

NEWSLETTER - VOLUME XVII - No. III – March 2016

A Legal Framework for Surrogacy?¹

By Mona Greenbaum, Director, LGBT Family Coalition

For many years now, the LGBT family coalition has been advocating for laws to protect families formed through surrogacy, and so it was with interest that I recently read a report that makes recommendations regarding an eventual reform of family law. We also had the pleasure, in January, of hearing Prof. Robert Leckey from McGill University speak to the group about this subject.

The report, officially called “Pour un droit de la famille adapté aux nouvelles réalités conjugales et familiales” was the fruit of two years of work of a committee that was launched by Quebec’s Justice Ministry in response to the highly mediatized Eric vs. Lola case, where the mother of 3 children, ‘Lola’ sued her ex-common law partner, ‘Eric’ for spousal support after their separation. The current law in Quebec does not treat married and common law spouses in the same way. Although both parents are responsible for child support when a couple separates (regardless of the couple’s conjugal status), spousal support (alimony) is only afforded to spouses who were married or in a civil union. In the end, the judges of the Supreme Court of Canada declared that although common law spouses are in fact discriminated against with respect to married spouses, this discrimination is justified given that they have *chosen* not to marry and become economically inter-dependent. The judges however acknowledged that as less and less people marry and their relationships do often include children (a source of interdependence), the Quebec government should review the way it treats common law partners.

The Minister of Justice at the time, Bernard St-Arnaud, mandated a committee of experts to put together recommendations for a reform of family law, given that the last big reform took place in the 1980s and that families look much different now than they did back then.

One, amongst many elements addressed in this potential reform, is surrogacy.

As you probably know, surrogacy in Quebec is not illegal, but is rather, ‘not legally recognized’. (Federal law as well allows surrogacy, as long as the act is not remunerated). In fact what Quebec law says about surrogacy is that any contract that is made between intended parents and a surrogate is considered *absolutely null*. Other Canadian provinces recognize surrogacy contracts to varying degrees.

As the LGBT community looks increasingly to surrogacy as a means to start their families, this lack of legislation results in a number of problems: 1) the need to resort to reproductive tourism (going to other provinces, and even countries, to carry out surrogacy) 2) difficulty establishing the legal recognition of the non-biological parent - often through uncertain adoption processes 3) difficulty obtaining parental leave from the RQAP 4) the potential for financial exploitation.

The legislative void has even led to a number of court cases. Some judges see surrogacy as being against the ‘public order’ and have come down against different families. In the past couple of years however, an increasing number of judges have declared that it is in the best interest of the child that these families be legally recognized. What is clear is that a proper legal framework for this practice is needed to protect children, parents, surrogates *and* egg donors.

¹ The author would like to thank Régine Tremblay for her comments on this document.

So what does the report say? The committee's proposal, which could potentially become slated legislation, is an administrative route to surrogacy. It would only work if certain formalities were put in place before the child's conception. If not, a judicial route is proposed.

Here is an outline of the proposed path in point form (with some of my own comments in blue):

- ❖ First step: Separate visits for surrogate and intended parents with a Youth Centre Professional (ex. psychologist or social worker) to explain the social/psychological implications to all parties. This would not be an evaluation. (Should the egg donor be involved in this process? Will the professional be able to adequately explain medical and health risks? How would the law treat international surrogacy?)
- ❖ The psychologist /social worker gives a certificate to the participants attesting the visit
- v Second step: A notary puts the parental project on paper after the surrogate and intended parents give informed consent about legal aspects. (Is a notary the best kind of professional to explain the contract to the different parties? Will all parties be equally represented? What about families that want egg donors to be part of the process? What about family projects that have more than 2 parents? Costs?)
- ❖ At birth, the surrogate's identity is recorded.
- ❖ If all agree, the surrogate gives the child to the intended parents.
- ❖ Third step: A paper with two witnesses (or again a notarial act) attest that the birth mother transferred the baby to the intended parents who can then ascertain their parental authority.
- ❖ They all sign the *declaration commune de naissance* referring to the parental project and assuring that all consent. This is sent to the *Directeur de l'état civil* with the notarized parental project document.
- ❖ The act of birth comes back with the intended parents' names only, no sign of the surrogate (except that it is kept in the notarized registry). (Should egg donor information be recorded in the registry as well? Sperm donor?)
- ❖ The surrogate has 30 days to decide if she wants to keep the child, but if she does she may have to reimburse the intended parents for any expenses that they had covered. The rules for the establishment of filiation now apply and so the biological father can claim his paternity. (Is it legitimate that the surrogate should have this veto power on the parental project? Should a distinction be made here between traditional surrogacy (surrogate's ova used) and gestational surrogacy (donor's ova used)?)
- ❖ If the intended parents refuse: they don't have to take the child, but they will have a financial obligation toward the child and have to pay reparations toward the surrogate.
- ❖ If one of the two parents refuses the person refusing will be legally responsible towards the child and the parent regardless.
- ❖ If the surrogate dies, the process goes to court.
- ❖ If a parent is considered inapt the parental project is broken.
- ❖ If the parental project is broken the regular rules of filiation are applied.

Proposed judicial route to GPA

- ❖ If the administrative route is not accomplished the judicial route kicks in (ex. if the *parental project* is not notarized).
- v Must be done within 60 days after the birth of the child to ensure that the child's filiation is rapidly established.
- ❖ The intended parents must prove that the parental project existed before the child was conceived.

As you can see there are so many questions raised by this proposal! If the government does come to the point of proposing legislation over surrogacy, we will need to consult with the LGBT community to see what would be the best type of legal framework to put in place to protect the numerous ways in which we form our families.

Interested in writing for our newsletter? Send your articles at any time to info@famillesLGBT.org or by post to CF-LGBT, 3155, rue Hochelaga, bureau 201, Montreal, Quebec, H1W 1G4

News Briefs Quebec News

November 30 - Trans people in Quebec are gearing up for a legal battle as Montreal's *Centre for Gender Advocacy* takes the province to court. The group wants the Civil Code changed to protect the rights of transgender people from birth to death.

Quebec's decision last fall to relax the rules on changing gender designation was welcomed by the trans community. In 2013, Quebec passed a law that removed the requirement that transgender people have sex reassignment surgery before changing the sex listed on a birth certificate. But the law didn't come into effect because the regulations had not yet been determined. The government then proposed regulations that recommended that trans people should live as their chosen sex for at least two years and obtain a medical letter in order to have their documents changed. But in October 2015 these recommendations were rejected as inhumane, and the policy adopted requires simply that trans people swear a solemn oath before a commissioner of oaths, in the presence of a witness, in order to have their papers changed.

Gabrielle Bouchard of Montreal's Centre for Gender Advocacy says the province now needs to do more. "Right now it's important for people to understand that trans folks are still legally discriminated in Quebec," said Bouchard. Bouchard said the new rules should apply to all residents of Canada -- and not just citizens. The lawsuit also demands rights for trans minors and trans families.

Egale Canada, *Gender Creative Kids* and the *LGBT Family Coalition* have all been accepted as official interveners in the case. A court date is expected to be set some time this year.

January 21 - A study carried out in Quebec with 37 trans youth has revealed the great distress that many experience. This distress is directly connected with an elevated level of psychological violence in their everyday lives

The scientific article was published in the journal *Santé mentale au Québec*. The study showed that 70,3% of the trans youth (between the ages of 14 and 22) had experienced violence based on the fact that they didn't correspond to rigid gender norms.

All youth that are part of sexual or gender minorities are more at risk to experience bullying and discrimination, but according to Martin Blais, sexology professor at the *Université du Québec à Montréal* and co-author of the study, trans youth, who are more and more visible in our society, are especially vulnerable.

January 23 – In another judgement regarding surrogacy, Québec's Court of Appeals has set a precedent for the anonymity of surrogate mothers and the possibility for same-sex couples using surrogacy to have their legal rights recognized.

According to the judgement, even if the surrogate mother does not consent to sign the declaration of live birth, this should not stop the adoption process by the biological father's partner.

In this case, a gay couple decided to start a family through surrogacy. Ova were obtained from an anonymous donor in Ontario, but one of their friends in Quebec agreed to carry the baby on the condition that her name didn't appear on any of the legal papers associated with the child. In the end this request made the situation more complicated for the couple because there was no legal mother capable of formally consenting to the adoption by the biological father's partner.

February 4 - Héma-Québec and Canadian Blood Services hope to eliminate some of the barriers gay men face when it comes to donating blood. Radio-Canada has learned that those agencies are jointly

proposing that Health Canada change the rule on blood donation by gay men to allow them to donate 12 months after their last sexual contact with another man.

In 2013, Health Canada changed the rules to allow men to donate blood if they haven't had sex with a man in the last five years. Previously, men who said they had sex with a man, even once, since 1977, were not eligible to donate blood.

The proposed one-year restriction falls in line with blood-donation policies in the U.S., United Kingdom, Australia and New Zealand, which also have 12-month deferment periods.

The proposal is expected to be submitted to Health Canada in the coming weeks.

However, the *Conseil québécois LGBT* says that while it is a step in the right direction, the ban on blood donations from sexually active gay men should be lifted entirely. "Héma-Québec should realize that their criteria is founded in fears from 30 years ago, and that the primary focus of donor screening should be on sexual practices (such as number and frequency of partners), rather than sexual orientation", say Marie-Pier Boisvert, director of the *Conseil québécois LGBT*.

February 24 – Five years after its opening through an investment of public funds totalling 16 million dollars, the Assisted Procreation Clinic at the CHUM will be closing its doors in June 2016. The government decision to close the clinic has been met with consternation and worry by both staff and patients. The decision has been contested by the clinic, especially given that it is the only clinic of its type in Canada to have an expertise working with clients living with HIV.

At CHUM, spokesperson Sylvie Robitaille, has confirmed that approximately 260 patients are waiting for IVF at the clinic. She was unable to answer how many will actually be able to receive their treatments before June or if they will be transferred elsewhere. It is also unknown what will become of the thousands of frozen embryos housed by the clinic or even what will happen to the clinic itself. "The logistics of this change haven't yet been defined. It's really too early to respond to questions."

Julie White, press attaché at the Ministry of Health said that the services will not disappear but rather will be united under one roof. "The clinic's lease was coming to an end in June and so the decision was made to transfer procedures to Sainte-Justine Hospital. Both centres are affiliated with the Université de Montréal. Neither was at full capacity. Now we can concentrate [activities] in one place. And why at Sainte-Justine? Because it's a mother-child hospital, and so there will be a continuity of services and mandate."

Canada News

November 19 – The provincial legislature in Alberta has voted to amend the Alberta Human Rights Act to include gender identity and expression as prohibited grounds for discrimination. Albertans who identify as transgender and gender diverse are often marginalized and experience discrimination at extremely high rates. This population is more likely to be unemployed, underemployed, lose their jobs and be denied basic services simply because of who they are.

November 24 - Newly-elected Canadian Prime Minister Justin Trudeau met with government ministers to quell security concerns about a plan to give asylum to 25,000 Syrian refugees. While Canada's refugee plan is focused primarily on families, women and children, government officials have acknowledged that gay men face intense persecution and will also give them priority status. Response to the plan was met with cautious concern, however, not because gay men were being allowed, but out of concern for implementing a blanket ban on "lone-male" refugees and what constitutes a family. NDP Leader Tom Mulcair expressed concern that single men would be unfairly excluded.

December 12 - The Centre for Addiction and Mental Health (CAMH) will close its Gender Identity Clinic (GIC) for children and youth after an external review denounced the clinic for being out of touch, engaging in serious ethical lapses and utilizing practices that verged on reparative therapy. In addition, Dr Kenneth Zucker, the head of the GIC and a hugely controversial figure among transgender rights advocates, is no longer with CAMH, according to Dr Kwame McKenzie, medical director for underserved populations at CAMH.

The report that sparked this shift was commissioned by CAMH after the Rainbow Health Alliance raised concerns that its GIC might be practicing "conversion therapy," which has been illegal to conduct on children since June 4, 2015, in Ontario.

Former patients detail numerous instances where they felt uncomfortable or even seriously intimidated by the GIC's practices and by Zucker in particular. The report suggests that clinicians appeared to operate on an assumption of "heterosexual cisgender as the most acceptable treatment outcome," and that many patients felt intimidated by Zucker, to the point where they felt they couldn't raise concerns or ask questions.

December 14 - A Sudbury woman is applauding a new bill that — if passed, will change the rules for LGBTQ parents in Ontario. Right now, if gay, lesbian and transgender couples have a child through a sperm donor or surrogate mother they know, the non-biological parent is required to adopt the child after it's born.

That means for months, that parent has no legal right to the newborn.

"If you're still waiting those months till you're the legal parent to the child, and you have to take the child to an emergency and sign a legal document stating that this child can receive medical treatment, you don't have that right," says Sudburian Kelly Perras.

The new provincial bill is meant to ensure lesbian, gay, bisexual and transgender parents have legal rights to their own child, right from birth. Cheri Dinovo — the Toronto NDP MPP who launched the private-members bill said that LGBT parents are unfairly forced to spend thousands of dollars to adopt their children. "This is costly," she said. "It's a lot of red tape for trying to just assert the obvious: that the child born is your child." Dinovo's bill now heads to final reading.

December 18 - The Manitoba court has a new transgender judge, and his appointment is a milestone for the province. Kael McKenzie was appointed to the bench this week by an independent judicial nominating committee. He worked for a private practice and as a Crown attorney before getting the new job. McKenzie's appointment is the first time in the province's history a transgender person has been made a judge. "I'm just one example of many of my colleagues and people who are attaining certain levels of notoriety that can show people we are just people," McKenzie said. "We are just doing what everyone else does and we can achieve whatever we want to do with hard work and dedication."

January 7 - After years of waiting, Toronto's first LGBT youth shelter is set to open. The YMCA's Sprott House, located on Walmer Road in the Annex, is now accepting applications from queer youth in need of transitional housing. The YMCA will start filling up the 25 available beds in February and is looking to have them all occupied by mid-March.

Sprott House was one of two LGBT-oriented youth shelter programs that Toronto City Council approved funding for in early 2015. Researchers have estimated that anywhere between 25 to 40 percent of homeless youth in Toronto identify as LGBT.

January 10 - LGBT rights groups are calling on the government to change the questionnaire for the upcoming census because it excludes many Canadians who don't identify as solely male or female. Statistics Canada has confirmed that when the next census is mailed out to Canadian homes, it will ask Canadians to check off one of two boxes when asked their gender: male or female. However, that's a problem for many people who are transgender, because it's confusing and offensive, the groups say.

“It can be confusing for transgender people because it’s not clear whether (the question is asking for) the sex assigned at birth, gender identity, or the gender that fits your day-to-day life,” explained Greta Bauer, an associate professor at Western University who has done research on survey measures. She added that people in the midst of a transition also find such questions confusing. She said it is important for Stats Canada to solve this problem in order to have good data about the demographics relating to the transgender population.

January 15 - The University of Victoria says it has appointed the world’s first chair in transgender studies. Dr. Aaron Devor will work with researchers, community activists and students to advance study into a broad range of topics that affect the lives of transgender people. The university says Devor will explore crucial issues on the subject including health care, poverty, discrimination and suicide. A donation of \$1-million (U.S.) from the Tawani Foundation, founded and led by transgender billionaire Jennifer Pritzker, will establish the chair in the university’s Faculty of Social Sciences.

LGBT Marriage News

December 8 - A new campaign for marriage equality is announced in **Cuba** “Nosotros también amamos” (“We also love”) is the theme under which the different social groups of civil society will demand a legal framework that will permit unions between people of the same sex.

December 21 - **Slovenians** rejects a law that would give same-sex couples the right to marry and adopt children in its second vote on gay rights in four years. About 63.4 percent of voters reject the law in a referendum while 36.6 percent support it.

Parliament passed a law in March giving same-sex couples the right to marry and adopt children but the measures have not been enforced because a civil society group called “For Children” appealed to the top court, calling for a referendum.

December 23 - The **Greek** parliament votes to adopt a bill that legalizes civil unions for same-sex couples. The landmark decision comes after a prolonged and heated debate. The vote is conducted amid fierce debate between supporters of the legislation, including Greek Prime Minister Alexis Tsipras' Syriza party, and conservative parties opposing the vote. The legislation eventually wins 194 votes out of 300. The bill does not allow same-sex couples to adopt children.

January 3 - A law allowing gay partnerships takes effect in **Estonia**, but same-sex couples are being advised to hold off on getting hitched until a series of legal issues have been worked out. Estonia in 2014 became the first former Soviet republic to approve gay civil unions, but Parliament has not yet adopted laws required to implement that decision.

While couples can enter into unions, the Estonian Chamber of Notaries says there are legal uncertainties related to divorce, inheritance and other practical matters. Estonia, which like Baltic neighbours Latvia and Lithuania was occupied by the Soviet Union for almost five decades, is considered the most Western-oriented of the former Soviet republics.

January 6 - A court accepts **China's** first same-sex marriage case, lodged by a gay man against a civil affairs bureau for denying him the right to marry, in a decision hailed as a step forward for gay rights. While homosexuality is not illegal in China, and large cities have thriving gay scenes, same-sex marriage is not legal and same-sex couples have no legal protections.

Sun Wenlin, 26, says he filed the lawsuit in December because he wants to form a family unit with his 36-year-old partner. China is becoming more tolerant of homosexuality, which until 2001 was listed as a mental disorder, but many gay people remain under heavy pressure to stay in the closet.

Activists said the court's acceptance of the case is significant and will likely lead to more such cases. "In China, courts often reject politically sensitive cases, so the fact that the lawsuit is accepted signals some official willingness to address discrimination against LGBT (lesbian, gay, bisexual and transgender) people, which is encouraging," says Maya Wang, a China researcher at New York-based group Human Rights Watch.

January 23 - Italians take to the streets to push the Government there to legalize same-sex civil unions. Both supporters and opponents of measures to legalise same-sex civil unions in the mainly Catholic country, prepare to demonstrate.

The bill for civil unions, introduced by Premier Matteo Renzi's Government, will be debated beginning on 28 January in the Senate. Although it faces fierce opposition in the Catholic country, it is expected to pass. However supporters of measures for civil unions or same-sex marriage, say they fear amendments will be added to sabotage or water down the legislation.

January 28 - François Hollande's fraught battle to enshrine tough, emergency security measures into **France's** constitution has taken another twist after the French justice minister, Christiane Taubira, resigns. Taubira, a well-established political figure from Cayenne in French Guiana, was seen as an outspoken voice on the left of the Socialist government who had championed a rights-based and increasingly open approach to the justice system. She was best known for her role in introducing France's same-sex marriage law in 2013. But since the January and November terrorist attacks in Paris, Taubira was seen as increasingly at odds with Hollande's hardline security clampdown that had sought to confer more emergency powers on police and local officials and away from the legal process. Taubira's ultimate showdown with Hollande and his prime minister, Manuel Valls, was over the president's controversial plans to strip convicted French-born terrorists of their citizenship if they have a second dual nationality.

International News

November 5 (The Guardian) In a historic decision, **Colombia's** constitutional court opened the door for same-sex couples to legally adopt children. In the six-two ruling, the court said adoption agencies could not discriminate against gay, lesbian and trans couples during an adoption process.

Colombia's Catholic church immediately denounced the decision as violating the rights of children and going against the wishes of the majority of Colombians who, according to polls, overwhelmingly reject giving same-sex couples equal rights to marriage and adoption.

Supporters of the decision said it could help streamline the adoption of 10,000 children in Colombia under the protection of welfare agencies.

The government argued in favour of the plaintiffs in the landmark case. In 2014, the high court paved the way for this decision when it authorized adoption rights for same-sex couples in which one member is a biological parent.

With the current decision, Colombia joins only a handful of nations in Latin America, including Uruguay and Argentina, in allowing same-sex couples to adopt. It also comes on the heels of a number of gay-friendly rulings, including one reaffirming the rights of same-sex couples to form civil unions with the same inheritance and legal rights as married couples. Still pending is a proposal to allow same-sex couples the right to wed.

November 17 (Human Rights Watch) **Ukraine's** parliament has made it illegal to discriminate against lesbian, gay, bisexual, and transgender (LGBT) people in employment – a welcome move in a country where LGBT activists have been attacked and homophobic legislation proposed in recent years. LGBT rights have been a big issue of debate between Russia and Ukraine, and within Ukraine itself. So it's good to see some progress is being made.

A 2014 survey by the *Nash Mir Center*, a Ukrainian LGBT rights nongovernmental organization (NGO), found that more than one-third of lesbian, gay, and bisexual respondents received lower wages, had been denied employment, or had been harassed in the workplace because of their sexual orientation. For transgender Ukrainians, the situation can be even worse.

This new legislation is a promising and long-awaited move celebrated as an aspect of the country's cooperation with the European Union's human rights principles – Ukraine hopes to attain visa-free travel with the EU.

December 7 (The Advocate) Australia has elected the first openly gay member of the House of Representatives, which is the lower house of the nation's Parliament. Trent Zimmerman, a member of the Liberal Party, won election from North Sydney. Meanwhile **Venezuela** elected Tamara Adrián as the first openly transgender member of its National Assembly. She is a member of Popular Will, a left-leaning party, and will represent the capital city, Caracas. She is reportedly the first trans person elected to such a high office anywhere in the Americas.

December 8 (Gay Star News) A **Czech** court in Prostějov, South Moravia has recognized gay adoption in a landmark ruling. The ruling came on November 5th in a case involving 10-year-old twins adopted by a Czech-French couple. The Czech man and his French husband adopted the boys as new-born babies in San Francisco, where they live. However, the children spend their holidays with their grandmother in the Czech Republic, where their fathers previously had no rights over them.

Their Czech father told the *Mladá fronta Dnes* newspaper that the ruling meant his children would be granted Czech citizenship, which would make traveling to Europe a lot easier.

The landmark decision was allowed by a change in the law, whereby Czech courts may recognize foreign rulings on adoption, and sets a precedent for other gay couples. Gay couples in the Czech Republic have been pushing for the right to adopt the biological children of their partners for years. An amendment to the registered partnership law which would allow this has been in parliament for over a year, but has not been put on the agenda.

December 10 (Out Magazine) With Zachary Quinto narrating, the **United Nations** Human Rights Office is officially recognizing the impact of LGBT discrimination in a new video campaign. The powerful video is filled with statistics that highlight the intense discrimination the LGBT community faces on a regular basis. According to the Office of the United Nations High Commissioner for Human Rights, the video "challenges the myth that the impact of LGBT discrimination is small, or marginal, or confined to only a small part of the community."

By taking a stand against the homophobic and transphobic discrimination LGBT people are forced to endure, the United Nations is bringing much needed attention to the community. **Check out the video: www.unfe.org/en/actions/the-price**

December 28 (The Advocate) Dr. Robert Spitzer, an **American** psychiatrist who was one of the leaders in establishing universal standards to describe mental disorders and helped remove homosexuality from the list of pathologies, has died in Seattle at the age of 83.

His "commitment to be guided by data" led Dr. Spitzer to believe that homosexuality should be removed from the list of mental disorders in the D.S.M. in 1973. It's a conclusion he came to after meeting with gay activists and determined their sexuality couldn't be a disorder because they were comfortable with it. Though there was a fierce debate between members of the psychiatric profession over the designation of homosexuality at the time, Dr. Spitzer continued to press forward and reiterate his findings. "A medical disorder either had to be associated with subjective distress — pain — or general impairment in social function," he said.

January 10 (Pink News) Following a landmark year for LGBT equality in the **US**, a storm of anti-LGBT legislation is expected in 2016. A report by the *Human Rights Campaign* suggests that anti-LGBT legislation is expected in 27 states. The report notes that in 2015, 151 anti-LGBT bills were filed across as many as 33 states. It goes on to note, however, that many failed to pass.

The HRC also notes that bills still pending will carry over into 2016 legislative sessions. Some states, including Indiana, Missouri, South Carolina and Tennessee have also had new anti-LGBT legislation introduced.

“2016 will prove a critical year for the fight for LGBT equality in states across the country,” HRC President Chad Griffin said in a statement. “The progress our movement has made is threatened by an organized effort to pass discriminatory legislation that seeks to rollback our hard-won rights. We will have much work to do to defend our rights this year, but we will not waiver in our fight to expand the map for LGBT equality to every corner of this country.”

Three categories are named by the HRC for the bills, including anti-transgender, religious refusal and municipal pre-emption (questions of municipal, state or federal jurisdiction). The HRC also notes that some legislatures have pro-equality legislation pending.

January 11 (Pink News) David Bowie has died. Bowie was known for his showmanship and gender-bending costumes as well as his hit songs: 63 top 40 singles, eight number 1 albums, and two songs that went to number one: "Let's Dance" from 1983, and 1975's "Fame" off the top 10 album "Young Americans." He had just released his 25th album, *Blackstar* on his birthday, January 8. A lyric to one of his new songs, "Lazarus," is "Look up here, I'm in heaven."

Bowie first discussed being bisexual in a 1976 interview with *Playboy Magazine* though he later went on to distance himself from those comments and an openly bi identity. The singer is survived by his wife, model Iman as well as son Duncan Jones from his first marriage and daughter, Alexandria Jones.

January 16 (Out.com) Russia's parliament is scheduled to take up a bill that will ban gays and lesbians from showing any form of public affection. The bill was proposed in October by two members of the Communist Party, and has made its way to the Duma's lower house.

Ivan Nikitchuk, Russian lawmaker and a sponsor of the bill, said that the proposal will stop “sick and crazy people” from “displaying their demonic desires which the West has forced on us.”

If the bill is passed, “the public expression of nontraditional sexual relations, manifested in a public demonstration of personal perverted sexual preferences in public places” will be criminalized. Anyone caught breaking the law will be fined an equivalent of \$65 and face up to 15 days in jail. The law is so vague that any action or behavior that is non-gender-conforming will also be punishable.

The current gay propaganda law in Russia already prohibits the “promotion of non-traditional sexual relationships to minors.” If the proposed bill passes, members of the LGBT community in Russia will face further discrimination.

January 27 (Pink News) A woman who told gay couples their surrogate babies had died to defraud them has gone on trial in **France**. Despite commercial surrogacy being illegal in France, the woman, named only as Aurore, used the pseudonyms “little stork” and “sincere angel” to form contracts with a gay couple. After they paid her 15,000 euros to carry the child, the woman, on reaching her due date, 21 March 2011, said the baby was stillborn. She told them the news by text message. However, the baby boy was alive, and she sold him to another gay couple in Luxembourg for another 10,000 euros.

Then in 2012, she formed another contract with a gay couple for 15,000 euros, but did the same thing and told them it had died. She then sold the baby to a straight couple in northern France. Arrested in 2013, the woman had already been in contact with three other couples, and was charged with fraud and attempted fraud.

Her clients are also being tried for "incitement to the abandonment of children".

February 2 (Reuters) India's top court said it will review a decision over whether to uphold a colonial-era law that criminalizes gay sex in a victory for homosexual rights campaigners at a time when the nation is navigating a path between tradition and modernity. The Supreme Court asked a five-judge bench to examine whether the 1860 law, which imposes a 10-year sentence for gay sex is constitutional, a lawyer for a gay rights group said.

"It is definitely a move forward," lawyer Anand Grover said as activists gathered outside the court cheered. This was the last legal avenue for campaigners seeking to use the courts to strike down the law. Otherwise, any future decisions to lift the ban will rest with the country's socially conservative politicians who oppose any changes.

The Supreme Court made a surprise ruling in 2013 that reinstated a ban on gay sex. That decision ended a four-year period of decriminalization that helped bring homosexuality into the open in the conservative country. National surveys show about three-quarters of Indians disapprove of homosexuality and are deeply traditional about other issues of sexuality such as sex outside of marriage.

India is one of 75 countries around the world that outlaws homosexuality, according to the International Lesbian, Gay, Bisexual, Trans and Intersex Association. Although the law banning homosexuality is rarely enforced in India, it is used to intimidate, harass, blackmail and extort money from lesbian, gay, bisexual people, activists say. There are no official figures on the number of cases. Most go unreported, say activists, as victims are too scared to report crimes to the police, fearing they will be punished too.

February 2 (Euronews.com) Portugal's parliament has overturned a presidential veto on a bill legalising adoption by same-sex couples. The motion was supported by the ruling Socialists and their far-Left allies. Conservative President Anibal Cavaco Silva will have to sign the bill allowing same sex adoption into law before his term ends in March.

The president last month vetoed the gay adoption bill on the grounds that parliament passed it in November without having promoted a wide-enough national debate and citing doubts that it would promote the wellbeing of children. His refusal provoked sharp criticism from human rights groups and politicians alike. Under the constitution he now has eight days to sign the bill into law.

News from the LGBT Family Coalition

UPCOMING MEETINGS

MARCH 2016:

◆ **WEDNESDAY MARCH 9 AT 7:00 P.M.**

CONFERENCE: PATERNITÉ GAIE ET GESTATION POUR AUTRUI : EXPÉRIENCES DES PERSONNES CONCERNÉES, ÉVOLUTIONS RÉCENTES ET ENJEUX DE RECONNAISSANCE AU QUÉBEC

Université du Québec à Montréal

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PLEASE SEE THE ATTACHED FLIER FOR MORE DETAILS

◆ **SUNDAY MARCH 19 AT 11:00 A.M.**
FAMILY ACTIVITY: L'ÉRABLIÈRE L'AKABANE (LANAUDIÈRE)
(For more information please see attached flier). **Reservations necessary.**

◆ **SATURDAY MARCH 26 FROM NOON**
QUEBEC CITY: FAMILY ACTIVITY: SUGAR SHACK
Join us for a sugar shack party at the **Érablière le Chemin du Roy!**
237, chemin du Lac, C.P. 112, St-Augustin-de-Desmaures, QC G3A 1V9
<http://www.erabliere-cheminduroy.qc.ca/forfait.php?id=10>
Reservations necessary
For more information or to reserve, please contact Mona Belleau monabelleau@gmail.com

APRIL 2016:

◆ **SUNDAY APRIL 10 AT 9:30 A.M. – 11 A.M.**
GET-TOGETHER FOR YOUNG PARENTS
Discussion group for parents with young children (up to about 2 years old)
Songs and stories for kids with a discussion group for parents on the topic chosen by parents who are present
Espresso for the parents and snacks for all.
Location: 4725 Messier App #101, Montreal, Québec, H2H 2J2
Please RSVP with Emilie ejouvin@hotmail.com or on the Facebook page of the Coalition

◆ **SATURDAY APRIL 23 AND SUNDAY APRIL 24TH**
INTENSIVE WEEKEND IN MONTREAL FOR FUTURE LGBT PARENTS (IN FRENCH)
Advanced registration is necessary: (514) 878-7600 or info@famillesLGBT.org
Please note: the number of places is limited (see attached flier for more details).

MAY 2016:

◆ **SATURDAY MAY 14 AT 10:00 A.M.**
QUEBEC CITY: FAMILY ACTIVITY: Vallée secrète
1010 Chemin de la traverse, St-Raymond, Québec, G3L 3C4
<http://www.valleesecrete.com/nainformations-generales/horaire#SectionHiver>
For more information contact Mona Belleau monabelleau@gmail.com
Details to follow...

◆ **WEEKEND IN MAY**
MONTREAL: FAMILY ACTIVITY: ROLLERDERBY
Details to follow...

BULLETIN BOARD:

◆ **La Marg'Elle** est un groupe pour femmes homosexuelles et bisexuelles affilié à la Maison des Femmes des Bois-Francis. Briser l'isolement, favoriser l'échange, l'identification et l'affirmation de soi.
Info: margelleboisfrancis@hotmail.com
www.lamargelle.spaces.live.com
819-758-3384

◆ **Dorshei Emet B'nei Mitzvah Program:** Do you have children entering grade 6? We offer a meaningful program in which children discover the relevance of their Jewish heritage. Dorshei Emet is a welcoming Synagogue to individuals and families of all backgrounds, and to interfaith and LGBTQ families. **514-486-9400 (Alys Geiger), www.dorshei-emet.com**, or drop in anytime to Saturday morning Shabbat services, 10h00 to 12h15, and stay for a light lunch and meet some of the members!

♦ **Le Centre des femmes de Rivière-des-Prairies! 514-648-1030** - Nous sommes ouvertes aux lesbiennes! Si vous avez besoin de plus d'informations vous pouvez consulter notre site web : www.cdfrdp.qc.ca ainsi que le site de notre regroupement : www.rcentres.qc.ca/propos.html

♦ **L'Écho des femmes de la Petite Patrie** est un centre de femmes qui offre des rencontres pour lesbiennes. Ces rencontres ont lieu les lundis soirs aux deux semaines de 19h00 à 21h30, et sont animées par une personne ressource. Ces rencontres, qui se veulent un lieu d'échange, de ressourcement et d'information, s'intéressent aux réalités et aux conditions de vie des lesbiennes. Les rencontres sont en français. Un service de halte-garderie est disponible avec réservation faite une semaine à l'avance. Le centre est situé au **6032 St-Hubert (métro Beaubien)**. **Téléphone (514)277-7445, télécopieur (514)277-1689**

MISCELLANEOUS

♦ **Traducteurs, rédacteurs, etc.:** Nous sommes à la recherche de bénévoles pour la traduction française de ce bulletin. Toute contribution (même à raison d'une page ou deux par mois) est la bienvenue. Si vous êtes disponible, veuillez nous contacter : info@famillesLGBT.org

♦ **Batshaw Youth and Family Centres** is encouraging English speaking and bilingual gay and lesbian couples, and singles, to consider becoming **foster parents**. There are babies, pre-schoolers and older children who are waiting for a foster home. For some the plan will be to help them return to their families. For other children, the plan will be to work toward **adoption**. What a remarkable feeling it is to know you have made a difference in the life of a child by providing a stable, safe and loving environment. For more information, please call, **Rena Rubin, Foster Care Recruiter, at 932-7161, local 416, or send an e-mail to rena_rubin@ssss.gouv.qc.ca**

♦ The **Open Book Library's** collection includes over 5500 books written by LGBT authors or by authors who write about our communities. Some of these books are for children and adolescents. We are very proud that approximately half of our collection is in French. Much more information as well as online consultation of the book collection is available at our Web site www.ccglm.org/en-b. We are located at **2075 Plessis (CCGLM)** in the Village. Come visit us! Open Wednesdays and Fridays from 1-8 p.m. (514) 528-8424.

The bulletin board is a free forum for members to communicate amongst each other. If you want to post an announcement in the next issue please send it to us at any time to info@famillesLGBT.org or by post to CF-LGBT, 110, rue Ste-Thérèse, bureau 405, Montreal, Quebec, H2Y 1E6. If you have something to advertise, sell, rent or buy...anything where money must change hands, you can place an ad in the newsletter. Ads cost 20 cents per word.

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