
FOCUS

Czech sexuality tests not legal, EU commission says

By **VALENTINA POP**

BRUSSELS, 17. MAY 2011, 18:22

The practice by Czech authorities of checking via 'phallometric tests' if an asylum seeker is really homosexual and thus a potential victim in his home country is not in line with EU asylum laws and fundamental rights, EU home affairs chief Cecilia Malmstrom has said.

"The practice of phallometric tests constitutes a strong interference with the person's private life and human dignity. This kind of degrading treatment should not be accepted in the European Union, nor elsewhere," Malmstrom said Tuesday (17 May).

"Equal rights have been the guiding principle for my political commitment and I have the firm intention to make sure that member states comply with the EU Charter of Fundamental Rights when they implement EU legislation relevant to asylum and immigration," she stressed.

Her services also sent a letter to Czech authorities announcing they would open a formal investigation into the practice of "phallometric tests" for those refugees who claim to be persecuted for their homosexuality at home.

The sinister practice, involving rubber rings or tubes measuring the blood circulation in a man's penis when shown heterosexual or homosexual pornographic materials, was developed in the early years of Communist Czechoslovakia when homosexual interaction was a criminal offence.

"The commission considers that the use of phallometric tests (...) constitutes degrading treatment [which] is humiliating, and creates feelings of fear, anguish and inferiority," the letter sent to the Czech authorities reads.

The Czech Republic has already been flagged up by the EU's fundamental rights agency based in Vienna (FRA) in a report last year.

"Phallometric testing is difficult to reconcile with existing human rights standards," the report notes, giving details about an Iranian man who was granted asylum in Germany after he appealed his transfer to the Czech Republic, where he was supposed to undergo this test.

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**EU
court
bars
tests
for gay
asylum
seekers**

25. JAN



**EU top
lawyer
says
Romania
must
accept
gay**



**LGBTI
protection
still
lacking
in EU**

8. NOV
2017, 15:36

Despite

2018, 17:54

Authorities
in EU
countries
can no
longer
impose
controversial
psychological
tests to
determine
whether
an asylum
seeker is
telling the
truth
about
their
homosexuality.

partners

11. JAN
2018, 10:40

Advocate
general
Melchior
Wathelet
of the
European
Court of
Justice
says the
word
'spouse' in
EU
legislation
is gender
neutral.

some
welcome
advances,
some legal
rights for
the LGBTI
community
are lacking
in EU
member
states, and
the rise of
the
populist
right is
making
things
worse,
conference
in Warsaw
is told.



Fears for LGBTI staff at Brexit relocation agencies

27. OCT
2017, 11:59

Four
countries
that want
to host the
London-
based EU
agencies
do not
offer
registered



Handful of bids for EU agencies mention gay rights

11. SEP
2017, 17:44

Austria's
bid to host
the
European
Medicines
Agency
mentions
Vienna's
'thriving
and
diverse



Only five countries are helping gay Chechens leave Russia

3. AUG
2017, 15:48

EU leaders
were vocal
in their
criticism of
the anti-
gay
campaign
that took
place in

partnership
for same-
sex
couples.

LGBTIQ
community',
but its bid
to host the
banking
agency
does not.

the
Russian
republic of
Chechnya
earlier this
year. But
only a few
countries
are willing
to offer a
refuge to
the
victims.