

URGENT ACTION

ANTI-LGBTI BILL PASSES FINAL HEARING

A bill that would severely restrict the right to freedom of expression of lesbian, gay, bisexual, transgender and intersex (LGBTI) people in St Petersburg, Russia, passed its final hearing on 29 February. It is due to be signed into law by the Governor of St Petersburg in less than two weeks.

The bill, which aims to introduce fines for "public actions aimed at propaganda of sodomy, lesbianism, bisexuality, transgenerness amongst minors", passed the third and final hearing on 29 February. It was originally introduced in November 2011. If it is signed into law by the Governor, it will adversely impact the freedom of expression and assembly of LGBTI individuals, and will prevent LGBTI young people from accessing or sharing information that is vital to their health and well-being, including information about social groups, support networks, and sexual and reproductive health. The bill will also severely curtail the activities and operations of LGBTI organisations in St Petersburg.

The proposed legislation violates the rights to freedom of expression and assembly, as well as the right to non-discrimination and equality before the law, guaranteed by international human rights treaties to which Russia is a state party. These include the International Covenant on Civil and Political Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms. In addition, it violates the Constitution of the Russian Federation itself, which prohibits discrimination and guarantees the right to freedom of expression, assembly and association. This bill will inscribe in law discrimination against LGBTI individuals which is already prevalent in Russia. This will perpetuate the view that LGBTI individuals are not worthy of the same human rights protections as their heterosexual friends, family and colleagues, and contribute to a climate of hostility and violence towards LGBTI individuals.

Please write immediately, in Russian or your own language:

- Calling on the Governor of St Petersburg not to sign the Bill into law;

PLEASE SEND APPEALS BEFORE 16 APRIL 2012 TO:

Governor of St Petersburg

Georgy Poltavchenko

Smolny

St. Petersburg, 191060

Russian Federation

Fax: +7 812 5767827

Email: oseevskiy@vg.gov.spb.ru (Please

mark your emails "FOR THE

ATTENTION OF THE GOVERNOR,

GEORGY POLTAYCHENKO")

Salutation: Dear Governor

And copies to:

Office of St Petersburg's Ombudsman

Shcherbakov per. 1-3

191002 St. Petersburg

Russian Federation

Fax: +7 812 5727306

Email: mail@ombudsmanspb.ru

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 46/12. Further information:

<http://www.amnesty.org/en/library/info/EUR46/002/2012/en>

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ADDITIONAL INFORMATION

If passed, the bill would prohibit “Public actions aimed at propaganda of sodomy, lesbianism, bisexuality, transgenerness amongst minors”, which would be punishable with fines of 5,000 rubles (126 euros) for citizens, 50,000 rubles (1260 euros) for officials, and 250,000-500,000 rubles (6,300 – 12,600 euros) for legal entities.

The bill also bans “propaganda of paedophilia amongst minors,” and during the hearing, the author of the bill, Legislative Assembly member for the ruling United Russia party Vitaly Milonov, reportedly equated homosexuality with paedophilia and drug use, accusing opponents of the bill of not caring for the well-being of children. Thus this bill links the sexual abuse of children with consensual, private sexual activity and personal gender expression. Needless to say, there is no association between these two issues. Human rights standards recognise that states have a right to regulate sexual activity which infringes the rights of others; neither consensual, private same-sex sexual activity, nor gender identities and expressions, fall into this category.

At public hearings on the Bill held on 24 February, a document entitled "Statistics on homosexuality" including sections on "homosexuals spread infections", "homosexuals lead perverted lives", and "homosexuals commit many crimes" was distributed, and some speakers called for the forced treatment or isolation of LGBTI individuals. This followed comments made by various members of the Legislative Assembly of St. Petersburg during and following the first reading of the law on 16 November, calling for a prohibition of websites of LGBTI organizations, and calling for the use of the word 'rainbow', and images of rainbows to be classified as propaganda for homosexuality under the legislation.

Similar legislation has been passed in the Russian regions of Riazan and Arkhangelsk, and has reportedly been proposed in other Russian cities. The Kostroma region passed a similar Bill at the second reading in November 2011, and there is a danger that other regions may follow suit.

St. Petersburg has a vibrant and active LGBTI community. If this amendment were to become law, the activities and operation of LGBTI organisations and individuals would be severely curtailed. Stopping the amendment from being passed in St Petersburg is an important signal to other regional and national authorities to reconsider introducing such legislation.

During the second reading of the bill on 8 February, five activists protesting outside the city parliament were arrested and detained for seven hours. They have since been charged with violations of the law on demonstrations and public meetings.

Name: Not applicable

Gender m/f: Not applicable

Further information on UA: 46/12 Index: EUR 46/008/2012 Issue Date: 2 March 2012