

# **Prides against Prejudice**

**A toolkit for pride  
organising in a hostile  
environment**

Prepared by ILGA-Europe  
for the EuroPride London 06  
Prides against Prejudice conference



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**September 2006**

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## A toolkit for pride organising in a hostile environment

Prepared by ILGA-Europe for the EuroPride London 06  
Prides against Prejudice conference

With the support of Amnesty International UK, Pride London and  
The European Pride Organisers' Association

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A large print version of this Toolkit is available from: [nwarner@gn.apc.org](mailto:nwarner@gn.apc.org)



Conference workshop on the European institutions, with (left to right) Michael Cashman, MEP, Professor Robert Wintemute and Robert Biedron (KPH Poland) Michael Cheetham – copyright ILGA-Europe

# The Prides against Prejudice conference

The Prides against Prejudice Conference originated in the wish of London Pride, the organisers of EuroPride London 06, that EuroPride have a strong human rights element. The conference, the objective of which was to provide information for this toolkit, was attended by more than 100 activists from 28 countries, including many leading Pride organisers from Central and Eastern Europe.



Conference workshop on Pride organising in a hostile environment, with (right to left) Hanna Makko (Mea Culpa, Estonia), Sanda Brumen (Lesbian Group Kontra, Croatia), Patricia Prendiville (ILGA-Europe Executive Director) and Tomasz Szypula (KPH Poland)

Michael Cheetham –  
© ILGA-Europe

The conference organising committee was chaired by Jackie Lewis (ILGA-Europe) and Michael Cashman, MEP, and included an implementation team of Federico Moscogiuri (Amnesty International UK), Kurt Krickler (EPOA), Jason Pollock (London Pride), Lisa Power and Nigel Warner (ILGA-Europe). Other members of the organising committee included Steve Coote (London Pride), Peter Purton (TUC) and Carl Wonfor (Metropolitan Police). A support team of volunteers was led by Ben Whur (London Pride) and Laura Trevelyan (Amnesty International UK).



Latvian participants, (left to right) Maris Sants (Open Evangelical Congregation), Linda Freimane (Mozaika), Juris Lavrikovs (ILGA-Europe) and Kristine Garina (Mozaika)

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Warsaw, June 2006  
Lene Mogensen



Riga, July 2006  
Nikolai Alekseev,  
GayRussia.Ru





# Prides against Prejudice

## A toolkit for pride organising in a hostile environment

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# Prides against Prejudice

A toolkit for pride organising in  
a hostile environment

## 1 Introduction

**Pride organising in Central and Eastern Europe –  
a short overview as of July 2006**

(See Appendix 1 for more detail')

UN Human Rights  
Commissioner  
Louise Arbour at  
the 2006 Montreal  
Outgames Human  
Rights Conference  
Dimitri Devuyt



*"It is therefore important to stress that freedom of religion is a right that also protects the freedom not to share in religious beliefs or be required to live by them."*  
(see Appendix 2, section 4, for link to full text of speech)

European Union  
Commissioner for  
Employment,  
Social Affairs and  
Equal  
Opportunities,  
Vladimir Spidla, at  
the 2006 Montreal  
Outgames Human  
Rights Conference.  
Dimitri Devuyt



*"Homophobic statements are ... absurd, paranoid and dangerous"*  
(see Appendix 2, Section 2.2.2 for link to full text of speech)

The growing strength and confidence of the LGBT movement in Central and Eastern Europe has been accompanied by increasing attempts to assert the right to freedom of assembly and expression through the holding of Pride or Equality marches. These attempts have been met with considerable hostility. In recent years

- 10 marches or demonstrations have been banned
- Leading politicians have used inflammatory language on at least 10 occasions
- Pride demonstrations or related events have faced violence on at least 13 occasions
- The police have failed to provide adequate protection on 7 occasions
- The police have broken up a peaceful demonstration on 2 occasions

Religious leaders have played a leading role in opposing Pride, sometimes inciting to hatred and opposing freedom of assembly and speech for LGBT people, often in partnership with extreme right-wing groups. Local and national politicians have used the danger of public disorder as a reason for banning marches, after having themselves used language likely to encourage extremist opposition.

These developments have been accompanied by widespread concern at rising levels of intolerance and violence against the LGBT community.



Council of Europe  
Commissioner for  
Human Rights,  
Thomas Hammarberg  
Council of Europe

*"Freedom of Assembly belongs to all people"*  
(see Appendix 2, 1.2.5 for link to full text of speech)

But the events so far suggest that there are good reasons why, over time, this is a battle that the LGBT community will win:

- There is powerful support for the marches from Europe-wide human rights institutions, which are unambiguous regarding the right to freedom of assembly and the use of hate speech by politicians
- In some cases the police have reacted with considerable professionalism (e.g. Zagreb in 2002, Riga in July 2005, Krakow in April 2006, Bucharest in June 2006)
- In many countries LGBT activists are showing great courage and resourcefulness and standing firm in the face of violence and hatred
- The wider LGBT communities in these countries have generally reacted positively and supportively, showing that these events can contribute to solidarity

Pride events not only bring LGBT people together to form a public identity and to build a visible community in a difficult social context, but they also allow individuals to express this identity and provide hope for people who are still living in fear.

Thus Pride events – the "coming out" by the community as a whole – are essential for the development and well-being both of the community and its individual members. Those who continue to demonise the LGBT community understand this instinctively. That is why they oppose Pride with such virulence.



Council of Europe  
Secretary-General,  
Terry Davis  
Council of Europe

*"The protection of the most basic human rights are at stake"*  
(see Appendix 2, 1.2.2 for link to full text of speech)

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## Purpose and context of toolkit

The purpose of this toolkit is very simple: to provide ideas and information resources for those wanting to organise Pride events in a hostile environment, drawing particularly on the experiences and successes already achieved in Central and Eastern Europe.

The situation in every country is different, with wide variations in respect for the rule of law, in the development of civil society and of the LGBT community. There are different cultures, traditions and priorities. And Pride organisers have very different levels of experience. So toolkit is a very apt description for this document. It offers many ideas, leaving individual Pride organisers to choose those things that will help them in their own distinct situation.

Harassment and violence are real dangers for those campaigning for LGBT rights in a hostile environment. Indeed, progress would be very limited without courageous individuals willing to accept a degree of risk. We hope that some of the ideas in this toolkit will help minimise these risks.



The European Court  
of Human Rights,  
Strasbourg  
Council of Europe

*"Everyone has the right to freedom of peaceful  
assembly" (European Convention on Human Rights –  
Article 11)*

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# 2 The Fundamental Rights

**The right to peaceful assembly** is enshrined in all major global and regional human rights documents. Article 11 of the European Convention on Human Rights states:

***Everyone has the right to freedom of peaceful assembly ...***

***No restrictions shall be placed on the exercise of (this) right, other than such as are prescribed by law and are necessary in a democratic society***

- *in the interests of national security or public safety*
- *for the prevention of disorder or crime*
- *for the protection of health or morals*
- *or for the protection of the rights and freedoms of others*

These restrictions must be prescribed by law. They cannot be arbitrary or ad hoc, and must be proportionate (i.e. both suitable and necessary).

Past judgments of the European Court of Human Rights mean that restrictions relating to the protection of "health or morals" or the "rights and freedoms of others" cannot generally be used to justify bans on peaceful Pride marches.

Discrimination in the way that the rights in the Convention are applied is prohibited by Article 14 of the Convention. This means that authorities must apply the same criteria in decisions relating to LGBT marches as to any other marches. And the fact that a march is about LGBT rights cannot be a reason for banning it.

**The right to freedom of expression is**, similarly, universally recognised in human rights charters and conventions. Article 10 of the European Convention states:

*Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.*

In one of its judgments<sup>2</sup> the European Court of Human Rights emphasised that freedom of expression relates

*not only to "information" or "ideas" that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population. Such are the demands of that pluralism, tolerance and broadmindedness without which there is no "democratic society".*

## **Further information:**

- On the European Convention, and the European Court of Human Rights, see Appendix 2, and the Council of Europe website - [www.coe.int](http://www.coe.int)
- The OSCE/ODIHR Draft Guidelines for drafting laws pertaining to freedom of assembly provide an invaluable introduction to international best practice surrounding all aspects of freedom of assembly – essential reading for any Pride organisers facing obstruction from their authorities. Available in Russian and English at:

<http://osce.org/odihr/documents.html?lsi=true&limit=10&grp=240>

- ILGA-Europe's Handbook on observations of Pride Marches provides more information on international standards regarding Pride marches [www.ilga-europe.org](http://www.ilga-europe.org)

<sup>2</sup>Handyside v the UK [1976]



Pride is fun!!  
Warsaw, June 2006  
Bartłomiej  
Kucharczyk

# 3 Pride Organising In A Hostile Environment



## 3.1 Laying the foundations

### 3.1.1 Do the initial thinking - develop a strategy

- What's the main idea or purpose of organising the Pride in the first place?
- Is it the right time/place for a Pride march? Consider a multi-year process, perhaps starting with cultural events, seminars, before holding a march in the second or third year. Use the time to build support in the community, to develop contacts with the police, the media, faith organisations, international organisations, human rights organisations etc, as outlined below.
- See how events are organised in other countries where the environment is hostile.
- Study your opponents. Understanding who they are, their aims, their strength, their likely plans, is important to your own strategies and tactics.
- Assess the likelihood of violent opposition – if there is a serious risk, develop your own response plans, and engage in early dialogue with the police who may not understand (nor want to understand) the seriousness of the situation.
- Plan from the beginning to ensure that your organisation can sustain itself – through recruiting new activists, and maintaining records (for example of friendly journalists, contacts at foreign embassies, helpful lawyers etc).
- Do not be over-ambitious – better a small, well protected event, then a larger event exposing to risk of violence.
- Take time to prepare properly – too much is at stake for hasty, unprepared events.
- Use tools like SWOT, Problem Tree to get a better overview of your strong and weak sides and to prepare yourself for possible outcomes.



Homophobes come in all shapes and sizes!  
Krakow, April 2006  
Marta Abramowicz



Homophobes come in all shapes and sizes!  
Tallinn, August 2006  
Ilmar Saabas, DELFI



**Homophobes come  
in all shapes and  
sizes!**  
Riga, July 2006  
Nikolai Alekseev,  
GayRussia.Ru

- Aim to make your pride organising FUN – try to avoid a victim mentality.

### 3.1.2 Form a team

- Your team is the key to a successful event. Be sure you have enough people who are ready to take responsibility for a particular area of organising, who are creative and ready to face big crowds and/or media attention.
- Identify all the key task areas which your team will need to cover: media, relations with the LGBT community and other supportive organisations, international liaison, police liaison, legal advice, detailed planning / management of the event, volunteer management, fundraising, web site management, administration/accounting, and of course, co-ordination of the team.
- Share out responsibilities, taking account of each person's particular strengths.

### 3.1.3 Gain support within the LGBT community

Broad support will be very important in finding the strength and resources to meet strong opposition.

- Try to involve as wide a range of groups as possible within the community (ensuring gender equality, and involving ethnic, religious, youth, transgender, people with disabilities and older people's



groups, where possible). Make particular provision for people with disabilities.

- Broad support will minimise opposition from within the LGBT community and will give you a good platform for fundraising events such as parties, which may in turn widen your organisation's appeal.

### 3.1.4 Gain support outside the LGBT community

- Try to involve some human rights NGOs, trades unions, women's groups and other organisations fighting discrimination on grounds of age, race, disability etc.
- Consider broadening the scope of the event to cover a wider equality agenda (e.g. anti-racist, feminist etc), but without losing sight of sexual orientation and gender identity issues.

*The Poznan Equality March is part of a week-long series of events around the International Day of Tolerance (November 17th) aimed at promoting tolerance and fighting discrimination based on gender, race, sexual orientation, nationality, ethnic origin, disability, age etc.*

I Develop personal contacts with representatives of the international community (foreign embassies, EU, Council of Europe and OSCE representatives, foreign government aid agencies, international human rights NGOs); send them your newsletter, invite them to take part in your events (particularly Pride events), and keep them informed. This is especially important if there is the possibility of serious opposition from your own authorities.

*In 2001 the mayor of Budapest District III tried to prohibit any LGBT-themed events from the annual Pepsi Island youth and music festival. The ban was overturned in time for the start of the festival. The EU's Head of Mission to Hungary accepted the position of patron of the LGBT-themed Magic Mirror Tent, and devoted his opening speech to attacking the ban and to explaining the EU's role in combating laws and practices that discriminate against sexual minorities. A representative from the Council of Europe supported him.*



### 3.1.5 Public relations strategies and dealing with the media

#### Developing a public relations and media strategy

- Develop your message, considering its impact on different audiences and what values it carries; stress that you are dealing with issues of fundamental rights, equality and democracy.
- Bear in mind that you are trying to influence a wide range of the general public and that public opinion is a balance which you are working to tip more and more in your favour.
- Come up with a short and clear slogan describing your main aim.
- Be the reasonable side in any debate – remember that extremists often look stupid when dealing with calm rational arguments. Do not provoke or shock; avoid aggression, however frustrating it is dealing with, for example, religious fundamentalists.
- Use supportive statements by European institutions – for example, those by the European

Moscow, May 2006 –  
National and  
international media  
at the press  
conference  
GayRussia.Ru



Parliament or Council of Europe referred to in Appendix 2.

- Understand that news media need to sell their products – so anticipate their need for newsworthy stories (see “Preparing” below for some ideas).
- Try to be even-handed in any involvement of political parties – perhaps by organising a platform where politicians from main parties can appear together; avoid appearing to be aligned with one particular party.
- If politicians (especially those from mainstream parties) make homophobic statements or actions, give them the opportunity to withdraw before attacking them too aggressively.
- Do not waste time trying to convert extremists – although a media exchange may provide an opportunity for them to show how unpleasant they are.
- Make sure your visibility material is inclusive of as many strands of the LGBT community as possible, including people with disabilities.



Moscow, May 2006:  
Press conference  
with (left to right)  
Nikolai Baev,  
Nikolai Alekseev,  
Evgeniya  
Debryanskaya,  
Louis-Georges Tin  
and Volker Beck  
[GayRussia.Ru](http://GayRussia.Ru)



## Preparing

- The role of PR coordinator is critical. Choose carefully. S(he) must be good at conveying clear messages, comfortably "out", good at facts, and with a sense of humour.
- Build up regular contacts with journalists who are supportive and write about LGBT, human rights and feminists topics; invite them to your events. Ask other NGOs for their contacts.
- Prepare a target list of news organisations that are most important and make special efforts to interest them. If there is a possibility of opposition from your own authorities, try particularly to interest the foreign media – their coverage can significantly increase pressure on your government.
- Prepare the messages you want to get across in writing so that spokespersons give consistent agreed information to journalists.



Well known people are newsworthy. (Left to right) Tomasz Baczkowski of the Warsaw Pride organisers Fundacja Rownosci, with Marcin Swiecicki (former Major of Warsaw), Marek Borowski (Leader of the Social-Democratic Party, Claudia Roth (Green Party Germany and former MEP), Joanna Senyszyn (Polish MP, Social-Democratic Party) Warsaw, June 2006.

Joe Vogt

- Draw up a list of questions that you think journalists may ask – both friendly and hostile – and prepare replies; make sure everyone who may come into contact with the media has a copy.
- Develop procedures to ensure that information is checked before being made public and that you can make rapid responses to events or media enquiries.
- Ask LGBT-friendly popular opinion leaders to make a short statement of support and publicise it.
- If well-known public figures are supporting the Pride, arrange interviews for them with friendly mainstream journalists.
- Offer journalists “human interest stories” which illustrate the reality of LGBT life in your country (including interviews with the people concerned); try to include some parents of LGBT people and some young people.
- Find people willing to make a video of the event – it can prove very useful in subsequent work, both when lobbying/campaigning, and in gaining support within the LGBT community. It can also provide evidence of human rights violations.
- Create and update constantly a space on your organisation’s web site focussed on Pride.

See paragraph 3.2.4 below for ideas for your media campaign once you have permission for the march to go ahead

### 3.1.6 Dealing with opposition by faith based groups

Most of the faith-based opposition to Pride events in Central and Eastern Europe has come from Christian churches. Hence the text below concentrates mainly on these. If there is a need for information on dealing with opposition from other faiths, please contact ILGA-Europe.

#### Involve LGBT faith groups

- Make contact at an early stage with any local LGBT faith based groups to get their support for a Pride march.
- The European Forum of Lesbian and Gay Christian Groups (EFLGCG) has members in many countries and contacts in some places where there is not yet a group. Information about member groups can be found on the website [www.euro-lgbt-christians.org](http://www.euro-lgbt-christians.org).
- The Board of EFLGCG, through member groups, can encourage Christian LGBT people to attend the march, preferably with suitable banners, and to write protest letters to politicians and church leaders if a march is banned or not properly policed.
- The Metropolitan Community Church (MCC) has a tradition of supporting Equality Marches in Eastern Europe with petitions, meetings with stakeholders, and collecting visibility materials. You can contact directly the East European coordinator of the MCC for information and support – [florinbuhuceanu@mccchurch.net](mailto:florinbuhuceanu@mccchurch.net) or [florinbuhuceanu@yahoo.com](mailto:florinbuhuceanu@yahoo.com).

#### Dialogue with local religious leaders

- Consider opening a dialogue with local religious leaders at an early stage – this may result in a less hostile response.

#### Some points to make in any debate on faith-based opposition:

- LGBT people should not be defined just in terms of sex – we are individual human beings, with all the attributes of humanity, and deserve dignity and respect. Especially, we should enjoy fundamental rights like every one else.
- Freedom of religion is a right that also protects the freedoms neither to share in religious beliefs nor be required to live by them. See Appendix 2, section 4, for a link to a particularly strong statement of this view by the UN's High Commissioner for Human Rights, Louise Arbour.
- Faith-based organisations which associate themselves with extremist opposition to Pride events are encouraging hatred and indirectly inciting violence.
- Theology *cannot* be based on hatred.
- LGBT people have a right to religion.
- LGBT people also have a right to interpret religious texts like the Bible or the Koran.



It helps to have the  
police on our side!  
Warsaw, June 2006  
Bartłomiej  
Kucharczyk

### 3.1.7 The obligations and role of the police in upholding freedom of assembly and expression

*The Council of Europe's European Code of Police Ethics [2001]<sup>3</sup> sets out best practice principles for member state governments in preparing their internal legislation, practice and codes of conduct for the police. It states:*

*The main purposes of the police in a democratic society governed by the Rule of Law are: to maintain public tranquillity, and law and order in society; **to protect and respect the individual's fundamental rights and freedoms as enshrined notably in the European Convention on Human Rights**; to prevent crime; to detect crime; to provide assistance and service functions to the public.*

In the section on Guidelines for police action and intervention it states:

*The police, in carrying out their activities, shall always bear in mind everyone's fundamental rights, such as freedom of thought, conscience, religion, expression, peaceful assembly, movement and the peaceful enjoyment of possessions.*

In the commentary that accompanies that article it makes clear that the role of the police goes beyond **recognising** those rights, and includes **safeguarding** those rights, stating that "*without [safeguarding those rights] democracy becomes an empty notion without any basis in reality*".

The European Code of Police Ethics is a Recommendation of the Committee of Ministers of the Council of Europe (see Appendix 2 for more information). As such, it is agreed by all the member states. Thus, there is a strong case for saying that in all Council of Europe member states the police have an obligation to facilitate freedom of assembly and expression for the LGBT community. Use this argument in your discussions with the police.

<sup>3</sup><https://wcd.coe.int/ViewDoc.jsp?id=223251&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75>



### 3.1.8 Prepare for the possibility of a ban

If you think there is a possibility that your march will be banned, make preparations – the ban may (probably deliberately) be announced at the last minute, leaving little time to react.

- Study the process for appealing against a ban, and be ready to appeal to the courts immediately a ban is announced.
- Examine the laws closely to discover whether it will be possible to get round the ban – by modifying the route or nature of the march. One approach might be to conduct a number of stationary assemblies or similar events.
- Consider planning alternative events indoors, so you have a fall-back position.

*In Warsaw in 2005, when the original proposal for a march was rejected by the Mayor, organisers proposed seven stationary assemblies, four of which were intended to protest against discrimination against various minorities, while three were to protest about discrimination against women. The stationary assemblies to be organised by representatives of LGBT organisations were all banned, but the three protesting about discrimination against women were permitted, highlighting the discriminatory behaviour of the Mayor. In the end, the original march went ahead, despite the ban.*

*In Riga, in 2006, when the march was banned, organisers held a press conference, an “Indoor Pride” celebration in a hotel, and a church service.*

**Chisinau, May 2005 - Pride participants evade the police to lay flowers at the “Monument of the Oppressed”, after all outdoor events are banned**  
GenderDoc-M





## 3.2 Going ahead with the march

### 3.2.1 Timing

When to go ahead with the first march is very much a matter of judgement, and there will be different views. Your organisation must feel strong enough to carry it through in the face of intense opposition, and should command a significant level of support within your community.



It helps if there are plenty of you!  
Warsaw, June 2006  
Bartłomiej Kucharczyk

### 3.2.2 The application to the authorities

It is essential to prepare the application carefully, to avoid giving the authorities any easy reasons for a ban.

- **The rules**

Make sure you obtain and fully understand all the rules governing permits for marches. Any failure to follow the rules would be a legitimate reason for banning a march.

- **The route and timing**



- ❖ Choose a route, day, and time that have been acceptable for other similar marches. Avoid anything unusual.
- ❖ Consider a route that does not involve stopping the traffic.
- ❖ Try to choose a **safe** route, particularly remembering the needs of wheelchair users (avoid cobblestones, steep hills, steps, choose escape routes without steps or narrow passages; consider getting advice from groups representing people with disabilities).
- ❖ Reject any instruction that you hold the march in some remote part of the town where it will make no impact. If other groups are allowed to demonstrate in the centre of town, this would be discriminatory under the European Convention on Human Rights – see Section 2 above.

### 3.2.3 Preparing for the event, if permission granted

- **The police**

- ❖ Meet with the police in advance to discuss safety issues, and agree a common plan; appoint a person to keep in contact with the police during the march.
- ❖ If your march is not in the capital city of the country it is even more important to make contact with the police as early as possible. They are much less likely to be familiar with policing demonstrations, and may be unaware of possible opposition – so awareness-raising, both with regard to your rights, and to the need for protection, may be essential.
- ❖ The police may try to insist that you pay for considerable numbers of security staff, possibly in the hope that the cost will deter you from holding a march. Under the European Convention on Human Rights the state has a duty to protect you (see Section 3.3.1 below), so you should not be obliged to hire security staff. So reject any such argument and be ready to challenge it in the courts. If the police insist, make sure you get their decision in writing.
- ❖ If you find the police hostile, in terms of behaviour or attitudes, document their speech and behaviour as fully as possible, and take it up with the appropriate authorities, possibly the ombudsman.

- **Find volunteers to act as march stewards.**

Make sure they know the route, any conditions or rules relating to the march, and what to do if there are problems. Make sure they can be identified (T-shirts? Armbands?), and carry mobile phones; prepare them to work on the safe dispersal of participants at the end of the march (taxis for particularly vulnerable people – e.g. transgender people, people with disabilities; accessing public transport in organised groups). Appendix 3 shows suggested guidelines and code of conduct for stewards (these assume good relations between the police and march organisers).

- **Work to attract as many participants and spectators as possible** – increasing the impact, and making for greater safety. Circulate messages to all the friends, contacts, family members of your organisation, and to supportive outsiders etc, including LGBT people who are not "out". Invite them to bring heterosexual friends. Suggest they watch from the side if they do not want to march – people who watch one year will often march the next.

- **Prepare leaflets with basic guidance for participants.**



Distribute copies before the march starts. It is particularly important that participants should have clear guidance on safe dispersal at the end of the march. See Appendix 4 for an example.

- **Ask a human rights NGO to provide observers to monitor the march** if you anticipate violent opposition, hate speech, police violence or inadequate police protection. Alternatively train some of your own observers – the ILGA-Europe *Handbook on observations of Pride Marches* provides essential advice on how to do this – [www.ilga-europe.org](http://www.ilga-europe.org).
- **If you anticipate that opponents will use hate speech**, and there are laws in your country which allow the prosecution of hate speech, consider setting up a special team of observers to mingle with the opponents, photograph/record them, make notes of their hate speech and then act as witnesses against them in subsequent court proceedings. The Handbook on Observations of Pride Marches has an example of a template for use by observers, and a Legal Observer guide (in Appendix 1) which may be helpful.
- **Consider whether it is wise for children to come on the march** – there may be safety and public relations issues.



Police arrest homophobic  
skinhead.  
Warsaw June 2006  
Joe Vogt



### 3.2.4 Media aspects of the march

#### The media launch

- Some days before the start of Pride send a press release to all newspapers, TV and radio channels, e-zines and the foreign media. It should be very clear and give answers to basic questions: why Pride is important, the political significance of the event, your political aims, LGBT rights as human rights, lobbying for equal status in society, practical details (where, when, contacts). Be prepared to distribute further copies throughout your Pride events.
- Organise a press conference before the start of Pride. Three to four of your team should be present and each of them should have one topic to talk about (for example, security, the march itself, the programme...).
- Distribute a press release at the start of the press conference – that way, at least some of your information may be accurately reported.
- Be prepared to deal with hostile/aggressive questioning.

#### Making the most of the media possibilities of the march

- Make sure the march is interesting to photograph – write peaceful and funny banners with a clear political message; use humorous images and costumes to make a political point.

*The year after Pride marchers in Estonia were pelted with tomatoes, some marchers appeared dressed as tomatoes, carrying the slogan "tomatoes hurt too"*

- Assign someone to identify journalists / film crews, and ensure spokespersons are available to give interviews to them.
- Group together any well-known public figures at the front of the march, and make them available for photos and interviews.
- Prepare a short statement about Pride and your political aims to be read at the march.
- Assign someone to take photos during the march to provide to journalists and for your website.



Colourful sights get media coverage  
Warsaw, June 2006  
Bartłomiej Kucharczyk



Riga, July 2006: the District Administrative court upholds the City Council's ban on the Pride march  
Nikolai Alekseev, GayRussia.Ru

## 3.3 Responding To Negative Events

### 3.3.1 What to do if the authorities ban the march

- **Make sure you have an official document from** the authorities setting out the ban.
- **Consider proposing an alternative event** – see 3.1.8 above.
- **React quickly with press releases and press conferences** – while the events are still “news” – showing how the ban violates your country’s constitution and international human rights obligations (see Section 5 and Appendix 2 for latter) and damages your country’s reputation.
- **Call for international solidarity actions**, as listed in Section 4.



Chisinau, May 2005 – Press conference to condemn the banning of Pride; (right to left) GenderDoc-M’s President Alexei Marcicov, Executive Director Maxim Anmeghichean, and Sweden’s Sexual Orientation Discrimination Ombudsman, Hans Ytterberg  
GenderDoc-M



- **Gain the support of the European institutions** – see Section 5
  
- **Challenge the ban in the courts**
  - ❖ Provided Pride organisers have followed all procedures correctly, local authorities will have no valid justification for banning a Pride march.
  - ❖ Any court case challenging a ban at the local or national level should refer to the European Convention on Human Rights (Article 11, see Section 2 above) and its related jurisprudence<sup>4</sup>.

In the past local authorities have justified a ban on the basis of two main types of argument:

- (i) public opinion, or offence to religious views.
- (ii) threat to public order (which invariably arises from the opponents of Pride marches).

The European Court of Human Rights does not accept these arguments. Its position on these arguments was reconfirmed recently in *United Macedonian Organisation Ilinden and Ivanov v Bulgaria* (Application no. 44079/98 Judgment 20.10.2005).

<http://worldlii.org/eu/cases/ECHR/2005/754.html>

*The Court recalls that genuine, effective freedom of peaceful assembly cannot be reduced to a mere duty on the part of the State not to interfere; it is the duty of Contracting States to take reasonable and appropriate measures to enable lawful demonstrations to proceed peacefully (see Platform “Ärzte für das Leben v. Austria” judgment of 21 June 1988). It is also recalled that in a democratic society based on the rule of law, **political ideas which challenge the existing order and whose realisation is advocated by peaceful means must be afforded a proper opportunity of expression through the exercise of the right of assembly, as well as by other lawful means (see Stankov and the United Macedonian Organisation Ilinden)..... The authorities were therefore bound to take adequate measures to prevent violent acts directed against the participants in Ilinden’s rally, or at least limit their extent.***

More information on taking a case to the European Court of Human Rights is available in the ILGA-Europe Handbook on observations of Pride Marches [www.ilga-europe.org](http://www.ilga-europe.org).

A number of international human rights NGOs exist which may be able to provide help to Pride organisers who cannot find international human rights legal expertise locally. Contact ILGA-Europe for advice.

<sup>4</sup>Except for Belarus, which is not a signatory to the Convention





Moscow, May 2006:  
Nikolai Alekseev  
arrested trying to  
place flowers on the  
Tomb of the  
Unknown Soldier  
Yuri Gavrikov,  
GayRussia.Ru

### 3.3.2 Where a Pride march is banned, should you go ahead with holding an "illegal" march?

The answer will depend on local circumstances, for example:

- **Political and strategic**

What support you have in political circles, the media, and society generally.

- **Safety**

Whether the police will protect the march. If it is clear that there will be no police protection and



violent opposition is threatened, organisers have to consider very carefully whether to put marchers at risk of injury. At the very least, marchers must be made fully aware of the risks.

The following cases illustrate these points:

- ❖ Bucharest, 2005, the Mayor lifted the ban, when faced with the knowledge that the march would take place in any event, and was supported both from within government circles, and by substantial international pressure (mainly from the US and Canada, where protest demonstrations in front of Romanian embassies/consulates were organised by the Metropolitan Community Church in Washington DC, New York and Toronto).

- ❖ In Poland, "illegal" marches have been used on a number of occasions to considerable effect, notably, in Warsaw in 2005, when the police provided protection, and Krakow in 2005. In the latter case the police suppressed the march, arresting large numbers of participants, and triggering protest marches in seven Polish cities the following week.

- ❖ In Moscow, in June 2006, the march was replaced by two rallies, one involving the placing of flowers on the tomb of the Unknown Soldier, the other outside the City Hall. The organisers were arrested and several participants were injured. Police protection was inadequate.

- ❖ In Riga in July 2006 the organisers decided not to proceed with the march after the ban was upheld by the local court. In the event the police refused to provide effective protection even for the indoor events arranged instead, so that participants in a church service and press conference were confronted by aggressive crowds throwing eggs and excrement. The Pride organisers found themselves trapped by a hostile crowd in the hotel where they had held an Indoor Pride, with speeches and dancing. The personal intervention of the Acting Prime Minister was needed to secure their safety.

### 3.3.3 Responding to homophobic speech by politicians

- Make sure you have an accurate transcript of what the politician said.
- Consider a dialogue with the politician to prevent the use of similar language in the future.
- Issue a press release
  - ❖ Highlighting the irresponsibility of such language (incitement to hatred/violence + details of violence/discrimination experienced by the LGBT community);
  - ❖ Exposing any weaknesses in the arguments used;
  - ❖ Referring to international recommendations against the use of hate speech by politicians (see Appendix 2, para 1.2.1 for details of a Recommendation published by the Council of Europe);
  - ❖ Making use of speeches by prominent political figures opposing such language (see, for



example, Appendix 2, para. 2.2.2, for a speech by EU Commissioner Spidla);

- Consider legal action, if the statements violate national laws.
- Take up with other members of the politician's party, if you think they will be supportive.
- Take up with your national equality ombudsman.
- Publicise in the international LGBT community, through the Euroqueer e-mail list.
- Consider calling for international solidarity actions, as listed in Section 4.
- Consider getting support at the European institutions – particularly if the politician is a member of a party belonging to one of the main European political groups in the Parliamentary Assembly of the Council of Europe, or the European Parliament (see Appendix 2, paras 1.2.3 and 2.2.3).



When it's all over .... Riga, July 2006  
Nikolai Alekseev,  
GayRussia.Ru

### 3.4 When it is all over

Depending on the outcome you and your team will feel exhilarated or frustrated, and either way, you will be exhausted. But further actions will be needed:

- You may wish to issue a press release setting out what has been achieved, and what further actions you will now take.
- If the march has been banned, you will need to continue your legal challenge. If you are successful consider having the judgement translated into English, and made available to other Pride organisers.
- If the police have behaved badly, you will need to take this up with the appropriate authorities, probably the ombudsman.



- If there has been homophobic media coverage, you will want to take this up with your press complaints commission.
- You will need a review session, to learn and document the lessons from the experience – the successes, the weaknesses, and you may want to talk through your experiences and release some of the stresses and fears.
- There will be a need to review the team, and decide who will be carrying forward the project to the following year. Where there are to be changes, the incoming post holders will need to be briefed, and documents and records transferred.
- And you should begin planning to recruit new volunteers, and building a new team, for the following year.



Tallinn August 2006  
Ilmar Saabas, DELFI

# 4. How Pride Organisers Can Maximise International Support

## 4.1 International support can be requested from the following sources:

- LGBT organisations and individuals in other countries.
- Foreign embassies and the offices of international organisations in your own country.
- International human rights organisations, including Amnesty International, Human Rights Watch, the International Gay and Lesbian Human Rights Commission, EPOA and ILGA-Europe.
- Intergovernmental organisations with a human rights perspective (EU, Council of Europe, OSCE, and UN) (see Section 5).

**Clear documentation, preferably in well-written English, is the essential start point**, whether dealing with banning of a Pride event, inadequate police protection, hate speech or hate crimes.

It is often effective to have two separate types of documents: a report which sets out clearly and factually what happened; and shorter covering letters/e-mails addressed to specific recipients. While the detailed report may take time and effort to prepare, it will repay the effort through being used repeatedly.

The International Gay and Lesbian Human Rights Commission have published a useful guide, *Documenting Human Rights Violations*.

<http://www.iglhrc.org/site/iglhrc/content.php?type=1&id=110>

## 4.2 Ways in which LGBT organisations and individuals in other countries can help:

- Send protest letters/e-mails to officials in your country.
- Raise issues with their own Foreign Ministry (this is likely to be most helpful in the case of countries with a distinct policy of supporting LGBT rights including Germany, the Netherlands, the Scandinavian countries, the UK, Canada).
- Organise public demonstrations during visits by politicians from your country with a homophobic record (exact details of the times and places to be visited are essential for this).
- Organise solidarity protests outside embassies.
- Participate in your Pride events.
- Publicise the situation in your country at their own Pride events, and fundraise for you (contact



InterPride or EPOA for help with this).

- Provide longer-term support for your organisation, through, for example, twinning with your organisation. Such longer-term support is usually built on the basis of personal contacts, often through meetings at international events such as ILGA-Europe, EPOA and InterPride conferences.
- If their city/town is twinned with yours, ask their city authorities to bring up LGBT rights.

While international support can be very helpful make sure that your organisation maintains its autonomy and takes all key decisions.

Your requests for help can be communicated to organisations and individuals through the Euroqueer e-mail list, the main European level LGBT activist list

(to subscribe: [euro-queer-subscribe@groups.queernet.org](mailto:euro-queer-subscribe@groups.queernet.org))

## 4.3 Foreign embassies and the offices of international organisations in your own country

Report human rights violations to:

- Foreign embassies, particularly those which have a policy of supporting LGBT human rights (see previous paragraph). Reports to US embassies can also be helpful: the State Department prepares annual human rights reports on other countries, and inclusion of a particular incident in this report is a good way of pressurising your government.
- Local representatives of the EU, OSCE and Council of Europe, all of which have strong policies supporting human rights in general and freedom of assembly in particular. See Section 5 and Appendix 2 for more information on their policies.

## 4.4 International human rights organisations

Amnesty International, Human Rights Watch, the International Gay and Lesbian Human Rights Commission, ILGA and EPOA can all be asked for their public support, which can be particularly valuable in obtaining publicity, and in pressurising governments.





Homophobic symbol  
used widely in Eastern  
Europe  
Warsaw, June 2006  
Bartłomiej Kucharczyk



# 5 How to use the European and UN human rights framework and institutions

Freedom of assembly is regarded as a fundamental human right by all major international human rights organisations. Appendix 2 sets out the key provisions of each of the European institutions, together with the mechanisms and documents that Pride organisers can invoke in responding to bans on Pride marches. The ILGA-Europe *Handbook on Observations of Pride Marches* provides information on how the UN human rights institutions can be used – [www.ilga-europe.org](http://www.ilga-europe.org).

All these institutions provide very powerful means for attacking and embarrassing governments and local authorities which have banned Pride marches. Moreover, the same violation can often be raised through many different channels, multiplying the pressure on governments. For example, the banning of a Pride march in Ukraine could be taken up in the following ways:

## Council of Europe

- Monitoring Committee of the Parliamentary Assembly
- Human Rights Commissioner – country report
- Congress of Local and Regional Authorities
- Ultimately, the European Court of Human Rights

## European Union

- The EU Presidency, acting on behalf of the EU as a whole
- European Commission
- European Parliament's Joint Committee with Ukraine
- The European Parliament Intergroup for Gay and Lesbian Rights

(all working within the framework of the European Neighbourhood Policy – see Appendix 2 – para. 2.3.2)

## OSCE

- Reports on freedom of assembly by the Office for Democratic Institutions and Human Rights
- In the context of human rights conferences, particularly the annual Human Dimension Implementation Meeting or other, more specific seminars

However, the processes of these institutions are often relatively complex. Pride organisers wishing to raise issues with them are encouraged to contact ILGA-Europe for advice and support.



# 6 How activists across Europe and beyond can support Pride organisers

- Keep in touch with developments: sign up to the Euroqueer e-mail list – (euro-queer-subscribe@groups.queernet.org), and the ILGA-Europe monthly (e-mail) EuroLetter and quarterly (conventional print) Newsletter (info@ilga-europe.org).
- Participate in international meetings such as the ILGA-Europe, EPOA and InterPride annual conferences.
- Twinning: developing a working relationship with a particular organisation can be very productive. EPOA and InterPride can help set up twinning arrangements between Pride organisers in different countries.
- Use your own Pride events to fundraise for Pride organisers in hostile environments. Many organisations in Central and Eastern Europe are relatively recent, and run by students/young people with very limited resources. Often the economic differences will mean that amounts that seem relatively small in Western Europe or North America can achieve a lot in Central and Eastern Europe.

*Stockholm Pride organised an e-bay auction to raise money for Warsaw Pride. The items auctioned included signed Abba posters.*

*San Francisco had a float in their parade with the logo for Moscow Pride on it and called for donations.*

*In 2005, as part of EuroPride in Oslo, the group "Skeiv solidaritet" (Queer Solidarity) produced a calendar ("Se min kjole" – "See my dress") with photos of prominent heterosexual Norwegian men dressed in women's clothes). Through the sale of the calendar 180.000 NKK (22.620 €) were raised to support two organisations in Eastern Europe, "Krug" in Murmansk, Russia, and "GenderDoc M" in Chisinau, Moldova.*



**Warsaw 2006: The first “legal” Parade for three years goes ahead – thousands march, including supporters from many other countries**  
**Joe Vogt**

- Participate in Pride events: the first Pride marches in many countries are often very small. The presence of committed supporters from abroad can be a real morale booster for the organisers.

*In June 2006, various LGBT groups in Berlin organised – under the title “Warschauer Pakt” (“Warsaw Pact”) – buses to take German activists to Warsaw to support the parade. Several hundred German activists took part, as did activists from various other countries and representatives from 15 Parliaments. Earlier, a broad range of groups and politicians from Germany and other countries had launched a “Gay solidarnoœæ” campaign calling for donations to the Polish pride organisers.*



**Tallinn, August 2006**  
**Imar Saabas, DELFI**

- React to calls for help, whether these involve protest letters/e-mails, approaches to your Foreign Ministry, or organising demonstrations against visiting politicians or outside embassies.

*In March 2006 the Polish president’s first visit to Berlin was interrupted when he was confronted by dozens of LGBT rights activists. Lech Kaczynski was giving a lecture on European solidarity at Humboldt University when a group of demonstrators forced their way into the packed hall.*

- Ask your government to raise freedom of assembly violations with the government concerned, and in international human rights meetings (EU, OSCE, and Council of Europe).



# Appendix 1

## Pride organising in Central and Eastern Europe<sup>5</sup> – overview at July 2006

### 10 marches or demonstrations have been banned:

<b>Latvia</b>	<b>Riga</b> – July 2005, July 2006
<b>Moldova</b>	<b>Chisinau</b> – May 2005 and May 2006
<b>Poland</b>	<b>Warsaw</b> – June 2004 and May 2005 <b>Poznan</b> – November 2005 <b>Torun</b> – November 2005
<b>Romania</b>	<b>Bucharest</b> – May 2005
<b>Russia</b>	<b>Moscow</b> – May 2006

- In two cases (Riga 2005 and Bucharest 2005) the ban was lifted, and the march went ahead, thanks to a successful court case (Riga) and international pressure together with high-level political support (Bucharest).
- In five cases (Warsaw twice, Poznan, Torun, Moscow) the march went ahead, despite the ban, if sometimes in a different form than originally planned.
- In five cases (Warsaw 2005, Chisinau 2005 and 2006, Moscow 2006, Riga 2006) court actions against the ban continue, with the Warsaw and Chisinau 2005 bans currently being challenged before the European Court of Human Rights.

### Leading politicians have used inflammatory language on at least 10 occasions:

<b>Latvia:</b>	July 2005: the Prime Minister, and the Deputy Speaker of the Parliament
<b>Poland:</b>	April 2004: A statement by the Krakow regional parliament November 2004: the chairperson of the City Council of Poznan May 2005: the future Minister of Culture May 2005: the Mayor of Warsaw, and future President October 2005: the future Prime Minister of Poland November 2005: the Mayor of Poznan

<sup>5</sup>The summary includes 3 marches – those at Torun, Elblag and Gdansk – which were not Pride/Equality marches as such, but protests at the banning of the Poznan Equality march



**Romania:** May 2005: **the Mayor of Bucharest**

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**Russia:** February 2006: **the Mayor of Moscow**

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## **Pride demonstrations or related events have faced violence on at least 13 occasions:**

**Croatia** **Zagreb** – June 2002

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**Estonia** **Tallinn** – August 2006

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**Latvia** **Riga** – July 2005, July 2006

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**Poland**  
**Krakow** – May 2004  
**Poznan** – November 2004  
**Warsaw** – June 2005  
**Poznan** – November 2005  
**Gdansk** – November 2005  
**Elblag** – November 2005

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**Romania** **Bucharest** – June 2006

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**Russia** **Moscow** – May 2006

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**Serbia** **Belgrade** – June 2001

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## **The police have failed to provide adequate protection on 7 occasions:**

**Estonia** **Tallinn** – August 2006

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**Latvia** **Riga** – July 2006

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**Poland**  
**Krakow** – May 2004  
**Poznan** – November 2005  
**Elblag** – November 2005

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**Russia** **Moscow** – May 2006

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**Serbia** **Belgrade** – June 2001

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## **The police have broken up a peaceful demonstration on two occasions:**

**Poland** **Poznan** – November 2005

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**Russia** **Moscow** – 2006

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# Appendix 2

## Using the European human rights framework and institutions

### 1. Council of Europe

For general information, see: [www.coe.int](http://www.coe.int)

#### 1.1 Key provisions:

Articles 10 and 11 of the European Convention on Human Rights and Fundamental Freedoms – see Section 2 above; the full text (in 30 languages) is available at:

<http://www.echr.coe.int/ECHR/EN/Header/Basic+Texts/Basic+Texts/The+European+Convention+on+Human+Rights+and+its+Protocols/>

**Members:** all countries in Europe, including Armenia, Azerbaijan and Georgia, but excluding Belarus

#### 1.2 Institutions and their mechanisms:

**1.2.1 The Committee of Ministers of the Council of Europe** is the executive body of the Council, and consists of the Foreign Ministers of the 46 member states. It has a number of specific roles relevant to human rights, including monitoring member states' compliance with their undertakings, supervising the judgments of the European Court of Human Rights and issuing Recommendations to member states.

**Recommendations:** While not legally binding, the fact that these Recommendations are agreed by the 46 member states places a moral obligation on governments to observe them.

[http://www.coe.int/t/cm/home\\_en.asp](http://www.coe.int/t/cm/home_en.asp).

Recommendation No. R (97) 20 on "Hate Speech" provides strong guidance to governments on the need to provide protection from hate speech, and the special responsibility of governments, public authorities and officials "to refrain from statements, in particular to the media, which may reasonably be understood as hate speech, or as speech likely to produce the effect of legitimising, spreading or promoting racial hatred, xenophobia, anti-Semitism or other forms of discrimination or hatred based on intolerance. Such statements should be prohibited and publicly disavowed whenever they occur."



<https://wcd.coe.int/ViewDoc.jsp?id=593115&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75>)

This Recommendation has obvious applications in challenging politicians and others who use homophobic hate speech.

**1.2.2 The Secretary-General** is an important spokesperson for the Council of Europe. The current holder of the position, Terry Davis, both intervened publicly to try to persuade the Moscow authorities to allow the 2006 March to go ahead, and sent a message of support to the conference which formed part of the Pride events. The text of the latter can be found at:

<https://wcd.coe.int/ViewDoc.jsp?id=1004449&ackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE>

**1.2.3 The Parliamentary Assembly of the Council of Europe** is made up of delegates from the parliaments of the 46 member states. <http://assembly.coe.int/default.asp>

The Assembly is currently preparing a report on freedom of assembly and expression for LGBT people. When finalised, probably in 2007, this should provide strong statements of support for Pride marches, and expressions of concern regarding the use of hate speech.

The **Monitoring Committee of the Assembly** reports to the Assembly on the progress of recently joined member states in meeting their human rights commitments. Any ban on a Pride march would be reported by the Monitoring Committee, and would result in criticism by the Assembly.

[http://assembly.coe.int/ASP/Committee/PACECommitteesInfoListing\\_E.asp](http://assembly.coe.int/ASP/Committee/PACECommitteesInfoListing_E.asp))

Countries currently subject to monitoring are: Albania, Armenia, Azerbaijan, Bosnia, Georgia, Moldova, Monaco, the Russian Federation, Serbia and Montenegro, and Ukraine.

*In May 2005 the Moldovan LGBT organisation, GenderDoc-M, reported the ban on the Chisinau Pride manifestation to the rapporteurs of the Monitoring Committee. They raised the matter with the Moldovan authorities. Their report to the Parliamentary Assembly commented: "Pending a satisfactory response [by the Moldovan authorities to the Rapporteurs], we wish to point out that democratic governments are required to respect the fundamental rights of all their citizens and that discrimination against sexual minorities is inadmissible".*

**The Political Groups** of the Parliamentary Assembly may also be a source of support. The main parties are: the Socialist Group, the European People's Party (Christian Democrats), the Alliance of Liberals and Democrats for Europe, the European Democratic Group (Conservatives), and the Group of the United European Left. These groups could, for example, be asked to intervene where an MP from one of their



national affiliates made homophobic comments. For more information about the groups, see [http://assembly.coe.int/Composition/APGroupsList\\_E.asp](http://assembly.coe.int/Composition/APGroupsList_E.asp).

*In July 2001 Moldovan parliamentarian and PACE member Mr. Vlad Cubreacov spoke in very homophobic terms in a newspaper interview. The Moldovan group GenderDoc-M raised this with the European People's Party, whose chairperson in the Parliamentary Assembly wrote to Cubreacov: "My attention was drawn to an article published recently under the title "Moldovan parliamentarian delivers hate speeches against gays and lesbians in Moldova". In this article you condemn homosexuality in extremely strong words. May I draw your attention to the fact that your opinion is clearly against the EPP-program in general, and against the conviction of our EPP-group in the Parliamentary assembly in particular as it is in strong contradiction as well with the conventions of the Council of Europe. The respect for human dignity and integrity, whatever the sexual preference or disposition of the people concerned might be, is the base of our attitude and of our societal conviction. It must be clear that you will have to change opinions about this if ever your political position is supposed to stay in line with our group and with our EPP-party".*

**1.2.4 The Congress of Local and Regional Authorities** of the Council of Europe is made up of representatives from local and regional authorities in the 46 member states.

[http://www.coe.int/T/Congress/Default\\_en.asp](http://www.coe.int/T/Congress/Default_en.asp)

In view of the key role played by local authorities in authorising Pride marches, it has a significant interest in the freedom of assembly issue. It is expected to prepare a report on LGBT freedom of assembly by 2007, which should be very supportive.

The **President** of the Congress can take up issues falling within the mandate of the Congress and the policies of the Council of Europe.

*In March 2006 the President wrote to the Mayor of Moscow asking him to "review" his decision to ban the Gay Pride Parade, commenting that the Council of Europe "holds dear" all the rights enshrined in the European Convention, and pointing out that the "universal and unalienable nature of these rights can never be in question".*

**1.2.5 The Council of Europe Human Rights Commissioner** has a broad remit in fostering the effective functioning of human rights, and identifying possible shortcomings in the law and practice of member states. His main tool is reports on the situation in each of the 46 member states, which typically are covered once every six years, together with a follow-up report. Any ban on a Pride march would be very likely to feature in his country report, putting significant pressure on the government. The Commissioner also makes visits to member states during which he would be likely to take up violations of this kind with government representatives. However, the Commissioner cannot take up individual complaints. The Commissioner has made two public statements supporting the rights of LGBT people:

*Gay Pride Marches should be allowed and protected –*

[http://www.coe.int/T/Commissioner/Viewpoints/060724\\_en.asp](http://www.coe.int/T/Commissioner/Viewpoints/060724_en.asp)

*Freedom of assembly belongs to all people –*

<https://wcd.coe.int/ViewDoc.jsp?id=1010053&BackColorInternet=99B5AD&BackColorIntranet=FABF45&BackColorLogged=FFC679>

**1.2.6 The European Court of Human Rights** is the guardian and interpreter of the European Convention. Ultimately, any ban on a Pride march which is not overturned by national courts, can be challenged at the European Court of Human Rights, and would, subject to correct handling, be very likely to succeed. The Court's position on freedom of assembly is set out in paragraph 3.3 of this toolkit. Governments are under treaty obligations to implement judgments of the Court. <http://www.echr.coe.int/echr>

Any organisation considering taking a case to the Court should get expert advice. In particular, there are strict rules regarding the need to "exhaust national remedies" before proceeding with a case to the Court. This means that a case must have been appealed unsuccessfully to the highest court in the land before it can go to Strasbourg. There are also strict time limits – cases must be referred to Strasbourg within six months of their final rejection in the national courts.

A number of international human rights NGOs exist which may be able to provide help to Pride organisers who cannot find international human rights legal expertise locally. Contact ILGA-Europe for more information.

*The organisers of the Warsaw Equality Parade 2005 and of the 2005 Chisinau pride demonstration have both started cases before the European Court of Human Rights in Strasbourg over the banning of their events.*

## 2. The European Union

### 2.1 Key Provision

Article 12 of the EU Charter of Fundamental Rights:

“Everyone has the right to freedom of peaceful assembly ...”

### 2.2 Institutions

Three EU institutions, the Council, Commission and the Parliament, are described here, together with any specific mechanisms and statements which can be used to support LGBT rights. A number of general mechanisms involve all these institutions. These are described in paragraph 2.3 below.

#### 2.2.1 The Council of the European Union

The Council of the European Union shares with the Parliament the responsibility for passing laws and taking policy decisions. It consists of ministers from the national governments of all the EU countries. The Council is presided over by member states on a rotational basis, each Presidency lasting for six months.

The Council/Presidency have powers to deal with a member state which fails to support the fundamental values of the Union – see para 2.3.1 below. The Presidency is also able, after reaching agreement with the other member states, to initiate diplomatic protests at human rights violations in non-EU member states, usually within the context of one of the mechanisms described in paragraph 2.3 below.

*In June 2006, when Austria held the Presidency of the EU, the gay and lesbian organisation HOSI Wien wrote to the Austrian Foreign Minister asking that the EU take action over the human rights violations associated with Moscow Pride. After consulting with the other 24 member states, representatives of Austria, Finland and the European Commission raised these matters with the Russian authorities. The Austrian Foreign Office reported to HOSI Wien that in their meeting "the dismay which these incidents of 27 May had provoked in the public of the EU, was conveyed. Russia's obligations under article 11 of the ECHR were emphasised, and the expectation was expressed that the Russian police would not repeat its behaviour of 27 May when it did not intervene when counter demonstrators physically attacked people expressing different views. Moreover, the Russian side was reminded of its obligation to prosecute those persons who committed physical injuries and asked for information as to whether such steps had already been taken. (Unofficial translation by HOSI-Wien)*

## 2.2.2 The European Commission

The European Commission is often thought of as being the “civil service” of the European Union. However its role goes well beyond that, in that it represents and upholds the interests of the Union as a whole, and has the power to initiate actions against individual member states that are in breach of their undertakings.

At the July 2006 Montreal International Conference on Lesbian, Gay, Bisexual and Transgender (LGBT) Human Rights the Commissioner for Employment, Social Affairs and Equal Opportunities, Vladimir Spidla, made an important speech on LGBT rights. Of particular relevance was the following statement on homophobic speech:

*“Any statement about the dangers of a “homosexualisation of society” or the “contagious nature of homosexuality” must be considered to be equivalent to the anti-Semitic ravings about the so-called Jewish conspiracy of world domination. Homophobic statements are equally absurd, paranoid and dangerous. Unfortunately, we have heard too many statements of this kind in the recent past. There is NO place for such language of hatred and exclusion.”*

For the full text, see: [http://www.ilga-europe.org/europe/news/international\\_conference\\_on\\_lgbt\\_rights\\_montreal/speech\\_by\\_commissioner\\_vladimir\\_spidla\\_at\\_the\\_international\\_conference\\_on\\_lgbt\\_rights\\_in\\_montreal](http://www.ilga-europe.org/europe/news/international_conference_on_lgbt_rights_montreal/speech_by_commissioner_vladimir_spidla_at_the_international_conference_on_lgbt_rights_in_montreal)

## 2.2.3 European Parliament

([http://www.europarl.eu.int/news/public/default\\_en.htm](http://www.europarl.eu.int/news/public/default_en.htm))

The Parliament has taken a strong line in defence of LGBT rights on many occasions. Most recently, and particularly relevant to the issue of freedom of assembly, is its January 2006 resolution on homophobia in Europe. This refers specifically to “banning gay Pride or equality marches” and “the use by leading politicians and religious leaders of inflammatory or threatening language or hate speech, failure by police to provide adequate protection or even breaking up peaceful demonstrations, violent demonstrations by homophobic groups”.

<http://www.europarl.eu.int/registre/recherche/NoticeDetaillee.cfm?docid=172113&doclang=EN>

Apart from the mechanisms described in 2.3 below, there are a number of ways in which the Parliament can address human rights issues. These include resolutions like the one above and annual reports on human rights in the member states and third countries. A driving force for LGBT rights in the Parliament is the Intergroup on Gay and Lesbian Rights – this being a committee of MEPs dedicated to working on this issue. The Parliament also has Political Groups, which may be helpful in dealing with homophobic comments by an MP in one of their national affiliates.



See: [http://www.europarl.europa.eu/news/public/focus\\_page/008-5278-046-02-07-901-20060215FCS05277-15-02-2006-2006/default\\_en.htm](http://www.europarl.europa.eu/news/public/focus_page/008-5278-046-02-07-901-20060215FCS05277-15-02-2006-2006/default_en.htm)

## 2.3 General mechanisms

The EU has a number of general mechanisms which can be used to support LGBT rights in the field of freedom of assembly. They fall into two broad categories: those which can be used regarding violations in existing member states, and those which can be used regarding violations in non-EU member states.

### 2.3.1 Existing member states

Article 6.1 of the Treaty on European Union provides that

*"The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States."*

Article 7 provides for the European Council to suspend the rights of a member state where there is the existence of a "serious and persistent breach" of Article 6.1. However, this power can only be exercised where there is unanimity amongst the member states, and with the assent of the European Parliament.

These powers would only be used in extreme circumstances, and it does not seem likely that they would be used in the case of a violation of the right to freedom of assembly by the LGBT community. However, they do provide a strong basis for the Commission and other member states to take diplomatic action and make critical statements.

*30 August 2006: at a meeting with the Polish Prime Minister, Jaroslaw Kaczynski, the President of the European Commission, Jose Manuel Barroso expressed concerns regarding a number of issues, including LGBT rights. In a subsequent press conference he said that he had "shared with the Prime Minister some of the concerns that have been expressed in some sectors of public opinion in Europe about Poland .... he was very clear in his response in these sensitive matters, from non-discrimination to the death penalty". Kaczynski responded, insisting that he was neither homophobic nor anti-semitic. "Please do not believe in the myth of an anti-semitic, homophobic and xenophobic Poland." [While LGBT activists will have good reason to question Kaczynski's sincerity, this incident does illustrate the high level pressure being applied by the EU on one of its members].*

### 2.3.2 Non-EU member states

The EU has agreements containing a specific human rights clause with all the countries in Central and

Eastern Europe grouped under three main processes:

### **The EU accession process:**

The accession process requires candidate countries to respect fundamental human rights. This provides a powerful tool for insisting on fundamental human rights in the period prior to accession.

Three countries are now in the "candidate" stage of accession: Croatia, Macedonia, and Turkey. Strong and immediate pressure can be brought on the governments of these countries in the event of a Pride march being banned.

Bulgaria and Romania are in the final stages of the accession process, and are likely to accede in 2007. It is unlikely that there will be any bans on Pride marches in this period.

### **The Stabilisation and Association process:**

The EU has been working for a number of years to bring stability and prosperity to the western Balkans. Its efforts are based on:

- Using the incentive of a credible prospect of EU membership to encourage reform, including the establishment of a dependable rule of law, democratic and stable institutions and a free economy.
- Encouraging countries to establish bilateral relationships between themselves, which would allow greater economic and political stability in the region to develop.

The process is essentially a precursor to the accession process, and originally covered **Albania**, **Bosnia-Herzegovina**, Croatia, Macedonia and **Serbia/Montenegro**. However, Croatia and Macedonia have "graduated" to the full accession process, as described above.

As with the accession process, the Stabilisation and Association process provides rather strong opportunities for influencing governments which permit bans on Pride events. Application of fundamental human rights principles is a key building block of the process.

### **The EU Neighbourhood policy:**

Since 2003 the EU has been developing its relations with those countries which are "in the neighbourhood" of the enlarged EU, but are not at this stage being encouraged to apply for membership. The Neighbourhood Policy provides opportunities to promote LGBT rights in the countries concerned through the human rights aspects of the Policy.

The EU's objective is to create a "zone of prosperity and a friendly neighbourhood" which will be built on mutual commitment to **common values** principally within the fields of the rule of law, good



governance, the respect for human rights, including minority rights, and the principles of market economy and sustainable development. The Policy is intended to incentivise partner countries to make progress in achieving the reforms needed to translate these common values into reality.

The Neighbourhood policy partner countries in Europe are: **Armenia, Azerbaijan, Georgia, Moldova, and Ukraine.**

The **Russian Federation** has separate arrangements with the EU under the "4 Common Spaces" procedure, which also provides for human rights dialogue.

These mechanisms provide opportunities for each of the three main EU institutions to raise human rights issues: the European Commission, particularly through the regular reports which it prepares under the Accession, Stabilisation and Association, and European Neighbourhood Policy agreements; the European Parliament, in dialogue at joint meetings with representatives of national parliaments, and in its own reports; and the European Council, in the political dialogue which takes place with the national governments.



## 3. The Organisation for Security and Co-operation in Europe

<http://www.osce.org/>

### 3.1 History and role:

The OSCE developed from its beginnings in 1975 as a Conference that helped to bring together the Cold War rivals, into the world's largest regional security organization, with 56 participating states, including all of Europe, the Central Asian states of the former Soviet Union, and Canada and the USA.

The OSCE was created as a security organization. However, it does not deal exclusively with issues of military security, disarmament or border issues. Based on a broad concept of security, it addresses the issues of security from three dimensions: political-military, economic-environmental and the human dimension. Therefore, human rights, rule of law and democratisation issues are an integral part of the OSCE's work. This emphasis on human rights goes back to its beginnings, with the signing of the Helsinki Final Act in 1975, which acknowledges as one of its 10 guiding principles the "respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief".

Unlike the EU and Council of Europe, it is not a treaty organisation where States take on legal obligations. Rather, it is a political organisation that seeks to exercise authority through political pressure on those States that do not live up to the commitments they make to human rights and the rule of law when they join the organisation.

### 3.2 OSCE commitments relating to freedom of assembly and association:

A guide "OSCE Commitments Relating to Freedom of Assembly and Association" contains extracts from various OSCE documents adopted by consensus by all participating States in the course of the OSCE's history. The compilation includes commitments that refer not only to freedom of assembly itself, but also to a wide range of related rights which are inextricably linked to its effective exercise, including amongst others the right to freedom of association, the right to a fair trial and the right to freedom of expression. It can be found (in English and Russian) on the second page of the following link:

<http://osce.org/odihr/documents.html?lsi=true&limit=10&grp=240>



## 3.3 Opportunities for pressuring governments:

The OSCE provides the following opportunities for putting pressure on governments that fail to uphold freedom of assembly rights of people within their jurisdiction, including LGBT people.

- ❖ The OSCE's Office for Democratic Institutions and Human Rights monitors and reports on the compliance of the participating States with their human rights obligations. Its monitoring of freedom of assembly and association has a particular focus on the situation of human rights defenders. See <http://www.osce.org/odihr/13436.html> for more information.

- ❖ The OSCE organises a number of major human rights conferences, of which the annual Human Dimension Implementation Meeting is the most significant. NGOs participate on equal terms with official governmental delegations, allowing them to highlight particular human rights violations. There are also supplementary conferences on specific themes, like the 2006 Supplementary Human Dimension Meeting on Human Rights Defenders and National Human Rights Institutions: Legislative, State and Non-State Aspects.

- ❖ The OSCE has field missions across South-Eastern and Eastern Europe, the Caucasus and Central Asia. For a full overview see <http://www.osce.org/about/13510.html>. The field operations could, depending on the specific mandate of the respective mission, be a first 'entry point' for LGBT groups and organisations to inform the OSCE on problems relating to freedom of assembly and association.

- ❖ The OSCE's Office for Democratic Institutions and Human Rights also has a Tolerance and Non Discrimination Programme that focuses on monitoring hate crimes and violent acts of intolerance. The programme is in close contact with ILGA-Europe and its member organisations.

The OSCE/ODIHR "Draft Guidelines for drafting laws pertaining to freedom of assembly" are available in Russian and English at:

<http://osce.org/odihr/documents.html?lsi=true&limit=10&grp=240>

At the July 2006 Montreal International Conference on Lesbian, Gay, Bisexual and Transgender (LGBT) Human Rights the Personal Representative of the Chair in Office of the OSCE on Combating Racism, Xenophobia and Discrimination, Anastasia Critchley, made an important speech on the OSCE's role in combating intolerance based on sexual orientation discrimination in the OSCE area. For the text of the speech, see [http://www.ilga-europe.org/europe/news/international\\_conference\\_on\\_lgbt\\_rights\\_montreal/address\\_by\\_anastasia\\_crickley](http://www.ilga-europe.org/europe/news/international_conference_on_lgbt_rights_montreal/address_by_anastasia_crickley)



## 4. United Nations

At the July 2006 Montreal International Conference on Lesbian, Gay, Bisexual and Transgender (LGBT) Human Rights Louise Arbour, the United Nations High Commissioner for Human Rights made an important speech on LGBT rights. See:

[http://www.ilga-europe.org/europe/news/international\\_conference\\_on\\_lgbt\\_rights\\_montreal/keynote\\_address\\_by\\_louise\\_arbour\\_the\\_united\\_nations\\_high\\_commissioner\\_for\\_human\\_rights](http://www.ilga-europe.org/europe/news/international_conference_on_lgbt_rights_montreal/keynote_address_by_louise_arbour_the_united_nations_high_commissioner_for_human_rights)

Amnesty International has produced: 'The Human Rights of Lesbian, Gay, Bisexual and Transgender People: A primer to working with the United Nations Treaty Monitoring Bodies and the Special Procedures of the United Nations Commission on Human Rights' which can be found at:

<http://web.amnesty.org/library/Index/ENGIOR400042005?open&of=ENG-347>



# Appendix 3 (1)

## Guidelines for Stewards

### Stewards have Primary and Secondary roles:

- Your **primary role** is to help manage march participants. You should ensure they are fully informed of:
  - > the route, destination and timetable for the march.
  - > any conditions, restrictions or changes imposed on or made to the march.
  - > how to disperse safely at the end of the march (this is particularly important).

**You should also know the location of any medical facilities.**

**You must carry out these responsibilities throughout the march unless**

- > the chief steward or a police officer asks you to withdraw; or
- > you feel that the situation is out of control or a criminal offence may be committed. In such situations you must inform the nearest police officer and/or chief steward and follow their instructions.

- 
- Your **secondary role** is to assist and guide spectators and to observe spectators with a view to providing the chief steward and /or police with relevant information of any dangerous behaviour.
    - > **Any problems** in undertaking this role should be reported to the chief steward or a police officer.
    - > You **should not** intervene with spectators who are un-cooperative, violent or abusive.

There may be occasions where the secondary role should not be undertaken and stewards will only be required to manage the march participants. These will be made clear at initial briefings or by the chief steward on the day.

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## **ALWAYS**

- > Be tolerant of other people;
- > Remain calm and disciplined;
- > Remain in touch with other stewards and police;
- > Remain visible;
- > Use your common sense and stay safe.

## **NEVER**

- > Be aggressive;
- > Put yourself at undue risk;
- > Use force to maintain control.

## **ALWAYS ACT WITHIN THE LAW**

# Appendix 3 (2)

## Code of Conduct for Stewards

### Stewards:

1. are ambassadors for the LGBT community and this should be reflected in their behaviour at all times.

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2. should be appropriately dressed, wear distinguishing armbands or T-shirts and carry a form of identification at all times.

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3. should always be fully aware of their responsibilities and the limits of their responsibilities.

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4. should always act within the law.

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5. should be polite, courteous and helpful at all times.

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6. should always co-operate with the police and the emergency services.

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7. should **never** consume alcohol before or during events.

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8. should **never** act in a way that will discredit the LGBT community.

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# Appendix 4

## Suggested leaflet for march participants

On one side there could be a map of the route, showing toilets (including those with wheelchair access), any medical services, and public transport links, particularly those to be used for dispersal at the end of the march

The other side of leaflet could show the following text (based on a leaflet developed by ACCEPT, Romania):

### WHAT TO DO BEFORE THE START?

---

Exchange mobile numbers with your friends, and agree a place to meet, in case you get split up, or some one needs help

#### What to do if it rains?

### KEEP MARCHING

---

#### What to do if there are counter-demonstrators?

### STICK CLOSELY TOGETHER

---

#### What to do if people verbally harass you?

### IGNORE THEM! CHANT LOUDER!

---

#### What to do if you see someone being attacked?

### GET HELP FROM THE NEAREST POLICE

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### What to do if you think you are going to be attacked?

GET HELP FROM THE NEAREST POLICE

STAY IN GROUPS

TAKE SHELTER IN SHOPS / BUILDINGS

### What to do at the end of the march? [if any risk of violence]

LEAVE IN GROUPS

CONCEAL BANNERS, BADGES, RAINBOW FLAGS ETC

### What to do at all times?

FOLLOW THE INSTRUCTIONS OF THE STEWARDS

Most importantly .....

**HAVE  
FUN!**





# Appendix 5

## Useful contacts

Amnesty International – [www.amnesty.org](http://www.amnesty.org)

EPOA (European Pride Organisers Association) – [www.europride.org](http://www.europride.org); [outreach@europride.info](mailto:outreach@europride.info)

European Forum of Lesbian and Gay Christian Groups – [www.euro-lgbt-christians.org](http://www.euro-lgbt-christians.org)

European Parliament Intergroup for Gay and Lesbian Rights –

<http://www.gayandlesbianrightsintergroup.com/>

Human Rights Watch – <http://hrw.org/doc/?t=lgbt>

International Gay and Lesbian Human Rights Commission – [www.iglhrc.org](http://www.iglhrc.org)

International Gay and Lesbian Youth Organisation – [www.iglyo.com](http://www.iglyo.com)

International Lesbian and Gay Association (ILGA) – [www.ilga.org](http://www.ilga.org)

ILGA-Europe – [www.ilga-europe.org](http://www.ilga-europe.org); [info@ilga-europe.org](mailto:info@ilga-europe.org)

InterPride – [www.interpride.org](http://www.interpride.org)

Metropolitan Community Church – [florinbuhuceanu@mccchurch.net](mailto:florinbuhuceanu@mccchurch.net)

Regard (UK organisation for LGBT people with disabilities) – [www.regard.org.uk](http://www.regard.org.uk)

The ILGA-Europe "Handbook on Observations of Pride Marches" lists a number of useful NGO contacts. –

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





**This toolkit is intended to provide ideas and information resources for those wanting to organise Pride events in a hostile environment. The need for it has been made clear by the intense hostility faced by many Pride organisers in Central and Eastern Europe. In drawing heavily on their experiences and successes, and matching this input with information on support available from the European institutions and the LGBT community internationally, it aims to underpin the consolidation of progress made so far, and provide the initial know-how for those wishing to arrange events in countries and towns where no Pride events have yet been held.**

**The struggle to achieve freedom of assembly and expression for LGBT people across Central and Eastern Europe presents enormous challenges, excitement and exhilaration. Hatred and the ever present threat of violence have to be met with great courage and commitment. The photographs included in the toolkit (and provided so willingly by the many photographers) capture the spirit of these important events, honour those who have taken part in them, and will, we hope, inspire many more to take up the cause.**