

URGENT ACTION

ONLINE GROUP SUPPORTING LGBTI TEENS BLOCKED

The court hearing in St Petersburg to decide on the future of Elena Klimova's online support group for LGBTI teenagers, Children 404, which was expected to take place on 6 April happened on 25 March. The judge ruled that her group must be blocked. Elena Klimova was not informed about this hearing. Another case in Nizhnii Taghil is still pending retrial.

The case in St Petersburg was initiated by local activists of the pro-Kremlin youth movement *Molodaya Gvardiya* (Youth Guard) who complained to the Prosecutor's Office that the posts in the Children 404 group in the Russian social network VKontakte contained "propaganda of non-traditional sexual relations" prohibited under Russian law. As **Elena Klimova** was not regarded as a party to the case, she was not informed about the date of the hearing. A group of local LGBTI activists who tried to find out about the date of the hearing thought that it would take place on 6 April. However, when on 6 April they arrived in court, they were informed that the hearing had already taken place on 25 March and that the Oktiabrskiy District Court had supported the Prosecutor's Office's request to block Children 404. Once the court decision is officially issued to the Prosecutor, it will be then sent to the Roskomnadzor (the official media watchdog) will include the website into its "black list" and block access to it. LGBTI activists are trying to obtain decision text and are discussing legal avenues to appeal against it.

In November 2014 the Moscow Department of Roskomnadzor initiated a case against journalist Elena Klimova alleging that the information published on Children 404 could "create positive attitude to non-traditional sexual relations". Elena Klimova was found guilty in January 2014 of "propaganda of non-traditional sexual relations among minors" and issued with a fine of RUB 50,000 (approximately USD 740). She appealed the sentence and on 25 March a district Court in Nizhnii Taghil returned the case back to be tried by another judge. Elena Klimova's retrial is still pending. The decision of the St Petersburg court might have a negative impact on her retrial.

Please write immediately in Russian or your own language:

- Urging the St Petersburg's Prosecutor to take steps to reverse the decision to block Children 404 VKontakte group;
- Calling on the Sverdlovsk Region's Prosecutor's Office to ensure that Elena Klimova's right to freedom of expression is observed and she is not persecuted in connection with her Children 404 project.

PLEASE SEND APPEALS BEFORE 22 MAY 2015 TO:

Prosecutor of St Petersburg

Sergei Ivanovich Litvinenko
190000 St Petersburg
Ul.Pochtamskaia, d.2/9
Russian Federation

Fax: +7 812 318 2650/ +7 812 318 2654

Salutation: Dear Prosecutor

Prosecutor of Sverdlovsk Region

Sergei Alekseevich Ohlopkov
620219 Yekaterinburg GSP-1036
Sverdlovsk Region
ul. Moskovskaia, 21
Russian Federation

Fax: +7 343 377 0241

Email: sverdloblprokuratura@mail.ru

Salutation: Dear Prosecutor

And copies to:

Prosecutor General of the Russian Federation

Yurii Yakovlevich Chaika
Prosecutor General's Office
ul. B. Dmitrovka, d.15a
125993 Moscow GSP- 3
Russian Federation

Fax: +7 495 987 5841/ +7 495 692 1725

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 third update of UA 25/15. Further information:

<https://www.amnesty.org/en/documents/EUR46/1332/2015/en/>

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ADDITIONAL INFORMATION

Elena Klimova started her online project Children 404 in March 2013 after she published a series of articles about lesbian, gay, bisexual, transgender and intersex (LGBTI) teenagers. Her aim was to support vulnerable young people who face discrimination and other problems, and give them a space in which they can feel part of a community and speak about their problems. She set up two groups, one on Facebook and the other on the popular Russian social network, VKontakte. These groups are used by teenagers to share their personal stories about problems they encounter, harassment and misunderstanding they face, and seek advice and support from both their peers and professional counsellors. The project's name is a reference to the message "404 Page not found" which comes up on the computer screen when one tries to access a web page that does not exist – an allusion to how many members of the LGBTI community feel in present-day Russia.

The homophobic law under which Elena Klimova has been charged was adopted in Russia in June 2013. According to the law, "propaganda of non-traditional sexual relations among minors" is an administrative offence and is punishable by fines from RUB 4,000 (USD 65) for individuals and up to RUB 1 million (USD 16,302) for organizations. Using mass media, Internet or other telecommunication networks for such "propaganda" is an aggravating factor according to the Russian law and an individual could be punished by a fine of up to RUB 100,000 (USD 1,630). A foreign citizen found guilty of the same offence may be punished by administrative detention of up to 15 days and deportation.

In December 2013, two LGBTI activists were fined under the "propaganda law" for conducting a protest action in Arkhangelsk. In February 2014, Aleksandr Sutorin, newspaper editor from the city of Khabarovsk, in the Russian Far East region, was fined RUB 50,000 after he published an interview with a former teacher who had been sacked from his job for being gay. The court which issued him with the fine ruled that the teacher's statement "My very existence effectively proves that homosexuality is normal" constituted "propaganda of non-traditional sexual relations".

Name: Elena Klimova

Gender m/f: f

Further information on UA: 25/15 Index: EUR 46/1427/2015 Issue Date: 10 April 2015