

EURO-LETTER

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ILGA-EUROPE:

ILGA-Europe welcomes condemnation of homophobia by European Parliament

ILGA-Europe media release, 26 April 2007

On 25 April 2007, members of the European Parliament debated, and on 26 April adopted a new resolution on homophobia in Europe. The resolution highlights the general problem of homophobia at pan-European level and makes a number of specific references to Poland and a climate of state-sponsored homophobia in that country.

ILGA-Europe is very pleased that the European Parliament has repeatedly demonstrated its leading role in the observation of human rights in EU member states. This is the third resolution on homophobia adopted by the European Parliament in a relatively short time. ILGA-Europe is pleased that despite calls from some members, the European Parliament denied a motion not to debate this resolution and voted for it.

ILGA-Europe is also pleased to hear repeated the commitment to uphold EU anti-discrimination legislation from the European Commission. Following the debate at the parliament, Vladimir Špidla, the EU Commissioner for Employment, Social Affairs and Equal Opportunities, made it clear that if adopted, the controversial proposal by the Polish minister of education would clearly contravene the EU anti-discrimination legislation.

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

“Some expressions during yesterday’s debate at the European Parliament are living proof of homophobia existing in Europe. We are very pleased that the Parliament rejected the motion not to discuss this issue and voted for the resolution.

Homophobia is, unfortunately, alive and well across Europe and the firm stance of the European Parliament is crucial for furthering the fight against discrimination and prejudice which LGBT people in Europe face on a daily basis. The European Parliament is the only elected institution in the EU and directly represents the EU citizens. Yesterday’s debate and its positive outcome is an important signal – the majority of European citizens’ representatives condemn homophobia.

We will continue working with all institutions towards strengthening and enhancing protections against discrimination on the grounds of sexual orientation and gender identity. We particularly look forward to working with the Fundamental Rights Agency which is currently conducting research on homophobia in Europe which we hope will become the basis for further actions by other EU institutions to combat homophobia.

Another development which we await and anticipate is the strategic initiative on extending protections

against discrimination on the grounds of sexual orientation in areas outside employment, which Commissioner Špidla also referred to yesterday in Parliament.”

Text of the resolution is available on our website: [www.ilga-](http://www.ilga-europe.org/europe/news/ilga_europe_welcomes_condemnation_of_homophobia_by_european_parliament)

[europe.org/europe/news/ilga_europe_welcomes_condemnation_of_homophobia_by_european_parliament](http://www.ilga-europe.org/europe/news/ilga_europe_welcomes_condemnation_of_homophobia_by_european_parliament)

You can view video recording of yesterday’s debate at the European Parliament’s website:

www.europarl.europa.eu/eplive/vod/seance_en.htm?Date=20070425 scroll down to topic “Homophobia in Europe” on right hand side section “Today’s topic”.

Last two resolutions of the European Parliament on homophobia in Europe:

- Resolution on the increase in racist and homophobic violence in Europe, 15 June 2006

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

- Resolution on homophobia in Europe, 18 January 2006

[www.ilga-](http://www.ilga-europe.org/europe/news/ilga_europe_welcomes_europarlament_s_resolution_on_homophobia_in_europe)

[europe.org/europe/news/ilga_europe_welcomes_europarlament_s_resolution_on_homophobia_in_europe](http://www.ilga-europe.org/europe/news/ilga_europe_welcomes_europarlament_s_resolution_on_homophobia_in_europe)

ILGA-Europe launches campaign on freedom of assembly for LGBT people

ILGA-Europe media release, 25 April 2007

ILGA-Europe launches a campaign on freedom of assembly and expression for lesbian, gay, bisexual and transgender (LGBT) people in Europe.

The centrepiece of this campaign is an appeal which ILGA-Europe is sending to mayors of European cities asking them to sign and therefore demonstrate their support of the right to freedom of assembly and expression for LGBT people. The appeal is also open for signing by cultural, sporting and political celebrities in Europe. While the collection of signatures will continue until September 2007, the first signatories will be announced on 17 May, the International Day Against Homophobia. On the same day, the appeal with first signatures will be sent to the mayors of those European cities where LGBT Pride marches and other public events were banned, restricted or faced violence.

During the last couple of years city authorities in various European cities banned or significantly restricted LGBT Pride marches and other public event. In some cities LGBT people, when exercising their constitutional right of peaceful assembly, faced violence and on some occasions police authorities provided little or no protection.

Such gross violations of fundamental right to freedom of peaceful assembly and expression by LGBT people were condemned by various international and European intergovernmental and non-governmental organisations. On 28 March 2007 the Congress of Local and Regional Authorities of the Council of Europe adopted a resolution on this subject calling on the local authorities to respect and guard the right of LGBT people to freedom of peaceful assembly and expression.

Campaign details are available on our website:

www.ilga-europe.org/europe/campaigns_projects/freedom_of_assembly_and_expression

Training in Romania

by Christine Loudes

From the 17th to the 20th of April, 30 activists from as far a field as Israel took part to two human rights training organised by ILGA-Europe in Sinaia (Romania).

The first seminar on video monitoring of human rights violation -with a special focus on Pride marches- allied advocacy and video technology. The seminar was run by Violeta Karasnic and Ryan Krautz who work for Witness (www.witness.org). Participants were very satisfied by the training and returned home with video camera distributed by Witness. Many participants agreed to send footages collected during pride marches to ILGA-Europe for the making of a film on pride marches in Europe which will be used for lobbying international institutions in order to uphold the right to freedom of assembly of LGBT people.

The second seminar on reporting human rights abuses faced by LGBT people was run by Judith Dueck a human rights consultant and member of the board of HURIDOCS. The participants were also very satisfied and are now better equipped to report human rights violations faced by the LGBT community and individuals to human rights institutions at national and international level.

The seminars were also the occasion to discover Romanian gastronomy, get a glimpse at Dracula's castle and build stronger links between members and ILGA-Europe. Pictures of the event will soon be on our website.

FUNDING OPPORTUNITY:

Call for Applications ILGA-Europe Human Rights Violations Documentation Fund

by ILGA-Europe

ILGA-Europe announces third call for proposals within its Small Pilot Human Rights Violations Documentation Fund with support of the Sigrid Rausing Trust. The goal of the fund is to promote documentation of cases of discrimination, hate crimes and other human rights violations against LGBT people according to the international human rights standards.

The small pilot fund will support small and medium-scale projects (up to 5,000 euros with no minimal amount requirement) intended to document (cases of) discrimination, hate crimes and other human rights violations committed on the basis of sexual orientation, gender identity or gender expression, as well as dissemination of the documented information.

Further details: http://www.ilga-europe.org/europe/funding_capacity_building/funding_opportunities/ilga_europe_human_rights_violations_documentation_funds/ilga_europe_human_rights_violations_documentation_fund_third_call

Funding for NGOs in member states who accessed to the EU on May 2004

by European Commission

The European Commission's Directorate-General for Justice, Freedom and Security has launched a call for proposals which aims to select projects that will be co-funded by the European Union to support civil society in the Member States which acceded to the EU on 1st May 2004. The project areas will be: the rule of law, democracy, fundamental rights, media pluralism and the fight against corruption. The deadline for applications is 15 May 2007.

http://ec.europa.eu/justice_home/funding/2004_2007/support_ngo/doc/support_ngo_call_2006_en.pdf

EUROPE:

Recent developments on the Fundamental Rights Agency

by Christine Loudes

The post of director of the fundamental rights agency is has been advertised in the official journal of the EU on the 31 March 2007 <http://eur-lex.europa.eu/JOhtml.do?uri=OJ:C:2007:074A:SOM:EN:HTML> It is really essential that a good person gets selected as it will strongly determine the type of work the FRA will undertake. ILGA-Europe has circulated this vacancy to people working in the human rights field. If you know someone who has strong human rights record (internationally) and have also experience of management of human rights institution. The person also needs to hold citizenship of the Union. ILGA-Europe will be monitoring the selection process and will work with the European Parliament to feed relevant information when candidates will be short listed. So any information (good or bad) on candidates are welcome.

The FRA has also published a public consultation regarding cooperation with civil society. The consultation is conducted through a questionnaire that you can access on the FRA website (www.fra.europa.eu). The questionnaire concerns the type of methods that the FRA should use and the area of work. It is accessible in English French and German. The consultation process will last until 18 May 2007. The replies to the consultation will feed into the development of a strategy for the Fundamental Rights Agency's civil society cooperation. It is important to highlight the work that the FRA should be doing in relation to rights of LGBT people. During the LIBE debate on the 11th April, MEPs recommended that the FRA should conduct research on homophobia in Europe, your response to the questionnaire can contribute to making this a priority.

For more information on the FRA please contact Christine: christine@ilga-europe.org

Journalist Award winners announced

by European Commission

An undercover report on working conditions for migrant workers in Italy has won first prize in the 2006 'For Diversity. Against Discrimination.' Journalist Award. Italian journalist Fabrizio Gatti researched the article by working alongside other migrants in southern Italy, witnessing a situation he likened to slavery.

Second prize went to Hungarian journalist Miklós Hargitai for his article tackling the complex issue of adoption of children from ethnic minority groups. Third prize was claimed by Petra Sjouwerman from Belgium, who highlighted the benefits of one company's recruitment of autistic workers.

A special Young Journalist Award went to Henna Helne from Finland for her piece on people facing discrimination on multiple grounds of age, gender and ethnic origin.

European Commissioner Vladimír Špidla presented the winners with trophies at a ceremony in Brussels on 16 April. The journalists also receive a total of over €10 000 prize money for study trips within the European Union.

Winning articles include items from Latvia, Malta, Poland, Germany and Lithuania covering various aspects of the rights of LGBT people.

The 2007 edition of the EU Journalist Award is open for entries. Journalists from the 27 EU Member States are invited to submit their work by the deadline of 30 September 2007.

Further information <http://journalistaward.stop-discrimination.info/>

EU Parliament slams Croatia's Church-backed sex education

Source: *EU Business*, 24 April 2007, <http://www.eubusiness.com/Social/sex-education-croatia.23/>

The European Parliament slammed a proposed conservative, Church-backed sex education program in Croatia, saying it encouraged discrimination.

In a letter sent to top Croatian officials, the EU parliament deputies voiced "concern regarding the potential implementation ... of a reproductive health and sexual curriculum put forward by the GROZD Association" of parents. The program "supplies medically inaccurate and incomplete information about sexual and reproductive health and family planning as well as about available and legal contraceptive methods," read the letter seen by AFP.

"Implementing a curriculum encouraging stigma and discrimination" could jeopardise progress Croatia has made in over the issue, said the deputies, who are members of a working group on reproductive health. They warned the proposed curriculum was "gender-biased and features negative attitudes towards homosexuality, thus contradicting Croatian laws which prohibit discrimination based on gender or sexual orientation."

The program proposed by the GROZD Association is backed by the Roman Catholic Church and is in line with Vatican teaching that there should be no sexual relations outside marriage, no safe sex, and no homosexuality. It has been approved by Croatia's education ministry and needs the health ministry's approval in order to be introduced in elementary and secondary schools later this year.

Local non-governmental organisations have already urged authorities to reject the program because it was not based on scientific research and did not take into account statistics according to which Croatians have sex for the first time at an average age of 17. Almost 90 percent of Croatia's population of 4.4 million are Roman Catholics.

SAME-SEX FAMILIES:

Gibraltar: GGR challenges government on housing rights

Media release by Equality Rights Group GGR, 13 April 2007

“Discrimination against sexual minorities comes in many forms in Gibraltar. None is clearer than in the area of housing. Whilst it is our understanding that the Housing Dept justifies a discriminatory policy against joint tenancies between same-sex couples on the basis that priority must be given to ‘families’ in a situation of low housing stock, this is both narrow in its concept of family as being only possible between heterosexuals and irrational. In the first place we ask: in a low housing stock situation, what possible justification can there be for allowing two individuals to occupy places on the waiting list separately for two different housing units when that couple wishes to occupy just one unit in their joint names? In the second place, what right do the authorities have to decide for individual citizens how and with whom they wish to establish a family unit? As an equality rights organisation, we see little logical foundation for these grounds, in addition to the fact that meddling in people’s personal lives adds up to little more than a political stance on the part of Government to deny sexual minority people their rights as citizens of Gibraltar. It is no more and no less than a violation of various provisions in the Gibraltar Constitution and of every European citizen’s right to respect for their privacy and home under the European Convention on Human Rights, Article 8 in conjunction with Article 14. What is more, it affects heterosexual people who decide not to marry in exactly the same way as gay couples. The difference being that they do, in fact, have the option in Gibraltar to marry whereas gays and lesbians cannot enter into civil partnership.”

“In this respect,” the statement continues, “we are committed to ensuring that Government decisions of this sort be tested in the Courts and to the highest level possible. On this issue as well as on any others affecting them, GGR continues to work closely with individuals to ensure that all the resources available in law are committed to the ending of blatant discrimination of this sort. Discrimination which sees housing policy randomly asserted in one area and not another: an example of this is the manner in which the affordable housing schemes have been implemented denying same-sex couples (who are unable to establish formally-recognised relationships in Gibraltar) access to the new schemes, whilst lifting the requirement of marriage for heterosexual unmarried couples. This is not a fault of heterosexual couples but, instead, a clear indication of the gratuitous manner in which sexual minority citizens continue to be treated by Mr Caruana’s Government and we invite the Chief Minister to change not only his housing policy but his attitude in general towards sexual minorities. GGR continues to assert its unremitting work against prejudice and inequality which will continue until such time as Gibraltar becomes a more equal and caring society. Sexual minority citizens, their families, friends and supporters must not forget their realities when it comes to voting at the next Elections.”

FREEDOM OF ASSEMBLY:

Powerful support for LGBT freedom of assembly from Council of Europe's Congress of Local and Regional Authorities

by Nigel Warner

The Congress of Local and Regional Authorities, Europe's principal voice for local and regional government, with representatives from across the 46 member states of the Council of Europe, has made powerful statements in support of freedom of assembly for LGBT people. The statements are particularly significant because of the central role which local authorities play in administering freedom of assembly.

In a *Resolution* addressed to local authorities across Europe, the Congress:

- emphasises its grave concern at the violation of the rights to freedom of assembly and expression of LGBT people in a number of Council of Europe member states and at the overt or tacit support some local politicians have given to violent counter-demonstrations
- stresses that it is the "paramount duty" of local authorities not only to protect the rights to freedom of assembly, but also to refrain from speech likely to legitimise discrimination or hatred based on intolerance
- emphasises that local authorities have an obligation to enable lawful assembly to proceed peacefully
- calls on local authorities to implement a number of measures, including combating hate speech, ensuring their employees behave in a non-discriminatory fashion, and enhancing local police/community relationships.

In a separate *Recommendation* the Congress asks that the Committee of Ministers of the Council of Europe recommend to member states a number of actions, including that they:

- take a public stand against discrimination against sexual minorities,
- combat hate speech,
- investigate cases of violence and hate speech during LGBT related events,
- take positive measures to guarantee effective freedom of expression
- consult with LGBT groups when reforming freedom of assembly measures

While governments and local authorities are not legally obliged to follow these statements, they have a strong moral force and provide very useful support for LGBT activists who are facing difficulties over freedom of assembly in arguing for their rights with local authorities and governments.

The Congress has also published a detailed report on freedom of assembly and expression for LGBT people. This provides extensive coverage of the many problems faced by Pride organisers in recent years, and an authoritative guide to the relevant human rights law and practice. It is essential reading for any LGBT organisations facing freedom of assembly problems.

Links to the three documents referred to above are:

Resolution

[https://wcd.coe.int/ViewDoc.jsp?Ref=RES\(2007\)230&Sector=secCongress&Language=lanEnglish&Ver=original&BackColorInternet=e0cee1&BackColorIntranet=e0cee1&BackColorLogged=FFC679](https://wcd.coe.int/ViewDoc.jsp?Ref=RES(2007)230&Sector=secCongress&Language=lanEnglish&Ver=original&BackColorInternet=e0cee1&BackColorIntranet=e0cee1&BackColorLogged=FFC679)

Recommendation

[https://wcd.coe.int/ViewDoc.jsp?Ref=REC\(2007\)211&Sector=secCongress&Language=lanEnglish&Ver=original&BackColorInternet=e0cee1&BackColorIntranet=e0cee1&BackColorLogged=FFC679](https://wcd.coe.int/ViewDoc.jsp?Ref=REC(2007)211&Sector=secCongress&Language=lanEnglish&Ver=original&BackColorInternet=e0cee1&BackColorIntranet=e0cee1&BackColorLogged=FFC679)

Report

<https://wcd.coe.int/ViewDoc.jsp?id=1110107&BackColorInternet=e0cee1&BackColorIntranet=e0cee1&BackColorLogged=FFC679>

OSCE/ODIHR publishes Guidelines on Freedom of Peaceful Assembly

by Nigel Warner

The Office for Democratic institutions and Human Rights of the Organisation for Security and Co-operation in Europe has published Guidelines on freedom of peaceful assembly. They were prepared by a panel of experts and are intended for legal drafters, police officers, government officials, judges, academics and members of non-governmental organisations in the 55 member states.

The guidelines are based on international and regional treaties relating to the protection of human rights, involving state practice, and the general principles of law recognized by the community of nations. They demarcate a clear minimum baseline in relation to these standards, thereby establishing a threshold that must be met by national authorities in their regulation of freedom of peaceful assembly. They also provide many examples of good practice.

The guidelines are an immensely valuable resource for pride organisers and legal experts assisting them. They provide detailed and very practical guidance on all aspects of freedom of assembly, and in so doing, cover many issues which pride organisers face in negotiating with local authorities and the police. They put forward six guiding principles:

1. A presumption in favour of holding assemblies - anything not expressly forbidden in law should be presumed to be admissible, and those wishing to assemble should not even be required to obtain permission to do so
2. The state's duty to protect peaceful assembly
3. Legality -- meaning that any restrictions on freedom of assembly must have a formal basis in law
4. Proportionality -- that any restrictions must be proportional, and the least intrusive restrictions must be given preference
5. Good administration
6. Non-discrimination - attention is drawn to the fact that sexual orientation is a non-discrimination ground in international human rights law, and therefore protected by non-discrimination principles.

Examples of some other issues relevant to some LGBT organisers: the state must not impose costs on the organisers, e.g. for policing, cleaning up, etc; threats of disorder against a peaceful assembly must not be used to justify restrictions; the authorities should not impose restrictions that would fundamentally alter the character of an event, such as routing marches through outlying areas of the city.

The guidelines are published in English and Russian. They can be ordered or downloaded from:

http://www.osce.org/odihr/item_11_23835.html

Europe enters new Prides season with ban and court victory

ILGA-Europe media release, 13 April 2007

On 11 April 2007, the municipal authorities of the Moldovan capital of Chisinau banned public event planned by lesbian, gay, bisexual and transgender (LGBT) community for 27 April as part of the 6th Moldovan LGBT Pride festival. This is the third time the Chisinau city bans LGBT event. The decision comes despite the ruling of the Moldovan Supreme Court last December that previous ban on LGBT Pride march was illegal.

On a more positive note - on 12 April 2007 the Regional Administrative Court in the Latvian capital of Riga ruled that a ban of LGBT Pride march in Riga last summer was illegal. Last July LGBT Pride march in Riga was banned by the city authorities and the organisers of the march lost their first instance court challenge of the ban. The court decision upholding the ban was now successfully appealed at the Regional Administrative Court.

ILGA-Europe welcomes the latest court decision in Latvia which provides a glimpse of hope that this year LGBT pride march in Riga will be allowed and will take places with appropriate protection by the police. At the same time ILGA-Europe is seriously concerned with the decision of the Chisinau city authorities which, despite the country's Supreme Court decision, act illegally violate the rights of LGBT community to peaceful assembly. This disregards constitutional dispositions and international human rights standards ratified by Moldova.

Christine Loudes, Policy Director of ILGA-Europe, said:

"Two very different developments in Latvia and Moldova yet another time prove how far LGBT community in Europe is from full enjoyment of the fundamental rights provided by the European and national legislation. While we welcome promising development of the Latvian case-law and hope this will provide further and stronger signal to the Latvian authorities and society that the LGBT community is entitled to the same rights as any other members of the public, we are gravely concerned with the situation in Moldova. Not only the Chisinau city authorities openly disregard the rights enshrined in the European Convention on Human Rights, but they act illegally in breach of the decision of the supreme judicial body of their own country.

Outrageous violations of the rights to freedom of assembly and expression for LGBT people in Europe captured the attention of virtually all European organisations and their institutions, media and ordinary citizens across the continent during the last couple of years. We are now entering yet another Pride events season and call on all municipal authorities in Europe to abandon once and for all practices of banning and/or limiting LGBT people's right to freedom of assembly and expression which contravene human rights standards.

We would like to remind the mayors of the recently resolution by the Congress of Local and Regional Authorities of the Council of Europe which specifically deals with the freedom of assembly and expression for LGBT people and provides detailed suggestions on what and how the local authorities should do to ensure these freedoms are fully enjoyed by the LGBT citizens.

We are also calling on all European institutions to continue being vigilant and use all their powers to influence those municipal authorities which contemplate banning or limiting LGBT events.”

Strong condemnation has also been expressed by Maria Carlshamre (ALDE/Sweden), Member of the European Parliament, who said: “I strongly condemn this blatant violation of basic human rights to assembly. With decisions like this Moldovan authorities are taking further steps away from the rest of Europe.” She also said that she will take part in this year’s Riga and Chisinau Prides.

NOTICE BOARD:

ILGA Photo Story

by Hein Verkerk, <http://blogger.xs4all.nl/heinv>

Bram Bol, an old ILGA hand and I have started a project on internet to collect photographs of as much as possible ILGA conferences since the early days of 1979.

A first batch is available on <http://www.flickr.com/photos/heinverkerk/sets/72157600051598242/>

Anyone who has pictures on any conference is invited to send a digital copy to my special email address ilgaphotostory@xs4all.nl and I will add them to the collection. It would be helpful if the pictures are joined by proper information on place, date, persons etc. Old and new ILGA activists are also invited to comment, correct and/or add information to the photo's on line.

International anti-homophobia meeting, 17-20 May 2007, Ankara, Turkey

by Kaos GL

The Anti-homophobia meeting will consist of a variety of activities; workshops, panels, conferences, parties and film showings. The activities will take place in different locations and in different formats, on three university campuses. Some activities will be open to all, while others will be open to LGBT people only. Some activities will only be open to registered and invited participants. Some of activities will be open to the press and media, while others will be closed.

The main subject of the 2007 meeting will be "The media". In addition to this, a great number of other subjects of relevance to lesbian, gay, bisexual or transsexual persons will be touched upon.

<http://news.kaosgl.com/item/2007/2/13/international-anti-homophobia-meeting-in-ankara-turkey>