

## 《湖南男子申请成立同性恋组织遭拒后起诉民政部门》

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He says organization would raise awareness and fight social stigma

A gay-rights activist is appealing Hunan provincial authorities' denial of his request to establish an NGO to raise public awareness of gay issues.

The activist, who uses the alias Xiao Han, appealed the Hunan civil affairs department's decision at a court in Changsha, the provincial capital, on Wednesday.

The court, in the city's Kaifu district, said it will decide in seven working days whether it will accept the lawsuit.

"We want the department to revoke its written response, which said there is no legal basis to register a homosexual nongovernmental organization," said Xiao, a 20-year-old gay man.

The department's rejection, which came on Nov 26, said "homosexuality is not in line with China's traditional culture and spiritual civilization".

The department also said there is no legal basis to register a gay-rights NGO as gay marriage is not legal in China.

Xiao disagreed.

"That's a ridiculous response, as we don't call for legal gay marriage. That's sheer discrimination against gay people," he said.

"We just wanted to register our group — the Changsha Comrades Center — as a legal NGO to better facilitate our operations, which aim to raise public awareness and fight social stigma and discrimination against homosexuality."

Legal status for an NGO would mean favorable policies, including tax exemption, experts said.

But "it's hard to acquire the status granted by the civil affairs department", said Xiao Dong, who heads an organization committed to controlling HIV/AIDS in Beijing's gay community.

HIV/AIDS has been hitting the male gay population hard in recent years, and such organizations could work with the health authorities to reach out to the community for intervention efforts, he added.

"At least the authority should not discriminate against them," he said, adding that homosexuality is not illegal in the country.

Xiao Han echoed the sentiment, and said gay people should get equal treatment under the law.

"It's not reasonable to reject our application citing discrimination against gay people," he added.

Zhang Zhiqiang, Xiao Han's lawyer, said there is so far no legal definition for gay-rights group registration as an NGO.

"So the authority simply referred to 'traditional culture' as an excuse for rejection," he said.

If the case is accepted, "that gray area, not yet defined clearly, will be noticed and probably addressed later," he said.

Xiao Han agreed, saying that he hopes the civil affairs authority can make it easier for groups like his to register as legal NGOs.

Feng Zhiwei in Changsha contributed to this story.

