

URGENT ACTION

FREEDOM OF EXPRESSION AT RISK IN RUSSIA

The right to freedom of expression of lesbian, gay, bisexual, transgender and intersex (LGBTI) people in the Russian city of St Petersburg could be severely restricted if a new bill is passed into law. The bill is due to have its third hearing in the city's legislative assembly in the coming days.

The bill, which aims to introduce fines for "public actions aimed at propaganda of sodomy, lesbianism, bisexuality, transgenerness amongst minors", will be signed into law by the Governor of St Petersburg if it passes its third hearing. If this happens, 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 signatory. 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. This bill will inscribe in law discrimination against LGBTI individuals which is already prevalent in Russia, 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:

- Urging the St Petersburg Legislative Assembly not to pass the legislation, either in its current or amended form;
- Calling on the St Petersburg Legislative Assembly to protect the rights of all individuals, regardless of their real or perceived sexual orientation or gender identity, to freedom of expression and assembly, freedom from discrimination and equality before the law, in accordance with European and international human rights law.

PLEASE SEND APPEALS BEFORE 22 MARCH 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

Chairman of the St Petersburg Legislative Assembly
 Viacheslav Serafimovich Makarov
 Isaakievskaya Pl. 6
 190107 St Petersburg
 Russian Federation
 Fax: +7 812 57032 38
 Email: vmakarov@assembly.spb.ru
Salutation: Dear Chairman

And copies to:
Ombudsman in St Petersburg
 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.



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ADDITIONAL INFORMATION

The bill was originally introduced in November 2011, but further hearings were postponed at that time.

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.

Similar legislation has been passed in the Russian regions of Riazan and Arkhangelsk, and has reportedly been proposed in Moscow and Novosibirsk. 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 hearing 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 demonstrating illegally and resisting the police.