



RUSSIA

BIAS-MOTIVATED SPEECH

In a handful of cases, authorities in Yekaterinburg imposed fines (70EUR) on individuals for posting homophobic comments on the VKontakte social network. These are the first instances where hate speech was penalised.

BIAS-MOTIVATED VIOLENCE

Hate crimes against LGBTI people, including murder, physical violence and extortion were committed again this year. The authorities failed to classify them as anti-LGBTI hate crimes.

In February, a court in Tatarstan sentenced a man to one year in prison for physically attacking a teenager who he thought was gay.

In March, a district court in St. Petersburg sentenced two men to 10 and 3.5 years in prison for seriously injuring two gay tourists during the World Cup last year.

EMPLOYMENT

Following an almost two-year legal battle, on 9 April a St. Petersburg court ruled in favor of Anastasia Vasilieva (alias) and against her employer. Anastasia had been dismissed from her job at a St. Petersburg printing company in July 2017, following her legal transition. She was fired because her job is one of 456 listed as unsafe for women. Previously, the UN Committee on the Elimination of Discrimination Against Women (CEDAW) found the list discriminatory. Anastasia became the first trans person in Russia to defend her labour rights at court and this was the first positive court decision of this kind.

FAMILY

In a landmark case in April, a court in the Novgorod Region upheld the parental rights of a mother of two boys, in a lawsuit filed by her former spouse. The ex-husband requested the children to be removed from their mother, because the eldest adult son is gay.

Upon the appeal of the Commissioner for the Rights of the Child, the Investigative Committee launched a criminal case against child protection services in July for allowing a gay couple to adopt two children. The family sought asylum in the US in August. Because adoption by same-sex couples is not prohibited in Russia, the case is alarming.

In March, the European Commission against Racism and Intolerance (ECRI) published its country report on Russia, calling for legal recognition for same-sex couples.

FOREIGN POLICY

In June, the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution on reinstating the Russian delegation's rights with conditions, including ending the persecution of LGBT people. Russia must submit a report by April 2020.

FREEDOM OF ASSEMBLY

On 6 May, the ruling of the European Court of Human Rights in the Alekseev and Others v. Russia case entered into force, establishing that the prohibition of LGBT public events in Russia is unjustified and violates the Convention. However, events continued to be de facto banned this year.

Activists were detained by police in St. Petersburg on a Day of Silence rally in April; on IDAHOBIT at the Rainbow Flashmob in St. Petersburg; in Volgograd for holding a protest against persecution in Chechnya in July; and at a Pride event in St. Petersburg in August.

Extremists disrupted an LGBT-themed discussion in April in Yekaterinburg; and the Side by Side Festival in Moscow in May and St. Petersburg in November.

The Statutory Court of St. Petersburg ruled in May that the authorities' practice of banning LGBT events in "hyde parks" under the pretext that other events had already been scheduled, is unlawful.

In September, the Queerfest human rights festival was successfully held in St. Petersburg. At the request of Coming Out and the St. Petersburg Ombudsman, the police ensured the safety of participants.

FREEDOM OF ASSOCIATION

In March, the police raided the Rakurs LGBT initiative's community centre in Arkhangelsk and seized informational brochures, accusing the group of "gay propaganda". The court refused to process the case.

In June, the Centre for Societal and Informational Initiatives "Action", which focuses on HIV prevention and LGBT community support, was fined 300,000 roubles (4,250EUR) for refusing to register on the "foreign agents" list despite foreign funding it had received.



On 16 July, the European Court of Human Rights unanimously ruled in the case of Zhdanov and Others v. Russia that Russia's refusal to register LGBT associations violated their freedom of association and was discriminatory. Organisations' registration requests were refused by authorities and domestic courts because of formal irregularities in their applications or because they were said to destroy the morals of society. Russia was ordered to pay 42,500EUR in damages.

FREEDOM OF EXPRESSION

On 24 July, several political organisations held a rally in St. Petersburg to protest the arbitrariness of the local elections, featuring flags and signs. The Alliance of heterosexual and LGBT people for equality was told by the organisers to remove their rainbow flags. A week later, a similar protest took place in Moscow featuring rainbow flags. No incidents were reported.

DEVELOPMENTS RELATED TO THE 'ANTI-PROPAGANDA' LAW

Despite continued criticism, such as by the European Commission against Racism and Intolerance (see under **Family**), the anti-propaganda law continued to be implemented this year.

In February, the site 'Barents Observer' was blocked due to an article about coming out. Its owners lost the resulting lawsuit in June, and appealed. Gay.ru, which was blocked last year by the censorship body Roskomnadzor, lost their court battle, but started a new website, xgay.ru, this year.

In May, Moscow authorities warned municipalities to keep an eye out on performances of Friendzone. The Moscow Commissioner for Human Rights said that the school pop-punk band promotes non-traditional sexual relations.

On 30 May, the movie 'Elton John' (aka 'Rocketman') was released in Russia, but scenes featuring kisses and sex between men were completely cut.

On 14 June, the Council on Complaints against the Press found that REN TV was unethical in its negative propaganda reporting on the Side by Side Film Festival.

On 1 July, LGBT activist Alexander Yubors, member of the Callisto LGBT movement in Yaroslavl, was charged with spreading "propaganda of homosexuality among minors".

Yulia Tsvetkova, feminist/LGBT activist and director of a children's theatre studio in Komsomolsk-on-Amur, was placed under house arrest in November. Tsvetkova faces criminal charges and two-to-six years in prison for allegedly distributing pornography and propaganda of non-traditional sexual relations. She posted body positive and feminist art on social media and ran a play for children about gender, which was banned in the spring.

In November, a trans woman was sentenced to three years in prison, which she will serve in a men's penal colony. She was sentenced for distributing pornography after sharing manga pictures online.

In November, a criminal case was launched against the YouTube 'Real Talk' video show. The show featured children having a discussion with Maxim Pankratov, a gay man and producer of the show, which was framed as sexual assault on children by the authorities. Pankratov has been targeted by hate speech and hate crime attempts since.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

Despite interventions of the Parliamentary Assembly of the Council of Europe (PACE), the European Parliament and the UN, perpetrators of murder, torture and ill-treatment of LGBTI people in Chechnya have continued persecuting LGBT people with impunity.

On 11 January, the independent Russian newspaper Novaya Gazeta reported that at least 40 LGBT people had been detained, imprisoned and tortured since December 2018 and at least two people died. Both men and women were targeted this time. PACE condemned these attacks on 15 January

The European Parliament's LGBTI Intergroup, the Council of Europe Human Rights Commissioner Dunja Mijatović, and seven UN Special Procedures mandate holders, the Council of Europe's anti-torture Committee, and more than 30 states at the 40th Session of the UN Human Rights Council, made similar statements.

On 26 February, the Federal Investigative Committee in Russia referred a report by the Russian LGBT Network to its Investigation Department in Chechnya, about new waves of persecution. Therefore the perpetrators were tasked with investigating whether or not they were participating in the persecution.



On 24 May, Maxim Lapunov, one of the victims of the mass persecution, filed a complaint to the European Court of Human Rights, which was communicated to Russia on 14 November.

The PACE Rapporteur on the continuing need to restore human rights and the rule of law in the North Caucasus region held a three-day fact finding visit in Russia in September. His report is to be published.

HUMAN RIGHTS DEFENDERS

In January, Igor Kochetkov, Director of the Russian LGBT Network, was sent a YouTube video in which he was threatened with murder unless he stayed away from Chechnya. Kochetkov reported the threat of the Prosecutor's Office and the Ministry of Internal Affairs. Following the inaction of the authorities, Kochetkov sued the police and a St. Petersburg court ruled in his favour in June. The police appealed the judgment. On 4 February, Human Rights Commissioner Dunja Mijatović called on Russia's law enforcement and investigative authorities to ensure his safety and investigate the threats.

On 17 May, seven men broke into the apartment of a Russian LGBT Network volunteer in St. Petersburg and threatened him and his colleagues with violence and murder. The attackers were looking for the organisation's emergency program coordinator, David Isteev, and a woman who had recently fled Chechnya.

In mid-July, the Yekaterinburg LGBT Resource Centre received threats. The senders claimed that they already "liquidated gays in Chechnya and Ukraine" and warned the centre would be next if it did not shut down. The letter referenced the website of the extremist group Saw, which posted a list of LGBT activists and allies on their site, including addresses, and called for their murder. Saw posted that they "prepared very dangerous and cruel gifts" for those listed. On 17 July, the Russian authorities banned and took down the page.

Yelena Grigoryeva, a well-known LGBT activist in St. Petersburg was found dead in the street close to her apartment on 21 July, with multiple stab wounds and signs strangulation on her body. Grigoryeva was one of the people on the Saw list. She had reported several threats of violence, but no action followed. The police arrested two murder suspects, but have been heavily criticised for the inefficiency of their investigation, including with regard to the Saw list. On 5 August, the Directorate for Countering

Extremism under the Ministry of Internal Affairs decided to stop investigations trying to identify the creators of the list. Their reasoning stated that the website had already been taken down. The murder created well-founded fear within the LGBTI community, and many are concerned it normalised violence. LGBT activist, Nikita Tomilov was identified by Saw as their next target. Tomilov left Russia to seek asylum in the EU.

In August, five Russian LGBT groups joined together to push for investigations by launching an online petition gathering 40,000 signatures in a few days.

Activist Anna Dvornichenko, based in Rostov-on-Don, was attacked twice.

LEGAL GENDER RECOGNITION

Two new medical commissions, which can issue medical certificates for trans people wanting to change their legal gender, were established this year.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In September, LGBT rights activist and the first openly gay politician in Russia, Sergey Troshin, was elected a municipal deputy in St. Petersburg.

PUBLIC OPINION

According to the Levada Centre's survey, conducted in the spring, the level of public support for LGBT rights has grown and is the highest in the past 10 years, at almost 50 per cent.