

European Communities

EUROPEAN PARLIAMENT

Working Documents

1982-1983

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MOTION FOR A RESOLUTION

tabled by Mrs VAN DEN HEUVEL

pursuant to Rule 47 of the Rules of Procedure

on statutory and other discrimination against homosexuals

PE 82.286

The European Parliament,

- (a) whereas the legislation on the living and working conditions of homosexuals varies widely between the Member States,
 - (b) whereas in certain Member States criminal law may be applied in a discriminatory fashion to homosexuals as compared with heterosexuals,
 - (c) whereas the authorities of certain Member States of the European Community discriminate between homosexuals and heterosexuals without any statutory justification,
 - (d) whereas in certain Member States homosexuality continues to be considered as an illness and treated as such by the health authorities despite scientific evidence to the contrary,
 - (e) having regard to the judgement of the European Court of Human Rights that the application of criminal sanctions to homosexual relations is incompatible with Article 8 of the European Convention on Human Rights,
 - (f) whereas homosexuality is mistakenly included on the official WHO list of illnesses,
 - (g) having regard to the future accession of Spain and Portugal,
 - (h) having regard to the report of the Council of Europe on discrimination against homosexuals and its recommendation to the Council of Ministers of the Council of Europe,
 - (i) convinced that all men and women have the right to their individual sexual dispositions,
1. Protests against all forms of statutory or other discrimination against individuals or certain groups in society;
 2. Requests the Member States to bring all statutory provisions affecting homosexuals into line with those affecting heterosexuals;
 3. Condemns all forms of registration of homosexuals as such;
 4. Requests the Commission, in view of the accession to the Community of Spain and Portugal, to make a proposal to prohibit discriminatory action against homosexuals in the Community, and to include this proposal in the accession negotiations with Spain and Portugal;

5. Requests the Council to make representations to the WHO with a view to removing homosexuality from the List of illnesses;
6. Requests the Council to examine how the rights and freedoms referred to in the Convention for the Protection of Human Rights and Fundamental Freedoms may be recognized as applying to sexual dispositions with regard to non-discrimination (Article 14 of the Treaty);
7. Requests the Commission to formulate proposals in the near future to eliminate all forms of discrimination in the Member States (anti-discrimination legislation);
8. Requests its President to forward this resolution to the Commission and Council.