

# EMERGENCY RESPONSE NETWORK

of the

## INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISSION

Volume V, Number 1

IGLHRC Action Alert

## NEW

### THAI AIDS ORGANIZATION BOMBED, FORCED TO RELOCATE

The St. Camillus Foundation Relief Center, an 18-bed facility in Nonthaburi province which opened in 1993, and which provides counseling and temporary shelter to people living with HIV, has been forced to relocate after it became the focus of protests last spring when local villagers became aware that the center's residents were HIV-positive. On May 21, 1995, a bomb exploded in front of the center, causing damage to nearby buildings and cars. In the wake of the bombing, the center stopped providing housing but continued to provide counseling and other services.

Although the government's national AIDS prevention plan for 1995-96 emphasizes support for work carried out by community-based organizations and NGOs to establish services within communities affected by HIV, the Provincial AIDS Committee, headed by provincial governor Sucharit Patchimnandha and comprised of police and public health officials, concluded after the bombing that the Center should be relocated. Rather than investigating the attacks, police warned that further violence would occur if the center refused to move.

The Thai NGO Coalition on AIDS, which includes forty-eight member organizations, released a statement on June 7 calling on the police to follow up on their investigation of the bombing and urging the Provincial AIDS Committee to promote better understanding between villagers and the center. No action was taken, and on August 25 an unidentified gunman fired several shots from an assault rifle into the facility.

Having failed to obtain from the police any assurances of protection against future harassment, the center has accepted a fifteen-year lease in another location which has been offered to them by provincial authorities.

The Relief Center has requested that respectfully worded letters be sent expressing concern that the center was forced to move, and urging that it be given the full support of local authorities in carrying out its work in its new location. Letters should emphasize the following points:

① The United Nations Commission on Human Rights has urged Member States to include in their AIDS programs measures to combat social stigmatization, discrimination and violence directed against persons with HIV/AIDS, and to take necessary steps to develop the supportive social environment required for successful care, treatment and prevention programs.

② Non-governmental organizations providing services for people living with HIV must be provided full protection of the law. Nonthaburi police should take all possible action to investigate the attacks on the Relief Center, and should ensure the center of prompt attention to any further harassment.

③ Relocating HIV/AIDS service organizations outside of hostile communities is not a long-term solution and goes against the aims articulated in the national AIDS prevention plan. Provincial authorities should work with the Relief Center and other such organizations to promote awareness and reduce prejudice among local residents.

## Write to:

Khun Sumport Sriwong,  
Permanent Secretary  
Ministry of Public Health  
Tiwanon Rd.  
Amphoe Muang  
Nonthaburi 11000, Thailand

Khun Sucharit Patchimnandha  
Nonthaburi Governor  
Nonthaburi Government Hall  
Rattanaibet Rd., Amphur Muang  
Nonthaburi 11000, Thailand

Khun Pramuan Rujchaseri  
Deputy Permanent Undersecretary  
Ministry of the Interior  
Asadang Rd., Amphur Phranakorn  
Bangkok 10200, Thailand

## UPDATE

### ANTI-GAY RHETORIC ESCALATES IN ZIMBABWE

Official harassment against lesbians and gay men in Zimbabwe has widened to include virulent attacks on the floor of Parliament. A series of debates in the last few months on "the evil and iniquitous practice of homosexuality and lesbianism" have provided a forum for anti-gay speeches by a number of legislators from the ruling ZANU PF party. These speeches follow recent anti-gay statements by Zimbabwe President Robert Mugabe and threats on the part of government officials to arrest gays and lesbians.

In the face of protests from foreign governments, human rights organizations, and individuals around the world, members of Parliament have taken to the floor to voice their support for Mugabe and for the government's stated policy of denying gays and lesbians their basic human rights. On 28 September, 1995, MP Mutyambiz declared, "I would like to call for all traditional forces in this country to rally behind the State President in the eradication of homosexuality. I feel that all those who know homos in this country should make them be brought before the courts of law and be tried for their evil activity." In another such debate in November, MP Chief Makoni suggested that caning and flogging should be introduced as punishment for both male and female homosexuality. Under the Zimbabwe penal code, male homosexual acts are illegal and punishable by a fine.

Gays and Lesbians of Zimbabwe (GALZ) is requesting that foreign governments continue expressing their grave concern

(over)

## ALSO INSIDE:

Poland  
Uruguay  
Romania

regarding this situation. Send letters to your foreign ministry requesting that they contact the Zimbabwean authorities. Letters should stress the following:

● Remarks such as those made by President Mugabe and various members of Parliament not only legitimate but encourage precisely the sorts of rights violations to which sexual minorities are subject around the world.

● The international community has a responsibility to speak out against statements of intent to persecute a minority group. Continued pressure is needed to ensure that state harassment of gays and lesbians ceases, and that the government of Zimbabwe does not further implement its discriminatory policies.

**Please send copies of the letters to:**

H.E. Robert Mugabe      The Zimbabwean Parliament  
Private Bag 7700      P.O. Box CY 298  
Causeway      Causeway  
Harare, Zimbabwe      Harare, Zimbabwe

**NEW**

**POLAND'S DRAFT CONSTITUTION INCLUDES SEXUAL ORIENTATION**

The Parliament of Poland will soon be considering a new permanent constitution drafted by its Constitutional Committee. On April 11, 1995, the Constitutional Committee proposed the human rights clause of the draft, outlining groups who should not be discriminated against. The proposed clause (Paragraph 2 - Article 2) reads "No one can be discriminated against because of their sex, race, national or ethnic background, health, physical or mental disability, social background, place of birth, sexual orientation, language spoken, religious faith or lack thereof, opinions, material status or for any other reason".

The inclusion of sexual orientation in this non discrimination clause caused immediate division among many of the deputies. At the time, former President Lech Walesa's representative walked out of the committee meeting, commenting "does this mean that intercourse with animals or a corpse will also be protected?" The Catholic Church has also strongly opposed the clause, citing it as an "example leading toward extremes which cannot be accepted by any normal society."

Lambda, a national gay and lesbian rights organization in Poland, has been lobbying the government for over two years to back a non-discrimination clause for gay men, lesbians and bisexuals. A report issued by Lambda last year detailing cases of discrimination against gays and lesbians was instrumental in convincing commission members of the need for such a provision.

In the wake of recent general elections in which the former head of the Constitutional Commission, the now President-elect Aleksander Kwasniewski, defeated Walesa, Lambda predicts the next few months to be a critical period of decision making in the Polish Parliament. Please support their efforts by sending letters to the following officials expressing your support for the proposed human rights clause.

Letters should include the following points:

● It is the inherent responsibility of every government to respect and protect each citizen's right to be free from persecution and discrimination regardless of sexual orientation. Including sexual orientation in Poland's new Constitution is a necessary step towards a society tolerant of minority populations.

● This is a unique opportunity for Poland to fashion a long lasting Constitution that replaces the existing Stalin-era 1952 constitution with a document protecting individual freedoms and liberties, but that also will benefit future relations with European institutions including the Council of Europe (CoE) and the European Parliament of the EC. The Parliamentary Assembly of the CoE (Recommendation 924/81 and Motion for Recommendation 6348/90) as well as the European Parliament (Resolution on Sexual Discrimination at the workplace) have both urged their member states to entirely equate homosexuals with heterosexuals in all fields of legislation.

**Write to:**

Marszalek Sejmu R.P.  
(Speaker of the Sejm)  
ul. Wiejska 4/6/8  
00-902 Warszawa, Poland

Marszalek Senatu R.P.  
(Speaker of the Senate)  
ul. Wieska 4/6/8  
00-902 Warszawa, Poland

Prezydent Aleksander Kwasniewski R.P.  
Kancelaria  
ul. Wiejska 10  
00-902 Warszawa, Poland

**NEW**

**URUGUAY CONSIDERS LEGALIZATION OF PROSTITUTION**

In February 1996, the Commission on the Constitution, Legislation and Codes of the lower house of the Uruguayan Parliament will be considering a measure to legalize prostitution. Currently, prostitution is neither prohibited nor permitted under Uruguayan law. Local activists report that police detain prostitutes for up to twenty-four hours and often demand bribes or sexual favors. Sex workers are subject to a wide range of abuses, including physical violence and murder, but such crimes are rarely investigated by the police, and many go unreported.

The first version of the proposed legislation was drafted in 1993 after two years of discussion among representatives of the Asociación de Meretrices Profesionales de Uruguay (AMEPU), the Asociación de Travestis del Uruguay (ATRU), the Department of Legal Medicine of the Faculty of Medicine in Montevideo, the Ministry of Public Health, the Montevideo Police Department and the human rights group Servicio de Paz y Justicia (SERPAJ). This proposed legislation would provide protection under the law to

"all persons, of whatever sex, age eighteen and over" practicing prostitution. Prostitutes would be obligated to obtain an identification card from a registry which would be established within the National Police. They would also be required to have periodic medical examinations and to work only within designated commercial establishments and zones. All those complying with these regulations

would be recognized as workers by the state. In December 1995, lobbying by AMEPU resulted in a decision by the Social Security Bank that prostitutes working legally (provided such a law is promulgated) will be eligible for all programs offered by the Bank, including pension plans.

Towards the end of 1993, Cruzada 94, a group of legislators within the ruling Partido Colorado, prepared a second draft of the proposed legislation. In the new draft the term "persons" was replaced by "women," thereby excluding male and transgendered sex workers. In response, Homosexuales Unidos (HU) and ATRU drafted an annex specifically recognizing transvestites and

**YOUR LETTERS CAN DO DOUBLE DUTY**

**Please send copies to the IGLHRC office for forwarding to local activists to use in lobbying their governments.**

establishing a center for the provision of a broad range of health care and social services for sexual minorities. Although one representative of Cruzada 94 was involved in drafting the annex, it has received little additional support within parliament.

In February, the Commission on the Constitution, Legislation and Codes of the lower house will consider the various options for legalizing prostitution. HU and ATRU have requested that letters be sent to the members of this commission, as well as to the members of the Human Rights Commission and the Public Health Commission, emphasizing the following points:

① Any law regulating prostitution should apply equally to all persons regardless of gender.

② Parliament should promote respect for the human rights of all persons regardless of profession, sexual orientation, or gender identity, and should work towards ending discrimination in all its forms.

**Write to:**

Comisión de Constitución, Legislación y Códigos  
Palacio Legislativo  
Av. General Flores sin numero  
Montevideo CP 11000, Uruguay

Comisión de Derechos Humanos  
Address same as above

Comisión de Salud Publico  
Adress same as above

**Please send copies of your letters to:**

Homosexuales Unidos  
Venezuela 1491  
Montevideo, Uruguay

**UPDATE**

**ROMANIAN PENAL CODE REFORM REJECTED**

**The Romanian Chamber of Deputies has rejected a package of penal code revisions that would have included amendments to Article 200—Romania's notorious law criminalizing consensual homosexual acts between adults.**

The amendments would have represented a potentially worse legal situation for gay, lesbian and bisexual persons. Article 200, paragraph 1 currently punishes any adult, consensual homosexual act with one to five years' imprisonment. The proposed revisions would have reserved the same punishment for homosexual acts "committed in public or which cause public scandal." The term "public scandal" would be defined by a 1938 Romanian law describing it as "an act which becomes known to more than two persons who disapprove of it." An additional provision would have imposed one to five years' imprisonment for "organizing, associating, or any act of proselytism" for homosexuality.

The proposed revisions had been widely criticized by human rights organizations for their vagueness and for potential threats to freedoms of speech, assembly, and association. However, the possibility of even a partial liberalization of laws affecting homosexuality had roused a storm of controversy in Romania. The Orthodox Church spearheaded a year-long petition campaign calling for increased penalties for gay and lesbian sex.

In the November 21, 1995 Chamber of Deputies vote, three extremist parties—the Party of Romanian National Unity, the Greater Romania Party, and the Socialist Workers' Party—cast the deciding votes against the penal code package, citing the [alleged] easing of sanctions against homosexuality as a crucial reason

behind their opposition. The Government must now introduce new proposals for reform in the next parliamentary session.

The IGLHRC is concerned that the Romanian Government has no intention of observing the commitments made to the Council of Europe (CoE) two years ago to decriminalize homosexual acts between consenting adults in private. The two attempts at penal code reform over this period have both been rejected in the Chamber of Deputies, each time starting the process anew. Moreover, the proposed revisions that were considered were blatant attempts to accommodate the CoE's reservations about "acts in private", and yet still maintain the status quo and even outlaw the right to organize politically, socially, or culturally in defense of lesbian and gay emancipation.

We urge you to help pressure the Romanian government to move quickly to meet international human rights norms as well as its own treaty commitments. Please also mail a copy of your letters to the CoE officials (listed below) to remind them of the continued failure of their 1993 recommendation of Romania in bringing about democratic reform in the Romanian penal code.

**WHAT YOU CAN DO:**

**Keep IGLHRC informed of  
human rights violations  
in your area.**

**SAMPLE LETTER TO ROMANIAN  
GOVERNMENT OFFICIALS**

Dear

In its 1993 resolution recommending the admission of Romania, the Parliamentary Assembly of the Council of Europe (CoE) declared that it "expects that Romania will shortly change its legislation in such a way that .

... Article 200 of the Penal Code will no longer consider as a criminal offense homosexual acts perpetrated in private between consenting adults."

I am writing to express my outrage that, two years later, Romania has still failed to meet its commitments. In failing to pass adequate reforms to the Penal Code, the Parliament of Romania has flagrantly rejected its international human-rights commitments.

Moreover, even the proposed revision fell seriously short of the expectations expressed by the CoE. References to homosexual acts "which cause public scandal" would have left the way open for continued prosecution, blackmail, and police harassment of homosexuals in Romania. Additionally, new provisions against "organizing, associating, or any act of proselytism" would have constituted a severe violation of the freedoms of speech, assembly, and association guaranteed to all Romanian citizens.

Romania's record of broken promises on this issue must be brought to an end. The persecution and torture of gays and lesbians in Romania has been strongly criticized not only by the CoE but by many other international organizations. In rejecting penal code reforms in its November 21, 1995 vote, the Romanian parliament has paved the way for further isolation and condemnation of Romania by the international community.

We urge you to press for quick passage of an alternative revision of Article 200, which will eliminate \*all\* legal penalties for consensual homosexual acts, and which will honorably and finally fulfill Romania's obligations.

Sincerely,

**Send to:**

The Honorable Petru Tanase Tavala  
Chairman, Committee for Human Rights  
Senate of Romania  
Palatul Parlamentului  
Bucharest, ROMANIA

(over)

The Honorable Oliviu Gherman  
Chairman  
Permanent Bureau of the Senate  
Senate of Romania  
Palatul Parlamentului  
Bucharest, ROMANIA

The Honorable Adrian Nastase  
Presidinte, Camera Deputatilor  
Palatul Parlamentului  
Bucharest, ROMANIA

**Copies to CoE Officials:**

Mr. Daniel Tarschys, Secretary General  
Mr. Gunnar Jansson, Committee on Legal Affairs and Human Rights  
Mr. Friedrich Konig, Political Affairs Committee  
Mrs. Halonen (Finnish Delegate to the CoE)

**At:**

Council of Europe  
Parliamentary Assembly  
B.P. 431 R6  
F-67006 Strasbourg Cedex  
FRANCE

**WE NEED YOUR HELP - JOIN THE EMERGENCY RESPONSE NETWORK**

The International Gay & Lesbian Human Rights Commission (IGLHRC) documents, monitors, and mobilizes response to human rights violations against gay men, lesbians, bisexuals, and people with HIV/AIDS worldwide. **Please sign up** to receive action alerts on a regular basis (via email or postal service) and become part of an international campaign to make a difference in the lives of sexual minorities all over the world. To receive by mail, please fill out the coupon below and return it to:

**IGLHRC**

1360 Mission Street, Suite 200  
San Francisco, CA 94103 U.S.A.  
+1-415-255-8680 telephone  
+1-415-255-8662 fax

FOR EMAIL (saving printing costs, postage, and trees)  
write to: [iglhrc@igc.apc.org](mailto:iglhrc@igc.apc.org) with the message "subscribe"  
and note your choice of language (English, Spanish, or French)  
Please also tell us to end your printed ERN, if necessary

Yes, Sign me up for the Emergency Response Network.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip/Postal Code \_\_\_\_\_

Country \_\_\_\_\_

I would like my ERN in:  English  Spanish  French

Participation in the Emergency Response Network is free, but contributions are greatly appreciated and needed.  
Contributions are tax-deductible in the United States.

Enclosed is my contribution of:

\$20

\$30

\$50

\$100

\$ \_\_\_\_\_

Your donation can also be made with your Visa/Master card.

Card # \_\_\_\_\_

Exp. date \_\_\_\_\_

Signature \_\_\_\_\_

**IGLHRC**

1360 Mission Street, Suite 200  
San Francisco, CA 94103 U.S.A.



Herland Sister Resources  
2312 N.W. 39th  
Oklahoma City OK 73112



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