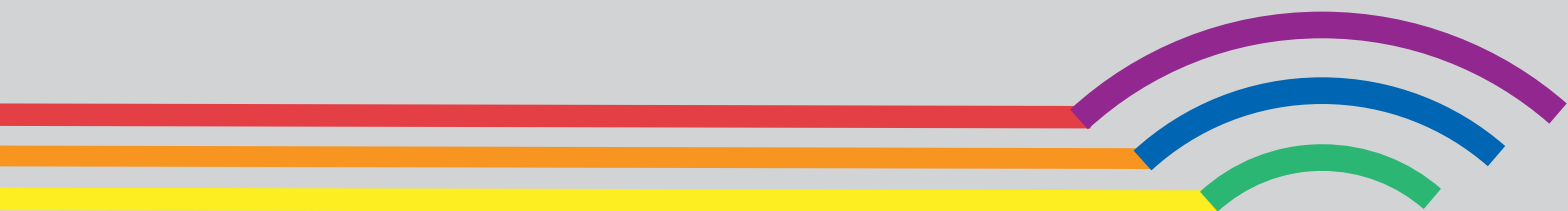


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EURO-LETTER

ILGA-Europe's monthly electronic LGBT political
and legal news bulletin



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The seven-year Programme targets all stake holders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries.

PROGRESS mission is to strengthen the EU contribution in support of Member States' commitments and efforts to create more and better jobs and to build a more cohesive society. To that effect, PROGRESS will be instrumental in:

- providing analysis and policy advice on PROGRESS policy areas;
- monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;
- promoting policy transfer, learning and support among Member States on EU objectives and priorities; and
- relaying the views of the stakeholders and society at large

For more information see:

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

The information contained in this publication does not necessarily reflect the position or opinion of the European Commission.

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Staff news: Anna Moskalkova - Project Co-ordinator, Finance & Administration Support

by ILGA-Europe



On 4 February 2010, ILGA-Europe welcomed a new member of staff: Anna Moskalkova who is our new Project Co-ordinator, Finance & Administration Support. Anna is originally from Russia and joined ILGA-Europe's team beginning of 2010.

Anna has completed studies in business administration in hotel management and holds Master of Science degree in hospitality management from Erasmus University Rotterdam (The Netherlands).

Prior to joining ILGA Europe, Anna has worked as producer of international summits for pharmaceutical industry leaders in London.

As Project Coordinator, Anna will work on supporting ILGA-Europe's project Enhancing pluralism and combating discrimination against LGBT people in Russia as well as assisting with running an efficient office and providing effective administrative and financial services.



Study Visit to Council of Europe: supporting the Parliamentary Assembly's resolution on sexual orientation and gender identity discrimination

by Beth Fernandez, ILGA-Europe's Programmes & Policy Officer

From 25th to 29th January, we organized a study visit to the Council of Europe (CoE) for 9 activists from Armenia, Azerbaijan, Moldova, Russia, and Ukraine who are partners in the PRECIS and Russia projects. The study visit was planned to coincide with the scheduled debate in the CoE's Parliamentary Assembly (PACE) of Andreas Gross's report on sexual orientation and gender identity and the proposed resolution (*please see below article on the PACE debate*).

The study visit began with presentations by Nigel Warner on the CoE structure, how to use the different institutions and the gradual development of standards relating to the human rights of LGBT people. There followed a number of meetings which either provided participants with more in depth information on the work on the various institutions and committees, or opportunities to share information on their country situation and make recommendations to CoE officials.

Activists met with Tomas Hammarberg the Commissioner for Human Rights who wanted to hear about the most pressing issues in their respective countries. Nikita Ivanov from the registry of the European Court of Human Rights explained the application procedure before the European Court of Human Rights and how key ECHR standards had been used in cases on LGBT issues. Staff from the secretariat of the PACE monitoring committee on the Honouring of Obligations and Commitments by member states and the Council of Ministers' Monitoring Committee gave presentations on their work and how activists could inform them of human rights violations.

Prior to the debate, two activists from Russia and Azerbaijan addressed the INGO Human Rights Committee conference about discrimination against LGBT. ILGA-Europe also organized a special side event sponsored by Andreas Gross in support of the resolution. Activists from Moldova and Ukraine gave presentations on the problems of freedom of assembly, hate crimes, lack of anti discrimination legislation, freedom of expression and lack to adequate and affordable healthcare for transgender people.



Council of Europe – debate on Parliamentary Assembly resolution on sexual orientation and gender identity discrimination

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

The January session of the Parliamentary Assembly saw the long-awaited vote on a resolution on sexual orientation and gender identity postponed to April because there was not time for the Legal Affairs and Human Rights Committee to consider adequately the 80 amendments tabled.

However, the resolution was debated. Of the 19 speakers, 17 were supportive. The quality of the supportive speeches was excellent. The text of the debate can be found at:

<http://assembly.coe.int/Main.asp?link=/Documents/Records/2010/E/1001271000E.htm>

But there are grounds for thinking that, when it does come to voting, things will be much more evenly balanced. Of the amendments, 70 seek to weaken the resolution. Some of these were considered by the Legal Affairs and Human Rights Committee, and two found majority support in the committee.

The hostile amendments were tabled mainly by delegates from two countries – Italy and the Russian Federation. Some of the issues which they put forward were:

- Giving priority to freedom of religion over the right to private life and non-discrimination;
- Challenging any language which might be seen as restricting the freedom of faith organisations and individuals to use speech inciting intolerance;
- Removing explicit support for legal recognition of same sex partnerships, and eliminating references to family rights or adoption.
- Weakening support for state funding for gender reassignment treatment.
- Protecting "religious freedom" (i.e. the right to discriminate) in employment, services provision and education.

The Holy See issued "guidance" to some members of the Assembly in support of hostile amendments. One speaker described this as "scandalous".

The draft resolution will now be discussed at a meeting of the Committee in March, before another debate and the voting in the Assembly in April.

The forces determined to weaken the resolution are strong. Opposition from religious organisations is not limited to the Holy See: the main churches in the Russian Federation and Ukraine have issued public statements attacking the resolution, and urging their national delegates to oppose it. It is far from a foregone conclusion that the resolution will pass without being weakened to some extent.

Commissioner Hammarberg continues dialogue with Lithuanian authorities on discrimination issues and minority rights

Source: Council of Europe, 17 February 2010

The Council of Europe Commissioner for Human Rights, Thomas Hammarberg, published today letters sent to the Prime Minister of Lithuania and to the Speaker of the Seimas (Parliament) on discrimination issues, minority rights and steps taken to investigate whether the CIA detained terrorist suspects on Lithuanian territory.

The letters follow the Commissioner's visit to Lithuania last October in which he held discussions with the President and the Prime Minister, as well as other representatives of the national authorities and civil society representatives.

In his letters, the Commissioner cautions against the adoption of legislative provisions which would contain unduly broad restrictions on speech or freedom of assembly, or which would discriminate against people based on their sexual orientation. Efforts should be made to increase public awareness of the situation of groups which are subjected to discrimination or intolerance, and to encourage respect for everyone's rights.

The Commissioner recommends the ratification by Lithuania of Protocol No. 12 to the European Convention on Human Rights, containing a general prohibition of discrimination, and the acceptance of the collective complaints procedure under the European Social Charter.

The letters are available here:

<https://wcd.coe.int/ViewDoc.jsp?id=1584605&Site=CommDH&BackColorInternet=FEC65B&BackColorInternet=FEC65B&BackColorLogged=FFC679>

<https://wcd.coe.int/ViewDoc.jsp?id=1584639&Site=CommDH&BackColorInternet=FEC65B&BackColorInternet=FEC65B&BackColorLogged=FFC679>



Albania protects LGBT people from discrimination

Source: ILGA-Europe's media release, 5 February 2010

On 4 February 2010, the Parliament of Albania unanimously adopted all inclusive anti-discrimination law which bans discrimination in on the grounds of various characteristics, including sexual orientation and gender identity.

ILGA-Europe welcomes this development and congratulates Albanian human rights groups and LGBT activists as well as Albanian politicians for making a joint effort to tackle discrimination.

Albania is a potential candidate country for joining the European Union and is required to adopt comprehensive anti-discrimination legislation. ILGA-Europe regards new Albanian anti-discrimination legislation as very positive step as Albania is now one of a very few countries in Europe which explicitly bans discrimination on the grounds of gender identity. It also goes further compared to some latest EU Member States which only ban discrimination on the grounds of sexual orientation in employment and not in other areas of life.

Lilit Poghosyan, ILGA-Europe's Policy & Programmes Officer, who oversees the organisation's work in the Western Balkans, said:

"We congratulate Albania on this important step towards EU integration and elimination of all forms of discrimination. We hope that the new Albanian anti-discrimination will be a good example for other countries in the region aspiring to join the European Union and have not yet adopted similar laws.

Moreover, we hope that Albanian example will influence Macedonian authorities to revisit their recent decision to delete sexual orientation from the list of banned grounds of discrimination in their anti-discrimination bill currently being debated. Macedonia is a candidate country for EU membership and is under obligation to provide protection against sexual orientation discrimination."

Macedonian Parliament debates proposed anti-discrimination law with Euro MP

Source: Media release by the European Parliament's Intergroup on LGBT Rights, 24 February 2010

On 24 February, the Parliament of the Former Yugoslav Republic of Macedonia held a public debate on a proposed anti-discrimination law that falls short of EU standards, notably for its omission of sexual orientation as a ground of discrimination. The Permanent Committee for Protection of Freedom and Rights welcomed Ulrike Lunacek MEP, who debated the proposed legislation with members of the national ruling party.

The public debate attracted strong interest from national media and civil society representatives, and focused on the proposed anti-discrimination law in the context of the country's accession to the European Union.

Ulrike Lunacek MEP, Co-president of the European Parliament's Intergroup on LGBT Rights and substitute member of the South-Eastern Europe Parliamentary Delegation, stated that EU accession was conditional upon recognising sexual orientation as a ground of discrimination. After the debate, she commented: "Combating discrimination is part of the EU Treaties, and there is no opting out from fundamental rights. I was rather disappointed at the obvious lack of accuracy in the course of negotiations for visa liberalisation for Macedonian citizens—which a majority in the European Parliament supported."

The recent agreement on visa liberalisation for Macedonian citizens implied a progress towards EU-level anti-discrimination provisions, which were subsequently scrapped from the draft law. Ulrike Lunacek MEP continued:

"MPs from the ruling party are afraid of same-sex marriage and adoption. But I responded: 'Fear is the worst possible guide in politics!' Furthermore, both Albania and Serbia adopted broad anti-discrimination laws; why would the Former Yugoslav Republic of Macedonia isolate itself?"

"This is not about ideology; this is about prevention, and this is about protection—genuine equality needs everyone's dedication!"

The draft law is due to be formally discussed by the Parliament of the Former Yugoslav Republic of Macedonia in March. The European Parliament and the European Commission will keep monitoring the protection of minorities in candidate countries as a condition for EU accession.



Turkey: Stop Violence Against Transgender People

Source: joint media release by Pembe Hayat LGBTT Solidarity Association (Turkey), ILGA-Europe, Human Rights Watch and International Gay and Lesbian Human Rights Commission

The recent murders of two transgender women in Turkey highlight an ongoing pattern of violence and the urgent need for stronger protection measures by the government, four Turkish and international human rights organizations said today in a letter to Turkish authorities.

The groups called on Turkey to remedy the conditions that place transgender people at risk from acts of violence by enacting anti-discrimination protections, instituting programs to combat prejudice and hatred, and repealing laws that provide an opportunity for police to harass stigmatized groups. The letter was sent by Pembe Hayat "Pink Life," Human Rights Watch, the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA-Europe), and the International Gay and Lesbian Human Rights Commission (IGLHRC).

"Protecting people and preventing violence means more than investigating after the fact," said Juliana Cano Nieto, researcher in the lesbian, gay, bisexual, and transgender rights program at Human Rights Watch. "Without meaningful government action to affirm their rights and ensure their safety, transgender people in Turkey will continue to live in fear."

Since November 2008, at least eight transgender people have been murdered in Istanbul and Ankara. The most recent killing was of a transgender woman called Aycan Yener on February 16, 2010, in the Fatih area of Istanbul. Yener, whose legal given name was Feyzi, was killed in her apartment. Her throat was slit, and she was stabbed 17 times. Assaultants also stabbed her roommate, Seyhan Özmemiş, 32, who survived. According to Turkish media, witnesses reportedly observed three people fleeing the scene, but no one has been arrested.

On February 8, Derya Y., a 35-year-old transgender woman, was killed in her home in the Altındağ district of Antalya. Police found Derya Y. in her bedroom with her throat cut and multiple knife stab wounds to her face and body.

The targeted killings of transgender women are part of a broader pattern of violence against lesbian, gay, bisexual, and transgender (LGBT) people in Turkey. According to Turkish media, the police found 56-year-old Pinasi Halimoğlu, a gay man, dead on his bed on January 28 with multiple knife wounds to his back and neck.

In the wake of the killings, the police have made efforts to investigate and resolve these crimes. In two of the earlier cases, suspects were caught and prosecuted and sentenced to life in prison, and in two other cases suspects are in pre-trial detention. The remaining murders are being investigated. However, little has been done

HATE & VIOLENCE:



to protect LGBT people in Turkey, especially transgender people, from future acts of violence, the groups said. In the letter, the organizations recommended:

- Enacting anti-discrimination legislation that includes sexual orientation and gender identity as a legal protection;
- Disaggregate statistics on violence figures that show violence against LGBT people; and
- Instituting consistent communication between the police and LGBT rights groups.

“All citizens of Turkey, including transgender citizens, are entitled to live without fear of murder or persecution,” said Hossein Alizadeh, coordinator of IGLHRC’s Middle East and North Africa program. “The homophobic killings need to stop, and for this we need the Turkish government to take concrete action to protect transgender people.”

European bodies have called on Turkey, a member of the Council of Europe, and on other states to protect LGBT people from violence. The European Union, to which Turkey is seeking admission, adopted a progress report this month, reminding the Turkish government of the need to safeguard all minorities, including LGBT people. Similarly, in 2009, the commissioner for human rights in the Council of Europe, Thomas Hammarberg, urged all member States to enact legislation that would protect transgender people from attacks and violence.

“The Turkish government should stop ignoring demands by Pembe Hayat and other LGBT’s in Turkey to take measures to stop ongoing transgender killings,” said Kemal Ördök, member of Pink Life. “The Constitution and the Penal Code need to guarantee equality and non-discrimination. The Government in turn needs to stop hate murders against transgender people and violence based on sexual orientation and gender identity.”

Human rights groups like Pembe Hayat have documented a long history of police abuse in Turkey, as well as violence based on sexual orientation and gender identity by state and private actors. In 2008, Human Rights Watch issued reports on violence against lesbian, gay, bisexual, and transgender people, and on police violence, including harassment and abuse against transgender people in Istanbul.

ILGA-Europe will visit Turkey in April to assess Turkey’s compliance with its European and international human rights obligations toward LGBT people and to document the violence, discrimination, and other obstacles they face in Turkey. The organization has asked the authorities to discuss proposed measures to address the human rights concerns of the Turkish LGBT population.

“Turkey is witnessing ongoing violence and hate against LGBT people,” said Silvan Agius, ILGA-Europe’s senior policy officer responsible for transgender equality. “The Turkish government’s response needs to address the problems at their roots by tackling the severe stigma against LGBT people, social exclusion and poverty on the one hand, and the culture of gender stereotypes that is driving the violence and hate on the other.”



Asylum for LGBT people in the EU: ILGA-Europe launches a mailing list to increase the dialogue between member organisations

by Joël Le Déroff, ILGA-Europe's Policy & Programmes Officer

ILGA-Europe has recently launched a mailing list dedicated to asylum issues: asylum@ilga-europe.org. Its first members are the attendees of the workshops organised on asylum at our last conferences.

We are looking forward to welcoming representatives of all ILGA-Europe's members working with LGBT asylum seekers and refugees.

The mailing list has two main purposes.

1. ILGA-Europe wants to disseminate all relevant information on the EU asylum legislation, which provides a common ground for all national legislations on asylum. National provisions can be more generous than the European law, but the latter provides minimum standards of protection for asylum seekers, and minimum obligations for the Member States.

In a lot of EU Member States, even this minimum level of protection is not correctly granted to asylum seekers. It is essential for European NGOs to be able to communicate with the institutions on the ground of existing evidence of violations.

In addition, all the relevant EU legislation is currently being recast. This process should lead to a reinforcement of the "Common European Asylum System". It is crucial for our members to be informed at each step of this process, both for advocacy purposes and to better understand European law.

2. The mailing list will also be an important tool to exchange information on individual cases. ILGA-Europe does not have resources to deal with all emergencies, for which the most efficient mobilisation strategies are usually those decided at national level. However, we need to develop a common knowledge on the way the European legislation is implemented.

We also want to facilitate the dialogue between LGBT organisations to help our members to better articulate their arguments when preparing claims for asylum or mobilising against threats of deportation. These exchanges will also be helpful to frame our political positions as regards the different existing directives and regulations.

To join asylum@ilga-europe.org, please write to joel@ilga-europe.org



Wind of Hope Blowing over Petersburg – Ombudsman ready to give permission to Pride event

by Richard Köhler, ILGA-Europe's Programmes & Policy Officer

The newly appointed Ombudsman St. Petersburg, Mr. Aleksey Kozyrev, stated that he would not object to a Pride event. Contrasting the harsh denial opposition LGBT rights activists are facing across Russia, Kozyrev pointed out that a Pride event would not be different from any other public gathering. He said that according to the Universal Declaration of Human Rights, everyone has the right to freedom of peaceful assembly and association.

"I hope the statement by the ombudsman attests to the beginning of changes in the city politics regarding recognition of rights of citizens regardless of their sexual orientation and gender identity", says Igor Kochetkov (Petrov), director of the LGBT organisation *Coming-Out*.

A numerous and visible participation of LGBT activists at last year's 'March Against Hate' proved once more that LGBT activism has found its place in Petersburg's civil society. *Coming-Out* had initiated several on-the-spot-demonstrations, so called flash-mobs, with up to 250 participants demonstrating for LGBT rights.

Valentina Matviyenko, Mayor of St. Petersburg, never explicitly banned Pride event, but all attempts to register a public gathering on LGBT Human Rights were refused by the city's administration. Luzhkov once again disqualified himself as mayor of the Russian capitol vowing to ban all Pride events: "It's no time to mess around with talk of human rights. Rather we should crack down with all the power and justice of the law."¹ Russia signed the European Convention on Human Rights in 1998.

The Business Online Portal www.72.ru (775.000 visitors per month) of Tjumen in Western Siberia rated the local LGBT organisation *Rainbow House* as the "event of the year 2009". *Rainbow House's* written request asking Governor Jakushev to finally appoint an Ombudsperson was rated by the 72.ru-journalists as the most significant event for public news in 2009.

Rainbow House was refused registration in 2007 as a threat to Russia's territorial integrity. Its leader was under extremism-investigations. The appeal against is still pending with the European Court of Human Rights.

¹ <http://in.reuters.com/article/worldNews/idINIndia-45672920100125>

Advance Course on the International Protection of Human Rights

Source: Institute for Human Rights, Åbo Akademi University

The Institute for Human Rights at Åbo Akademi University organises the Advanced Course on the International Protection of Human Rights from 16 until 27 August 2010, in Turku, Finland. The course aims at providing a profound insight into, and analysis of, the system of international human rights protection in the light of contemporary problems and relevant case law. It is composed of lectures, case studies in working-groups, seminars and an optional essay.

More information and application forms can be obtained from

<http://www.abo.fi/instut/imr/courses.htm>

or from Ms Johanna Bondas: courses.imr@abo.fi

Application deadline: 20 April 2010.



2010 Forum on LGBTQ Youth Activism and Advocacy in the CEE

Source: HRSI

The Human Rights Initiative (HRSI) cordially invites you to its 2010 Forum on LGBTQ Youth Activism and Advocacy in the CEE and Balkans regions: Speaking up for Human Rights! on May 5 – 8 May 2010 in Budapest.

The objectives of this event are the following:

- For participants to receive tangible tools to improve, develop and empower their organisations' and personal work in the LGBTQ rights and advocacy fields;
- To create a space to compare situations, conditions, tactics, experiences and problems regarding LGBTQ rights and enable networking between different groups of the same and/or neighboring countries;
- To begin building a larger regional community of human rights activists specific to LGBTQ, in a continuous way, in order to cooperate with issues without borders;
- To support certain LGBTQ groups, NGOs and individuals with the tools necessary to carry out the messages/goals to raise awareness of the LGBTQ community in their countries and beyond.

The target group is preferably, but not limited to, young (between the ages of 18 and 30) enthusiastic LGBTQ activists from the Central and Eastern Europe and Balkan regions, belonging to a youth or human rights organisation.

Participants must be able to work and communicate in English.

Practical Information:

Travel grants (for all travel and visa-related costs only) will be given to participants living outside of Budapest for up to 200 EUR upon request (please see application form below). Accommodation (shared) and board will be covered by HRSI.

A 30 EUR participation fee applies to all participants of the Forum.

Application forms can be found here:

www.scribd.com/doc/26444326/Application-Forum-HRSI

Please send your completed application form by Monday, 8 March at midnight to harsi@ceu.hu

Participants will be selected and notified by 16 March 2010, the latest. Due to a very limited number of seats, incomplete or late applications will not be considered.



Request for help on local policies

by Judit Takacs

Within the framework of a new EU project called “**Against Homophobia. European local Administration Devices (AHEAD)**” we are looking for LGTB local public policies, i.e. policies at the local (city) level aiming to guarantee equal rights and opportunities for LGBT people, and to combat homophobia. These can include school programmes, general awareness raising projects about LGBT life, active support for organising the Pride, OR special programmes focusing on the police OR on LGBT people's situation in old people's homes etc.

If you happen to know about the present or FORMER existence of these policies, please, answer the following questions.

1) In your view, are there any official policies initiated/ practiced by your local government that can be seen as LGBT local public policies, including anti-homophobia measures? [Please, start your answer with a clear reference to the place (village, town, city - country), and the contact details of the person responsible for the given policy, if there is one.]

2) What are these policies? Since when and exactly how do they function?

3) Are there any good examples/practices in other cities/countries you happen to know about? Please, describe these.

4) If there is any research done on this topic you are aware of, please, send me more details on these research projects (access to their main findings).

Please, send back the answers by March 15th, 2010 to takacs@policy.hu

Thank you very much in advance for your VALUABLE CONTRIBUTION!

NOTICE BOARD:



The European Network Against Racism (ENAR) is launching a public competition to renew its logo

Source: ENAR

ENAR is launching a public competition to renew its logo. Anyone aged 18 years or older who has inspiration in logo design and creation is invited to submit their most innovative designs, embodying the idea of diversity/interculturalism and of a network, to the ENAR logo competition. The winner of the logo competition will receive a prize of a value of 300 Euro. **The entries must be submitted by 19 March 2010.**

Further details:

http://www.enar-eu.org/Page_Generale.asp?DocID=23795&langue=EN

Call for papers: LES Online – Digital Journal on Lesbian Issues

By Eduarda Ferreira

LES Online is an innovative journal that aims to contribute to the study of lesbian issues and to promote lesbian equal opportunities and civil rights. Published semi-annually by LES – Discussion group on lesbian issues (www.lespt.org), this international publication aims to promote studies and scientific research as well as intervention projects and opinion pieces related to different aspects of lesbian issues.

LES Online welcomes academics, practitioners, and researchers interested in studies that incorporate lesbian issues to submit articles. This is a multi-language publication. Papers may be presented in Portuguese, Spanish, English or French.

Next number (June 2010) subject is: **Lesbian Visibility – (in)visibilities and discrimination in different areas of life.**

Submissions deadline: 16 May 2010



Date Thursday 15 July 2010
Time 9am–6pm
Venue OPZZ ul. Kopernika 36/40, 00-924
Warsaw, Poland

Conference aims

The conference aims to explore best practice and experience in Western European trade unions to promote LGBT equality in Central and Eastern Europe by:

- | promoting trade unionism to LGBT workers in Central and Eastern Europe
- | supporting LGBT trade union activists
- | raising awareness of discrimination against LGBT people
- | finding ways to tackle workplace discrimination on the grounds of sexual orientation and gender identity, sharing good practice.

How to attend

Participation in the conference is free but by application only – deadline 28 May.

To register or for more information contact Adam Rogalewski:
rogalewski@opzz.org.pl or
a.rogalewski@unison.co.uk.

The conference will be in Polish and English with simultaneous interpretation into German and Russian on request.

OPZZ & LGBT equality

This is the first conference on LGBT equality in Central and Eastern Europe organised by the Polish confederation of trade unions, OPZZ. It follows the appointment of a dedicated OPZZ LGBT officer in 2008 by OPZZ. The conference is supported by ETUC.