

URGENT ACTION

ACTIVIST RISKS ACQUITTAL BEING OVERTURNED

The appeal hearing against the acquittal of artist and activist Yulia Tsvetkova is expected to take place on 27 September. Criminal proceedings were opened against Yulia Tsvetkova in 2019 for her artistic drawings of women's bodies under absurd charges of "production and dissemination of pornography". She was acquitted on 15 July but on 22 July the prosecutor appealed the decision. If the appeal is granted Yulia Tsvetkova will be again at risk of imprisonment simply for exercising her right to freedom of expression.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Nikolay Aleksandrovich Ryabov
Prosecutor of Khabarovsk Krai
Russian Federation
Email: phk.phk@181.mailop.ru
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CC: Russian Embassy

Dear Prosecutor,

*I am writing to you concerning the upcoming appeal hearing in the case against **Yulia Tsvetkova**, an artist from Komsomolsk-on-Amur. I have learned that the prosecutor of Komsomolsk-on-Amur has appealed her acquittal verdict and that she could again face absurd charges of "production and dissemination of pornographic materials" and risk imprisonment for her artistic drawings of women's bodies.*

The acquittal of Yulia Tsvetkova on 15 July, after a protracted trial, was a welcome decision which respected her right to freedom of expression, as protected by both Russia's Constitution and the country's obligations under international human rights law.

I urge you to immediately end the criminal proceedings against Yulia Tsvetkova and to support her acquittal as she has committed no crime and is being targeted simply for exercising her right to freedom of expression.

Yours sincerely,

ADDITIONAL INFORMATION

Yulia Tsvetkova, an artist and stage director from Komsomolsk-on-Amur (Russian Far East), was arbitrarily detained on 20 November 2019 and put under house arrest two days later after being accused of “production and dissemination of pornographic materials” (Article 242(3b) of the Russian Criminal Code). These absurd charges were brought against her in connection with her artistic drawings of women’s bodies, as part of her campaigning for women’s rights.

On the day of her detention, searches were carried out in her apartment and in the children’s educational club where she had worked previously. The police seized her electronic devices, documents, and brochures on gender issues. Yulia Tsvetkova recalled that during the search the police officers stated that she was a “lesbian, sex trainer and propagandist leader”. The authorities also decided to block her online group Vagina Monologues, a decision that Yulia Tsvetkova has challenged legally. Yulia Tsvetkova has been the target of an overtly homophobic campaign since March 2019, when she had to end her cooperation with the youth amateur theatre company Merak after the police had launched an investigation into her alleged “propaganda of non-traditional sexual relations among minors” on account of her anti-bullying and anti-discrimination play “Blue and Pink”. Also, the theatrical group she had founded in 2018 was forced to cease its activities.

On 11 December 2019, Yulia Tsvetkova was found guilty under Article 6.21 of the Code of Administrative Offences (“propaganda of non-traditional sexual relations among minors”) and fined 50,000 Rubles (US\$ 780) for being the administrator of two LGBTI-themed online communities on the popular Russian social media, VKontakte. Both online communities were marked “18+”, as required by Russian law, making the fine imposed on her unfounded even under the homophobic Russian “gay propaganda” legislation (this “offence” only arises if the “propaganda” material is targeted at persons under 18).

On 17 January 2020, Yulia Tsvetkova informed the media that an administrative proceeding had been opened against her once again, under the same Article 6.21 of the Code of Administrative Offences, this time for posting her drawing “Family is where love is. Support LGBT+ families” (depicting two same-sex couples with children) on social media. She had published the drawing in support of a same-sex couple who had had to flee Russia with their adopted children because the authorities had threatened to take their children away from them. On 10 July 2020 she was fined 75 000 Rubles (US\$ 1,050) for this “offence”.

During 2020, the criminal case against Yulia Tsvetkova was referred back and forth between the investigator and the prosecutor five times. Her trial finally started in January 2021.

On 15 July, the trial finally ended and the court acquitted Yulia Tsvetkova. Unfortunately, the prosecution appealed the verdict on 22 July. If the appeal is rejected, her acquittal verdict will stand, but if the appeal is granted, the case will be sent to the first instance and the trial will start again. Meanwhile, the authorities repeatedly blocked her online group Vagina’s Monologues, where she had posted the drawings that led to the criminal proceedings under the “pornography” charges against her. On 3 June the Russian Ministry of Justice designated Yulia Tsvetkova a “foreign agent” which is a toxic label introduced in law to smear prominent civil society organizations and individuals and compel them to follow onerous and humiliating requirements or face severe penalties including imprisonment.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 17 November 2022

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Yulia Tsvetkova (she/her)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/eur46/5730/2022/en/>