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Russia: Trans Health Care, Families Bill Violates Rights

Intensifying Assault on LGBT Rights

Update: On July 19, 2023, Russia's upper house of parliament approved the law.

(Berlin) – Russia's lower house of parliament adopted a bill on July 14, 2023 that violates a wide range of rights of transgender people, Human Rights Watch said today.

Parliament's upper chamber and President Vladimir Putin are expected to approve the bill shortly. It outlaws trans healthcare, dissolves marriages of transgender people, places a ban on changing gender markers in official documents, and prevents trans people from adopting or taking guardianship over children.

"Russia has persistently attacked sexual and gender minorities for political purposes," said Graeme Reid, LGBT rights director at Human Rights Watch. "This legislation is the latest in a string of assaults on the rights of lesbian, gay, bisexual, and transgender people, this time under the rubric of state-incited transphobia. The bill should be dropped immediately."

The bill would ban medical interventions integral to internationally recognized standards of care for transgender people, including gender-affirming medication and surgery. It would also leave a loophole for medically unnecessary, nonconsensual surgeries on intersex children; almost all these procedures carry a meaningful risk of harm and can be safely deferred.

The initial bill banned gender affirming health services and changing a person's gender marker in identity documents. These provisions were not only discriminatory but would violate the rights to physical integrity and privacy. But lawmakers didn't stop there; they pushed ahead with an even more restrictive bill despite criticism from human rights lawyers, activists, and medical professionals.

The revised version of the bill also would prohibit trans people from adopting children or becoming foster parents. Existing marriages of transgender people would be automatically dissolved. Previously, Russian courts have annulled transgender people's marriages based on lawsuits filed by prosecutors.

In the past seven years, 2,990 people in Russia have changed their gender marker in identity documents, according to the Interior Ministry's data.

During the bill's first reading, Pyotr Tolstoy, the State Duma's deputy chair, announced that this law is "yet another step to protect national interests" from "perversions." He dismissed concerns from the Health Ministry and the scientific community that the adoption of the law would lead to ethical, medical, and social problems, including an increase in suicides. Vyacheslav Volodin, the Duma chair, told the Health Ministry "not to invent any amendments arguing they are due to some concern about people."

The new laws are part of Russia's intensifying crackdown on LGBT people. Legislation adopted in December 2022 expanded the ban on sharing positive and even neutral information about LGBT people, including about gender transition. Police detained and prosecuted activists protesting the law banning gender-affirming care. In September 2022, a court in Saint Petersburg upheld a prosecutor's appeal to declare social media posts "creating an appearance that [being transgender] is socially acceptable" illegal in Russia.

"First Russia tried to erase lesbian, gay, bisexual, and transgender identities from public view, and now they are targeting transgender people themselves," Reid said. "Russia should reverse its outrageous policy and ensure rights to identity, family life, and medical care for lesbian, gay, bisexual, and transgender people – starting with reversing the anti-trans law."

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