

# Booklet on combating hate speech

LGBTQ+  
community

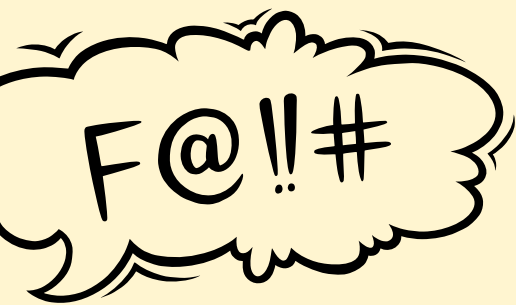
Project implemented by



## Introduction

Anti-LGBTQ+ discourse uses false arguments to justify and perpetuate discrimination against the community. Negative portrayals of LGBTQ+ persons aim to dehumanize an entire group of people, reducing them to a single set of characteristics and making them vulnerable to hate speech.

The myths about LGBTQ+ community focus on pointing out the differences, on caricaturing or demonizing them, conveniently omitting all other aspects which compose a complex portrait, capable of generating solidarity and empathy.







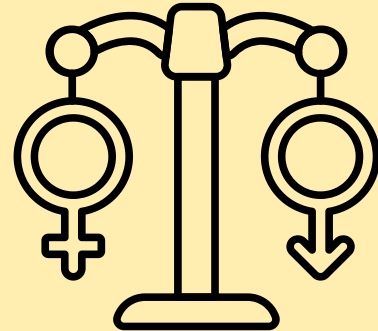
Deconstructing myths

**Myth:** LGBTQ+ people want special rights and preferential treatment.

**Fact:** LGBTQ+ people want equal rights, not special rights. Until 2001, Romania criminalized the relationships between people of the same sex through Article 200 of the Penal Code. Sexual acts between same sex persons were punished with imprisonment from 1 to 5 years.

Paragraph 5 of the article also mentioned the punishment of propaganda, association with any other acts of proselytism:

“ *Inciting or enticing a person to engage in sexual relations between persons of the same sex, as well as propaganda or association or any other acts of proselytizing committed for the same purpose is punishable by imprisonment from 1 to 5 years.* ”



In the 20 years that have passed since the repeal of Article 200, the Romanian state failed to pass legislation to recognize same sex relationships. The adoption of a child by a same sex couple is prohibited. LGBTQ+ families do not have legal recognition in Romania and cannot benefit from the rights that come from it. Changing identity documents for transgender people involves difficult and humiliating procedures. Moreover, the recent attempt of the Coalition for the Family to restrict the definition of family in the Constitution (supported by over 3,000,000 citizens) shows that Romania is still far from being an inclusive country for LGBTQ+ people.



**Myth:** The discrimination against LGBTQ+ people does not exist.

**Fact:** A study published in 2020 by the European Union's Fundamental Rights Agency (FRA) [1], which brought together 140,000 respondents from all countries of the European Union, North Macedonia and Serbia, shows that, in Romania, 81% of LGBTQ+ survey respondents actively avoid holding hands with their same-sex partner, and 44% of respondents avoid certain places for fear of being assaulted.

According to the same study, in Romania, 45% of the participants declared that they had felt discriminated in at least one area of their life, while 23% noted that they felt discriminated at work, because of their sexual orientation or gender identity. *(more information on the same myth ->)*



**Fact:** Also, the report of the National Council for Combating Discrimination (CNCD) for 2020 [2] mentions at least one contraventional fine given to a public person (former vice-mayor of Bucharest, Aurelian Bădulescu) for defamatory statements against gay people: “Aah... we now turn abnormality and homosexuality and f\*gs into progressives. (. . .) As a woman, I think that you should stop this pro-fa\*gs speech (. . .) And how should I call them? Homosexuals, progressives? What if I call them pro-arses?”

In 2021 the European Court of Human Rights (ECHR) ruled that Romania violated the rights of the LGBTQ+ community to non-discrimination, human dignity and peaceful assembly. It concerns an incident which took place in 2013 and involved the disruption of an LGBTQ+ themed film screening by an extremist group. The action at the ECHR against to the Romanian state was initiated by Accept Association and 5 other petitioners. [3]

**Myth:** Being LGBTQ+ is an imported fad from western countries.

**Fact:** To dismiss the belonging to the LGBTQ+ community as a mere fad is a deeply conservative rhetoric, which relies on trivializing sexual orientation and gender identity by associating it with something superficial and, above all, transient (fad). In addition, the false denunciation of foreign origins is a part of a wider strategy, which tries to create the image of an external enemy, defined in opposition to local tradition.

*(more information on the same myth ->)*





**Fact:** LGBTQ+ identities are not a fad or an import from another country. LGBTQ+ people have always existed. In literature, probably one of the most substantial documentation of gay life in the 20th century appears in “Dragon Guard (Straja dragonilor)”. Memoirs 1921 – 1941 (Ion Negoitescu), in which the author speaks open about his erotic explorations. Unfortunately, during the communist period, Article 200 of the Penal Code and social stigma prevented the establishment of local queer history or literature. Only after the decriminalization of relationships between same-sex people (the repeal of Article 200), queer literature began to develop timidly through the appearance of books such as the novels written by Adrian Schiop (“Pe bune, pe invers” – For real, not straight, “Zero grade Kelvin” - Zero degrees Kelvin, “Soldatii. Poveste din Ferentari”- The soldiers. A Ferentari story), Adrian Teleşpan („Cimitirul” – The cemetery), Cecilia Ştefănescu („Legături bolnăvicioase” – Malicious ties) or Cristina Nemerovschi („Păpuşile”- The dolls).

After 2010, a series of volumes has been published recovering pieces of queer history, including „Homolstorii, ieşirea din invizibilitate” – HomoHistories, Coming out of invisibility (Florin Buhuceanu) or the anthology coordinated by Valentina Iancu and Ovidiu Anemţoaicei: „Queer – Gândire critică, conştiinţă politică şi practici culturale din România” – Queer –Critical thinking, political consciousness and cultural practices in Romania.

**Myth:** LGBTQ+ people are too vocal. LGBTQ+ identities should exclusively be about personal life.

**Fact:** Often in public discourse there are opinions that try to limit the LGBTQ+ peoples' right to express themselves freely, under the pretext that a person's private life must be separated from their public presence. It should be noted that the discrimination against LGBTQ+ people includes a process of erasing queer stories from the collective mind and an exclusive conservative control of their representation. The presence of queer voices in public space undermines conservative attempts to control narratives about sexual orientation and gender identity.



In reality, when it comes to a person's identity, it is difficult to separate the public and private spaces. Often we talk about our families, friends, home, our pets or about domestic life in more or less public contexts. Categorically dissociating two spheres has the risk of producing imbalances on the personal or professional level.

**Myth:** Professional life should be dissociated from private life.

**Fact:** In July 2021, Open for Business published a study showing that Romania loses up to 1.75% of its GDP value due to discrimination against LGBTQ+ people. [4]

The same study notes that:

*“More robust financial performance stems from the increased capacity of LGBTQ+ inclusive companies to attract and retain skills, innovate, retain customers and build strong brands. Persons who work in open, diverse and inclusive environments tend to perform better. A culture characterized by inclusion and diversity can boost individual performance – everyone’s, not only of LGBTQ+ people.”*



**Myth:** The visibility of LGBTQ+ people is harmful for children.

**Fact:** Children are often used as a cover to justify and perpetuate discrimination against LGBTQ+ people. The narrative starts from the premise that LGBTQ+ people are inherently immoral and that the mere visibility of the community in public space is indecent and risks corrupting the innocence of children. Under the cover of this argument, countries such as Hungary or Russia have already adopted laws prohibiting any form of visibility of LGBTQ+ people in school or in the public space. *(more information on the same myth ->)*





There have been similar attempts in Romania as well. PMP Senator Cristian Lungu proposed in 2020 the introduction of a law that would have banned all activities and discussions “in order to spread the theory or opinion of gender identity, meaning the theory or opinion that gender is a different concept from biological sex and that the two are not always the same” in schools, universities and all educational spaces. The law passed by the Senate, but it was challenged at the Romanian Constitutional Court and was rejected, on the grounds of unconstitutionality.



Beyond the appeal of this argument, as a rhetorical strategy for implementing a series of discriminatory laws, there are numerous studies proving that the healthy development of children is not negatively impacted in any way by the nearby presence of LGBTQ+ role models. The issue most often surveyed by specialists is comparing the psychological development of children who are raised by same-sex couples and those raised by heterosexual couples.

A 2015 review of the scientific literature in this field by Cornell University (one of the top American universities) demonstrated that young people from same-sex families develop as healthily as those who grew up in heterosexual families. Of the 79 studies and scientific articles covered in this review, 75 of them concluded that “children of gay couples develop just like the other young people” [5].

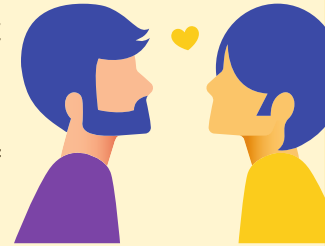


**Myth:** Sexual orientation or gender identity can be treated/healed.

**Fact:** Sexual identity and gender identity are not diseases that can be treated or cured through therapy. International scientific consensus condemns these conversion therapies and shows their ineffectiveness. Over time, there were several conservative organizations that promoted this kind of therapy. One of them was Exodus International, which took the lead after 2000 as the largest organization of its kind in North America. The organization closed its doors in 2013, and then-president, Alan Chambers, publicly apologized to the LGBTQ+ community and to all the people it has caused suffering.  
(*more information on the same myth ->*)



In Romania, conversion therapy is legal. Last decade, several Romanian politicians publicly claimed that homosexuality is a disease, among the most striking being Puiu Hașotti (three term PNL parliamentarian, from 2004 to 2016 and Former Minister of Culture – from June 2012 to December 2012). In 2013, the former senator declared, regarding a potential regulation of same-sex civil partnership and, for him, gay people are “just sick people. Homosexuality is not a natural condition, it is not a natural relationship”. [6]



In 2021, the Association of Psychologists in Romania published a statement stating: “The international scientific consensus, reflected both by diagnostic manuals and by the positions of international associations of psychology, is that same-sex sexual attraction does not represent a mental illness or disorder. A mental disorder, by definition (according to DSM-5 and ICD-11), consists of a series of changes which produce suffering or impairment of functioning in everyday life (quality of life, social relationships and/or academic or work performance), which does not happen in the case of people attracted to the same sex, except to the extent that they are harassed, humiliated or discriminated against”. [7]



## Footnotes

[1] European Union Agency for Fundamental Rights, *Fundamental Rights Report*, 2020, [fra.europa.eu](https://fra.europa.eu)

[2] National Council for Combating Discrimination, *Raport de activitate 2020*, translated title Activity Report 2020, [cncd.ro](https://cncd.ro)

[3] European Court of Human Rights, Application no.19237/16, Case of Association ACCEPT and Others v. Romania, available at [hudoc.echr.coe.int](https://hudoc.echr.coe.int)

[4] Open for Business, *The Economic Case for LGBT+ inclusion in Central and Eastern Europe, 2021*, 2021, [static1.squarespace.com](https://static1.squarespace.com)

[5] Cornell University, *What does the scholarly research say about the well-being of children with gay or lesbian parents?*, 2015

[whatweknow.inequality.cornell.edu](https://whatweknow.inequality.cornell.edu)

[6] Alina Neagu, *Puiu Hasotti (PNL) despre reglementarea parteneriatului civil între persoane de același sex [...]*,

translated title Puiu Hasotti (PNL) on the regulation of same-sex civil partnership, [Hotnews.ro](https://hotnews.ro), 2013, [hotnews.ro](https://hotnews.ro)

[7] Asociația Psihologilor din România (Romanian Association of Psychologists), *Comunicaț*, Translated title: Press release, 2021, [apsi.ro](https://apsi.ro)







---

Additional resources

---



- ✓ GALE - The Global Alliance for LGBT Education, [www.gale.info/](http://www.gale.info/)
- ✓ MozaiQ LGBT Association, [www.mozaiqlgbt.ro](http://www.mozaiqlgbt.ro)
- ✓ GLSEN, [www.glsen.org](http://www.glsen.org)
- ✓ [H]LGBTQ+UNITED - [H]umans United, Braşov, [www.hlgbtqunited.ro](http://www.hlgbtqunited.ro)
- ✓ Human Dignity Trust, *Map of Countries that Criminalise LGBT People*, [www.humandignitytrust.org/lgbt-the-law/map-of-criminalisation/](http://www.humandignitytrust.org/lgbt-the-law/map-of-criminalisation/)
- ✓ ILGA-Europe, [www.ilga-europe.org](http://www.ilga-europe.org)
- ✓ ILGA World - The International Lesbian, Gay, Bisexual, Trans and Intersex Association, <https://ilga.org/>
- ✓ InformatHIV, <http://informativ.ro/>
- ✓ LGBT Foundation, <https://lgbt.foundation/>
- ✓ McKinsey & Company - Diana Ellsworth, Bryan Hancock și Bill Schaninger, *How to take action to support LGBTQ+ employees—not just during Pride Month, but year-round*, <https://www.mckinsey.com/business-functions/people-and-organizational-performance/our-insights/lgbtq-plus-inclusion-in-the-workplace>
- ✓ Choice Organisation, <https://choiceconsulting.ro/?s=lgbt>
- ✓ GLAAD, [www.glaad.org](http://www.glaad.org)
- ✓ Identity.Education Organisation, Timișoara, <https://identity.education.ro/index.html#top>

- ✓ Rise OUT Organisation, Iași, <http://riseout.ro/ro/>
- ✓ New York City's Lesbian, Gay, Bisexual & Transgender Community Center, <https://gaycenter.org/>
- ✓ Stonewall, [www.stonewall.org.uk](http://www.stonewall.org.uk)
- ✓ The Human Rights Campaign, [www.hrc.org](http://www.hrc.org)
- ✓ The Trevor Project, [www.thetrevorproject.org](http://www.thetrevorproject.org)
- ✓ The Society for the Psychology of Sexual Orientation and Gender Diversity (SPSOGD), <https://www.apadivisions.org/division-44>





About the author: **Andrei Luca**, LGBTQIA+ rights activist. Since 2013, after graduating from the Faculty of Film at the National University of Theatre and Cinema "I. L. Caragiale", he has written film articles for publications such as Film Menu, Observator Cultural, Gazeta de Artă Politică, Scena9, Sub25 and Acoperișul de Sticlă. He has curated queer film sections for NexT Film Festival and FAQiff and has collaborated with festivals such as Les Films de Cannes à Bucharest and Bucharest International Experimental Film Festival. Since 2017, in partnership with Cinemateca Română, he started a cinema project dedicated to classic and contemporary queer film, Cineclub Queer, where he organized several screenings of LGBTQIA+ films in Bucharest, Cluj and Iași. He is currently development director of MozaiQ association.



Cover Illustrator: **Bianca Jelezniac**, @palette\_box



More about the project **Non-discrimination, beyond words**:  
[www.crj.ro/en/antidiscriminare/nediscriminarea-dincolo-de-cuvinte/](http://www.crj.ro/en/antidiscriminare/nediscriminarea-dincolo-de-cuvinte/)

This material was produced with the financial support of the Active Citizens Fund Romania, programme funded by Iceland, Liechtenstein and Norway through the EEA Grants 2014-2021. The content does not necessarily reflect the official position of the EEA and Norway Grants 2014-2021; for more information visit [www.eeagrants.org](http://www.eeagrants.org).

© **Centre for Legal Resources, Bucharest, June 2022** - [www.crj.ro](http://www.crj.ro)