be it for their age, their health or their social situation.

Mandatory sex change surgery today is outdated and not scientific state of the art anymore. On the contrary it is understood as a human rights violation. So the Yogyakarta Principles, elaborated in November 2006 by leading international human-rights-experts say: "No one shall be forced to undergo medical procedures, including sex reassignment surgery, sterilisation or hormonal therapy, as a requirement for legal recognition of their gender identity."¹

In that sense also the Council of Europe's High Commissioner for Human Rights in his report of 12 December 2007 asks that legal recognition of the new gender be not made contingent upon a sex change surgery.²

And also the German Constitutional Court said that mandatory genital surgery contradicts today's scientific evidence: "Scientific literature sees no good reasons anymore for discriminative practices, regarding civil status, between transsexuals with or without surgery"³

Finally practice in Austria is also discriminatory on the basis that only male-to-female-transsexuals are required to engage into genital sex change surgery.

¹ www.yogyakartaprinciples.org

² <https://wcd.coe.int/ViewDoc.jsp?id=1225149&Site=COE&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864>

³ BVerfG, 1 BvL 3/03 vom 6.12.2005, 25, 66

LGBT festival banned in Ukraine

by **Beth Fernandez**, *ILGA-Europe's programmes Officer*

LiGA, an LGBT organization Mykolayiv in the South of Ukraine, was prevented from holding its *Rainbow Spring festival* planned from 15 until 17 May to coincide with the International Day Against Homophobia.

On 6 May 2009 the city authorities of Mykolayiv sent a letter to LiGA banning any public event organised as part of the festival, on the grounds that:

- It would have a negative impact on the moral and spiritual atmosphere in the city
- The majority of residents do not agree with manifestations of 'non traditional sexual culture' and
- It would result in mass civic unrest and disorder.

Ukrainian legislation on freedom of assembly requires that those wishing to conduct a public assembly inform the relevant authorities but does not oblige them to obtain permission. In the given case, however the Mykolayiv city authorities acted on letters received from other citizens without having received any notice from LiGA about a public event. The letter was followed by the issuance of a Court summons.

LiGA attended the Mykolayiv Central Administrative Court on 12 May where the Court took the decision to proceed with the civil court case. On 14 May it upheld the request of the Mykolayiv City Administration to ban the entire festival on the grounds that the festival could result in civil disturbance.

On 16 May, an exhibition which was due to be held in the Mykolayiv exhibition hall by LiGA was blockaded by members of three protesting civil society groups. Though the police on this occasion seem to have acted to prevent further violence and dispersed the crowd who were blockading the exhibition space, the events (a poetry reading) had to be cancelled and 3 photographs which featured in the exhibition had been taken. LiGA intend to recover the photographs through Court action.

The ban violates the fundamental human rights of freedom of expression and assembly guaranteed by the European Convention on Human Rights. Furthermore it is contrary to the obligations contained in the EU-Ukraine Action Plan.

ILGA-Europe has been cooperating with IGLHRC and COC-Netherlands in drawing the attention of regional and international institutions to the case and will continue to do its utmost to assist LiGA as it fights the ban.

"Rainbow Flashmob" in Russia

by *Maxim, LGBT Network – Russia, www.lgbtnet.ru*

On Sunday, May 17 2009 LGBT activists in 40 cities all over Russia staged a so-called "Rainbow Flashmob" dedicated to the International Day Against Homophobia and Transphobia.

At 2pm local time everyone was encouraged to take some multi-colored balloons and let them fly in the sky, and then share their photos and stories on the Web .

The most crowded flashmob happened today in St. Petersburg. About 250 people participated in it. The march started at Ligovsky prospect, then participants wearing special t-shirts dedicated to the flashmob went down the central street of the city, Nevsky prospect. They handed out leaflets to people in the street along the way.

The final stop was the Strelka (the eastern tip of Vasilyevsky Island in St. Petersburg) - one of the most beautiful places of the city.

There activists let their numerous multicolored balloons fly in the sky.

Shortly after the flashmob started, it was followed by the police patrol. But policemen couldn't find any legitimate reason for detention, and the march went on.

"Rainbow Flashmob" in St. Petersburg was staged by the Russian LGBT Network and local organizations "Vykhod" (Coming out) and "LesbiPARTYya". The motto of the flashmob was "We are not anymore acting like we don't exist".

It's worth mentioning that the flashmob on Sunday, May 17, 2009 was currently the most attended public street action event in the history of Russian LGBT movement.

Various Pride events

by Juris Lavrikovs, ILGA-Europe's Communications manager

Chisinau - "Rainbow over the Dniester"

This year's Moldovan LGBT Pride event known as "Rainbow over the Dniester" festival took place in Chisinau from 7-9 May. Due to the post election violence in the streets of Chisinau, the organisers took the decision to postpone the planned demonstration for the adoption of comprehensive anti discrimination law until 10 December on International Human Rights Day. Two members of ILGA-Europe's staff took part in the festival and you can read their report on our website:

www.ilga-europe.org/europe/guide/country_by_country/moldova/moldova_pride_2009

Riga – Baltic Friendship Days/Pride

The first Pride event bringing together representatives of all three Baltic countries took part in Riga on 15-17 May. ILGA-Europe partnered with the Baltic and Brussels Prides with an aim to highlight the gaps which still exist in relations to the situation for LGBT people in the EU. The pride March was originally allowed, later banned by the city, but the organisers successfully challenged the ban in the court. The pride March went ahead without any incidents and was accompanied by hundreds of protesters behind the police fences. Read extensive coverage of the Baltic pride on our website:

www.ilga-europe.org/europe/guide/country_by_country/latvia/baltic_friendship_days_2009

Moscow Pride

Moscow Pride was yet again banned by Youri Luzhkov, the mayor of Moscow. Those activists who defied the ban and went to the streets were arrested by the police. The Pride March was planned for 16 May to coincide with final of the Eurovision Song Contest 2009 taking place in Moscow. You can read more and view a video from Moscow Pride on BBC website:

<http://news.bbc.co.uk/2/hi/europe/8053181.stm>

Bucharest - Gay Fest 2009

Several hundred people marched in Bucharest on May 23 for the fifth consecutive year, under police protection. No incidents were registered. Photos from the March for Diversity at:

http://cotidianul.ro/foto/gay_parade_in_imagini-22707.html

Call for papers - LGBT Families: The new Minorities?

by *Roman Kuhar*

The Peace Institute (Institute for Contemporary Social and Political Studies, Ljubljana) and GLBT non-governmental organization Legebitra (Ljubljana) in cooperation with The Institute of Sociology (Hungarian Academy of Sciences, Budapest) and ILGA-Europe will hold an international seminar **LGBT Families: The new Minorities?** in Ljubljana, Slovenia, 16-18 October 2009.

The main aim of the seminar is twofold: in the conference part of the seminar we want to make an overall review and comparison of the existing qualitative and quantitative data on LGBT families, primarily in the new EU member states. We would like to invite academics and activists to present their (sociological) research on any aspect of everyday life of LGBT families. The topics to be addressed in the papers and presented at the seminar are (but not limited to):

- Everyday life of LGBT families;
- Media representations of LGBT families;
- Violence, structural and other forms of discrimination towards LGBT families;
- LGBT families and school/kindergarten environment;
- LGBT families as a political issue;
- Issues related to adoption, artificial insemination etc;
- Social parenting
- LGBT families as families of choice
- Issues related to transgender families

In the workshop part of the seminar, we will organize a public round-table in order to stimulate the debate on the legal and social position of same-sex families, to exchange examples of good practices, to address practical problems and issues same-sex families face in everyday life etc.

Deadline for abstracts: 10 June 2009 (max. 1.800 characters).

Please send your abstract and CV to roman.kuhar@mirovni-institut.si

Deadline for papers (for possible publication): September 15, 2009 (max. 45.000 characters)

The seminar language is English.

Final Call for Papers on Sexual Orientation at 2009 EOI Conference EOI
2009 Conference, 15-17 July 2009, ISTANBUL, Turkey Equality, Diversity and Inclusion in Times of Crises?
www.eoi-conference.org

Stream Call for Papers: Spirals of Silence? Tackling the 'invisibility' of the sexual orientation strand and sexuality in academic research and in organisation equality and diversity policy and practice

by *Fiona Colgan, London Metropolitan University*

An important recent change for lesbian, gay and bisexual (LGB) people in Europe has been the prohibition by legislation of discrimination in employment on grounds of sexual orientation. The Employment Equality Directive (2000) has required all Member States to introduce legislation making it unlawful to discriminate on sexual orientation. It is argued that this is long overdue given that the limited research to date has shown that LGB people experience discrimination and harassment at work and service provision in organisations.

In addition to pointing to the cost of discrimination to LGBT people in terms of health and quality of working life, it has been argued that organisations which do not promote inclusive, working and service environments are less likely to reap the rewards of a well motivated LGBT workforce. Yet, of all the strands covered by equality/diversity policy, sexual orientation has been described as one of the most 'sensitive?', 'taboo?' and indeed 'invisible' areas of diversity in policy, employment and organisation studies (Bowen and Blackmon, 2003). Research on sexual orientation remains 'thin on the ground' at conferences and in academic and practitioner journals. This stream will welcome theoretical, experiential, policy based and empirical, theoretical and methodological papers from researchers and practitioners who would like to explore themes on sexuality and sexual orientation within organisations and equality and diversity policy and practice so rendering work in the area 'visible?' and providing the space and opportunity for discussion in this stream at EOI.

Abstracts (300 words) should be submitted electronically by 15th May 2009 although late submissions up until 9th June may be made subject to stream chair's discretion (f.colgan@londonmet.ac.uk). Please submit papers through the EOI web site:

www.eoi-conference.org/

Paper presentations at the conference will 30 minutes long (20 minutes presentation, 10 minutes for discussion)