

URGENT ACTION

ELENA KLIMOVA AWAITS APPEAL HEARING

Elena Klimova's appeal hearing is taking place shortly. If the appeal court supports the lower court's decision, she will have to pay an extortionate fine for "propaganda of non-traditional sexual relations among minors". Children 404 – the online group she created to support LGBTI teenagers – is also at risk of being shut down.

The Moscow Department of Roskomnadzor (the official media watchdog) has initiated a case against **Elena Klimova** and Children 404, claiming it had received 130 letters of complaint about Children 404 and alleging that the information the website published could "create positive attitude to non-traditional sexual relations".

The case was heard by a magistrate (*mirovoy sud'ya*) of Dzerzhinsky District Court in Nizhnii Taghil, Sverdlovsk Region, on 23 January. The magistrate refused to postpone the hearing due to the illness of Elena Klimova's lawyer who could not attend, thereby violating her right to a fair trial. The magistrate also rejected an earlier request by Elena Klimova to conduct an alternative expert assessment of the content of Children 404's web pages, arguing that she had already seen expert opinions "pro" and "contra" this content, and a new assessment would make no difference. Elena Klimova was found guilty of "propaganda of non-traditional sexual relations among minors", and issued with a fine of RUB 50,000 (approximately USD 740). She then appealed the sentence.

At the beginning of March, Elena Klimova learnt that the Prosecutor's Office in one of St Petersburg's districts had submitted a request to have the Children 404 group on the Russian social network VKontakte closed down. Elena Klimova had set up two Children 404 groups, one on Facebook and the other on VKontakte. So far the activists have not been officially informed whether the case against them has been initiated indeed.

Please write immediately in Russian or your own language:

- Expressing concern that Elena Klimova's right to freedom of expression and a fair trial has been violated;
- Urging the Russian authorities to immediately end her prosecution in connection with her Children 404 project, and end the harassment of the project itself;
- Urging them to repeal the homophobic "propaganda law", and ensure full respect for every person's right to freedom of expression, assembly and association in Russia.

PLEASE SEND APPEALS BEFORE 29 APRIL 2015 TO:

Prosecutor of Sverdlovsk Region

Sergei Alekseevich Ohlopkov
620219 Yekaterinburg GSP-1036
Sverdlovsk Region
ul. Moskovskaia, 21
Russian Federation
Fax: +7 343 377 02 41
Email: sverdlobprokuratura@mail.ru

Salutation: Dear Prosecutor

Head of Roskomnadzor

Alexander Aleksandrovich Zharov
109074 Moscow
Kitaigorodskii pr., d.7, str.2
Russian Federation
Fax: +7 495 987 68 01
Email: rsoc_in@rkn.gov.ru
Twitter: @roscomnadzor

Salutation: Dear Head of Roskomnadzor

And copies to:

Human Rights Ombudsman for Sverdlovsk Region
Tatiana Georgievna Merzliakova
620031 Ekaterinburg,
Sverdlovsk Region
pl. Oktiabrskaya, 1
Russian Federation
Fax: +7 845 227 90 75
+7 343 217 88 72
Email: ombudsman@midural.ru
pravachel66@yandex.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 25/15. Further information:

www.amnesty.org/en/documents/EUR46/0002/2015/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 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 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 "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 to be promoting "non-traditional sexual relations" 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 Sutin, 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 46/1234/2015 Issue Date: 18 March 2015