

URGENT ACTION

LGBTI NGO FORCED TO REGISTER AS “FOREIGN AGENT”

On 2 July Vasileostrovskiy District Court in St Petersburg will hear the Prosecutor’s Office’s request to compel LGBTI organization Coming Out (Vykhod) to register as a “foreign agent”. This is the third attempt to brand Coming Out as a “foreign agent”. The organization is unequivocally against this label and is fighting back in the courts.

In October 2013 the Central District Prosecutor’s Office of St Petersburg filed an administrative claim maintaining that **Coming Out** was involved in “political activity” and had received funding from foreign sources. According to Russian law this means the NGO must register as a “foreign agent”. The prosecutors claimed that campaigning led by the NGO against the law banning “propaganda of non-traditional sexual relations among minors”, passed by the Russian parliament in 2013 constituted “political activity”. Publications posted on the NGO’s website, a booklet published in 2012 titled *Discrimination of LGBT: What, How and Why?* and a protest held in January 2013 in St Petersburg were cited by the Prosecutor’s Office as examples of such “political activity” as it was all aimed at “shaping public opinion” in order to “influence decision making by the government”.

At a court hearing in May, the Prosecutor presented a review of the booklet *Discrimination of LGBT: What, How and Why?* The review stated that Coming Out was trying “to fit into the most advanced social practices of some foreign countries deviant from Christian morals” and referred to the “views of the majority”, Orthodoxy and Islam, and this year’s Eurovision winner Conchita Wurst as a proof of the “unnatural abomination of homosexuality”. The review also argued that not only did the booklet “stimulate homophobia” but was also “aimed at combatting the Federal law” which introduced responsibility for “propaganda of non-traditional sexual relations among minors”.

The current climate of intolerance against the LGBTI community, compounded by increasing harassment of independent NGOs in Russia by the authorities, is not conducive to an impartial court hearing, and there are concerns that Coming Out is likely to lose its case on 2 July.

Please write immediately in Russian or your own language:

- Expressing your concerns regarding continuing harassment of the LGBTI NGO Coming Out;
- Urging the Prosecutor of the Central District of St Petersburg to withdraw the civil suit against Coming Out and stop harassment of the organization;
- Calling on the St Petersburg Ombudsman to intervene within his powers to protect the LGBTI community’s right to freedom of association.

PLEASE SEND APPEALS BEFORE 6 AUGUST 2014 TO:

Prosecutor of the Central District of
St Petersburg

Dmitriy Gennadievich Burdov
Ligovskiy prospect, 44
St Petersburg
Russia 191040
Fax: +7 812 318 26 54/53/50 (please say
'fax')

Salutation: Dear Prosecutor

Ombudsman of St Petersburg

Alexandr Vladimirovich Shishlov
BOX 1137
St Petersburg
Russia 19000
Fax: +7 812 572 73 06
Email: mail@ombudsmanspb.ru

Salutation: Dear Ombudsman

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.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

LGBTI organization Coming Out (*Vykhod*) was established in 2008 and officially registered in 2009. The organization is working on several projects aimed at developing tolerance in Russian society and equal rights for LGBTI individuals. Coming Out campaigns for LGBTI rights by holding seminars, round table discussions, public human rights actions and cultural events; one of which is the annual Queer Culture Festival which gathers hundreds of supporters. The organization is also involved in advocacy, publishing booklets and providing free legal and psychological consultations to LGBTI individuals and their families. In 2013, the Prosecutor's Office tried to compel Coming Out to register as a “foreign agent” by initiating administrative proceedings against it in court. For several months Coming Out was embroiled in court battles, but managed to continue its work. The organisation is determined not to be branded as “foreign agent” but failing to do so it will have to close down.

In November 2012 new legislation was enacted requiring every NGO which receives foreign funding and engages in “political activities to register itself as “an organisation performing the functions of a foreign agent”. “Political activities” is so loosely defined in law that the term can be arbitrarily applied to virtually any Russian NGO. It has been understood by prosecutors and interpreted by certain courts to refer to almost any kind of public campaigning or advocacy for specific positions. Failure to comply results in heavy fines of thousands of US dollars. These fines are levied against the NGOs as an organisation and also against its leaders as individuals. In addition NGOs face suspension and closure and their leaders can be imprisoned for up to two years.

Since the law was enacted hundreds, possibly over a thousand, independent NGOs across Russia have been subjected to unannounced “inspections” by a team made up of members of the Prosecutor's Office, tax officials and other authorities. On the basis of these “inspections”, Prosecutor General Yuriy Chaika reported to President Putin in July 2013 that around 200 NGOs had met the criteria of “foreign agents”. He also reported that many NGOs had since declined foreign funding to avoid being subject to the application of this legislation. Those who did not decline funding have since been targeted by the authorities in a number of ways: at least five were heavily fined, dozens were issued with official “warnings” or direct orders from the Prosecutor's Office to register as “foreign agents”, and the activities of several NGOs were suspended. Some NGOs, such as the Russia-wide election watchdog Golos did decline foreign funding and yet have still faced such harassment.

During this campaign of harassment towards independent civil society organizations, the authorities have particularly targeted election watchdogs and NGOs working on human rights, LGBTI issues and the environment. This has caused colossal disruption to civil society in Russia and has prevented them from working in a normal manner. At least five NGOs have already closed down as a direct consequence.

On 4 June 2014, the Ministry of Justice received powers to register NGOs as “foreign agents” without a court decision. The next day it included five NGOs into the register against their will.

Name: Coming Out (*Vykhod*)

Gender m/f: both