

**Homosexuality in the Written Media
in Romania**



An Explanation of ILGA

**IFLRY Gay and Lesbian
Rights Seminar**



**Partnership Rights For
Homosexual Couples In
Ireland**



IFLRY

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about LIBEL

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Dear fellow readers:

As our final contribution to the end of this millennium and the year 1999 - *even if there is still an ongoing argument as to whether the millennium ends now or at the end of 2000!* - we want to deliver you this 4th issue of our quarterly magazine. This issue of Libel deals with a sensitive topic that needs more attention and discussion for all of us: gay and lesbian rights. The understanding, tolerance, and mutual respect of Gay and Lesbian issues is not common and welcome in many societies, even in the so called “developed and advanced” societies of the “first world”.

One of the incentives of IFLRY for 1999 was to hold a seminar in November on the issue of gay and lesbian rights in order to better understand the situation of gays and lesbians in different societies. This issue of Libel should help to continue the discussion and learning process that began at the IFLRY Seminar. While this Libel issue cannot give you the ultimate answers on how to overcome the existing gap between homosexuals and heterosexuals in our societies, it will hopefully help us move in that direction.

Within this issue, we wanted to present to you the International Lesbian and Gay Association (ILGA), an explanation of partnership rights for homosexuals in Ireland, the situation for homosexuals in the written media in Romania, and a list of contact information for numerous Gay and Lesbian organisations.



Special thanks goes to the all our authors and people working on the compilation of this issue of Libel. Please keep on contributing to it. Your opinion and articles are much appreciated at libel@iflry.org in any format that is PC (Windows or DOS) compatible.

I wish you an entertaining time with this issue of Libel.

Yours liberally,

Jonas Renz
IFLRY President

In Response to Gay-Bashing

by Lisa Lacenaire

Participating in the seminar on “Gay and Lesbian Rights” in Berlin was an extremely enriching experience. Throughout the different presentations, discussion groups and visits, the participants learned about how homosexuality is viewed and its membership treated in various countries. It was interesting to be able to share ideas on the promotion of gay and lesbian rights with groups members from such varied backgrounds and differing points of view.

Being from a country that seemed to have quite high standards with regards to gay and lesbian rights, I felt proud of what Canada had accomplished. I was able to share with the other participants what had been done as a country to promote homosexuality as an acceptable lifestyle and left Berlin quite certain that we had won the war against discrimination.

Then I returned to Canada. The first new story I heard on the radio was about a man who had been beaten outside a bar simply because he was a homosexual. And it struck me; we have not won the war against discrimination, the work to ensure that homosexuals are treated with respect and as equal citizens has only just begun.

It is in this spirit that we must continue to work with people within the gay and lesbian communities, to address the issue in a compassionate and timely manner.

Everyday that we discuss the issue, educate someone new, pass new legislation by our governments, or assist someone in need, we are one step closer to ensuring rights for gays and lesbians. It is these kinds of actions that should serve as a constant reminder of the ability of individuals to have an impact on the world.

While this is a problem which cannot be solved in one day, by any one individual, we should each strive collectively. As seen in Canada, gay-bashing continues and will continue until more people join the fight.



“Partnership Rights For Homosexual Couples”: The Need For Change In Ireland and Elsewhere

by Roweena Russell

Introduction

The Family as defined by the State in Ireland, Bunreacht Na Heireann (Article 41, Sub. 1):

“The State recognises the Family as the natural primary and fundamental unit group of society, and as a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law...the State pledges itself to guard with special care the institution of marriage, on which the family is founded, and to protect it from attack”.

In Ireland, according to de Valera’s constitution, the family is a protected moral institution. The basic fiber of the family is marriage, and the family is legally protected from diversity. Under the constitution, however, a family is defined as the “union of man and woman especially through marriage, and their offspring; parents and their children”. Needless to say, homosexual couples are not considered members of a family under this definition.

Lesbian and gay couples face intense discrimination in such areas as “family” health coverage, child custody, insurance and inheritance benefits, taxation, and community property rights. A lesbian or gay man may be turned away at a hospital if his or her partner or child is seriously ill because they are neither married, biological parents nor blood relatives. As this essay will go on to explain, same-sex couples are not qualified to fit under the current categories.

This essay will examine whether the homosexual lifestyle forces a person in to a minority group, or law and society, especially in Ireland. This essay will not examine the legal implications of church marriage, but instead civil marriage. The focus of this essay is how those who do not have access to it are denied fundamental rights and financial concessions enjoyed by married couples.



Homosexuals and the Law

Decriminalising Homosexuality

In 1988, David Norris took legal action against the state. He claimed that the state, which rendered his sexual lifestyle a crime, was unconstitutional because it was in violation of equality rights. Norris also said that he had a right to human dignity, which requires that an individual possess a degree of privacy. This right, however, only belonged to married couples: not couples outside of marriage nor homosexuals. With Mr. Norris’s legal action, homosexuality became decriminalised. It was not a willing Irish Government who made this historic change to Irish Law, but the European Court of Human Rights.

By decriminalising homosexuality it was thought that homosexuals were on their way to achieving equality. However, while it may be a concession to be openly homosexual in public without the fear of being arrested, there remains the fear of gay bashing and public humiliation. Equal participation in society is inhibited since marriage is one of the main fundamental rights unavailable to homosexuals. Consequently, homosexuals remain another step away from equality.

Recognition of Marriage

Gay marriage and partnership rights, like abortion, can be made available to people by travelling to other countries. These two illegal activities differ in

that gay marriage in another country does not offer legal protection in Ireland, and does not legally alter the marital status of the couple. Once an abortion occurs it is final and cannot be reversed, regardless of where it was performed. Gay marriage, however, is not recognised in Ireland, and the act is seen as a mere expression of love.



Gay Marriage in Hawaii, USA

At the same time, it should be noted that some homosexual political groups lobby against gay marriage as it is considered a heterosexual institution. Some activists in the feminist, lesbian and gay rights movements are hesitant to fight for the right to marry because of traditional and current concepts of marriage, which are disadvantageous to women and impose a state-sanctioned structure on a personal relationship. This may be true, but everyone has the right to choose.

Current Individual and Family Rights

Article 12 of the Convention of Human Rights and Fundamental Freedoms guarantees the right “to marry and found a family”. And Article 40.3 of the constitution explains that “the state guarantees in its law to respect, and, as far as practicable, by its laws to defend and vindicate the personal rights of the citizen”. It is notable that many rights are subject to certain limitations or qualifying words. In general, it may be said that few constitutional rights are absolute in nature: to some extent the function of the courts in constitutional judicial review is to determine the precise meaning of the general limits placed on such rights. (Irish Legal System, 578)

The state is regarded as having an interest in the general well-being of the community and as being entitled, where its practicable to do so, to discourage conduct which is morally wrong and harmful to a way of life and values that the state wishes to protect.

As said before, in Article 41 Subsection 1 the state promises to protect marriage from attack. The Irish Legal System has stated that “homosexual conduct can be inimical to marriage and is *per se* harmful to it as an institution” (Irish Legal System ‘Homosexuality Re-examined’, pg. 636).

In relation to Great Britain, the Wolfenden Committee of 1957 acknowledged the serious harm homosexuality caused to marriage. The committee stated that homosexuality was responsible for not only turning men away from marriage as a partnership for life, but also in breaking up existing marriages.

Rights Concerning Children

Adoption vs. Having Children

Homosexual couples are unable to adopt children under the current law. It is, however, possible for a couple to give birth to a child (especially in the case of a lesbian couple). Many homosexual couples are having children and co-parenting. The numbers are difficult to estimate under the current laws, as such parents are considered “single parents”. Far from the case of a single parent household, the child grows up with two parents of the same sex. However, problems arise if: (a) the couple were to separate; or (b) one of the parents dies. The birth mother would be considered the “natural mother” while the second parent could be considered as neither a blood relative nor a parent.



Lesbian Couple and Child

Custody Battles and the Courts

In any proceedings involving a dispute over the custody of a child where the parents are living apart, the courts must regard the welfare of the child as the “first and paramount considerations” (Guardianship of Infants Act, Section 3). The case law on equal rights of parents under the constitution, in regards to their children, is subject to an important qualification. It does not apply to parents who are not lawfully married. In general, the courts have interpreted Article 42 in the light of Article 41 that deals with “the family”. The family to which it applies is founded on the institution of marriage (Article 41.3). The rights laid down in the constitution for parents under Article 42 occur only within a marital context.

The courts have also held that unmarried parents may not rely on the constitutional guarantee of equality before the law in ensuring each of them the same rights and duties in respect to their children.



Two Children at a Gay Pride Festival

Definition of Family

Many of the application forms relating to social welfare, insurance and banking ask applicants to indicate their marital status as one of the following: married, single, widowed, divorced. A homosexual family living together with a child are excluded from this list, and they are left in a legal limbo regarding how find correct, accurate information. For example, a lesbian couple living together and co-parenting a child are considered by the social welfare authority as “flatmates”. The birth mother of the child could therefore apply for a family income supplement and

single parent’s allowance, even if her partner were earning a considerable salary. This was confirmed in an enquiry I made to the Department of Social, Community and Family Affairs. Similarly, a high paid partner who was not the birth mother could not claim tax breaks or other concessions for dependent children. Lack of legal acknowledgement of same-sex couples leaves them in a situation of confusion regarding their rights.

In order to find such information, they must expose themselves to potentially homophobic and unhelpful responses. Many service providers have the best intentions, but are overcome with discomfort and embarrassment about homosexuality when trying to give a clear and helpful answer.

Property Rights

“Same sex cohabitation takes place against an unaccommodating legal background” (Mee, 12). It is far more likely that a homosexual cohabitee will face special difficulties in attempting to claim a share of his or her partner’s property after the relationship has broken up or one partner dies. As stated, “the rules applied are those which would be equally applicable between strangers” (Mee, 26). This is especially the case in Ireland and England.

Past Court Cases and Their Impact

There have been a few steps forward in regards to the recognition of property rights for homosexual couples elsewhere. In the Australian case of *Bell vs Elliot* (Nsw Sup CT, Nov. 26 1996), the couple had lived together for sixteen years prior to the sudden death of one partner. The deceased had left no will, and so her parents were ‘prima facie’ entitled to all of her property under the rules of interstate succession. The couple had owned the home as tenants in common, under the proportion of one quarter to the plaintiff and three-quarters to the deceased. The plaintiff claimed that, notwithstanding this legal position, she was entitled to one-half share under a resulting or constructive trust. Macready took the view that the parties were “in no different situation, given their close emotional and sexual involvement, from a ‘de facto’ man and wife”. Thus the judge held that, given the common

intention of the parties, the plaintiff was entitled to succeed in her claim of one-half share of the family home.

At the same time, however, gay couples around the world run the risk of being subjected to discriminatory treatment on a practical level. The judges may fail to take seriously the level of commitment involved in a homosexual union. One

example of this is *Egan vs Canada* (1995-124 dlr 609, 677). Cory fit the stereotype that “homosexuals cannot and do not form lasting, caring mutually supportive relationships with economic dependence as heterosexual couples”. Due to the image that Cory and others have portrayed, there remains a fear that judges will underestimate the extent of contributions and sacrifices within a homosexual family.

Conclusion

As I have demonstrated during the course of this essay, in legal and moral terms the family is protected “from attack”. Those wishing to build a life outside the institution of marriage are not protected by the terms set out in the constitution, nor are their children. The absence of clear guidelines for homosexuals concerning their rights as partners, as parents and as homeowners, acts as a repellent to those wishing to live as a family and have children.

The legal limbo homosexual parents and indeed unmarried heterosexual parents find themselves in is, in my opinion, one way of protecting the institution of marriage. Nothing outside the institution of marriage is concret or absolute. This point became even clearer to me as I attempted to explore possible information to back up my argument on the need for same-sex partnership rights. I found it almost impossible to receive accurate answers to simple questions from various government bodies such as

Equality Authority and the office for Government Publications. The general response was one of shock, embarrassment and unhelpfulness.

All in all, my first point is that to attain one’s legal rights, one must be informed on one’s rights. Secondly, one must understand them. And finally, one must feel comfortable enough, supported not only by society but also by the constitution, and informed clearly enough to seek basic human rights such as the right to begin and enjoy a family. This may be one of the reasons why there is no test case concerning same-sex marriage.

The law is complex and open to interpretation. Difficulties in interpretation are exacerbated when one’s position is not legally defined regarding marital status or in the constitution. The law in this case does not accept or reject homosexuals, it simply excludes them.

MARRIAGE
EQUALITY

Homosexuality in the Written Media in Romania

by **Antonia Creteanu and Adrian Coman,**
ACCEPT (Bucharest Acceptance Group)

Introduction

Before 1989, homosexuality was a taboo topic for Romanian mass media, which was somewhat understandable. In a uniform and egalitarian society, information was doctored so that there would be no trace of diversity. The official public discourse outlined a 'perfect' society: one without disabled persons, unemployed, and naturally, without homosexuals.

The situation, however, changed dramatically in the post-communist period when the issue of homosexuality started to be tackled. Until that point homosexuality was publicly non-existent. Many newspapers and magazines that appeared after 1989, all eager to draw the readers' attention, lifted the veil of silence that lay over homosexuality. This is the reason why the numerous articles on this issue have become a staple in the Romanian mass media.

The new approach does not mean that homosexuality is always presented in an informed manner. Due to the social stigma attached to belonging to a sexual minority, a rather small number of homosexuals and lesbians actually come out. Even when they do, gays normally come out in small circles of friends and family. They less frequently come out to work colleagues and acquaintances, and even more rarely to the public in general.

This situation led to a vicious cycle: the social stigma frequently forces homosexuals to keep a low public profile when it comes to their sexual orientation. At the same time, due to the small number of persons who openly come out, the public has not had the opportunity to build an informed opinion regarding homosexuality.

Homosexuality and the Law

It is also true that the legislative situation in Romania is not designed to encourage the open admission of



this particular aspect of one's private identity. According to Article 200 Paragraph 1- Penal Code, which has been in force as of Nov. 14 1996, "Same sex relations taking place in public or resulting in a public scandal, shall be punished by one to five years imprisonment". The term 'public' has a highly encompassing definition and it can practically mean anything. Meanwhile for the term 'public scandal' there is no legal definition at all in the Romanian legislation.

Paragraph 5 of the same article states: "Enticing or seducing a person to practice same sex relations, as well as propaganda, association or other forms of proselytising with the same aim shall be punished by one to five years imprisonment." The last paragraph forbids gays and lesbians in defending their rights, thus limiting their freedom of expression and association guaranteed by the Constitution to all Romanian citizens.

The new Government project regarding the amendment and completion of the Penal Code is presently on the agenda of the Senate. Regarding the annulment of this article, it has not yet been discussed by the Legal and Human Rights Commissions of the higher chamber in the Parliament.

Bucharest Acceptance Group

This is the unfavourable legislative background within which ACCEPT Association (Bucharest Acceptance Group) was created. ACCEPT is a human rights organisation whose stated mission is to provide information and educate the Romanian society on the issue of homosexuality, and to promote and defend human of gays and lesbians in Romania. ACCEPT envisions a society where sexual orientation is only seen as a simple characteristic of the human being.

The purpose of the organisation is to fight for a normal life, freedom of expression and equal opportunities for all gays and lesbians in Romania. For this reason, we have collected press clippings and information on the issue of homosexuality over the past 2 years.

Homosexuality and the Press

Press coverage of homosexuality and related topics have become common place in the Romanian media. Generally speaking, there is a tendency on the part of the media to loosen-up when it comes to homosexuality, a by-way from the tension, thus creating sensationalism in presenting the cases as they are. Taking into account the potential and the responsibility of the media to shape and inform its readers, we feel that it is desirable that this tendency continues.

It should be brought to attention, however, that the articles that are written on homosexuality never really deal with important issues. Frequently the articles are even inappropriate and lacking relevancy; the only reason for publishing this kind of articles is their “success” with the readers. Gay crime, for example, is always stressed upon, and special attention is paid to acts of paedophilia. Unfortunately, few articles succeed in presenting homosexuality in a balanced and informed manner.

Romanian mass media is still marked by a fairly high degree by public homophobia. The proof in this respect, is the unbalance between articles oriented on gay violations of the law and informative articles. It is true, however, that no generalisations can be made regarding the degree to which the Romanian

mass media is open toward this topic. That is not something we intend to do. In fact, the newspapers’ policy is sometimes in contradiction with the personal opinions of the journalists, opinions which appear even in newspapers and magazines that have not started out as homophobic publications.

Fortunately, not many Romanian journals are openly homophobic. Most frequently, this topic is being exploited for its “exotic and unusual nature” - whose causes we have explained earlier - and not always out of malice or due to a clear attitude of rejection towards homosexuality. Market success is the main reason for publishing a rather large number of homosexuality related articles. It is true that this cannot be regarded as beneficial because, as a leader of opinion, mass media should not fuel the stereotypes that exist in the public opinion mentality.

Generalisations/Stereotypes in Media

The Romanian mass media tends to generalise, since it has been proven that generalisations make a strong impact on the readers. We know that a stereotype is the result of a process starting with a generalisation. “Homosexuals are...”, “homosexuals do...”, etc. In the end, the repetition of the generalisation leads to its public promotion. This does not mean that there isn’t any truth in a stereotype. However, the label applied to a whole group that differs from the majority is rarely valid for the whole minority group. This leads to a situation in which the whole group suffers due to the inappropriate image of one of its minority subgroups.

A frequent stereotype in the Romanian mass media, especially in newspapers, is paedophilia and the corruption of minors. Paedophilia is often associated with homosexuality to the degree that it is impossible to distinguish between the two.

Another frequent stereotype used to argue in favour of maintaining certain repressive legal provisions to same-sex relations, is that homosexuals are psychologically unbalanced and therefore, violent and perverted. For example, “...homosexuality, sado-masochism, the orgies with no boundaries are just a few of the many inventions meant to procure anomalous carnal pleasures” (Monitorul Expres).

The author probably does not want to admit that “carnal pleasures” are equally frequent in heterosexual relations, and that at the end of the 20th century, the idea that human sexuality is past the approach that it is only a sole means of perpetuating of the species.

Language in the Media

The language used, especially in the written media, when commenting on issues regarding homosexuality goes from being openly aggressive to sarcastic. Some examples include: “The Peasant party representatives look with displeasure at gays” (Libertatea, May 20, 98), “homosexuals need to have a little more patience” (Ziua, May 10, 98), “In Romania democracy has not reached the bottom” (Jurnalul National, January 14, 98), and “The homosexuals-not affected by the increase in fuel prices” (Adevarul, March 8, 98).

There are few cases when the language is neutral or lacks homophobic insinuations. In certain cases, the journalist declares himself/herself so disgusted as to question the mere belonging of homosexuals to the human race. At the same time, journalists may choose to forget that homosexuals are not that different from everyone else in order to express sympathy and affection towards them. As stated, “When I hear talks about the rights of the homosexuals, I feel such pity for goats, and I can only think of the soldiers” (National, April 18-19, 98).

The compulsory nature of incriminating same sex relations is “justified” by the increase in visibility of homosexuals, failing to take into account the fact that the existence of homophobia. This homophobia is precisely due to the lack of correct information on what is homosexuality, and what is beneficial about maintaining minimal visibility of homosexuals in society. Here, too, the language employed reflects this prejudice: “The government has ‘set free’ lesbians and gays to express themselves” (Libertatea, May 8, 1998), “Romanian homosexuals come into the limelight” (Ziua, June 6, 1998), and “...Homosexuals will be able to jump around freely” (Evenimentul Zilei, May 8, 1998).

Yet another terminology-related problem, and generally speaking, a language related problem is the constant ignoring of lesbians and/or the denial of their existence in Romanian society. In the press the term ‘homosexual’ refers only to gay men. Lesbians are usually only mentioned in the name of certain punishable acts. For example, “...a young woman of 16, was terrorised by a lesbian” (Evenimentul Zilei, February 27, 1998), and “An adolescent girl has been ‘raped’ by a female neighbour” (Libertatea, February 27, 98).

Both language and stereotypes feed the negative mentality of the majority, who are still intolerant to human diversity. Their intolerance ranges from ethnicity to sexual orientation, leading to a stigmatisation of gays and lesbians.

Romanian mass media cannot be accused of being homophobic solely on its own. Its homophobia only reflects the degree to which the whole society is homophobic. The authorities make no exception from this general rule. As a result, it is hard to tell whether it is the homophobia of the authorities that triggers that of the mass media or whether this would be present no matter the official attitude.

At any rate, Romanian media carefully reflects the authorities’ negative point of view on sexual minorities. This kind of attitude is representative of not only the state authorities, but also the Romanian Orthodox church who launched a sustained public campaign against the decriminalisation of homosexuality in Romania. The interference of a religious institution in the affairs of a non-religious state apparatus is debatable. The press, however, did not view it as such.

Neither the overtly homophobic attitude of the Romanian authorities, nor the refusal of authorities to promote and defend human rights, were perceived as being in complete contradiction with the international agreements signed by the post ‘89 authorities. Romanian authorities are criticised in several publications, but almost never on their refusal to accept this aspect of human diversity. The media, therefore, proves to be somewhat horse-blind when

it comes to the shortcoming of the Romanian authorities on the respect of human rights.

Recommendations

It is necessary to respect certain principles in order to improve the quality of press articles in the Romanian mass media dealing with homosexuality. Here are the suggested list of points:

- Never discuss the subject of homosexuality in an uninformed manner without asking and presenting the minority's opinion.
- Approach same-sex relations in a neutral manner. Abstain from including personal comments, which are often overtly in bad faith.
- Present both the pro and con points of view in opinion articles.
- Double-check information regarding the public statements and the actions of certain institutions, as well as the speakers and their office. Verify the professional ethics of the institutions and speakers. Make sure that they are respected in all situations, not solely with regards to homosexuality.
- Refer to published studies on the issue, especially when the author wishes to engage in a interdisciplinary approach to homosexuality.

- Use appropriate photographs that are relevant to the content of the articles.

- Homosexuals suspected of having been involved in criminal acts are not to be presented as automatically guilty before the judicial authorities have given a verdict. Names of suspects are not to be printed before guilt is established. In fact, this last recommendation should also be respected by all journalists in all situations, and not just in the case of homosexuals.

“We still ask ourselves which is the evil that our society needs to be cured of: homosexuality or prejudice?” *Adevarul de Cluj* (Oct. 17, 1997)

Translated from Romanian by Ioana Popovici and Adrian Paun Newel, February 1999



The International Lesbian and Gay Association: An Explanation of ILGA

by ILGA Office and Volunteers

From its inception in 1978, ILGA, the International Lesbian and Gay Association, has always attached great importance to the sharing of information about lesbian, gay, bisexual, and transgender rights. ILGA's aim is to work for the equality of lesbians, gay men, bisexuals and transgendered people and their liberation from all forms of discrimination. They seek to achieve this aim through worldwide cooperation and mutual support of their members.

ILGA focuses public and government attention on cases of discrimination against lesbians, gay men, bisexuals and transgendered people. They do this

by supporting programs and protest actions, asserting diplomatic pressure, providing information, and working with international organisations and the international media.

ILGA runs international campaigns in order to try and improve the situation of gays and lesbians around the world. Many of ILGA's international campaigns have helped to win major victories. Their determination and pressure contributed to the legalisation of homosexuality in New Zealand, Russia, Ireland and other countries, the repeal of discriminatory US immigration policy, and also the

compliance of various nations with the decisions of the European Court of Human Rights.

In many countries, ILGA has supported the emergence of the first autonomous lesbian and gay groups. ILGA has given impetus and support of groups in Latin America and Asia, and contributed to the growth of a democratic multiracial lesbian and gay movement in South Africa. ILGA also played a crucial role in the development of the first gay and lesbian organisations in the former East-Bloc.

ILGA lobbies international organisations such as the United Nations, the Organisation for Security and Cooperation in Europe (OSCE), the Council of Europe, and the European Union. ILGA's representatives have regularly presented evidence on human rights violations to the annual hearings in Geneva of the UN's Sub-Commission on Prevention of Discrimination and Protection of Minorities.

ILGA has promoted lesbian and gay rights within the framework of the Council of Europe in many ways, including: lobbying the Parliamentary Assembly, putting forward proposals for the extension of the European Convention on Human Rights to cover sexual orientation, and supporting member organisations in taking test cases under the Convention.

Significant ILGA input was made by two landmark reports of the European Parliament: the Squarcialupi Report (1984) and the Roth Report (1994), and the Resolutions of the Parliament which followed the debate of these reports. ILGA has also been involved in three projects carried out for the European Commission. In 1993, ILGA produced a pioneering report entitled "Homosexuality: a European Community Issue" in association with the European University Institute and the European Human Rights Foundation, and a second report researched Lesbian Visibility in the EU member states. In 1995/96 ILGA carried out a project under the PHARE/TACIS Democracy Programme, helping set up gay and lesbian organisations in the three Baltic countries, St. Petersburg and Moscow. Then later in 1997, ILGA played a significant role

in ensuring that the new European Union Treaty of Amsterdam empowers the Union to "take appropriate action to combat discrimination based on . . . sexual orientation."



Amnesty International and ILGA's support for its efforts

Furthermore, Amnesty International's decision in 1991 to accept lesbians and gay men imprisoned for their sexuality as prisoners of conscience followed some 13 years of campaigning by ILGA. ILGA was also instrumental in the deletion of homosexuality from the World Health Organisation's International Classification of Diseases, again, after many years of campaigning.

The issue of AIDS has been another focus of ILGA and has always been an integral part of ILGA conferences. ILGA has co-operated closely with the Global Programme on AIDS of the World Health Organization and later with its successor, the joint UN agency to fight AIDS, UNAIDS.

The World Conference is ILGA's highest decision-making body, which ensures democratic decision-making on issues concerning ILGA as a whole. World Conferences take place at least every two years.

ILGA's World Conference attracts delegates from all over the globe. It provides international activists with the opportunity to learn from other countries, to present achievements, collaborate with other groups on national and international projects, and to help to set the international gay and lesbian agenda. The conferences are also a celebration of the diversity of the international gay, lesbian, bisexual and transgendered movement as ILGA welcome's representative from a wide range of countries and constituencies.

ILGA's constitution allows for the development of semi-autonomous regional organisations within ILGA, which cover Africa, Asia-Pacific, Latin America/The Caribbean, Australia/Oceania, North America, and Europe. These regions are encouraged to hold their own conferences, which can make decisions affecting their area within the policies adopted by the World Conference. To date, regional conferences have been held in Europe, Latin America, Eastern and South-eastern Europe and Asia.

ILGA governing board consists of two elected representatives (one female, one male) from each Region. The Board is responsible for the management of ILGA between World Conferences.

In addition to the Board, there is a Women's Secretariat which is responsible for collecting information on lesbian, bisexual and transgendered women, and promoting their visibility and equality both inside and outside ILGA.

ILGA's day-to-day work is co-ordinated by the Administration Office, which is staffed by volunteers and is based in Brussels. The Administrative Office produces the ILGA publication called the Bulletin, disseminates information, works with the media, collects membership fees and provides administrative support.



ILGA's Logo as found on their Website

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List of Contact Information Gay, Lesbian, and other Related Organisations

Name of Organization

The International Lesbian and Gay Association (ILGA):

The International Lesbian and Gay Youth Organisation (IGLYO):

International Gay and Lesbian Human Rights Commission:

International Gay and Lesbian Binational Couples Alliance (IGLBCA):

Amnesty International Groups for LGBT concerns:

Website or Contact Information

<http://www.ilga.org>

<http://members.aol.com/pepverlag2/iglyo/iglyo.html>

<http://www.iglhrc.org>

<http://www.angelfire.com/ok3/iglbca>

aimlgc@igc.apc.org

International Lesbian Information Service (ILIS):	http://www.helsinki.fi/~kris_ntk/ilis.html
World Congress of Gay and Lesbian Jewish Organisations:	750 NE61 ST#102 Miami, FL 33137-2335 United States. Tel: 00 305-754-6337
Asian Lesbian Network:	P.O. Box 322, Rajdamnern Bangkok 10200
Equality for Gays and Lesbians in the European Institutions (Egalite):	Avenue du Pesage 135, B-1050 Bruxelles. Tel: 00 32 2 64 87 837
Gay and Lesbian Equality Network (GLEN):	6, South William Street, IRL-Dublin 2. E-mail: ghs@nexus.ie
Equality Alliance:	http://equality-alliance.diversity.org.uk
Stonewall:	http://www.stonewall.org.uk
Outrage! London:	http://www.outrage.cygnet.co.uk
Egalite pour les Gais et les Lesbiennes/Equality for Gays and Lesbians (EGALE):	http://www.egale.ca
Partners Task Force for Gay & Lesbian Couples:	http://www.buddybuddy.com
Gender Freedom International (Transgender Human Rights):	http://www.gender.org/gfi
Family Pride Coalition (Formerly called Gay and Lesbian Parents Coalition International):	http://www.familypride.org
Human Rights Campaign:	http://www.hrc.org
The Magnus Hirschfeld Centre for Human Rights	http://www.angelfire.com/nj/hirschfeldcentre
National Center for Lesbian Rights	http://www.nclrights.org
National Gay and Lesbian Task Force	http://www.nglhf.org/main.html
Parents, Families and Friends of Lesbians and Gays:	http://www.pflag.org

IFLRY Gay and Lesbian Rights Seminar

by Anne M. Tillema

Introduction

During many discussions related to human rights at IFLRY meetings and events, gay and lesbian rights is a subject which reappeared with great regularity. No other political youth organisation had attempted to deal with this topic in depth. It is for these reasons that IFLRY decided to prepare its first seminar related solely to gay politics.



The aim of this seminar was to introduce a variety of participants from different countries and backgrounds, many of whom had had very little experience with gay and lesbian rights, to the topic of gay politics. The participants looked at the general themes such as the discrimination of gays and lesbians in their individual societies and the role of homosexual and/or the gay community plays in society. The participants then examined the political situation in Germany and in other countries in order to better understand the role that liberal political youth organisations can play in order to increase tolerance on the national as well as the international level. The result of this seminar was to allow participants to better understand the struggles involved in gay politics and to imagine ways in which individual organisations and IFLRY can contribute to the fight.

This seminar report is a result of individual reports of the working groups, lectures, presentations, discussions, and other parts of the seminar. Lisa Lanicaire, a participant in the seminar, was responsible for finding participants to write the protocol each day. Please note that the opinions expressed in this report are not necessarily those of IFLRY or its member organizations.

Opening Discussions

The participants were asked to brainstorm their expectations for the seminar. These expectations were then written down and put on the display for the duration of the seminar.

Participants were given cards in order to write down all of the prejudices/stereotypes they could think of for gays (blue cards) and lesbians (yellow cards). These cards were then collected and they were attached to large boards for everyone to see.

Participants were then asked to take a closer look at the problem of prejudices, which they were discuss in small groups. There were two topics to discuss: how prejudices arise and the effects of these prejudices on the treatment of gays and lesbians in different societies. The second working group dealt with the individual countries and they came up with some common themes. One of the most common themes was that these prejudices come from the media and they are reflective of general attitudes in society.

Visit to Sachsenhausen and Museum

After leaving the hotel, the group arrived one hour later at the triangular built camp of Sachsenhausen. The triangular shape was part of the deceased perfection of the Nazi –man destruction system. Although Sachsenhausen was not a “death camp” a lot of people were killed by torture or other violence. Not only Jews were kept imprisoned in the camp, political, sexual, and/or social dissidents were also imprisoned. In the camp, we could witness the perverse system of marking prisoners depending on what group they belonged to. After the participants entered the camp, they were able to see the reconstruction of the camp.

After this visit, the participants walked through the camp towards the place where Nazi victims were burned. A silence fell upon the visitors. The horror of the Nazi-regime was clear to everyone.

On the left of the triangle, there was a museum where the participants were confronted with the horror of the Nazi criminal regime. In the museum, there was also a reconstruction of the small rooms where prisoners were forced to stay.

After visiting the museum, the participants went to the memorial that was recently created for the “Gay” victims of the regime. The participants learned that as well in the BRD as in the DDR, there was no attention for “Gay” victims of the Third Reich. This was changed during the last ten years after the wall was destroyed.

Discussion Workshops

The three “workshops” were:

- Activities against discrimination by law
- Activities against discrimination by religion and other institutions
- Activities against discrimination by work, school, etc.

Lectures-Panels of Discussions

The panel discussion began with a brief introduction by all three political representatives. Margot van Renesse (SPD) stated that the fundamental belief of the SPD is that everybody is equal. The SPD has not yet reached the goal of registered partnership. The aim of the party is to open a certain institution for registered partnership which is close to marriage. Equal rights is equivalent to equal duties. The SPD would like to have equal rights for gays/lesbians. However, love is unimportant for the law.



Heldebrecht Braun (FDP) stated that the basic issue is the desire to fight against prejudices. The FDP is trying hard to change the law. The majority of the population, however, considers that homosexuality is not normal. But what is normal? Heldebrecht Braun refuses to use this word because this debate is not a question of being normal, it is just so.

Homosexuals don't have any special rights. In Braun's opinion, homosexual partnership is close to marriage and makes it possible to adopt children. However, the majority of the population expect better treatment for heterosexuals than for homosexuals. They desire special protection of marriage and desire giving more rights to married people. Braun sees no change to bring a relevant law through the parliament (and even the FDP). As Braun stated the need to create as many rights for gays/lesbians as possible (such as partnership). Braun concluded by stating that legal rights have nothing to do with love.

Carsten Schatz (PDS) looked back to the history of homosexual treatment in Germany. The legal reason to jail gays/lesbians was Article 175 in the old German law. Nazis created a new law (175a). PDS initiated a law for gays/lesbians during the time of the free-elected Parliament (Volkskammer) in the G.D.R. in 1990. The PDS concept is not oriented on the institution of a registered partnership. However, this system could not solve all problems. Carsten Schatz explained that there is no reason to give tax privileges to married people, but to people who rear children, care for elder people, etc. We need more campaigns for gays/lesbians – “Different is not wrong!”. There is still a lot of discrimination, such as in the work place.

Speech on the Situation of Gay and Lesbians in European countries

Dr. Michael Bochow began the presentation of the social situation and lifestyle of gays and lesbians in European countries by explaining the geographic structure of gay and lesbian communities in Europe. Germany is a polycentric country. Gays and lesbians have several metro-political communities to live in (Berlin, Cologne, Hamburg, Frankfurt, Munich).

Queer studies are not funded, so the money for HIV-studies has to be used. This is why lesbians are studied much less. Dr. Bochow then discussed some of the statistical data of his own studies of the social situation of gays and lesbians in European countries.

Tolerance towards gays and lesbians varies according to education, age, and occupation. The working class and pensioners are the least tolerant. The most open are students, younger and better educated people.

These attitudes were researched by using a questionnaire. These attitudes depend on how many gay and lesbian people the questioned person knew. The least tolerant group tend to know few gay and lesbian persons, not to speak of friendship. The minority (64%) of gays claimed to be accepted by their general social environment, which is not so often the case with their families (50%). For openly living gay people, the representative survey would probably have a higher percentage because it is normally the father who doesn't accept his son. Gay bashing (beating, insulting) was also dealt with by the survey. The results were as followed: in West Germany, 12% of gays reported insults and in East Germany 11% of gays reported insults. Furthermore, 4% of gays reported beatings. These figures were similar for Switzerland and France.

Sophie Neuberg dealt exclusively with the situation of lesbians. As Sophie Neuberg reported, female homosexuality was often illegal. Belarus, Czech Republic, Azerbajdjan, Romania are all countries where it is illegal. South Africa is the only country with a law against discrimination because of sexual orientation. The most tolerant counties are the Scandinavian countries and the Netherlands.

Lesbians started together in the gay association, but left it as they found that gays only talked about their own issues. Lesbians are more conscious of gender roles than gays. The lesbian separation is more common in Germany than in other European countries. This maybe due to "German idealism". A lot of lesbians (90%) fear discrimination and insults. There are 3 famous women in Germany open about their homosexuality.

The question was raised why bisexuals are not visible in Germany. It is a smaller group and they are not so well organised. Bisexual personal development can also be an obstacle sometimes.



Social spaces, gay bars and lesbian bars, as possible cases of discrimination were discussed. Should men be allowed to enter lesbian bars? Why aren't men allowed to enter lesbian bars? Is this discrimination?

IGLYO Explanation

IGLYO is the International Gay and Lesbian Youth Organisation. It is an umbrella organisation composed of student and youth groups of gays and lesbians from Europe. The work of IGLYO is undertaken by volunteers and they work towards sexual orientation awareness. IGLYO was founded in 1984. IGLYO began as a lobbying organisation for lesbians, gays, transsexuals, and bisexuals. IGLYO grew in membership, it came to establish issues for conferences. Annual Conferences deal with Homophobia and Fascism, also homosexual families and health, particularly in psychological issues. The year the conference was on Education given that school is now the main centre for a person's formation. Next year, the them will be Family.

The main funding source of IGLYO is the European Commission, going through the European Youth Forum of which IGLYO is a member. After 1989, groups from Eastern Europe became involved at different levels. It is important to establish youth groups in Eastern European countries given their

political – economic structure. In this way, IGLYO gains members and support. IGLYO also has American links. Issues addressed in Europe are different from problems outside Europe. Youth centres across Europe allow IGLYO to hold their study sessions and seminars. One of these study sessions dealt with Homosexuality and Religion. IGLYO took part along with different organisations.

IGLYO pays attention to equal opportunities for women as well as homosexuals. They try to encourage more female participants and also other groups who are not just homosexual, but this is not always successful.

Lobbying for Change-Panel Discussion

Members of the panel:

Berndt Kampfer – Party member of FDP

Hans Hengelin – Director of Gay Sec. Dept. of Womens' Affairs in Lower Saxony

Nico Berger – member of the board of directors of ILGA (International Lesbian and Gay Association)

Ida Schillen – LSVD (Association of Lesbians and Gays in Germany)

Martin Herdieckerhoff – chairperson of LSU, Lesbians and Gays in the (Christian Democratic) Union

The members of the panel discussed a variety of topics introduced by themselves and by participants. It was discussed that there shouldn't be special laws for minorities. Instead, there should be equal laws. Marriage should not be a privilege financially or otherwise as it discriminates against gay couples who cannot marry. Some gays and lesbians want marriage, but Nico Berger (IGLA) said she would prefer not to push for marriage for gays and lesbians. She would rather have marriage as an option for heterosexuals, but with no legal or financial benefit.

In 1992, women made a political decision to split lesbians from gays because lesbians are also women's groups who consequently don't want men interfering. Historically, the gay movement has always been organised by men for men and lesbians were always part of women's liberation movement.

Consequently, lesbian and gay groups were always a separate issue, but within the legal system the groups are seen as one.

Non-lesbian and gays have sometimes been the best lobbyists for the cause. You don't have to be gay in order to lobby for gay rights. There is a heterosexual support network, but they have never given the initiative. If you are willing to fight a cause that you are not directly affected by, you have to be aware of the implications and the finger-pointing by outsiders. You have to be able to cope with the backlash.



One woman showing pride and support

Conclusion

All in all the seminar was a success. Despite language barriers, everyone came away with a greater knowledge of lifestyles and situations for gay and lesbians in various countries. Through well-educated speakers, good questions, and open floor discussions, the participants were able to get past their own prejudices and gain better understandings..

Contributions

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