

EURO-LETTER

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

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In this issue:

ILGA-Europe:

- ILGA-Europe members gather for Annual Conference in Vilnius
- World & European Day against the Death Penalty: 7 countries still put people to death for same-sex acts
- ILGA-Europe questionnaire on trade unions and LGBT rights
- New ILGA-Europe publications

Europe:

- A strong message on the need for new anti-discrimination law sent at the European Parliament
- ILGA-Europe calls on the Council of Europe to distance itself from Patriarch Alexy's attack on lesbian, gay, bisexual and transgender rights
- Council of Europe - Parliamentary Assembly Monitoring committee - report on Moldova
- 1st Pan-European Gay & Lesbian Business Leader Forum: *"Diversity and Innovation"*
- Michael Cashman receives MEP award

Freedom of association:

- Turkey threatens to close down LGBT organisations

Same-sex families:

- UK: 18,000 tie the knot in first year of civil partnerships

Transgender:

- Online Survey of Inequalities and Discrimination experienced by Trans People in Europe

Notice board:

- Anti Discrimination training seminars for NGOs and trade unions
- Call for Papers - Lesbian Lives XV: Writing Lesbian Culture: Theories and Praxis'

ILGA-EUROPE:

ILGA-Europe members gather for Annual Conference in Vilnius

by ILGA-Europe

On 25-28 October 2007, ILGA-Europe members are gathering in the Lithuanian capital of Vilnius for the organisation's 11th Annual Conference. Follow our news, reports and updates from the conference on our website: www.ilga-europe.org

World & European Day against the Death Penalty: 7 countries still put people to death for same-sex acts

by ILGA-Europe

On 10 October 2007 the world and Europe marked as the World Day against the Death Penalty. This was the first European Day against the Death Penalty as proclaimed by the Council of Europe on 27 September 2007. The Council of Europe is the only region of the world de facto free from the death penalty as all its members have either abolished the death penalty or instituted a moratorium on executions. Belarus (outside the CoE) is the only country that still has the death penalty actively on its books.

The death penalty is still carried out in other regions of the world and in seven countries the death penalty is applied for consensual sexual acts between adults of the same sex. These countries are:

- Iran
- Mauritania
- Saudi-Arabia
- Sudan
- United Arab Emirates
- Yemen
- Nigeria (death penalty applies to 12 Northern provinces with Sharia law)

ILGA and ILGA-Europe welcome and encourage the debate on the complete abolition of the death penalty and draw attention to the fact that 7 countries punish consensual sexual acts between adults of the same sex.

Full text of the joint media release is available on our website: www.ilga-europe.org/europe/media/world_day_against_death_penalty_7_countries_still_put_people_to_death_for_same_sex_acts

ILGA-Europe questionnaire on trade unions and LGBT rights

by Silvan Agius, ILGA-Europe Policy Officer

As announced in the September issue of Euroletter, The European Trade Union Confederation (ETUC) is leading a project entitled *Extending Equality: Trade union actions to organise and promote equal rights, respect and dignity for workers regardless of their sexual orientation and gender identity*.

ILGA-Europe is a key partner in this project, and has developed a questionnaire for European LGBT NGOs, to learn about their national/ regional experience of trade unions' work with regard to LGBT people. A copy of the questionnaire is available on our website: http://www.ilga-europe.org/europe/news/ilga_europe_launches_its_questionnaire_on_trade_unions_and_lgbt_rights

Please return filled in questionnaires to silvan@ilga-europe.org by **30 November 2007**.

New ILGA-Europe publications:

by ILGA-Europe

- **Autumn Newsletter:**

The main topic of this edition is LGBT rights at the United Nations/global level. During the last two years there were a lot of positive developments aimed at getting the issues of human rights and equality for LGBT people addressed at global level. ILGA-Europe and a number of other European members of ILGA obtained consultative status with the United Nations and this opened a new channel for discussion on the rights of LGBT people worldwide. There is a growing, both in numbers and strength, coalition of LGBT and mainstream human rights organisations who have already done and continue to do tremendous work at the UN level. The launch of the Yogyakarta Principles is a perfect example of such cooperation and a significant milestone in the global struggle of LGBT people for recognition and respect of human rights.

But the road towards respect for human rights of LGBT people worldwide will not be easy. **There are still 7 countries in the world which have death penalties and 77 countries which put people in jail for same-sex acts!** The central pages of this edition contain an updated world map which helps to visualise and remember that we still live in a world largely hostile and dangerous for LGBT people with only a minority of countries which fully recognise and respect human rights of LGBT people.

You will get this edition just before our annual conference and this is a good time to evaluate the past year and to reflect on the challenges for the next one. During the last year ILGA-Europe has done much work within the organisation – we employed more people and updated many internal policies and documents. This was also a busy and productive year of consultations with members on the next three year Strategic Plan which will hope be adopted in Vilnius. We are approaching the conference with a positive development at the

European Court of Justice whose Advocate General delivered a favourable opinion in a case which eventually could affect many same-sex families in the EU. While welcoming this opinion we are waiting for the Court's judgement which will determine whether achieving progress on one of our strategic objectives moves forward. Meanwhile we continue our work and cooperation with others to have the human rights of LGBT people recognised and respected and to have governments and institutions take up their responsibilities to make this a reality.

The Newsletter is available in PDF format at our website:

www.ilga-europe.org/europe/publications/newsletter/2007/autumn_2007

- **Equality Mainstreaming fact sheet:**

Mainstreaming is one concept that since the 1990's has gained popularity in international spheres. The United Nations, the Council of Europe and the European Commission have been developing gender mainstreaming with more or less success for some time. The term non-discrimination mainstreaming is now used at the European Union level to include other groups, which have been discriminated against, amongst which lesbian, gay, bisexual and transgender (LGBT) people. This factsheet looks at equality mainstreaming (as going beyond the anti-discrimination framework to achieve equality in practice). After defining the term equality mainstreaming, it highlights why this methodology is important and what are the conditions for it to work. Finally some sample questions and recommendations are given to contribute to the process of equality mainstreaming for policy-makers.

Available at our website:

www.ilga-europe.org/europe/publications/non_periodical/equality_mainstreaming_fact_sheet

- **Forced Out: LGBT People in Azerbaijan and Forced Out: LGBT People in Georgia:**

These two reports on the situation of LGBT people in Azerbaijan and Georgia. The reports are based on information gathered before, during and after a fact-finding mission in January 2006. This mission was conducted by COC Netherlands and ILGA-Europe jointly. It is the first time that systematic research on the situation of LGBT people in these countries has been carried out. Both reports are available on our website:

www.ilga-europe.org/europe/publications/non_periodical Please contact us if you want to receive a printed copy: aija@ilga-europe.org

EUROPE:

A strong message on the need for new anti-discrimination law sent at the European Parliament

by Evelyne Paradis, ILGA-Europe's Senior Policy officer

On 11 and 12 October, European Commission officials, NGOs, legal experts and parliamentarians gathered at the European Parliament in Brussels to discuss the need for new European measures to fight discrimination outside employment.

The clear message that emerged from the “European Parliament for equal opportunities for all” event was the necessity to propose new legislation to ensure that people in the EU are equally protected against all grounds of discrimination. Participants and speakers to the various workshops and panels stressed the importance of increasing the level of legal protection against discrimination based on age, disability and sexual orientation, especially in education and in access to health care, social protection and to goods and services.

This important political message was sent at a very opportune time: the European Commission is concluding its public consultation on new anti-discrimination measures and will now conduct an internal analysis of the need for new anti-discrimination legislation. ILGA-Europe contributed to this consultation (document available on our website: www.ilga-europe.org/europe/advocacy_lobbying/policy_papers/written_response_by_ilga_europe_to_the_european_commission_consultation_on_new_anti_discrimination_measures_october_2007) and will continue to take an active part in discussions with the Commission, the Parliament and colleagues from other anti-discrimination NGOs in the coming months.

For information about developments at the EU around new anti-discrimination legislation, please contact Evelyne at evelyne@ilga-europe.org.

ILGA-Europe calls on the Council of Europe to distance itself from Patriarch Alexy's attack on lesbian, gay, bisexual and transgender rights

Source: ILGA-Europe media release, 8 October 2007

ILGA-Europe is very concerned that the Council of Europe has allowed itself to be used as a platform for an attack on lesbian, gay, bisexual and transgender (LGBT) rights by Patriarch Alexy II of Moscow and All Russia.

Responding to a question following an address to the Parliamentary Assembly on 2nd October, the Patriarch justified his opposition to the Moscow gay pride march on the basis that it was "propaganda for sin". Homosexuality was "an illness and a distortion of the human personality" comparable to kleptomania.

His comments were met with applause by many of the Assembly members present, although some walked out in protest.

Earlier, in his main speech to the Assembly, he had implicitly attacked the Council of Europe's support for LGBT rights: "Today, there occurs a break between human rights and morality, and this break threatens European civilisation. We can see it in a new generation of rights that contradict morality, and in how human rights are used to justify immoral behaviour".

The Patriarch had been invited to the Assembly by its President, Mr Rene van der Linden, as part of a policy promoting tolerance and understanding through intercultural and interreligious dialogue. He appeared unconcerned by the Patriarch's comments, thanking him "most warmly" for "contributing to dialogue, understanding and tolerance".

This lack of concern was not shared by other delegates, who signed a declaration urging the Patriarch "to avoid the use of language inciting intolerance" and "to respect ... the fundamental rights of sexual minorities".

ILGA-Europe's Executive Director, Patricia Prendiville commented: "It is highly regrettable that the Council of Europe has allowed itself to be associated with such a serious attack on the rights of a minority. We urge Mr van der Linden to distance the Assembly from the statements of the Patriarch".

ILGA-Europe's adviser on Council of Europe, Nigel Warner, added: "These events are a serious blow for the Council's credibility. It will be important to ensure that the programmes of intercultural and interreligious dialogue are not again used to undermine human rights, and that they work to resolve cultural differences over the rights of women and lesbian, gay, bisexual and transgender persons".

Council of Europe - Parliamentary Assembly Monitoring committee - report on Moldova

by Nigel Warner, ILGA-Europe's adviser on Council of Europe

The latest Monitoring Committee report has just been published, and includes the following text on Moldova. It is just about the longest comment published by the Monitoring committee on LGBT rights in any country.

5.6. Rights of sexual minorities

207. The main Moldovan Lesbian and Gay organisation, the GenderDoc-M Information Centre, continues to complain of multiple violations of the right to freedom of assembly in a public place, police malpractice, failure by government ministries to observe the basics of fair and non-discriminatory government, and oppressive use of legal processes. Both the May 2005 and May 2006 pride demonstrations were prohibited by the Chisinau City Hall. On 18 October 2006 the Supreme Court upheld the ban. The association claims that all the reasons for the negative decision could have been easily solved if there had been dialogue with the authorities. The All Different/All Equal youth march and the Amnesty International demonstrations against the death penalty were also prohibited, according to GenderDoc-M because of their participation in these events.

208. We note that on 20 December 2006 the Supreme Court of Moldova overruled its previous decision and declared that the refusal by the authorities of the City hall of Chisinau to grant authorisation for the organisation of the gay and lesbian solidarity march to GenderDoc-M Information Centre was illegal. In particular, the Court affirmed that the refusal was unjustified and disproportional in the light of the European standards of freedom of association, as protected by Article 11(2) of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Nevertheless, the Chisinau authorities banned once again the organisation of some events planned within the framework of the 2007 LGBT Pride festival "Rainbow over Nistru River". To protest against the decision of City administration, GenderDoc-M Information Centre organised a demonstration in front of the City hall. The manifestation went calmly without violence and was protected by the police. The other activities foreseen within the framework of the Festival were also organised as planned. We deplore the fact that after a final ruling by the Supreme Court of Moldova the Chisinau authorities continue to violate the law and deprive the representatives of the LGBT community of their right to freedom of assembly. Such situation cannot be tolerated in a democratic state governed by the rule of law. We expect the Moldovan authorities to take all necessary measures to put an end to this practice.

209. GenderDoc-M has also sent us a copy of a questionnaire received recently from the Deputy Prosecutor General to "territorial and specialised public prosecutors" "for monitoring the legality of the registration and work of NGOs whose activities are directed toward organising and carrying out public assemblies, meetings and other acts of protest". The questionnaire talks of the need to "identify persons liable to destabilise the political situation and instigate hatred within society" and recommends, in accordance with the law, to take measures to stop or suspend assemblies where leaders or participants make statements or declarations (amongst other things) defaming the state.

210. In another sign of apparent reluctance of the authorities to tackle any issue related to the rights of sexual minorities, the only recommendation of Assembly Resolution 1465 (2005) which was not reflected in the legislative timetable adopted by the Moldovan parliament was the one concerning this particular issue.

The resolution also includes the following:

18.3. to ensure full respect of the fundamental rights of all minorities

The previous report in Sept 2005 included the following:

14.4. ensure the full respect of the fundamental rights of sexual minorities;

The full report is at:

<http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta05/ERES1465.htm>

1st Pan-European Gay & Lesbian Business Leader Forum: “Diversity and Innovation”

by Silvan Agius, ILGA-Europe's Policy Officer

The European Gay and Lesbian Managers Association (EGMA) and IBM have co-hosted the first pan-European business forum for LGBT managers during 8-9 October, in Zurich. This forum brought together more than 100 LGBT managers, and showcased a number of good business practices that various transnational companies have adopted successfully – clearly linking diversity and inclusion, to innovation and business success.

The forum has also clearly shown that lip service diversity does not work! Instead it is those companies that recognise the need to place diversity centrally within their business strategy, that gain a competitive advantage over their competitors. In a nutshell, diversity is not about the adoption of a minimum set of non-discrimination standards but rather the maximisation of the company's diversity and innovation potential through the provision of good working environments, diversity training and the protection necessary against any sort of discrimination for all employees.

Diversity blooms when employees understand that their workplace allows them to be who they are, and their company values their individuality and their point of view. To this end, many companies represented during the forum had already set up diversity employee networks, including LGBT networks, to raise visibility and also show that it is ok to be out within that respective company. A number of companies have also taken the lead, and started to participate in LGBT Pride events under the banner “Personal Pride = Company Pride”.

Finally, the forum also offered time for networking, sharing of experiences and ways in which different managers have worked on LGBT diversity within their respective organisation. Many of those present have pledged to take back the knowledge learnt to their respective company and ensure that they increase LGBT visibility thus provide better and more diverse working environments for all.

Michael Cashman receives MEP award

by ILGA-Europe, 10 October 2007

On 9 October 2007, Michael Cashman, Member of the European Parliament and the President of the EP's Lesbian, Gay, Bisexual and Transgender Rights Intergroup, received an MEP Award 2007 for the most valuable contribution in the field of Justice and Fundamental Rights policy.

In 2005 the Parliament Magazine decided to launch these awards in order to recognise the hard work of MEP's. This year the Magazine selected 9 areas: Employment, Health, Justice & Fundamental Rights, Development, Energy, Research & Technology, Environment, Culture & Heritage, and Regions.

Nominations for each of the categories have been taken from non-governmental organisations working in sector specific areas.

ILGA-Europe congratulates Michael, our friend, supporter and ally, for this deserved award and recognition and we look forward to welcoming Michael as one of the key speakers at our annual conference at the end of October in Vilnius.

FREEDOM OF ASSOCIATION:

Turkey threatens to close down LGBT organisations

by Aija Salo, ILGA-Europe's Programmes Officer

ILGA-Europe expressed in a letter to Commissioner Olli Rehn its concern with a recent human rights violation case in Turkey, which runs against core principles of the country's Accession Partnership with the EU as well as its obligations under the European Convention for Human Rights and other international conventions Turkey has ratified.

The lesbian, gay, bisexual and transgender rights NGO Lambdaistanbul is threatened to be closed down by Turkish authorities. Starting from June 2006 the Istanbul Governorship Provincial Directorate of Associations continuously refuses to register the organisation, claiming that it is "against the law and public morals". ILGA-Europe believes it is a case of direct discrimination on the grounds of sexual orientation and gender identity and represents an unfortunate trend in Turkey. Two years ago Ankara-based LGBT organisation KAOS faced similar situation when trying to register.

ILGA-Europe asked the commissioner to raise this freedom of association case with Turkish authorities and to express political support for the anti-discrimination clause of the constitution inclusive of sexual orientation in meetings with Turkish authorities. The equality article of the Turkish Constitution is under a review process. A proposal has been made by the Turkish civil society to include protection against discrimination based on sexual orientation and gender identity in the Constitution. Extending the constitutional equality clause to explicitly cover all grounds of discrimination would be a natural step forward for Turkey in the accession process.

SAME-SEX FAMILIES:

UK: 18,000 tie the knot in first year of civil partnerships

Source: Asavin Wattanajatra, www.pinknews.co.uk, 12 October 2007

Ten of thousands of lesbian and gay couples tied the knot during the first twelve months since civil partnerships were legalised.

Detailed information from National Statistics said that 18,059 civil partnerships were formed between when the act came into force on 5th December 2005 until the end of 2006.

There were 1,953 civil partnerships formed in the UK in December 2005 and 16,106 in 2006.

Although the statistics indicate that more men than women were forming civil partnerships in the UK overall, the gap was narrowing.

In December 2005 and the first quarter of 2006 66% of civil partners were male, with this proportion decreasing to 57% in the last quarter of 2006.

90% of civil partnerships took place in England, with a third of male registrations taking place in London, a large figure when considered that the region only contains 13% of the UK male population.

The statistics also showed that the age of men entering partnerships is decreasing, with more than half of gay men being 50 and over in the first few months of civil partnerships, with this decreasing to only a third by the end of 2006.

Ages of female couples stayed around the same level.

There were no statistics available for 'divorces', or civil partnership dissolutions, as couples had to have been in a relationship for twelve months.

TRANSGENDER:

Online Survey of Inequalities and Discrimination experienced by Trans People in Europe

Dr. Stephen Whittle, 4 October 2007

Dr Stephen Whittle, Professor of Equalities Law at Manchester Metropolitan University and Dr Lewis Turner, both of the FTM Network UK and Press for Change are leading a small (and very short) research project for the European Union, Press for Change, ILGA-Europe & TransGender Europe.

If you are Trans identified in anyway, then this survey is for you. It is for all ages and it is fully inclusive of all types of trans identity from cross dresser through to Transsexual as well as agender and polygender.

This survey is only for those people living (or recently living) in any of the European states.

The results of the project will inform the European Union and many other public authorities in Europe and help them develop new ways of promoting equality. The four main objectives of this survey are:

1. The extent and types of inequality and discrimination people experience because they are Trans
2. The areas of life where trans people have experienced being treated unequally or have been discriminated against
3. To establish the 'trigger points' which have led to a trans person experiencing inequalities or discrimination
4. To make recommendations for immediate work practices and future research in the area.

The survey will take you around 35 minutes and it will be completely confidential.

We have tried to be comprehensive for the purposes of the research, but please remember that this survey is going out in 13 languages, and that has made it difficult to get all the correct terms you might understand and also to the number of questions we dare ask you.

PLEASE ask ALL of your TRANS friends, including part-time cross dressers, transgender, transsexual, a-gendered and poly gendered people and anyone in-between to complete this questionnaire. In fact, why not have a party night, bring in all the computers and laptops you can borrow and amidst the tapping of keys enjoy your evening with good friends.

Any questions email survey@pfc.org.uk

The survey can be found at <http://www.pfc.org.uk/node/1523>

NOTICE BOARD:

Anti Discrimination training seminars for NGOs and trade unions

by Pauline Geoghegan, For the Migration Policy Group

Dates for the first round of anti-discrimination training seminars organised in the context of the Commission's Anti Discrimination and Diversity Management training programme managed by Human European Consultancy and the Migration Policy Group, together with International Society for Diversity Management, have now been confirmed.

The anti discrimination training aims at enhancing the capacity of NGOs and trade unions to work on anti-discrimination (the five grounds dealt with in the two anti-discrimination directives 2000/43 and 2000/78, namely, race and ethnic origin, religion and belief, age, disability and sexual orientation) and by training national trainers enabling training of NGOs and trade unions. All national events and publications are in the national language. Training seminars will take place in the EU member states, plus Liechtenstein, Iceland, Norway and Turkey.

You can also find this information on the European Commission website at

http://ec.europa.eu/employment_social/fundamental_rights/pdf/events/trainsem_en.pdf

Call for Papers - Lesbian Lives XV: Writing Lesbian Culture: Theories and Praxis'

by Ruth Baldacchino

A 2-Day, International, Interdisciplinary Conference to be held at the Women's Education, Research and Resource Centre (WERRC), School of Social Justice, University College Dublin, Ireland, Friday 15 - 16 February 2008.

Proposals are welcomed on (though are by no means limited to) the following:

Lesbian Cultures, Literature, biographies, histories, sexualities, gender performances, lesbian activisms, alliances and ruptures, radical feminisms, identities, ethnicities, historical literature, Motherhood, Worldwide Lesbian and Gay Liberation Movements, Community and Social Activisms, Histories of Sexualities, Queer Readings of Literature And Histories.

E-mail proposals to lesbian.lives@ucd.ie

For further information see our website at www.ucd.ie/werrc