

URGENT ACTION

RUSSIAN BILL THREATENS FREEDOM OF EXPRESSION

A proposed law that would punish the "promotion of homosexuality among minors" will be considered by the Russian parliament on 19 December. This law would violate the right to freedom of expression of lesbian, gay, bisexual, transgender and intersex (LGBTI) people.

The law (Draft Federal Law no. 44554-6) would make the "promotion of homosexuality among minors" an administrative offence in federal law, with fines of up to 500,000 roubles (US\$ 16,200). The law does not specify what constitutes "promotion of homosexuality" and could thus be interpreted very loosely. This would discriminate directly against LGBTI people, in a country where discrimination on ground of sexual orientation and gender identity is already widespread. This law would further stigmatize LGBTI people by perpetuating the view that children should be protected from homosexuality. It would have an impact on LGBTI people's right to freedom of expression and assembly, and could stop them getting information that is crucial for their sexual health. The law would also severely curtail the activities of LGBTI human rights defenders, some of whom have already been harassed and assaulted.

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 the International Covenant on Civil and Political Rights (ICCPR), the European Convention for the Protection of Human Rights and Fundamental Freedoms and other international human rights treaties to which Russia is a state party. In addition, it would also violate the Russian Federation's own Constitution.

Please write immediately, in Russian or your own language:

- Urging the authorities not to pass Draft Federal Law no. 44554-6, either in its current or amended form;
- Calling on them to protect the rights of everyone, 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 19 DECEMBER 2012 TO:

Chairman, State Duma of the Federal
Assembly of the Russian Federation
Sergei Naryshkin
Address 1: 1, Okhotny riad, Moscow
103265 Russian Federation
Address 2: 7, Mokhovaya str. Moscow
103265 Russian Federation
Fax: +7 495 6974258
Salutation: Dear Chairman

And copies to:
Chairwoman, Committee on family,
women and children's affairs
Yelena Mizulina
State Duma of the Russian Federation
2, Georgiyevski lane
103265 Moscow
Russian Federation
Fax: +7 495 692 54 61
Salutation: Dear Chairwoman

Chairman, Committee on constitutional
legislation and state building
Vladimir Pligin
7, Mokhovaya str.
Moscow 103265
Russian Federation
Fax: +7 495 6974258
Salutation: Dear Chairman

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The first hearing of the bill in the lower house of parliament, the Duma, is scheduled for 19 December, and a vote may be held that day.

Similar laws have been approved in regions including Ryazan, Arkangelsk Kostroma, St. Petersburg, Novosibirsk, Magadansk, Samar, Bashkortostan and Krasnodar. Some of these laws prohibit "propaganda of paedophilia among minors", thus linking the sexual abuse of children with consensual, private sexual activity between adults.

The discriminatory section of Ryazan Region Law on Administrative Offences, concerning "public actions aimed at the propaganda of homosexuality", led to a submission to the UN Human Rights Committee by Irina Fedotova, an openly lesbian woman and activist in the lesbian, gay, bisexual and transgender (LGBT) movement in the Russian Federation. She put up posters that read "Homosexuality is normal" and "I am proud of my homosexuality" near a school in Ryazan. Following a police intervention, a court fined her 1,500 Roubles (US\$ 48) for "public actions aimed at the propaganda of homosexuality".

In October 2012 the Committee found that Russia had violated Irina Fedotova's right to freedom of expression and her right to non-discrimination under Article 19(2) of the International Covenant on Civil and Political Rights (ICCPR) read in conjunction with Article 26. The Committee recalled that the prohibition of discrimination under article 26 of the ICCPR comprises also discrimination based on sexual orientation, and concluded that the Ryazan Regional Law was discriminatory as the prohibition applied only to propaganda regarding homosexuality and not heterosexuality as well or sexuality in general.

The draft laws assume that protecting children from information relating to homosexuality is conducive to their attainment of healthy moral, spiritual and psychological development. However, having information about homosexuality can be helpful to children, and the principle of best interests of the child does not require that children be shielded from such information. Children as well as adults have the right to seek, receive and impart information and ideas of all kinds. This right is enjoyed by everyone, as provided in Article 19 of the ICCPR. This right is also explicitly guaranteed under Article 13 of the Convention on the Rights of the Child. The Committee on the Rights of the Child has interpreted this to include information about sexuality and sexual behaviour.

Name:

Gender m/f:

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