URGENT ACTION

ACTIVIST'S TRIAL UNDER FALSE CHARGES RESUMES

The criminal court hearing against Yulia Tsvetkova, an artist and activist from Komsomolsk-on-Amur in the Russian Far East, resumes on 14 March. She is facing up to six years in prison if convicted under the absurd charges of "production and dissemination of pornography" for posting online her body-positive drawings of the female body.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Boris Viktorovich Kononenko
Prosecutor of Komsomolsk-on-Amur
34 Krasnogvardeiskaya street
Komsomolsk-on-Amur, 681013
Russian Federation
Email: kms@phk.hbr.ru

Dear Prosecutor,

*I am writing to urge you to stop the prosecution of **Yulia Tsvetkova** under false charges of "production and dissemination of pornography" (Article 242(3b) of the Russian Criminal Code). The court hearing in her case will resume on 14 March 2022. Yulia Tsvetkova's has committed no recognizable criminal offence, and her only "crime" have been her artistic drawings of the female body as part of her activism for women's rights.*

An artist and activist from Komsomolsk-on-Amur, Yulia Tsvetkova has been continually targeted for her activism for women's rights and the rights of LGBTI people. Since 2019, she has been prosecuted for her drawings, and faced harassment by police, and repeated house and workplace searches. She spent almost four months under house arrest until March 2020 and was deprived of access to the medical care she required. She has been under travel restrictions since. Yulia Tsvetkova has also repeatedly faced administrative proceedings and fines under the homophobic "gay propaganda" legislation (Article 6.21 of the Code of Administrative Offences). She has also faced homophobic threats, abuse and harassment, over the phone, via social networks, and by mail, as has her mother.

Yulia Tsvetkova is facing reprisals for her human rights activism and for exercising her right to freedom of expression, which violates both Russia's Constitution and its obligations under international human rights law.

In the light of the above, I urge you to immediately drop the criminal case and end all administrative proceedings against Yulia Tsvetkova.

Yours sincerely,

ADDITIONAL INFORMATION

Yulia Tsvetkova, an artist and stage director from Komsomolsk-on-Amur (Russian Far East), was arbitrarily detained on 20 November 2019 and put under house arrest two days later after being accused of “production and dissemination of pornographic materials” (Article 242(3b) of the Russian Criminal Code). These absurd charges were brought against her in connection with her drawings of the female body, including body-positive pictures of female reproductive organs, which she posted on social media as part of her women empowerment campaign. On the day of her detention, searches were carried out in her apartment and in the children's educational club where she had worked previously. The police seized her electronic devices, documents, and brochures on gender issues. Yulia Tsvetkova recalled that during the search the police officers stated that she was a “lesbian, sex trainer and propagandist leader”.

Yulia Tsvetkova has been the target of an overtly homophobic campaign since March 2019, when she had to end her cooperation with the youth amateur theatre company Merak after the police had launched an investigation into her alleged “propaganda of non-traditional sexual relations among minors” on account of her anti-bullying and anti-discrimination play “Blue and Pink”. Also, the theatrical group she had founded in 2018 was forced to cease its activities.

On 11 December 2019, Yulia Tsvetkova was found in violation of Article 6.21 of the Code of Administrative Offences (“propaganda of non-traditional sexual relations among minors”) and fined 50,000 Rubles (US$ 780) for being the administrator of two LGBTI-themed online communities on the popular Russian social media, VKontakte. Both online communities were marked “18+”, as required by Russian law, making the fine imposed on her unfounded even under the homophobic “gay propaganda” legislation (this “offence” only arises if the “propaganda” material is targeted at persons under 18).

On 17 January 2020, Yulia Tsvetkova informed the media that administrative proceeding had been opened against her once again, under the same Article, this time for posting her drawing “Family is where love is. Support LGBT+ families” (depicting two same-sex couples with children) on social media. She had published the drawing in support of a same-sex couple who had had to flee Russia with their adopted children because the authorities had threatened to take their children away from them. On 10 July 2020 she was fined 75,000 Rubles (US$ 1,050) for this “offence”.

During 2020, the criminal case against Yulia Tsvetkova was referred back and forth between the investigator and the prosecutor five times. Only in January 2021, the Prosecutor’s Office in Komsomolsk-on-Amur approved the case, and her trial started but was adjourned in November 2021 until March 2022.

In September 2021, Yulia Tsvetkova successfully appealed the authorities’ decision to block her online group Vagina Monologues where she had posted her drawings of the female body and which, in turn, have been used to open the criminal proceedings under the “pornography” charges against her. However, in February 2022, the decision on the online group Vagina Monologues was reviewed in court, and it was blocked once again on arbitrary grounds, thus resulting in a prejudicial decision which has important and worrying implications for the criminal case against the activist.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 13 April 2022
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFFERED PRONOUN: Yulia Tsvetkova (she, her)

LINK TO PREVIOUS UA: https://www.amnesty.org/en/documents/eur46/3598/2021/en/