

# Separat

## > Anketa o diskriminaciji >> na osnovi spolne usmerjenosti

Tatjana Greif, Nataša Velikonja

Anketo "O diskriminaciji na osnovi spolne usmerjenosti" sta pripravili lezbična sekcija ŠKUC-LL in ILGA-Europe (zanju Tatjana Greif). Anketa je del mednarodne raziskave, ki je potekala istočasno na Madžarskem, Poljskem, v Romuniji in Sloveniji. Njen namen je bil zbiranje podatkov o vrstah in obsegu diskriminacije gejev, lezbijk, biseksualcev in transseksualcev. Rezultati raziskave bodo predstavljeni v posebnem poročilu, namenjenem vladi in državnemu zboru RS, Evropski Komisiji ter medijem, s ciljem opozoriti pristojne politične organe na kršitve pravic istospolno usmerjenih v kontekstu širitve Evropske unije. Služila bo torej tudi kot osnova poročila, namenjenega Evropskemu parlamentu ter Direktoratu za širitev Evropske unije.

V Sloveniji je anketiranje potekalo od januarja 2001 do marca 2001. V tem času se je nanj odzvalo 172 anketirancev in anketirank, lezbijk in gejev, večinoma tistih, ki zahajajo na ljubljansko lezbično-gejevsko sceno ali so z njo povezani posredno, preko poznanstev ali korespondence. Samo anketiranje je tako potekalo v lezbičnem klubu Monokel in gejevskem klubu Tiffany na ljubljanski Metelkovi, znotraj mladinske GLBT skupine Legebitra, preko pošte in spletne strani [www.ljudmila.org/siqrd](http://www.ljudmila.org/siqrd).

Anketa je bila opravljena na neslučajnem vzorcu, t.i. snowball sample, iz katerega sicer ni mogoče - tako kot pri slučajnem vzorcu, kjer ima vsak član populacije znano in izračunljivo verjetnost, da bo vključen v vzorec - sklepati o celotni populaciji. Vzorec snežne kepe predpostavlja izbiro določenega konteksta (v tem primeru lezbične in gejevske scene), iz katerega izhajajo kontakti z anketiranimi osebami, ki posredujejo kontakt še drugim. Takšna mrežna veriga sestavi določeno kvoto ljudi, ki tvori jedro vzorca, na katerem se opravi anketiranje. Čeprav obstaja pri uporabi tovrstnega vzorca velika verjetnost napake, če želimo iz njega sklepati o populaciji, pa je z njim vendarle mogoče dobiti ostro sliko o odnosu gejev in lezbijk do posameznih, v anketo vključenih tematik, ki se dotikajo spolne usmerjenosti.

▼ Rezultati ankete "O diskriminaciji na osnovi spolne usmerjenosti"

Anketa je bila sestavljena iz šestih tematskih sklopov, področij družbenega življenja, kjer obstaja visoka stopnja diskriminacije zaradi istospolne usmerjenosti. Z raziskavo se je skušalo ugotoviti, ali so anketirani geji in lezbijke na teh področjih dejansko diskriminirani, ali diskriminacijo doživljajo ter jo kot takšno prepoznavajo. Hkrati se je skušalo locirati, kje obstaja po njihovem mnenju najvišja stopnja diskriminacije oziroma na katerem področju so jo najpogosteje izkusili. Anketirani in anketirane so torej odgovarjali na vprašanja in podajali mnenja o diskriminaciji na naslednjih področjih:

1. nasilje in nadlegovanje zaradi istospolne usmerjenosti;
2. delo in zaposlovanje;
3. zdravstvo;
4. stanovanje;
5. vojaški rok;
6. razno (o istospolni partnerski skupnosti, azilu, pravicah gejev in lezbijk).

Koordinatorica raziskave je bila Tatjana Greif, ankete je statistično obdelala Varianta d.o.o. (zanjo Tomaž Bergo), pričujejo analizo pa je spisala Nataša Velikonja.

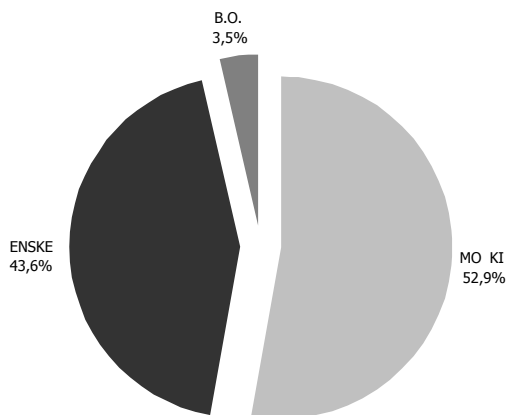
Za pomoč pri anketiranju se zahvaljujemo klubu Monokel in Tiffany, Alešu Peèniku in Sari Lubej.

## Demografski podatki

Raziskava je vključila podatke o spolni, starostni in izobrazbeni strukturi anketiranih gejev in lezbijk.

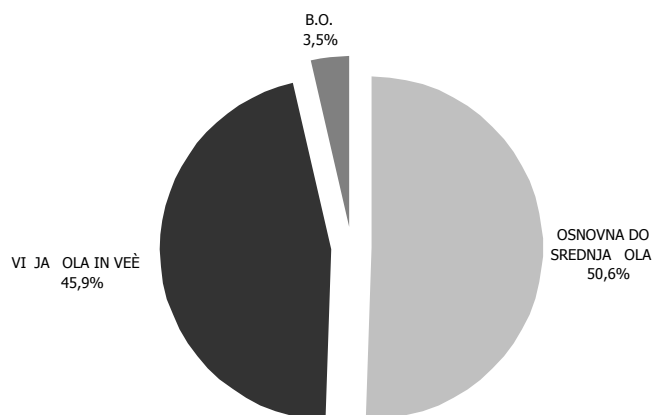
Od 172 anketiranih je bilo 43,6 % žensk in 52,9 % moških. 3,5 % vprašanih ni želelo podati podatka o spolu.

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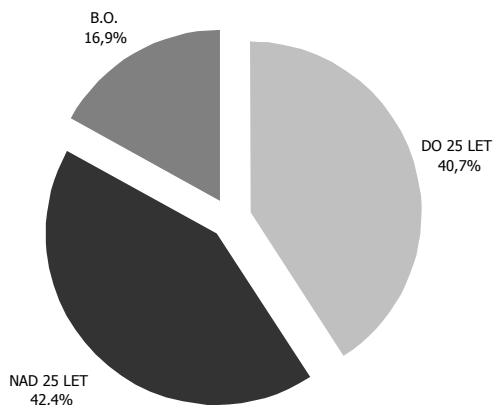
SPOLNA STRUKTURA VZORCA

vedno močno prisotnem strahu gejev in lezbijk pred osebno identifikacijo. O njem bi lahko sklepali tudi iz razporeditve virov rešenih anket: največ rešenih anketnih vprašalnikov je prispelo preko spletnih strani, kjer je stopnja anonimnosti največja; najmanj pa preko pošte, kjer je identiteta anketiranca ali anketiranke locirana.



IZOBRAZBENA STRUKTURA VZORCA

Demografska kategorija starost je združena samo v dva razreda (do 25 let/nad 25 let), saj bi drugače bilo v posameznem razredu zelo malo anketiranih in bi bila vrednost pregleda rezultatov po njih zelo majhna. Med anketiranimi geji in lezbijkami je tako 40,7 % mlajših od 25 let, 42,4 % je starejših od 25 let. Odstotek tistih, ki niso želeli podati podatka o starosti, je - če zažrtamo primerjavo s tistimi, ki niso želeli podati podatkov o spolu in izobrazbi (3,5 %) - presenetljivo visok in sega do 16,9 %. Razlaga, ki se ob visokem odstotku manjkajočih demografskih podatkov ponuja, govori o še



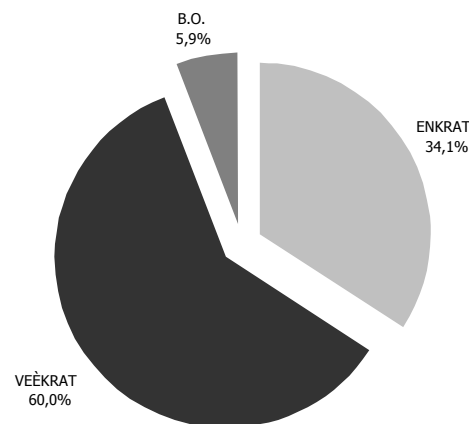
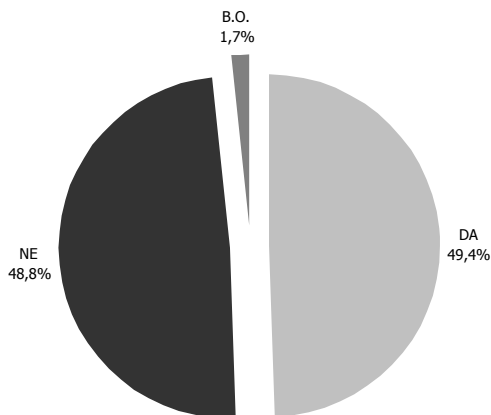
STAROSTNA STRUKTURA VZORCA

Razdelitev zgolj v dva razreda velja tudi pri demografski kategoriji izobrazba: izobrazbena struktura vzorca je razdeljena na tiste, ki so dokončali osnovno ali srednje šolanje, ter tiste, ki imajo opravljeno višjo šolo ali več. Osnovno ali srednjo šolo je tako opravilo 50,6 % anketiranih. Višjo šolo ali od nje še višje stopnje izobrazbe je dokončalo 45,9 %. Odgovora ni želelo podati 3,5 % vprašanih. Na tem mestu naj opozorimo na visok delež tistih, ki imajo univerzitetno izobrazbo. Čeprav podatka zaradi tipa vzorca ne moremo primerjati s siceršnjo izobrazbeno strukturo vse populacije v Sloveniji, prav tako ne moremo iz vzorca anketiranih sklepati o stopnjah izobrazbe homoseksualne populacije v Sloveniji, pa vendarle lahko ugotovimo, da je izobrazbena raven gejev in lezbijk, ki so anketni vprašalnik izpolnili - ki torej zahajajo na ljubljansko gejevsko-lezbično sceno ali so z njo drugače povezani - visoka.

## Nasilje in nadlegovanje

Prvi sklop anketnih vprašanj se je dotikal problematike nasilja in nadlegovanja, ki se vrši nad geji in lezbijkami. Reševanje problemov nadlegovanja in nasilja nad geji in lezbijkami sodi med prioritete boja proti homofobiji; statistike, ki jih opravljajo gejevske in lezbične organizacije, kažejo, da stopnja nasilja nad istospolno populacijo narašča, da posega v samo vsakdanje življenje gejev, lezbijk, biseksualcev in transseksualcev.

Kljub temu, da je diskriminacija nad istospolno usmerjenimi ljudmi izrecno prepovedana v 141. členu Kazenskega zakonika RS, pa



■ Ali ste bili kdaj žrtev nasilja ali nadlegovanja zaradi istospolne usmerjenosti?

■ Kolikokrat ste bili napadeni / nadlegovani?

raziskava kaže, da je kar 49,4 % vprašanih že bilo žrtev nasilja ali nadlegovanja zaradi istospolne usmerjenosti. Le nekoliko nižji delež, 48,8 %, nasilja ali nadlegovanja zaradi istospolne usmerjenosti ni doživelo, 1,7 % vprašanih pa ni želelo podati odgovora.

Pri tem je potrebno opozoriti, da je sama izkušnja nasilja deležna izjemno ohlapne in pogosto tolerantne osebne obravnave: ni nujno, da tisti, ki so bili že deležni nasilja in nadlegovanja, to dejstvo tako tudi sprejemajo. Pri samem anketiranju je pogosto prihajalo do razkoraka pri definiciji nasilja oziroma nadlegovanja, kot ga je predpostavljala anketni vprašalnik (v katero sodijo različne oblike neposrednega verbalnega, neverbalnega in fizičnega nasilja, pa tudi ostalo, denimo izolacija, skrivanje, izključitev iz socialnih okrožij ipd.), in subjektivnega razumevanja le-tega. Mnogi anketirani geji ali lezbijke so šele preko samega anketiranja prepoznali diskriminacijo na osebni ravni: ko so pri prvem, splošnem vprašanju še odgovorili, da nasilja niso bili deležni, pa so ga postopno prepoznali ob vprašanih o konkretni diskriminaciji (na delovnem mestu idr.). Že tako šokantna slika o stopnji nadlegovanja in nasilja nad geji in lezbijkami, ki jo daje raziskava, bi lahko bila še mnogo bolj pretresljiva, ko bi obstajala višja poučenost ali zavest glede prepoznavanja samega nasilja ali nadlegovanja.

Med tistimi, ki so bili žrtve nasilja ali nadlegovanja, je več žensk (53,3 %) kot moških (47,3 %); več starejših od 25 let (64,4 %) kot mlajših od 25 let (35,7 %); ter več univerzitetno izobraženih (62 %) kot tistih, ki imajo dokončano osnovno ali srednjo šolo (37,9 %). Iz dobljenih podatkov lahko sklepamo, da se nasilje ali nadlegovanje zaradi istospolne usmerjenosti pomembno razlikujeta preko vseh demografskih kriterijev, tako spola in starosti kot izobrazbe. Starejši in bolj izobraženi so pogosteje izkusili nasilje ali nadlegovanje; razlog bi lahko bil ta, da je stopnja zavesti in prepoznavanja nasilja ali nadlegovanja pri njih višja. Razlog bi lahko ležal tudi v dinamiki družbene tolerance do homoseksualnosti: homoseksualnost je mlajšim od 25 let bolj družbeno dopuščena, stopnja strpnosti družbe pa se niža - oziroma, višja se stopnja nasilja - ko geji in lezbijke vstopajo proti odraslosti in so priekovanja o njihovih socialnih vlogah drugačna.<sup>1</sup> Na podoben način bi lahko razlagali višjo stopnjo izkušenega nasilja ali nadlegovanja pri gejih in lezbijkah z višjo izobrazbo: družbena priekovanja o socialnih pozicijah, ki naj bi jih zasedali višje izobraženi, se ne skladajo z gejevskim-lezbičnim življenjskim stilom, zato je stopnja nasilja višja. Razlog, da so starejši nad 25 let bolj izkusili nasilje in nadlegovanje zaradi istospolne usmerjenosti, lahko leži tudi v stopnji akumulacije izkušenj nasilja, ki se z leti zgoščeja in torej tudi prepoznavajo - razlika v pogostosti izkustev nasilja glede na starost namreč obstaja: 63,8 % starejših od 25 let - in 56 % mlajših od 25 let - je bilo napadeno/nadlegovano večkrat.

<sup>1</sup> Podobno sliko je podala raziskava na lezbični sceni v Ljubljani iz leta 1998: v naključno izbranem vzorcu lezbijk in biseksualnih žensk, ki so takrat obiskovale odprto lezbično sceno v Ljubljani ali so bile z njo kakorkoli povezane, je bilo le 24% redno ali začasno zaposlenih, 11% je bilo samozaposlenih, 15% brezposelnih, 1% upokoženk in kar 44% študentk. Iz nizkega odstotka tistih, ki so zaposlene in tudi obiskujejo lezbično sceno, smo sklepali o visoki stopnji diskriminacije na osnovi spolne usmerjenosti, ki obstaja na področju zaposlovanja v Sloveniji, hkrati pa smo ugotovili, da stanje strpnosti v RS omogoča lezbijkam ali biseksualkam socialno življenje na sceni le do vstopa v socialno "odraslost": lezbijke ali biseksualke, ki so zaposlene, raje niso tvegale družabnosti na sceni oziroma so odšle s scene tedaj, ko se je začelo zaposlitveno obdobje (Nataša Velikonja, "Istospolna usmerjenost in zaposlovanje", zloženska ŠKUC-LL, 1998).

Med tistimi, ki so bili žrtve nasilja ali nadlegovanja zaradi istospolne usmerjenosti, jih je bilo kar 60 % napadenih ali nadlegovanih večkrat. 34,1 % gejev in lezbijk je bilo napadeno enkrat, med njimi je - kot smo že zgoraj ugotavljali - več mlajših, več gejev in več tistih, ki so končali osnovno ali srednjo šolo. Ne le, da so bile lezbijke v višjem odstotku žrtve nasilja ali nadlegovanja kot geji, temveč so tudi pogosteje izkusile ponavljajoče se nasilje ali nadlegovanje (65 %) kot geji (55,8 %) - kar prepričljivo ovzre stereotipno reprezentacijo o tem, da lezbijke na splošno niso deležne nasilja, temveč le nekega milostnega ali milostljivega, sladkobnega odnosa, vojerističnih muzanj in odobravanj ter podobnih evfemizmov neustrpnosti.<sup>2</sup>

Najpogostejši načini nasilja ali nadlegovanja so bili zmerjanje, pretepanje ali spolno nadlegovanje: pretepenih je bilo več gejev kot lezbijk, te so bile bolj deležne spolnega nadlegovanja ali zmerjanja. Anketiranci in anketiranke so kot oblike nasilja in nadlegovanja, ki so ga doživeli, navedli tudi obrekovanje, teženje, pregovarjanje, sovražno govorjenje in zasmehovanje, pljuvanje, vdor v lezbični ali gejevski klub, izgubo prijateljev ali mesta bivanja, pa tudi - ljubezen.

Najpogosteje so napadali ali nadlegovali neznanci, znanci, sodelavci, družinski člani, sosedje, policija ali tolpe. Lezbijke so pogosteje nadlegovali družinski člani, sodelavci in znanci; geje pa neznanci in tolpe. Vprašani so med nadlegovalce in napadalce navajali tudi prijatelje, novinarje, sošolce, sostanovalce, obiskovalce diskoteke ter duhovnika. Kljub temu, da so bili najpogosteje nasilni neznanci (sam odgovor v anketi ni bil ponujen, vendar pa so ga anketirani sami dopisali), pa je pozornosti vredna visoka stopnja nasilja in nadlegovanja v družinskem krogu, v službah in krogih znancev. S tem podatkom bi lahko ovrgli še eno stereotipno predpostavko, katere se pri argumentacijah o neracionalnih izvorih homofobije pogosto poslužujejo sama gejevska in lezbična gibanja: in sicer, da se stopnja nasilja do istospolne usmerjenosti znižuje z razbijanjem osebne distance do gejev in lezbijk. Dobljeni rezultati kažejo povsem obratno sliko in napeljujejo k mnenju, da je homofobija mnogo bolj toga, saj predsodki do homoseksualnosti prekašajo celo neposreden, izkustveni stik. Napori po socializaciji homoseksualnosti, ki potekajo preko osveščanja javnosti, vpogledov v stvarna življenja gejev in lezbijk ter pozitivnih reprezentacij, lahko torej le z omejeno močjo nevtralizirajo uničujoče učinke homofobije. Zanimivo bi bilo ugotoviti, ali bi bila

državljska vzgoja - z elementi vzgoje o kulturi strpnosti, človekovih pravic, enakosti in svoboščin - učinkovitejša platforma boja proti homofobiji.



■ Ali ste prekršek prijavili policiji?

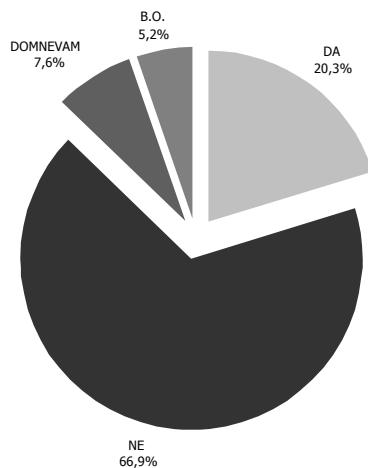
Le vsak deseti med tistimi, ki so bili deležni nasilja ali nadlegovanja, je prekršek prijavil policiji: od tega več moških (14 %) kot žensk (7,5 %); več mlajših od 25 let (12 %) kot starejših od 25 let (8,5 %) ter več tistih, ki imajo dokončano osnovno ali srednjo šolo (15,2 %), kot tistih s fakultetno izobrazbo (8,2 %). Če primerjamo te podatke s strukturo vseh, ki so bili žrtve nasilja ali nadlegovanja, vidimo, da so deleži ravno obratni: čeprav so mlajši od 25 let redkeje deležni nasilja ali nadlegovanja, pa se z njim učinkoviteje spoprimejo in ga pogosteje prijavijo policiji; takisto moški in tisti, ki imajo dokončano osnovno ali srednje šolanje. Podatek je zgovoren, saj bi lahko bil osnova trditve, da bodo geji in lezbijke v časovni perspektivi vedno manj tolerantni in manj pohlevni do izkustev nasilja, ki ga doživljajo, da jim izkušnja nasilja ni več samoumevna ter da nasilni poseg v svoj življenjski stil doživljajo kot problem, ki zahteva intervencijo s strani varnostnih organov države.

Zato je toliko bolj zaskrbljujoča naslednja slika: policija se je le v treh primerih prijav odzvala podporno; v treh se je odzvala nevtrarno in v treh sovražno. Policija torej gotovo deluje bolj represivno kot varnostno, to potrjuje tudi lociranje policije kot napadalcev ali nadlegovalcev oziroma navajanje policijskih vdorov v gejevske in lezbične klube kot vrsto nasilja.

<sup>2</sup> Lillian Faderman v delu "Več kot ljubezen moških: Romantično prijateljstvo in ljubezen med ženskami od renesanse do sodobnosti" (izide leta 2001 pri založbi SKUC-Vizibilija) navaja primere kaznovanj lezbijk v zgodovinskem kontekstu ter trdi, da je ideja o nekaznovanosti lezbijk le mit. Ženska homoseksualnost ni bila v preteklih stoletjih deležna nič milejše sodne obravnave kot moška, v obeh primerih je bil razpon kaznovanja od globe pa do smrti.

## Delo in zaposlovanje

Prvo vprašanje v sklopu delo in zaposlovanje se glasi: "Ali ste bili na delovnem mestu kdaj žrtev nadlegovanja zaradi spolne usmerjenosti?" 66,9 % anketiranih je odgovorilo nikalno. 20,3 % vprašanih meni, da so že bili žrtev nadlegovanja zaradi spolne usmerjenosti na delovnem mestu.<sup>3</sup> 7,6 % jih domneva, da so bili nadlegovani. 5,2 % jih ni želelo odgovoriti.



■ Ali ste bili na delovnem mestu kdaj žrtev nadlegovanja zaradi spolne usmerjenosti?

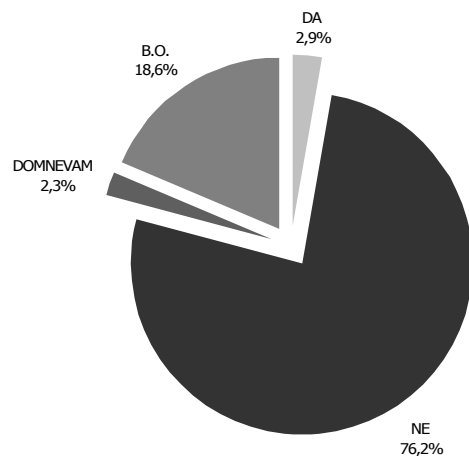
Med tistimi, ki so bili žrtve nadlegovanja na delovnem mestu zaradi spolne usmerjenosti, ni pomembnejših odstopanj v spolni strukturi ali izobrazbi - ženske so sicer na delovnem mestu bolj nadlegovane, prav tako tisti z višjo izobrazbo. Razlika je večja pri starostni strukturi: med tistimi, ki so bili na delovnem mestu nadlegovani zaradi spolne usmerjenosti, je 26 % starejših od 25 let ter 17,1 % mlajših od 25 let. Starost je bistveni faktor tudi pri domnevanju tega, ali so bili nadlegovani: kar 11 % starejših od 25 let domneva, da so bili nadlegovani, in le 1,4 % mlajših od 25 let. Le 60,3 % starejših od 25 let je torej izrecno odgovorilo, da niso bili deležni nadlegovanj. Razlika med 20,3 % vseh, ki so bili nadlegovani, in slabimi 40 % starejših od 25 let, ki menijo, da so bili nadlegovani ali to domnevajo, je izredno pomembna in bistveno izostri sliko o realnem stanju nadlegovanja na delovnem mestu zaradi spolne usmerjenosti - v skupni vsoti je v službenem okolju žrtev nadlegovanja sicer vsak peti, realno pa je, po 25 letu, nadlegovan skorajda vsak drugi gej ali lezbijka. **Razliko gre verjetno pripisati**

vstopanju mlajših v zaposlitveno obdobje, zaradi česar je tudi manj izkušenj nadlegovanja na delovnem mestu - a čaka jih dobesedno rožnata kariera.

Oblike nadlegovanja oziroma nasilja, ki so jih geji in lezbijke najpogosteje izkusili na delovnem mestu, so žaljive opazke, posmehovanje, spolno nadlegovanje (enak delež pri moških in ženskah) in fizično nasilje.

2,9 % anketiranih je bilo odpuščenih z dela zaradi homoseksualnosti ali biseksualnosti, domneva jih 2,3 %, kar 18,6 % pa jih na vprašanje ni želelo odgovoriti. **Samo 76,2 % jih izrecno odgovori, da še niso bili odpušeni z dela zaradi homoseksualnosti/biseksualnosti. Izjemno visok delež tistih, ki niso odgovarjali - pravzaprav je najvišji med vsemi anketnimi vprašanji - kaže, da obstaja enormen strah gejev in lezbijk pred sankcijami znotraj delovnega okolja, če bi se odločili problematizirati svojo zaposlitveno pozicijo. Če ga primerjamo z le 5,2 % tistih, ki niso želeli odgovarjati na splošno vprašanje o nadlegovanju zaradi homoseksualnosti na delovnem mestu, lahko sklepamo, da je stopnja dejanskega odpušanja gejev in lezbijk zaradi njihove spolne usmerjenosti mnogo višja. Takšen sklep bi lahko ublažil podatek, da je med tistimi, ki niso odgovarjali, 28,6 % mlajših od 25 let: rubriko "brez odgovora" bi v tem primeru potemtakem lahko tolmačili kot neidentificiranje z vprašanjem nasploh. Da pa tovrstna razlaga vendarle ni tako enoznačna in**

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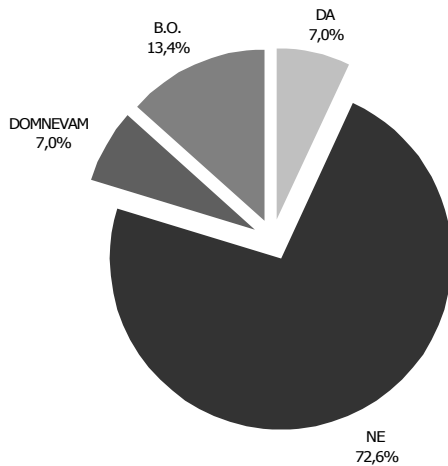
■ Ste bili kdaj odpušeni z dela zaradi homoseksualnosti / biseksualnosti?

<sup>3</sup> Podatek je podoben sliki, ki jo je podalo britansko poročilo @Social and Community Planning Research« iz leta 1995: v reprezentativnem vzorcu lezbijk, gejev, biseksualcev in biseksualk jih je bilo 21 % nadlegovanih na delovnem mestu. Vendar pa je v poročilu o diskriminaciji na delovnem mestu, ki ga je sestavila nevladna britanska skupina Stonewall iz leta 1993, ta odstotek precej višji: na delovnem mestu jih je bilo nadlegovanih kar 48 % anketiranih. Če tolmačimo podatke, dobljene v priučeni raziskavi, preko demografskega kriterija starosti, se odstotek približa Stonewallovli sliki. Realneje in na podlagi primerjave je torej bolj točno govoriti o tem, da je žrtev nadlegovanja na delovnem mestu vsak drugi gej ali lezbijka (Nataša Velikonja, "Istospolna usmerjenost in zaposlovanje", zloženko SKUC-LL, 1998).

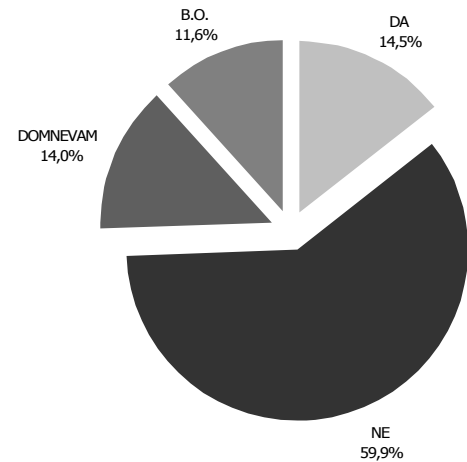
enostavna, govori dejstvo, da je med tistimi, ki domnevajo, da so bili odpuščeni, kar 6,9 % mlajših (in le 2,7 % starejših od 25 let); izrecen odgovor, da niso še bili odpuščeni z dela, ponuja - onkraj pričakovanj - manj mlajših (68,6 %) kot starejših (86,3 %): visok odstotek mlajših, ki niso odgovorili, bi torej lahko razumeli tudi kot bolj pogosto izognitev mlajših problematiziranju oziroma kot posledico zgoraj že omenjenega strahu pred sankcijami odpušljanja z dela, ki ga bolj čutijo mlajši.

težko natančno locirati, saj se tisti, ki diskriminira, verjetno poslužuje argumentacij, ki ne posegajo neposredno v spolno usmerjenost, čeprav nanjo merijo. Geji in lezbijke namreč predpostavljajo, da so razlogi slabših izhodišče in pozicij na delovnem mestu homofobični: glede odpustitve z dela jih tako meni kar 2,3 %; glede neenakopravnega položaja pri iskanju zaposlitve kar 7 %; in glede ovir pri napredovanju kar 14 %. Domneve so vselej večje pri lezbijkah kot gejih; in pri bolj izobraženih kot manj izobraženih: kar

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■ Ste bili zaradi istospolne usmerjenosti kdaj v neenakopravnem položaju pri iskanju zaposlitve.



■ Ali menite, da vas istospolna usmerjenost ovira pri napredovanju na delovnem mestu?

Naslednje vprašanje sprašuje o tem, ali so bili zaradi istospolne usmerjenosti kdaj v neenakopravnem položaju pri iskanju zaposlitve. 7 % gejev in lezbijk je že bilo v neenakopravnem položaju pri iskanju zaposlitve, enak odstotek jih domneva, 13,4 % jih na vprašanje ni odgovorilo. **Odstotek tistih, ki so bili zaradi istospolne usmerjenosti v neenakopravnem položaju pri iskanju zaposlitve, je višji pri moških; pri tistih, ki imajo nad 25 let; in imajo višjo izobrazbo.**

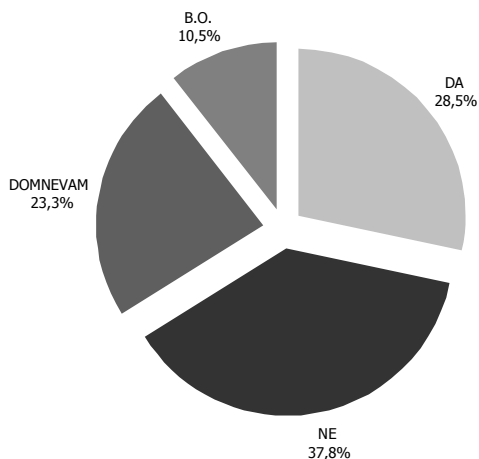
14,5 % vseh anketiranih meni, da jih istospolna usmerjenost ovira pri napredovanju na delovnem mestu, 14 % jih o tem domneva, 11,6 % ni želelo odgovoriti. **Tudi pri tem vprašanju je odstotek višji pri moških; pri tistih, ki imajo nad 25 let; ter tistih, ki imajo višjo izobrazbo.** Pri vseh vprašanih, povezanih z zaposlitvijo, obstajajo visoki deleži, pa tudi visoke demografske razlike pri odgovoru "domnevam": visoki deleži v tej rubriki lahko pomenijo to, da je diskriminacija na delovnem mestu zaradi istospolne usmerjenosti

21,3 % lezbijk domneva (in le 7,7 % gejev), da je istospolna usmerjenost ovira pri napredovanju; enako domneva 20,3 % višje izobraženih (in le 9,2 % tistih z osnovno in srednjo šolo).

Z drugimi gejevskimi-lezbičnimi konteksti je primerljiva<sup>4</sup> stopnja gejevske in lezbične razkritosti na delovnem mestu: 28,5 % anketiranih gejev in lezbijk meni, da njihovi sodelavci/nadrejeni na delovnem mestu vedo, da so homoseksualno/biseksualno usmerjeni: 30,8 % moških in 28 % žensk; 12,9 % do 25 let in kar 43,8 % nad 25 let; ter 24,1 % tistih, ki imajo dokončano osnovno in srednjo šolo, in 35,4 % tistih z višjo izobrazbo. Kar 23,3 % vseh anketiranih domneva, da sodelavci in nadrejeni vedo za njihovo spolno usmerjenost in le 37,8 % jih izrecno trdi, da ne vedo - med njimi pa je 48,6 % tistih, ki so mlajši od 25 let in le 23,3 % starejših od 25 let.

**Na precej visoko stopnjo razkritosti homoseksualnosti v delovnem okolju kaže predvsem 43,8 % outiranih gejev in lezbijk nad 25 let:**

4 Poročilo skupine Stonewall iz leta 1993 navaja, da le 19 % lezbijk, gejev, biseksualcev in biseksualk prikriva svojo seksualnost pred vsemi v svojem delovnem okolju. Britansko poročilo "Social and Community Planning Research" iz leta 1995 kaže, da jih 64 % skriva svojo seksualnost (Nataša Velikonja, "Istospolna usmerjenost in zaposlovanje", zloženska ŠKUC-LL, 1998).



■ Ali vaši sodelavci / nadrejeni na delovnem mestu vedo, da ste gej, lezbijka, biseksualec?

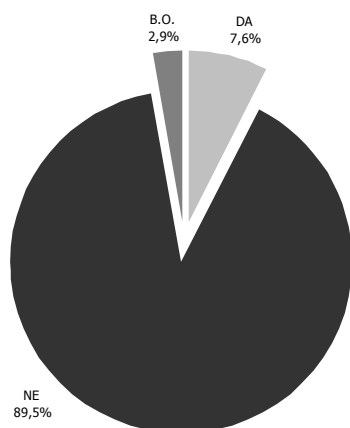
skorajda vsak drugi gej ali lezbijka, starejša od 25 let, sta, kljub strahu in izkušenim ali prièakovanim sankcijam, na delovnem mestu razkrita! **Ob tem je skorajda nujno zavrniti predpostavke o pregovorni skritosti gejev in lezbijk: subjektivizirano, samozavestno doživljanje (homo)seksualne komponente lastne identitete je v veliki meri prisotno v kontekstu ljubljanske gejevske-lezbiène scene, ki jo je anketa zaobjela.**

ginekologinje; odkrite žaljivke, šikaniranje in posmehovanje zdravstvenih delavcev. **Eni od anketirank je pri operaciji zdravnik predlagal HIV test, ker je lezbijka; druga o vsiljevanju kontracepcije s strani ginekologa, kljub temu, da je jasno povedala, da ima seksualne odnose samo z ženskami. 7,7 % anketiranih gejev je bilo zaradi spolne usmerjenosti že zapostavljenih pri zdravstvenih storitvah. Med primeri so navajali zmerjanje zdravnika, govorice; več jih navaja nepravilno obnašanje pri krvodajalskih akcijah. Eden od gejev navaja primer, ki ga je doživel v terapevtski skupini dr. Janeza Ruglja: ta mu je prepovedal udeleževanje na nekaterih skupnih aktivnostih s partnerjem, medtem ko so ostali heteroseksualni člani lahko pripeljali svoje partnerje na izlete in ostale oblike druženja - èeš, da noèe homoseksualnega vzdušja in promoviranja homoseksualnosti v skupini. Anketirani gej je zaradi tovrstne diskriminacije opustil terapevtsko skupino.**

**7 % anketiranih je bilo zaradi homoseksualnosti napotenih na psihiatrièno zdravljenje; med lezbijkami kar 8 %, geji 6,6 %; 8 % tistih, ki imajo konèano osnovno ali srednje šolanje, ter 6,3 % tistih z višjo šolo. Opozorim naj na visok delež tistih, ki niso želeli dati odgovora - kar 9,9 % je takšnih, kar sodi - poleg navajanja starosti, razkritosti na delovnem mestu ter lociranj različnih diskriminacij v delovnem okolju - med najvišje deleže izoginitve odgovoru. Iz visokih deležev pri vseh teh kategorijah lahko vidimo mesta, ki jih sami geji in lezbijke postavljajo kot najmoèeneje stigmatizirane in boleèe zanje.**

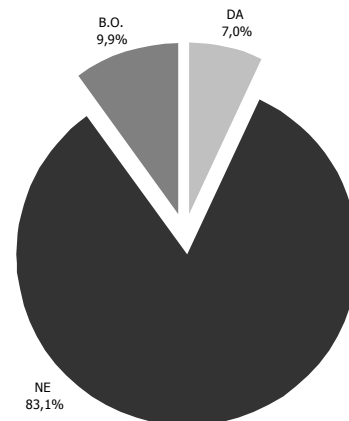
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## Zdravstvo

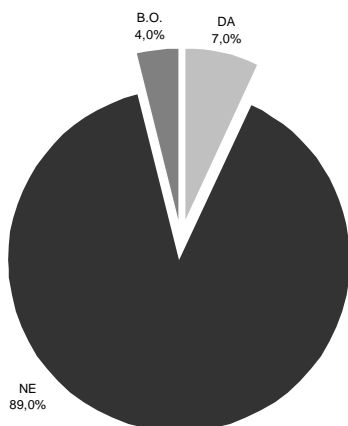


■ Ali ste bili v zvezi zdravstvenimi storitvami kdaj zapostavljeni zaradi spolne usmerjenosti?

Med mozne oblike diskriminacije nad istospolno populacijo sodi tudi naèin zdravstvene obravnave. Med anketiranimi jih je kar 7,6 % izkusilo zapostavljenost pri zdravstvenih storitvah zaradi spolne usmerjenosti. Lezbijke - med njimi jih je tovrstno diskriminacija èutilo kar 8 % - navajajo naslednje primere: poslabšan odnos



■ Ali so vas zaradi homoseksualnosti kdaj napotili na psihiatrièno zdravljenje?



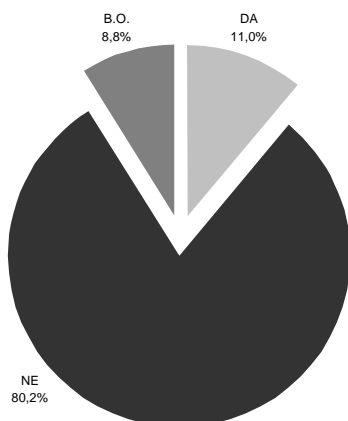
■ Ali ste imeli pri iskanju stanovanja kdaj težave zaradi spolne usmerjenosti?

### Stanovanje

Pri iskanju stanovanja je imelo težave 7 % anketiranih gejev in lezbijk. Odstotek je višji pri tistih anketiranih, ki so starejši nad 25 let: težave pri iskanju stanovanja jih je imelo kar 9,6 % (in 7,1 % mlajših od 25 let); manj žensk kot moških in več višje izobraženih, kot tistih z osnovno ali srednjo šolo. Anketirani in anketirane navajajo izselitev, ko je lastnik zvedel za spolno usmerjenost; težave s skrivanjem pred stanodajalcem ali sostanovalci ali strah le-teh, živeti z lezbijko ali gejem.

### Vojaški rok

11 % gejev navaja diskriminacijo zaradi spolne usmerjenosti ob služenju vojaškega roka. Diskriminacijo v vojski je doživelo kar 15,8 % tistih, ki so starejši od 25 let, in 7,7 % mlajših od 25 let; ter



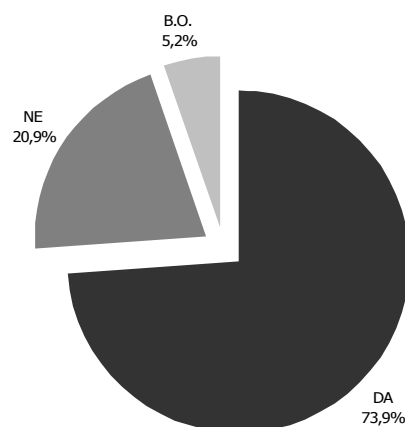
■ Ali ste bili v zvezi s služenjem vojaškega roka kdaj diskriminirani zaradi spolne usmerjenosti?

kar 16,7 % višje izobraženih in 5,7 % tistih, ki imajo končano osnovno ali srednjo šolo. Geji so bili oproščeni služenja na lastno željo; bili so ocenjeni kot nesposobni služenja; napoteni so bili k psihiatru; eden od gejev pa navaja tudi obravnavo pri vojaškemu vrhu v JLA glede zalotitve.

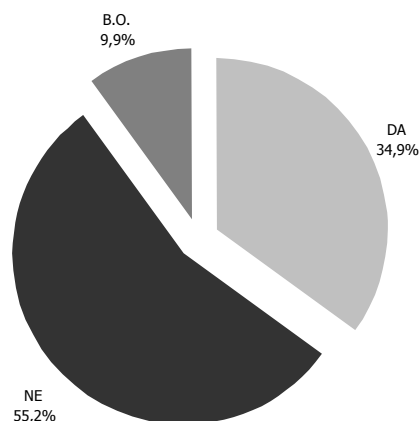
### Razno

Gre za sklop treh tematik: odnos do registracije istospolne partnerske skupnosti, azila ter pravic istospolno usmerjenih ljudi.

Prvi prvem, to je odnosu do zakonske registracije istospolne partnerske skupnosti, se je kar 73,9 % anketiranih odločilo za registracijo istospolnega partnerstva, če bi imeli možnost. Le 20,9 %



■ Če bi imeli možnost zakonsko registrirati istospolno partnersko skupnost, ali bi to storili?



■ Če bi imeli možnost emigrirati, ali bi bila pri tem odločilna vaša spolna usmerjenost?



se za to možnost ne bi odločilo, 5,2 % pa ni podalo odgovora. **Za registriranje partnerstva, če bi za to obstajala možnost, bi se odločilo 76 % lezbijk in 73,6 % gejev; 77,1 % mlajših od 25 let in 75,3 % tistih, ki so starejši od 25 let; ter 78,2 % tistih, ki imajo končano osnovno ali srednje šolanje, ter 69,6 % tistih z univerzitetno izobrazbo.**

**Kar 34,9 % anketiranih je menilo, da bi zanje bila odločilna spolna usmerjenost, če bi imeli možnost emigrirati. 9,9 % jih ni želelo odgovoriti; 55,2 % pa meni, da ne bi bila odločilna spolna usmerjenost, če bi imeli možnost emigrirati. Za kriterij spolne usmerjenosti pri emigriranju bi se odločilo več gejev (39,6 %) kot lezbijk (28 %); več tistih, ki imajo končano osnovno in srednjo šolo (39,1 %), kot tistih, ki imajo univerzitetno izobrazbo (31,6 %). Pregled po starosti je izenačen.**

**Pri navajanju tega, kar anketirane najbolj moti na področju kratenja pravic istospolno usmerjenih ljudi, je bil vprašalnik odprtega tipa in anketirani ter anketirane so sami pisali odgovore. Lezbijke pogosto moti nepoznavanje, nerazumevanje ali sprenevedanje glede problemov, ki se dotikajo homoseksualnosti; heteronormativnost; konzervativnost, zaplankanost in omejenost okolice; stereotipiziranje, nestrpnost, stigmatiziranje in diskriminacija na področju zakonske zveze, posvojitve otrok, zaposlovanja, izobraževanja, stanovanjske problematike ter drugih kriterijev državljske enakosti; prisilnost skrivanja, da bi se izognili nevarnostim ob razkritju; nevidnost in molk; nemoč in ponižanja; medijske reprezentacije ali nezainteresirana javnost ipd. Odgovori gejev so bili podobni: najpogosteje so navajali diskriminatorno zakonodajo. Eden od gejev navaja samomor svojega fanta zaradi nesoglasij in neodobranja staršev.**

## Zaključek

**Na podlagi opravljene raziskave lahko sklenemo, da obstaja v Sloveniji visoka stopnja diskriminacije nad gejevske, lezbične, biseksualno ali transseksualno populacijo, ki so jo geji in lezbijke doživeli v visokem deležu. Geji in lezbijke prepoznavajo diskriminacijo na ravni človekovih pravic oziroma temeljne državljske neenakosti. Skorajda polovica anketiranih je že bila deležna nasilja in načinov nadlegovanja, ker je strašljiv podatek, saj delež visoko presega vsa doslej detektirana osiše nasilja v sodobnih družbah. V Sloveniji je - po raziskavi, ki jo je izvedla nevladna organizacija SOS telefon za ženske in otroke, žrtve nasilja - posiljena vsaka sedma ženska, nasilje pa je prisotno v vsaki peti družini. Glede na raziskavo "O diskriminaciji na osnovi spolne usmerjenosti" pa je žrtev nasilja in nadlegovanja vsak drugi gej ali lezbijka. Vsak peti gej ali lezbijka sta bila deležna nadlegovanja zaradi spolne usmerjenosti na delovnem mestu. Vsaka dvanajsta lezbijka ali gej sta bila poslana na psihiatrično zdravljenje, približno isto**

število je imelo zaradi spolne usmerjenosti težave z zdravstvenimi storitvami ali ob reševanju stanovanjskega problema. Vsak deseti gej je doživel težave zaradi spolne usmerjenosti ob služenju vojaškega roka.

**Ena od bolj poudarjenih slik, ki jih daje anketa, je uravnoteženost mnenj po spolni, starostni in izobrazbeni strukturi. Odstopanja v mnenjih glede na spol, starost ali izobrazbo so majhna: na odnos do posameznih tematik, ki se dotikajo homoseksualnosti, ne vplivajo niti izobrazba niti spol niti starost. Razlika je še največja pri vprašanju o nasilju ali nadlegovanju zaradi istospolne usmerjenosti, minimalna pa pri tako politično osvetljenih temah, kot je odnos do registriranega partnerstva. Minimalna odstopanja so zanimiva predvsem pri izobrazbi, saj spodbijajo stereotipno predstavo o stopnjah ozaveščenosti, ki naj bi bile višje pri višjih stopnjah izobrazbe: izobrazba sploh nima pomembnega vpliva na značaj odgovorov. Iz takšnega podatka lahko sklepamo tudi o tem, da zavest o diskriminaciji homoseksualnosti ali protihomofobna znanja niso vsebine, ki bi jih podajal šolski ali univerzitetni sistem.**

**Preko raziskave lahko prav gotovo sklenemo, da homoseksualna populacija v Sloveniji ni več pasivna sprejemnica nasilja in nadlegovanja, ki se vrši nad njo. Eetudi so njene konkretne akcije za preprečevanje le-tega zaenkrat še omejene, pa obstaja močno prisotno vedenje o tem, da diskriminacija nad homoseksualnostjo ni nekaj samoumevnega. Razlog diskriminacije postavljajo v neenakopravno obravnavo gejev in lezbijk s strani države, to je, v zakonodajo, sklad pravic in svoboščin, ki jih le-ta podeljuje različnim državljskim kategorijam. Zanimivo bi bilo vedeti, kakšno podobo bi dale raziskave, ki bi bile opravljene pred desetletji, pred dekriminacijo homoseksualnosti ob koncu sedemdesetih ali ob nastajanju gejevskega in lezbičnega gibanja v osemdesetih. Ob časovnih perspektivah bi namreč lahko sklepali, ali se kritična moč vedenja gejev in lezbijk o diskriminaciji nad spolno usmerjenostjo povečuje - ali tudi geji in lezbijke postajajo subjekti, sposobni refleksije lastnega položaja v širšem družbenem kontekstu ali pa, po drugi strani, družbeni kontekst še vedno obvladuje spoznavna obzorja o njihovi diskriminiranosti. Kakorkoli že, sedanja slika prav gotovo napoveduje dva dogodka, ki nista nujno ločena: država se bo morala odpovedati svoji homofobni državi in začeti konsistentno uvajati pravila enakosti njenih državljanov in državljanek, ali pa jo bo v to prisilila visoka kvota gejevske in lezbične moči, morda jeze, morda znanja, vsekakor pa nesprijaznosti.**

## > SEXUAL ORIENTATION >> DISCRIMINATION IN SLOVENIA

>>10

A Report by  
ŠKUC-LL  
Metelkova 6  
1000 Ljubljana, Slovenia

### INTRODUCTION

"I was told by an acquaintance: 'People like you should be imprisoned in the zoo or killed.'"

"We don't dare do what everyone else does. We are not allowed to show that we are gay. We can't hold each other's hand in the street or kiss in public. We can't risk being spontaneous, but have to hide instead."

"Someone has to tell Slovenian parents that it can happen in every family that a child is gay. My boyfriend killed himself because of the problems within his family, who refused to accept the fact that he was gay."

These statements provide a strong sense of how homophobic attitudes can overshadow the lives of lesbian, gay and bisexual people in Slovenia today. Such statements represent a mere sample of the numerous responses to a questionnaire survey that sought to conduct initial research into the nature and extent of sexual orientation discrimination in Slovenia. The survey was carried out by the lesbian group ŠKUC-LL and represents one of four investigations conducted in EU candidate countries (the other studies are based in Hungary, Poland and Romania). The investigation was performed in coordination with ILGA-Europe - the European Region of the International Lesbian and Gay Association - and was funded by the Open Society Institute in Budapest.

The central purpose of this report is to call attention to the extent of sexual orientation discrimination in Slovenia, and to increase the awareness of those actors who can most effectively combat such discrimination. In particular, these actors are the Slovenian government, the Slovenian parliament and institutions of the European Union.

The survey addressed the issues of (1) violence and harassment and (2) discrimination in employment, health care services, housing and military service. Full details of questionnaire results are provided in the Appendix to this report.

The survey was conducted from January-March 2001. During this

period, 172 persons completed the questionnaire. Respondents were primarily those individuals who regularly frequent openly lesbian and gay meeting places in Ljubljana or who are indirectly connected with lesbian, gay and bisexual organisations (e.g., through personal contacts or correspondence). The questionnaires were distributed in the lesbian bar *Monokel*, the gay bar *Tiffany*, and the *Metelkova Cultural Centre* in Ljubljana. The questionnaire was also distributed to members of ŠKUC-LL as well as the youth group *Legebitra*, and was made available on the website [www.ljudmila.org/siqrd](http://www.ljudmila.org/siqrd).

A survey of this type does not purport to produce results that are statistically valid for the entire target population, as would be the case with a random sample. Nonetheless, the survey results provide valuable information and permit certain broad conclusions to be drawn about the nature and extent of sexual orientation discrimination in Slovenia.

In considering any findings, allowance must be made for two important factors:

- Surveys that seek to quantify the extent of discrimination directed toward lesbian, gay and bisexual individuals confront a particular problem: unlike many other minorities that experience discrimination, most lesbian, gay and bisexual persons can conceal the aspect of their identity that is the target of dis-

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crimination, namely their sexual orientation. Thus any survey investigating sexual orientation discrimination is likely to understate the actual extent of discrimination.

- As noted above, the survey respondents consisted mainly of participants in Ljubljana's openly lesbian and gay scene, as well as individuals connected with lesbian, gay and bisexual organisations in Slovenia. It is likely that this sample is atypical of the general lesbian, gay and bisexual population in Slovenia, since it includes a relatively high proportion of individuals who are politically aware and open about their sexual orientation.

The survey was coordinated by Tatjana Greif. Tomaž Bergoč (*Varianta d.o.o.*) conducted the statistical processing, and Nataša Velikonja analysed the data and produced the final report. This report is being published in both Slovenian and English.

## 2. SUMMARY OF FINDINGS

The findings of this survey lead to the conclusion that there is a high level of discrimination against gay, lesbian and bisexual people in Slovenia. For example, one of every two respondents had experienced some form of violence or harassment because of their sexual orientation, and one in five had suffered harassment at the workplace. The survey findings also raise serious concerns about discriminatory behaviour in the police force, in the health service, and in the military, and the difficulties faced by open lesbians and gays in finding housing.

However, it is highly probable that these findings seriously understate the scale of the problem, due to the above-mentioned fact that many lesbian, gay and bisexual individuals seek to avoid discrimination by concealing their sexual orientation. The potential magnitude of this factor is revealed when one compares the number of incidents of workplace harassment with the number of respondents who stated that they are open to their co-workers and superiors about their sexual orientation. On the basis of this comparison, the proportion of those harassed rises from 20% to 70%.

Thus it is impossible for the survey to measure precisely the extent of sexual orientation discrimination in Slovenia. However, this is unnecessary for determining whether action is needed. It is clear from the survey results that:

- The overall level of discrimination in Slovenia is shocking and entirely unacceptable.
- Acts of discrimination, and the potential for discrimination, have profound and negative consequences on the lives of

lesbian, gay and bisexual individuals in Slovenia.

The fact that one in three respondents would seriously consider emigrating from Slovenia because of their sexual orientation dramatically underscores the damaging effect of discrimination on the lives of lesbians, gays and bisexuals in present-day Slovenia.

## 3. RECOMMENDATIONS

- The Slovenian Government

Slovenia has legal prohibitions on sexual orientation discrimination<sup>1</sup>.

Slovenia also has a human rights Ombudsman. For several years the Ombudsman and his Office refused to acknowledge discrimination against lesbians and gays and to take up individual cases<sup>2</sup>. In 2001 a new Ombudsman was appointed. His statements have been much more supportive than those of his predecessor, but this has yet to be reflected in any action. The Government should confirm that the Ombudsman has a duty to exercise his powers in relation to the human rights of lesbian, gay and bisexual people.

Anti-discrimination laws, and an effective human rights Ombudsman are valuable first steps in the fight against discrimination. However, this survey demonstrates clearly that such measures are not sufficient in themselves to create a society in which lesbians, gays and bisexuals can live free from discrimination. Broad ranging government action is required.

The Slovenian government should make a public commitment to promoting the inclusion and participation of lesbian, gay and bisexual persons in society, and combating their exclusion. This commitment should be implemented by means of a detailed strategy which should be developed in consultation with lesbian, gay and bisexual community organisations. It should include measures in, amongst others, the education system, the police, health service, and the armed forces, designed specifically to address the types of discrimination identified in this survey. Appendix 2 sets out in more detail some of the measures which need to be adopted.

The government should also act to remove a major area of discrimination, the lack of legal recognition for same-sex relationships.

- The European Union

The European Commission should, in its annual report on Slovenia's progress towards accession, monitor its progress in tackling discrimination against its lesbian, gay and bisexual citizens, against the recommendations set out above.

1 Article 14 of the Constitution and Article 141 of the Penal Code

2 See Equality for Lesbians and Gay Men -- a Relevant Issue in the EU Accession Process, page 70

The European Parliament, the Council of Ministers, and the national parliaments of the Member States **should make it clear that they will not accept Slovenia as a member of the European Union until:**

- The Slovenian Government has adopted a broad ranging anti-discrimination programme of the type set out in Appendix 2 and
- Has demonstrated its commitment to implementing such a programme.

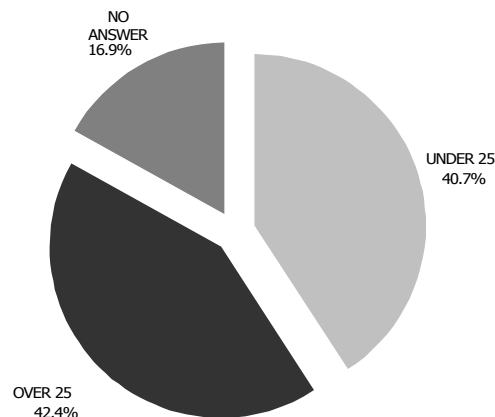
The questionnaire asked respondents to indicate whether they were over or under 25 years of age, the view being that greater detail would not significantly add to the findings. 40.7% of respondents indicated that they were under 25, 42.4% stated that they were over 25, and 16.9% provided no information.

#### 4. SCOPE OF THE SURVEY

The questionnaire was divided into six sets of questions addressing issues that are of particular concern in relation to sexual orientation discrimination. The survey attempted to ascertain whether respondents had actually experienced discrimination in these issue areas, to what degree, and how they had experienced it. The survey also asked respondents to identify the aspects of discrimination that most significantly affected their lives.

The six issues addressed were:

- Violence and harassment on the basis of sexual orientation
- Employment
- Health care services
- Housing
- Military service
- Other issues (same-sex partnerships, emigration, respondents' perception of the most significant aspects of discrimination)



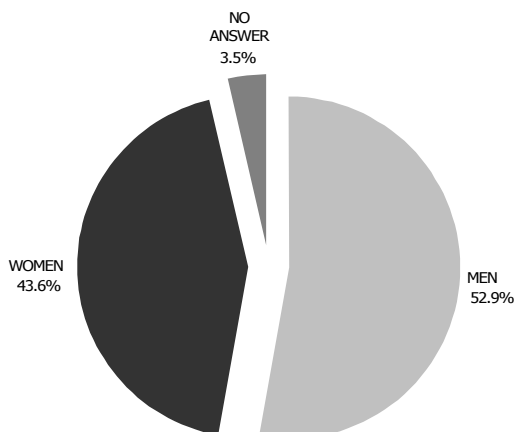
■ ANALYSIS OF SAMPLE BY AGE

Respondents' level of education was also divided into two categories: those who had completed primary or secondary school (50.6%) and those who had completed a university education (45.9%). The high proportion of respondents possessing a university education is an additional factor indicating that the survey sample is atypical of Slovenia's general lesbian, gay and bisexual population.

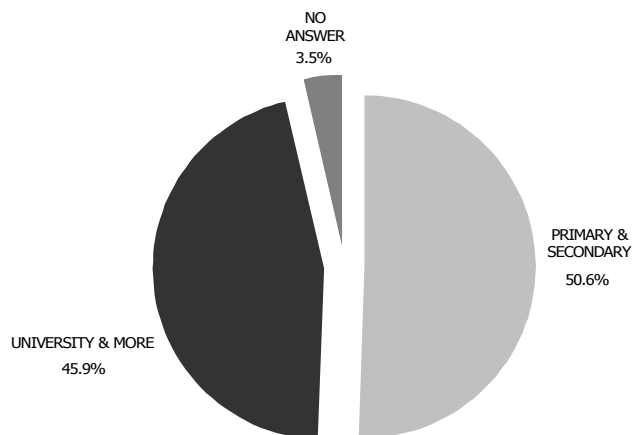
#### 5. DEMOGRAPHIC DATA

The survey included data on the sex, age and educational level of the respondents.

43.6% of the 172 respondents were women, 52.9% were men, and 3.5% provided no information on their sex.



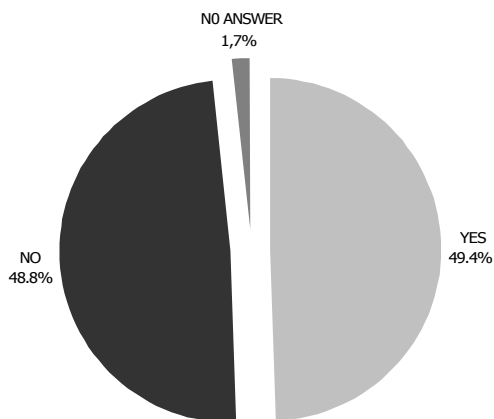
■ ANALYSIS OF SAMPLE BY GENDER



■ ANALYSIS OF SAMPLE BY EDUCATIONAL LEVEL

## 6. VIOLENCE AND HARASSMENT (QUESTIONS A1 - A6)

The first set of questions addressed the issue of violence and harassment directed toward lesbian, gay and bisexual individuals in Slovenia. The elimination of these problems is a top priority of the Slovenian lesbian/gay movement in its struggle against homophobia.

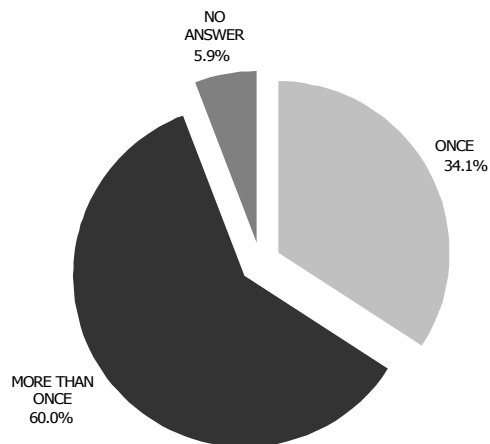


■ Have you ever experienced violence or harassment because of your sexual orientation?

Despite the fact that discrimination on the grounds of sexual orientation is explicitly prohibited by Article 141 of the Slovenian Penal Code, the survey showed that 49.4% of respondents had experienced violence or harassment because of their sexual orientation (A1). Broken down according to age group, 64.4% of respondents over 25 years of age and 35.7% of respondents under 25 years of age had experienced violence or harassment. Viewed from the perspective of educational level, 62.0% of respondents holding university degrees and 37.9% of respondents who had completed only primary or secondary school had experienced violence or harassment. Three reasons can be suggested for these variances:

- Most obviously, older persons would have a longer period of time for accumulating experiences of discrimination.
- Older and more educated individuals may possess greater awareness of what constitutes harassment and discrimination, and may therefore be more likely to identify such incidents.
- Answers to another question (B1) suggested that respondents over 25 were more likely to be open about their sexual orientation, thus increasing their exposure to discrimination.

Among respondents who were victims of violence or harassment, 60% had experienced more than one incident of violence or harassment (A2). Again, individuals over 25 years of age and persons with a university education were more likely to have experienced more



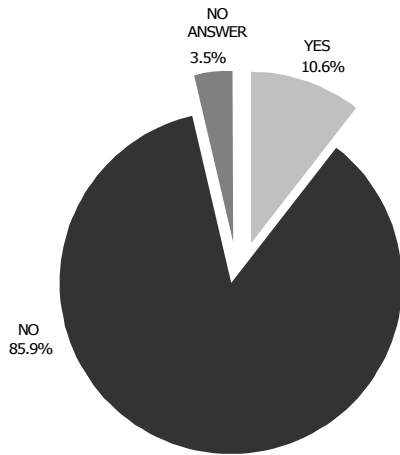
■ How many times were you attacked/harassed?

than one incident of violence or harassment. It is noteworthy that a higher proportion of lesbians than gay men had experienced violence or harassment. Furthermore, a higher proportion of lesbians than gay men had experienced more than one such incident. These findings call into question the commonly held view that lesbians enjoy greater tolerance, and are less subject to discrimination, than gay men.

The most frequent forms of violence or harassment identified by respondents were insults, violent attack and harassment (A3). Gay men were more often the victims of violent attacks, while women were more likely to experience harassment and insults. Some respondents also named other forms of harassment they had experienced, including malicious gossip, hate speech, derisive remarks and being spat on.

Those most commonly cited as perpetrators of acts of violence or harassment were strangers (27%), acquaintances (25%), co-workers (18%) and family members (14%) (A4). For lesbians, the primary perpetrators were acquaintances (30%), family members (20%), co-workers (18%) and strangers (18%); for gay men, the main perpetrators were strangers (35%), acquaintances (20%) and co-workers (17%). Police officers were involved in 4% of cases reported. Other perpetrators mentioned by respondents included street gangs (all reported by gay men) and classmates.

It is perhaps unsurprising that the largest category of perpetrator is "strangers." However, it is disturbing that such a high proportion of perpetrators was known to the victim - as acquaintances, co-workers or family members.



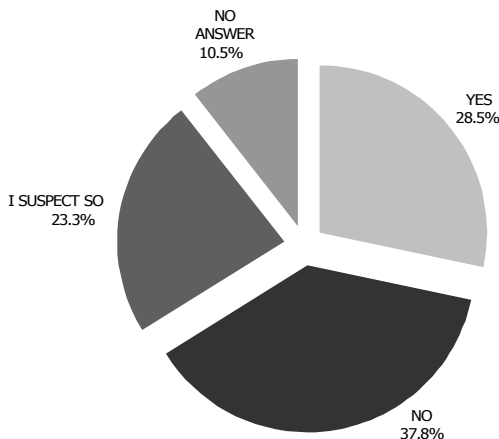
■ Did you report the incident to the police?

Only one in ten of those who experienced violence or harassment reported the incident to the police (A5). A possible explanation for this low figure is that victims may not always consider the incident sufficiently serious to involve the police. Even allowing for this possibility, the percentage of incidents reported appears to be quite low and includes less than half the number of violent incidents reported.

Police reactions to these complaints are disturbing: law enforcement officials responded supportively in only 30% of the incidents reported (A6), while their reaction was actually hostile in three other reported cases. This hostility on the part of police officers is consistent with the above-cited reports of law enforcement officials as perpetrators of harassment (see A4).

7. EMPLOYMENT (QUESTIONS B1 - B6)

Openness about Sexual Orientation in the Workplace (B1)



■ Do your co-workers or superiors at work know that you are gay, lesbian or bisexual?

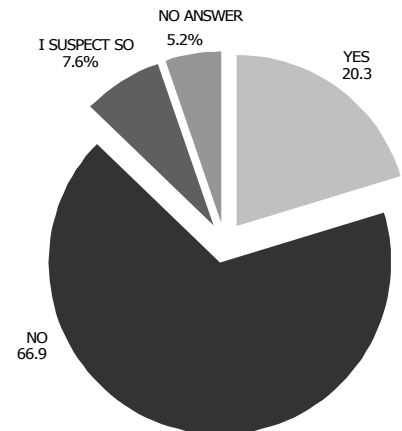
Only 28.5% of respondents stated that they were definitely "out" as lesbian, gay or bisexual to their co-workers or superiors in the workplace. A further 23.3% suspected that their co-workers or supervisors might be aware of their sexual orientation. Finally, 37.8% of all respondents concealed their sexual orientation at their places of employment. These figures are crucial for understanding the overall extent of discrimination that is implied by the responses to other questions dealing with employment.

Analysed by age group, very different patterns emerge for those over and under 25: of those over 25, 43.8% were definitely "out" as lesbian, gay or bisexual to their co-workers or superiors, while an additional 28.8% suspected that their sexual orientation was known. For those under 25, the equivalent figures were much lower, at 12.9% and 20% respectively.

Education also influenced openness at work: 35% of those with university degrees reported being open about their sexual orientation at work, compared to 24% of those with primary or secondary education.

The proportion of respondents definitely known to be lesbian, gay or bisexual by their co-workers or superiors is unlikely to be typical for the lesbian, gay and bisexual population as a whole. This figure is almost certainly influenced by the fact that the survey sample was drawn from a group of people who are relatively politically aware and open about their sexual orientation.

Harassment in the Workplace because of Sexual Orientation (B2) 20% of all respondents had experienced harassment at the workplace. This is a serious enough statistic in and of itself. But this figure rises to 40% of those whose sexual orientation was known, or thought to be known, and 70% of those whose sexual orientation was definitely known in the workplace.



■ Have you experienced harassment at work because of your sexual orientation?

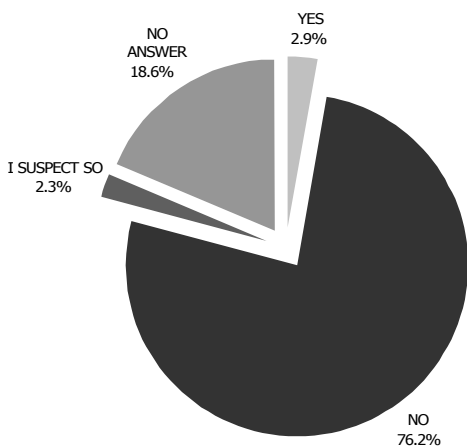
Women had experienced slightly more harassment at work than men, while those over 25 had experienced significantly more harassment than those under 25. The latter statistic reflects two factors:

- The greater openness of those over 25 about their sexual orientation (see above).
- The longer employment history of respondents over 25, which therefore increased exposure to the possibility of harassment.

The most frequent forms of harassment or violence reported were offensive remarks, mockery, and sexual harassment (the same percentage among both men and women) (B3). One case of physical violence was also reported.

#### Dismissal (B4)

2.9% of respondents reported that they had been dismissed from a job because of their sexual orientation, while a further 2.3% suspected that they had been dismissed for this reason. These figures are very high: those who reported that they had definitely been dismissed because of their sexual orientation represent 10% of those whose sexual orientation was definitely known. Similarly, the total of those definitely dismissed or who suspected dismissal is equivalent to 10% of those whose sexual orientation was known or suspected to be known.

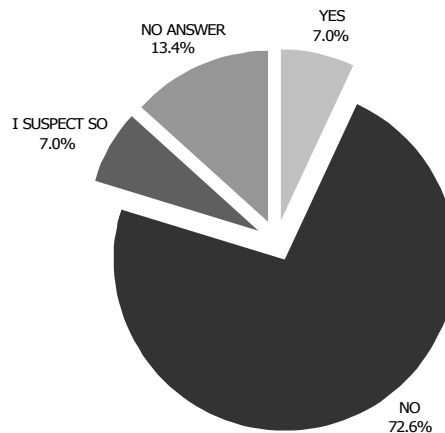


■ Have you ever been dismissed from a job because of your sexual orientation?

#### Applying for Employment (B5)

The next question asked respondents whether they had ever experienced discrimination when applying for a job. 7% reported that they had experienced such discrimination, while a further 7% suspected that they had. The questionnaire did not establish how many respondents were open about their sexual orientation when applying for employment. However, the effect of this factor can be esti-

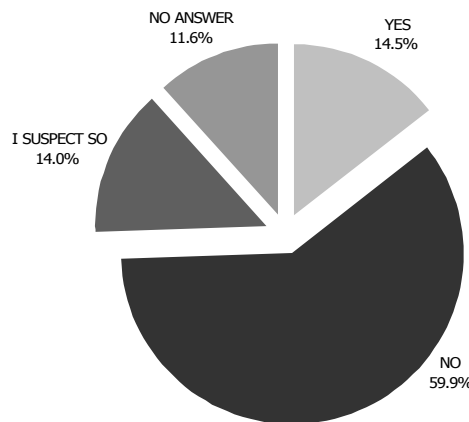
mated by comparing the number of discriminatory incidents while applying for employment with the number of respondents who were open about their sexual orientation in their current positions (28.5%). If they were as open about their sexual orientation when applying for employment as they are in their current jobs - and this is unlikely - the proportion experiencing discrimination during the job application process would have been 25%, while the proportion which suspected that they had been the victims of such discrimination would have represented an additional 25%.



■ Have you ever experienced discrimination when applying for employment because of your sexual orientation?

#### Promotion (B6)

14.5% of all respondents reported that they had been denied promotion because of their sexual orientation, while a further 14% suspected this to be the case. Thus, the proportion of all respondents denied promotion, or who suspected such treatment, was identical to the percentage of respondents who were open about their sexual orientation in the workplace (28.5%). This is a powerful indication of the risk - real or perceived - of revealing one's sexual orientation at work.



■ Have you ever been denied promotion because of your sexual orientation?

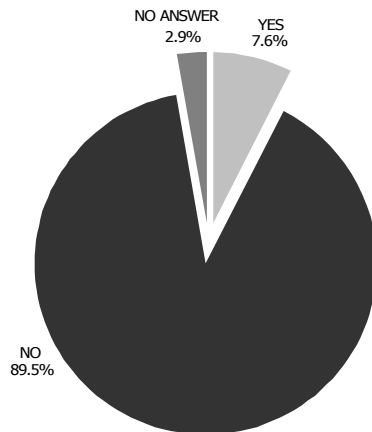
### 8. HEALTH CARE SERVICES (C1 - C3)

7.6% of respondents reported that they had experienced discrimination in health care services (C1). Levels of discrimination were similar among women and men as well as among the two age groups. Lesbian respondents mentioned the following examples: negative attitudes among gynecologists, explicit insults, and derisive treatment by medical personnel. In one case, a doctor suggested that the respondent undergo an HIV test prior to surgery because she was a lesbian. In another case, a doctor insisted on contraceptive measures although the respondent had informed the gynecologist that she had sexual relations only with women.

allowed to bring his partner to particular events, although heterosexual participants were allowed to do so. The doctor also commented that he did not want a "homosexual atmosphere" in the group.

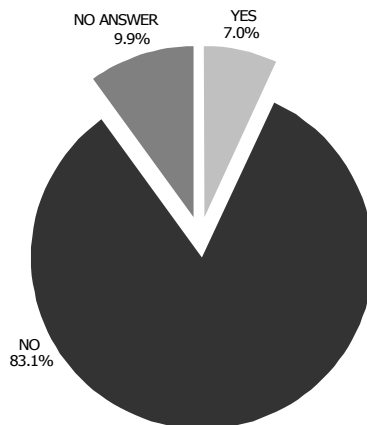
7% of respondents had been advised to undergo psychiatric treatment because of their homosexuality (C3). There was little difference in the response rate according to age group. It is a matter of considerable concern that some members of the medical profession in Slovenia still view psychiatric treatment as an appropriate response to homosexuality.

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■ Have you experienced discrimination in health care services because of your sexual orientation?

In addition to the above forms of discrimination or harassment, male respondents cited abusive language as well as discrimination with regard to blood donation. One gay man abandoned group therapy treatment because of the negative attitude of the doctor. He was not

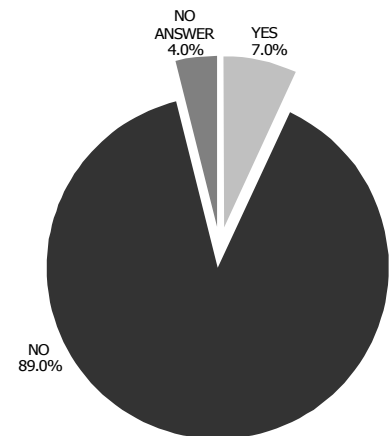


■ Have you experienced discrimination in health care services because of your sexual orientation?

### 9. HOUSING (D1 - D2)

7% of respondents reported that they had experienced discrimination or harassment in the area of housing. Examples included:

- a landlord letting a flat to another applicant when the respondent told him that she was a lesbian;
- a landlord who let a flat to a heterosexual couple rather than to "a pair of girls;"
- students afraid to share accommodation with a lesbian;
- a gay male student feeling compelled to conceal his sexual orientation from his roommates.



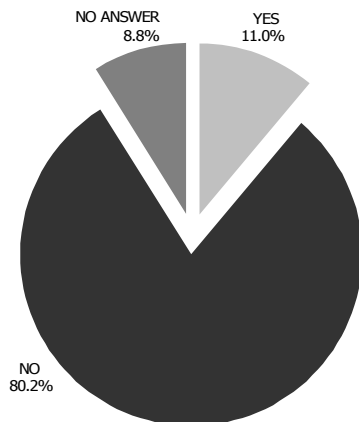
■ Have you ever had problems when looking for housing because of your sexual orientation?

### 10. MILITARY SERVICE (E1 - E2)

11% of male respondents reported experiencing sexual orientation discrimination during military service. Examples included:

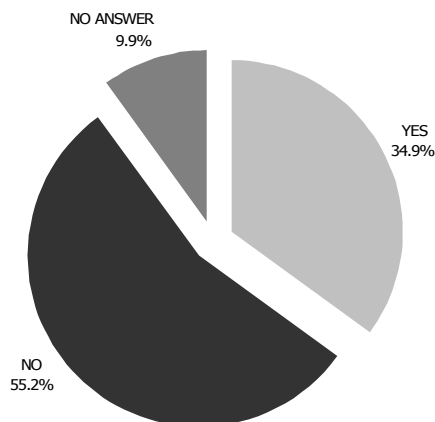
- dismissal from the military;
- being regarded as unfit for military service;
- being referred for psychiatric treatment.





■ Were you ever discriminated against because of your homosexuality while serving in the military?

One respondent was excused from military service at his own request.

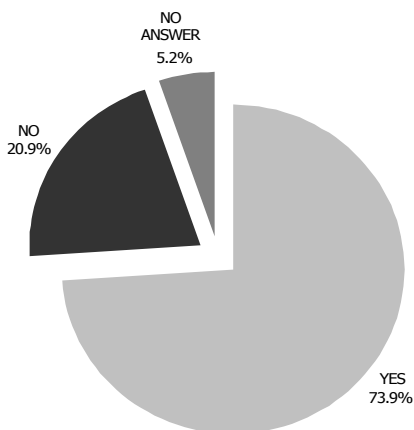


■ If you were to decide to emigrate, would your sexual orientation play a significant role in your decision?

one in three respondents replied in the affirmative. This striking figure illustrates the damaging effect that sexual orientation discrimination has on the lives of lesbian, gay and bisexual individuals. Furthermore, it underscores the urgent need for Slovenian authorities to take decisive action to combat discrimination and to make their country one in which all citizens can live in safety and equality, regardless of their sexual orientation.

## 11. OTHER ISSUES (F1 - F3)

### Legal Recognition of Same-Sex Relationships (F1)



■ Would you register your same-sex partnership if it were legally permitted?

An important aspect of discrimination in Slovenia is the absence of any form of legal recognition for same-sex partnerships. Respondents to the questionnaire were asked whether they would register their partnership if this were legally permitted. An overwhelming majority - 73.9% - replied in the affirmative. The level of affirmative response was similar regardless of the sex, age or educational level of the respondents.

### Emigration as a Response to Discrimination (F2)

Respondents were asked whether sexual orientation would play a significant role in any decision to emigrate from Slovenia. More than

### Open-ended Question on the Most Significant Aspects of Sexual Orientation Discrimination (F3)

The questionnaire concluded with a general, open-ended question: What aspect of the violation of the human rights of lesbian, gay and bisexual individuals do you find most significant and problematic?

Responses provided by lesbians included ignorance, lack of understanding, the pretence of ignorance, the assumption of heterosexuality as the norm, stereotypes, intolerance, discrimination in the fields of marriage and adoption, discrimination in education, employment and housing, the necessity to stay "in the closet" to avoid difficulties in everyday life, invisibility and silence, helplessness, humiliation, media representation of homosexuality, and lack of interest among the general public. Gay men provided similar answers while attributing more weight to legal discrimination.

The wide range of responses provides a powerful sense of the multifaceted ways in which discrimination and homophobia affect the lives of lesbian, gay and bisexual individuals. One particular response brought home just how profound the effects of this discrimination can be: one gay man reported that his partner had committed suicide because he could no longer deal with the problems brought about by his sexual orientation.

## 12. CONCLUSIONS

The findings of this survey lead to the conclusion that there is a high level of discrimination against lesbian, gay and bisexual individuals in Slovenia. No less than half of the respondents had experienced some form of violence or harassment because of their sexual orientation. In addition, 20% had suffered harassment at the workplace. Finally, approximately one in twelve had been referred for psychiatric treatment while a similar percentage had experienced problems within the areas of health care services and housing.

On the positive side, the survey results provide evidence that the lesbian, gay and bisexual community in Slovenia is no longer a passive recipient of violence and harassment. Although few individuals are currently willing to file complaints, the survey revealed a clear awareness of sexual orientation discrimination, as well as an understanding that such discrimination is neither self-evident nor to be tolerated. Many respondents viewed their experiences of discrimination within a broader context, including the general ineffectiveness of anti-discrimination provisions, discrimination due to the lack of legal recognition of same-sex partnerships, and exclusion from the enjoyment of basic human rights and freedoms. In these factors lies hope for the future: any failure by the state to introduce legislation and procedures to ensure equal rights for all its citizens - including lesbian, gay and bisexual citizens - will be challenged by an increasingly aware, powerful, and angry lesbian, gay and bisexual community.

Report by: Nataša Velikonja  
June 2001

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However, it is important to emphasise once again that these findings seriously understate the scale of the problem because of the fact that lesbian, gay and bisexual individuals are able to avoid discrimination by concealing their sexual orientation. Again, the extent of this factor can be estimated by comparing the level of workplace harassment with the number of respondents who are open to their co-workers and superiors about their sexual orientation, rather than with the total sample. On the basis of this comparison, the proportion of those harassed rises from 20% to 70%.

To repeat, the survey cannot precisely quantify the overall extent of sexual orientation discrimination in Slovenia. Nevertheless, such an exact measurement is unnecessary for determining whether action is needed. The survey demonstrates clearly that:

- The overall level of discrimination in Slovenia is shocking and entirely unacceptable.
- Acts of discrimination, and the potential for discrimination, have profound and negative consequences on the lives of lesbian, gay and bisexual individuals in Slovenia.

Most dramatically, the fact that one third of respondents seriously considered emigrating from Slovenia because of their sexual orientation starkly underscores the powerful effect that discrimination and homophobia have on the lives of lesbians, gays and bisexuals in contemporary Slovenia.

The survey covered a relatively balanced population in terms of sex, age and level of education. The fact that - with few exceptions - the level of discrimination experienced by these different groups was very similar underscores the pervasive nature of sexual orientation discrimination.

## > RECOMMENDATIONS >> for the Slovenian Government

The Government should make a public commitment to promoting the inclusion and participation of lesbian, gay and bisexual persons in society, and combating their exclusion. This commitment should be implemented by means of a detailed strategy which should be developed in consultation with lesbian, gay and bisexual community organisations. It should include the following measures:

### 1. The education system

- The development of policies which ensure that same-sex relationships are addressed by the educational system in a fair and objective manner, and that lesbian, gay and bisexual persons are covered in all educational material which addresses the right to equal treatment of minorities and the dangers of intolerance;
- The development and promotion of anti-bullying and anti-harassment policies in schools, other education establishments and services to young people, such policies specifically to deal with homophobic bullying and harassment;

### 2. The police

- The development of a code of conduct and training designed to counter homophobic attitudes and behaviour, and to encourage the police to react positively when called upon for help that lesbian, gay and bisexual people
- Proper investigation of homophobic actions, and proportionate disciplinary response
- Appointment of police officers to liaise with the lesbian, gay and bisexual community
- Adoption of a diversity policy encouraging the recruitment of lesbian and gay police officers
- A campaign specifically directed towards persuading lesbian, gay and bisexual victims of violent attacks and other homophobic hate crimes to report these crimes to the police

### 3. The armed forces

- A code of conduct and training designed to counter homophobic attitudes and behaviour, and to ensure that the armed forces are a safe working and living environment for homosexuals
- Proper investigation of homophobic actions, and proportionate disciplinary response

- A clear statement by the military authorities that gay people are welcome to serve in the armed forces on equal terms with all other citizens
- Specific instructions to military doctors and psychiatrists to cease treating homosexuality as a "personality disorder"

### 4. The health service

- The withdrawal of all medical texts which still treat same-sex relationships as an illness or disorder
- Training courses for medical students, and continuing professional education for doctors, to include material designed to combat outdated discriminatory perspectives, and to cover the genuine health needs of lesbian, gay and bisexual people
- A code of conduct and training designed to counter homophobic attitudes and behaviour more generally, particularly among other health service employees, including nurses and auxiliary staff.

### 5. Support for lesbian, gay and bisexual human rights and community organisations

- Recognition of the contribution which lesbian, gay and bisexual community organisations can make to the development of a society in which all citizens can live free from discrimination
- Provision for financial support for such organisations

### 6. Legal recognition of same-sex relationships

The introduction of a legal framework for the recognition of same-sex relationships, granting the same rights as those available to heterosexual married and unmarried couples.

### 7. Parenting

Legal recognition of equal right to artificial insemination for all women (including single women/lesbians), regardless of their marital status or any other personal circumstances; adoption rights for same-sex couples.

### 8. The Ombudsman

To make it clear that the Ombudsman is to deal with violations of the rights of lesbian, gay and bisexual people to the same standard as the violations of the rights of any other group in society.