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HUMAN RIGHTS WATCH

LICENSE TO HARM

Violence and Harassment against LGBT People and Activists in Russia

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Violence and Harassment against LGBT People and Activists in Russia

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Summary

In June 2013 Russia passed a law banning the distribution of information about lesbian, gay, bisexual, and transgender (LGBT) relationships to children. The law effectively legalizes discrimination based on sexual orientation. Its passage coincided with a ratcheting up of homophobic rhetoric in state media and an increase in homophobic violence around the country.

All over Russia there has been an increase in attacks by vigilante groups and individuals against LGBT people in the past two years. There has also been an increase in attacks on LGBT activists, and anti-gay groups have used the 2013 law to justify mounting campaigns of harassment and intimidation of LGBT teachers and other school or college staff to get them fired from their jobs.

Although Russian law enforcement agencies have the tools to prosecute homophobic violence, there appears to be no will to do so and no policy or instructions from the leadership to take homophobic violence seriously. Aside from several isolated investigations, the authorities have done little to hold assailants accountable.

Instead of publicly denouncing anti-LGBT violence and rhetoric, Russia's leadership has remained silent. In some cases public officials have engaged in explicit anti-LGBT hate speech.

This inaction has only served to perpetuate the cycle of discrimination, harassment, and violence. Moreover, it contravenes Russia's obligations under domestic law and many key international human rights treaties to which it is a party to protect all people, including LGBT people of all ages, from violence and discrimination.

This report documents the spread of homophobic and transphobic violence and everyday harassment against LGBT people and activists that has taken place in the lead-up to and aftermath of the adoption of the 2013 anti-LGBT law. It is based on 94 interviews with LGBT people and activists from 16 cities and towns in Russia. LGBT people and activists described the types of abuse they were subjected to and the obstacles they encounter when they seek redress.

The report analyzes the authorities' overall lack of a proper response to such violence.

Violence and Harassment against LGBT People

LGBT people in Russia face stigma, harassment, and violence in their everyday lives, and most people who spoke with Human Rights Watch said that this intensified in 2013. In some cases they were attacked by anti-LGBT vigilante groups that sprang up in late 2012 across Russia. These groups consist of a network of radical nationalist men who lure gay men and teenage children on the pretext of a fake date, hold them against their will, and humiliate and expose them by videotaping the encounter. Such encounters have often involved perpetrators pouring urine over their victims and in some cases forcing them to drink it. Assailants often hit and kicked the victims; in some cases they hit their victims with dildos or forced them to hold and pose with dildos; stripped them naked; painted and drew slurs on them; and/or sprayed them with construction foam in the genital area. Hundreds of such videos have been posted online.

The suffering of victims of group vigilante attacks cannot be underestimated. Twenty-two victims interviewed by Human Rights Watch told us they developed anxiety and became depressed as a result of the attacks. Others said they stayed at home because they were too frightened to go outside. In addition to lasting emotional trauma, some vigilantes' victims also described the physical injuries they sustained, including bone fractures and facial injuries.

In other cases, LGBT people described being physically attacked by strangers on the subway, on the street, at nightclubs, and, in one case, at a job interview. The assailants did not hide their homophobic motivation. Most interviewees told Human Rights Watch that their attackers often used offensive, obscene language related to their sexual orientation, for example calling LGBT people "pedophiles," "perverts," or abnormal.

Although for the past decade activists involved in public LGBT gatherings have faced hostility from Russian authorities and anti-LGBT counter-demonstrators, almost all activists told Human Rights Watch that the number of attacks on public LGBT events had risen in the past two years and that in 2013 anti-gay activists had attacked just about every public demonstration in favor of LGBT equality of which they were aware.

The vast majority of LGBT activists interviewed by Human Rights Watch had been attacked at least once during public events in support of LGBT equality in 2012 and 2013 in several

cities, including Voronezh, Moscow, Novosibirsk, and St. Petersburg. They said that anti-gay counter-protesters routinely harass them, use offensive homophobic language, or threaten them with physical violence. Police consistently fail to take adequate measures to prevent or redress the harassment and attacks.

Human Rights Watch documented seven cases in which vicious smear campaigns sought to pressure LGBT people or supporters of LGBT rights to resign from their jobs as educators in schools, universities, or community centers for children. In almost all cases the campaigns accused the victims of trying to spread what they called propaganda. Most eventually lost their jobs.

Government Response

Although Russian law enforcement authorities have made some attempts to prosecute anti-LGBT violence, victims face almost insurmountable obstacles seeking justice. The result is widespread impunity for homophobic crimes.

Law enforcement agencies deliberately ignore hatred of LGBT people as a key criminal motive behind the attacks. Although Russia has hate crime laws, Russian law enforcement agencies do not treat even the most blatantly homophobic violence as hate crimes. Not a single case documented in this report was investigated as a hate crime. Police treat most homophobic attacks as common crime, such as hooliganism or assault and battery.

In cases we documented, when police did open criminal investigations, they were dismissive and reluctant to investigate effectively, often blaming victims for the attacks. Even when perpetrators were detained immediately after the attack, police did little to protect victims.

In only three cases documented by Human Rights Watch in 2012-2014 were the investigations brought to court. At least two of the attackers in these cases were convicted, but their sentences did not correspond to the gravity of harm suffered by victims.

The authorities keep no data on anti-LGBT violence. This allows them to deny that it is a serious problem and makes it impossible for independent groups to verify through official figures the extent of the problem and the apparent increase in violence in the past two

years. The lack of data also impedes the development of strategies that could protect people from attacks.

In light of the obstacles victims of homophobic violence face in securing redress and protection, it is no wonder that they are reluctant to file reports. As a result, much homophobic violence goes unreported. In 22 cases we documented in this report, victims did not file police reports because, they said, they did not trust the police, feared more humiliation and violence, or simply did not see any value in taking time to report the attacks against them because they knew from previous experience that the police would not bother to carry out an effective investigation.

Russia has ratified numerous international human rights treaties that place obligations on it to protect the rights of individuals against violence and other type of abuses. Russia has clear obligations under human rights law to act with due diligence to protect the human rights of LGBT persons to live free from violence, to nondiscrimination, and to effective judicial remedies. Discriminatory protection against violence and discriminatory access to justice are prohibited under international law.

Russia can stop the cycle of homophobic violence and impunity. It has many of the necessary tools, but it needs the political will to do so. Three key steps Russia needs to take are: first, for its leadership to publicly condemn such violence and commit to ending and preventing it; second, for its law enforcement agencies to start investigating and prosecuting homophobic violence as hate crimes under the law; and finally, the Russian government should immediately repeal the anti-LGBT propaganda law, which implicitly condones and encourages such violence in the first place, as well as harms children by denying them access to essential information.

In line with article 1 of the Convention on the Rights of the Child, the term “child” or “children” refers to a person or persons under 18 years of age. When referring specifically to Law No. 135-FZ, the term “minors” may be used to refer to children, as that is the language in the law.

Recommendations

To the Government of the Russian Federation

- Immediately issue a public statement condemning the use of hate speech in regard to lesbian, gay, bisexual, and transgender (LGBT) people and issues related to their lifestyle and health;
- Publicly acknowledge the scope and gravity of the problem of violence and harassment against LGBT people in Russia, and commit to taking steps to end these abuses;
- Repeal provisions of Law No. 135-FZ of June 29, 2013 (the "gay propaganda" law) banning distribution of information about LGBT relationships to children;
- Repeal and amend other laws, including Federal Law No. 167-FZ of July 2, 2013 and governmental decree No. 93 of February 10, 2014, that contain discriminatory provisions against LGBT people;
- Instruct legislatures of Russian regions where regional anti-LGBT "propaganda" laws remain in force to repeal these laws because they violate Russia's international human rights obligations;
- Introduce legislation to protect the rights of all LGBT people, including children, such as legislation to explicitly proscribe discrimination against them in public services and to make sexual orientation and gender identity a protected category against discrimination in relevant provisions of Russia's criminal and civil laws;
- In the meantime, desist from implementing laws that contradict Russia's international human rights obligations;
- Direct the Investigative Committee of the Russian Federation, the country's main investigative agency, to fulfill its responsibility under Russian law to investigate in a thorough, impartial, and timely manner all allegations of violence against LGBT people;
- End rhetoric by members of the government that stigmatizes the LGBT community, and stop fostering an atmosphere in which Russian authorities appear to deem anti-LGBT sentiments and violence as permissible;

- Discipline all government employees and other public figures, including those on state television, who use hateful and discriminatory language in their public appearances, statements, interviews, conversations, and other public situations;
- Hold accountable those who engage in anti-LGBT hate speech in Russian media and press;
- Instruct relevant law enforcement agencies, such as the prosecutor general's office, the Ministry of Interior, and the Investigative Committee, to gather data about homophobic and transphobic crimes, and make the gathering of such data compulsory;
- Instruct the country's prosecutors and judges to pay special attention to and use hate crime legislation when prosecuting crimes and infractions against LGBT people;
- Monitor law enforcement officials' response to crimes against LGBT people, with the goal of continuously improving the response;
- Hold accountable and discipline those law enforcement officials who are engaged in hate speech and abusive behavior ;
- Encourage victims of homophobic and transphobic crimes to report to police by introducing and effectively enforcing basic confidentiality standards;
- Ensure that judgments by the European Court of Human Rights (i.e. *Alekseyev v. Russia*) on freedom of association and freedom of assembly are complied with through laws and policies of the Russian Federation;
- Instruct local authorities to comply with the standards on freedom of expression, association, and assembly set out by the European Court of Human Rights;
- Implement Recommendation CM/Rec(2010)5 of the Council of Europe Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity.

To the Ministry of Interior

- Issue a public statement condemning all acts of violence and discrimination against LGBT people and committing to bring to justice all those responsible for homophobic and transphobic attacks;
- Discipline officers who engage in homophobic slurs and dismiss victims' allegations of abuse;
- Inform victims of homophobic hate crimes of the results of investigations;
- Collect and publish data on homophobic crimes;
- Ensure the safety of all those present during public peaceful LGBT events and that adequate and effective measures are put in place to protect LGBT activists from aggression and violence by anti-LGBT counter-protesters;
- In cases when homophobic attacks take place during peaceful LGBT events, ensure that law enforcement acts in accordance with Russian law to detain and prosecute assailants;
- Ensure that all law enforcement officers comply with and implement laws on policing, including with regard to length of detention, registering detainees, and other procedures and protections for detainees;
- Train all criminal justice officials in international human rights standards and nondiscrimination, including on issues of sexuality, sexual orientation, and gender identity; such training is most effective when fully integrated into training programs provided to all ranks and not treated as a separate topic to the core curriculum of training.

To the Investigative Committee

- Investigate promptly and impartially all allegations of homophobic and transphobic violence and prosecute perpetrators to the fullest extent of the law;
- Facilitate reporting of abuse by ensuring that victims filing complaints are guaranteed confidentiality and respect for their right to privacy;
- Ensure that every investigation is conducted promptly and impartially and that investigators investigate all those responsible;

- Appoint and train liaison officers within each local investigative committee who could serve as point persons for LGBT people and other vulnerable groups;
- Gather and publish data on homophobic crimes.

To the Prosecutor General's Office

- Review and ensure compliance of police and investigative committee officials with Russian law and international human rights standards regarding prosecution of homophobic assaults and harassment;
- Ensure that article 63 of the Russian Criminal Code is invoked when prosecuting violence and other harassment against LGBT victims when it is clear that the crime had an anti-LGBT motivation.

To Domestic and International Nongovernmental Organizations

- Include violence and discrimination against LGBT communities among priority issues for programming and advocacy;
- Actively involve LGBT rights organizations in human rights and LGBT rights trainings and advocacy efforts with law enforcement officials, judges, and prosecutors.
- Support the development of organizations among members of the LGBT community to strengthen the capacity of these persons to advocate for the protection of their rights in institutional fora.

To the Governments of the United States, the European Union, and Individual European Union Member States

- Continue to publically call on the Russian government to repeal the federal law banning "propaganda of nontraditional sexual relationships" among children;
- Publically condemn acts of violence against LGBT people and activists and raise this issue in routine and high-level meetings with relevant Russian officials;
- In line with the June 2013 EU guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons, contribute to combatting any form of anti-LGBTI violence by seeking

assistance and redress for victims of such violence and by supporting civil society and governmental initiatives to monitor cases of violence, and by educating law enforcement personnel;

- Urge the Russian government to implement the decision of the European Court of Human Rights in the case of *Alekseyev v. Russia* and Recommendation CM/Rec(2010)5 of the Council of Europe Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity.

Glossary

Bisexual	Sexual orientation of a person who is sexually and romantically attracted to both males and females.
Gay	Used here to refer to the sexual orientation of a male whose primary sexual and romantic attraction is toward other males.
Gender	Social and cultural codes (as opposed to biological sex) used to distinguish between what a society considers "masculine" or "feminine" conduct.
Gender identity	A person's internal, deeply felt sense of being female or male, both, or something other than female and male. A person's gender identity does not necessarily correspond to the biological sex assigned at birth.
Heterosexual	A person whose primary sexual and romantic attraction or sexual orientation is toward people of the opposite sex.
Homophobia	Fear and contempt of homosexuals, usually based on negative stereotypes of homosexuality.
Homosexual	Sexual orientation of a person whose primary sexual and romantic attractions are toward people of the same sex.
LGBT/LGBTI	Lesbian, gay, bisexual, transgender, (and intersex); an inclusive term for groups and identities sometimes associated together as "sexual minorities."
Lesbian	Sexual orientation of a female whose primary sexual and romantic attraction is toward other females.
Sexual orientation	The way a person's sexual and romantic desires are directed. The term describes whether a person is attracted primarily to people of the same sex, the opposite sex, or to both.
Transgender	The gender identity of people whose birth gender (which they were declared to have upon birth) does not conform to their lived and/or perceived gender (the gender that they are most comfortable with expressing or would express given a choice). A transgender person usually adopts, or would prefer to adopt, a gender expression in consonance with their preferred gender but may or may not desire to permanently alter their bodily characteristics in order to conform to their preferred gender.

Methodology

This report is based on field research conducted by a Human Rights Watch researcher in Moscow, St. Petersburg, Samara, Kazan, Nizhni Novgorod, Novosibirsk, and Voronezh between October and November 2013 as well as in follow-up email and telephone interviews. Additionally, the researcher interviewed people, in in-person, telephone, and Skype interviews, from Yekaterinburg, Tolyatti, Murmansk, Khabarovsk, Vladivostok, Krasnodar, Rostov-on-Don and Pervouralsk. Another Human Rights Watch researcher joined one of the field research missions. Human Rights Watch conducted in-depth interviews with 78 lesbian, gay, bisexual, and transgender (LGBT) people who experienced various types of physical violence and harassment because of their sexual orientation or gender identity. Additionally, Human Rights Watch interviewed 46 LGBT activists who were attacked or harassed by anti-gay counter-protesters. At least 30 of them were detained by police for their participation in public demonstrations for LGBT rights and equality.

Thirty-nine of those interviewed for this report were representatives of LGBT nongovernmental organizations (NGOs), unregistered groups, and mainstream human rights organizations. Human Rights Watch sent letters requesting meetings and information to the Ministry of Interior, the prosecutor general, and the Investigative Committee. All replied, but none agreed to meet.

At least seven victims of homophobic and transphobic violence and harassment declined to be interviewed due to fear of retaliation, being outed, and lack of trust in the justice system.

All of the interviews were conducted in Russian by a Human Rights Watch researcher who is a native Russian speaker. All interviewees were informed of the purpose of the interviews and their voluntary nature and the goal and public nature of our reports, and they were told that they could end the interview any time. Human Rights Watch provided no incentive for interviewees. Where appropriate, Human Rights Watch provided contact information for organizations offering legal or psychological counseling services. To ensure the security of victims of homophobic and transphobic violence, we have used pseudonyms for most of the interviewed individuals and have withheld the locations and other identifying details of some interviews.

I. Background

Homophobia in the Soviet Union and Russia

Homophobia is not a new phenomenon in Russia: it was entrenched during the Soviet era, and both USSR and Russian imperial law included criminal punishment for homosexual sex.[1] Sex between men became a criminal offence in 1934 in the USSR and carried a prison term of up to five years of hard labor, and during the Soviet era thousands of men were convicted for sodomy and sent to labor camps and psychiatric institutions.[2] While same-sex relationships between women were not criminalized, lesbians faced forced psychiatric hospitalization.[3]

As a result, the majority of lesbian, gay, bisexual, and transgender (LGBT) people kept a low profile and concealed their sexual orientation.

Same-sex relations between men were decriminalized in 1993, two years after end of Soviet regime, and in 1999 the Russian Ministry of Health recognized the standards of the International Classification of Diseases (ICD), which was revised in 1990 and de-pathologized homosexuality.[4] The age of consent in Russia is the same regardless of sexual orientation, and in 2003, following various changes, was set at 16 years old.[5]

Yet the Russian public increasingly views LGBT people as "abnormal" and "perverse," and widespread social stigma around homosexuality persists.[6] This trend coincides with the

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[1] Dan Healy, "A Russian History of Homophobia," *Moscow Times*, March 30, 2012, http://www.themoscowtimes.com/opinion/article/a-russian-history-of-homophobia/455804.html (accessed October 2, 2014).

[2] Ibid, pp. 240, 247; Igor Kon, "Soviet Homophobia," Gay.ru, 1998, http://www.gay.ru/english/history/kon/soviet.htm (accessed September 15, 2014).

[3] Healy, *Homosexual Desire in Revolutionary Russia*, p. 69; "History," informational brochure, Side by Side LGBT Film Festival, 2013, p.3.

[4] World Health Organization, "The ICD-10 Classification of Mental and Behavioural Disorders," http://www.who.int/classifications/icd/en/bluebook.pdf?ua=1 (accessed October 2, 2014).

[5] In 2012 Federal Law No. 14-FZ amended article 134 of the Criminal Code, setting out penalties for having sexual relations with children under 16 years of age and providing that the penalties for same-sex relations with a child under 16 are more severe than for heterosexual, underage sex.

[6] According to the Levada Center, a Russian polling group, as of April 2013, 78 percent of Russians believed that homosexuality was either a disease or a result of childhood trauma, and 12 percent believed that homosexuality was a variety of sexuality, just like heterosexuality. In contrast, in 1998, 68 percent believed that homosexuality was either a disease or a result of childhood trauma, and 18 percent believed that homosexuality was normal. In addition, responding to the question, "How should gay people be treated?" 22 percent said that gays should be "medically treated" as opposed to 17 percent in 2005. Sixteen percent said that they should be "isolated from society" as opposed to 12 percent in 2005. Five percent said they should be physically exterminated as opposed to 3 percent in 2005. See more here: http://www.levada.ru/books/obshchestvennoe-mnenie-2013 (accessed October 3, 2014). Another major Russian polling

increasing spread of hateful, anti-LGBT rhetoric, including by public officials in the media, and the promulgation of anti-gay "propaganda" laws. The trend is also encouraged by the absence of any concerted official efforts to condemn discrimination against LGBT people.

Russian Orthodox Church leaders have made public inflammatory statements about gay people, and the strong and growing influence of the Russian Orthodox Church fuels existing homophobic sentiments. In 2014, for example, one high-level church official said that same-sex relations should be "completely eliminated" from Russian society, preferably through "moral persuasion" but if necessary through a public referendum on recriminalizing homosexuality.[7]

Data on Homophobic Violence

Homophobic violence is not a new phenomenon in Russia. For example, in May 2006 hundreds of counter-protesters assaulted several dozen participants in Moscow's first LGBT pride gathering.[8] However, comprehensive data about homophobic violence are unavailable. Russian authorities do not collect data on the number of incidents of homophobic violence committed against LGBT people in the country.[9] This absence of data makes it very difficult to understand the changing dynamics and the spread of anti-LGBT violence.

Some unofficial data paint a partial picture of the scope of homophobic violence and its dynamic over the past three years. For example, the Russian LGBT Network, an umbrella LGBT group based in St. Petersburg, conducted an anonymous survey on discrimination against LGBT people in Russia in 2013. More than 15 percent of the 2,007 respondents said

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group, VTSIOM (All Russian Center for the Study of Public Opinion), published a poll in June 2013 according to which 88 percent of respondents supported the adoption of a federal law banning "propaganda of homosexuality." Moreover, the number of people who favored criminal punishment for homosexuality increased to 42 percent as opposed to 19 percent in 2007. See more here: http://wciom.ru/index.php?id=459&uid=114190 (accessed December 3, 2014).

[7] "Russian Orthodox Church calls for a referendum on the issue of punishment for homosexual relations [РПЦ выступает за референдум в вопросе наказания за гомосексуализм]," *Izvestia*, January 10, 2014, http://izvestia.ru/news/563711 (accessed September 15, 2014).

[8] "Russia: Investigate Attacks on Gay Pride March," Human Rights Watch news release, June 2, 2006, http://www.hrw.org/news/2006/06/01/russia-investigate-attacks-gay-pride-march. Nikolai Alekseyev, a Russian LGBT activist, filed three complaints with the European Court of Human Rights regarding Moscow authorities' violation of his right to freedom of assembly by banning several peaceful LGBT events he organized in 2006, 2007, and 2008. In its 2010 judgment, the court found Russia in violation of article 14 of the European Convention of Human Rights, which prohibits discrimination and Alekseyev's right to effective remedy, in conjunction with a violation of Alekseyev's right to freedom of assembly and association. The court awarded Alekseyev €12,000 (approximately $15,000) in damages. European Court of Human Rights, *Alekseyev v. Russia*, judgment of October 21, 2010, no. 4916/07, 25924/08 and 14599/09 , available at www.echr.coe.int.

[9] Letter from the prosecutor general's office to Human Rights Watch, May 20, 2014.

that they had experienced physical violence, and 50 percent said they had experienced psychological abuse.[10]

The group's report on violence against LGBT people in 2011 documented 34 attacks, and its 2012 report compiled information about 22 attacks involving a total of about 210 victims.[11] Russian LGBT activists who regularly gather information from the LGBT community told Human Rights Watch that since 2011-2012 the number of attacks and instances of harassment against LGBT people has increased and that the brutality of the attacks has worsened.[12] This period coincided with the years when a growing number of regional legislatures, followed by the State Duma, adopted laws banning the dissemination to children of what the laws termed propaganda about LGBT relationships.

Russia's Anti-LGBT "Propaganda" Laws

Federal Law Banning "Propaganda of Nontraditional Sexual Relations"

On June 29, 2013, Russian president Vladimir Putin signed Federal Law No. 135-FZ "aimed at protecting children from information promoting the denial of traditional family values."[13] The law bans the "promotion of nontraditional sexual relations to minors," a reference that is universally understood to be lesbian, gay, and bisexual relationships.[14] Promoting nontraditional sexual relations to children is considered to be

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[10] Russian LGBT Network, "Human rights violations and discrimination against LGBT people in Russia from September 2012 to August 2013 [Нарушения прав и дискриминация в отношении ЛГБТ в России с сентября 2012 г. по август 2013 г.]," http://lgbtnet.ru/sites/default/files/monitoring_2013.pdf (accessed December 2, 2014).

[11] Russian LGBT Network, "Hate Crimes against lesbians, gay, bisexual and transgender people in Russia in 2011 [Преступления на почве ненависти по отношению к лесбиянкам, геям, бисексуалам и трансгендерам в россии в 2011 г.]," http://lgbtnet.ru/ru/content/specialnyy-doklad-prestupleniya-na-pochve-nenavisti-po-otnosheniyu-k-lesbiyankam-geyam (accessed December 3, 2014). Several of the cases described in the 2012 report involved multiple victims, such as when groups of men stormed gay clubs or LGBT events and attacked those in attendance.

[12] Human Rights Watch interviews with Russian LGBT activists, St. Petersburg, Moscow, Voronezh, Samara, Nizhny Novgorod, Kazan, and Novosibirsk, October 2013-April 2014.

[13] Federal Law of June 29, 2013 No. 135-FZ, "On Amendments to Article 5 of the Federal Law 'On Protecting Children from Information Harmful to their Health and Development," http://www.rg.ru/2013/06/30/deti-site-dok.html (accessed October 2, 2014).

[14] The explanatory note of the anti-propaganda law in its bill form referred explicitly to "the promotion of homosexuality … carried out via the media as well as via the active pursuit of public activities which try to portray homosexuality as normal behavior. This is particularly dangerous for children and young people who are not able to take a critical approach to this avalanche of information with which they are bombarded on a daily basis. In view of this, it is essential first and foremost to protect the younger generation from exposure to the promotion of homosexuality." "Putin signed a law banning gay propaganda to children [Путин подписал закон о запрете гей-пропаганды среди детей]," *RIA Novosti*, June 30, 2013, http://ria.ru/politics/20130630/946660179.html (accessed September 15, 2014).

> spreading information aimed at instilling in minors nontraditional sexual arrangements, the attractiveness of nontraditional sexual relations and/or a distorted view that society places an equal value on traditional and nontraditional sexual relations or propagating information on nontraditional sexual relations making them appear interesting.[15]

The ban applies to information provided via the press, television, radio, and the Internet. Passed unanimously by the Russian parliament, the law consists of amendments to the Law on Protection of Children from Information Harmful to Their Health and Development and to the Code of Administrative Violations.

Under the law, people found responsible for "promotion of nontraditional sexual relationships among minors," an administrative infraction, face fines of between 4,000 and 5,000 rubles (US$120 to $150); government officials face fines of 40,000 to 50,000 rubles ($1,200 to $1,450); and organizations, up to 1 million rubles ($30,000) or a suspension of activity for up to 90 days. Heavier fines may be imposed for the same actions if done through mass media and telecommunications, including the Internet. Foreigners who violate the ban can be deported.[16] On September 23, 2014, Russia's Constitutional Court deemed the ban to be constitutional. It found the ban aimed to protect constitutional values such as "family and childhood" and children from harm to their development. The court also rejected arguments that the ban interfered with the right to privacy or prohibited or censured what it called "nontraditional" sexual relationships or debates about them.

Nevertheless, when scrutinized against international human rights standards, the law clearly falls foul of the prohibition on discrimination and imposes unjustified restrictions on the rights to freedom of expression, association, and assembly, with a disproportionate impact on LGBT persons and activists.

A legal opinion issued in June 2013 by the Venice Commission, the Council of Europe's advisory panel on constitutional matters, concluded that the draft of the adopted federal anti-LGBT law was "incompatible with [the European Convention on Human Rights] and international human rights standards" and should be repealed. The opinion, which

[15] Federal Law No. 135-FZ, article 3.2(b).
[16] Ibid.

covered draft legislation under consideration in Russia, Ukraine, and Moldova, found that the purpose of such laws "is not so much to advance and promote traditional values and attitudes toward family and sexuality but rather to curtail nontraditional ones by punishing their expression and promotion."[17]

The law purports to protect children from potential harmful subject matter but in fact by denying them access to essential information and creating a stigma against LGBT children and LGBT family members, it directly harms children. During a periodic review in January 2014 of Russia's compliance with the Convention on the Rights of the Child, the Committee on the Rights of the Child recommended that the Russian authorities "repeal its laws prohibiting propaganda of homosexuality and ensure that children who belong to LGBTI groups or children of LGBTI families are not subjected to any forms of discrimination by raising the awareness of the public on equality and nondiscrimination based on sexual orientation and gender identity."[18]

Cases of Enforcement of the Anti-LGBT "Propaganda" Law

As far as Human Rights Watch is aware, as of December 3, 2014, at least four people have been found guilty of violating the federal anti-LGBT "propaganda" law.[19]

On December 3, 2013, a court in the northern Russian city of Arkhangelsk found two Russian LGBT rights activists, Nikolai Alekseyev and Yaroslav Yevtushenko, guilty of violating the federal anti-LGBT "propaganda" law because they stood next to a children's library in Arkhangelsk with a sign that said, "There's no such thing as gay propaganda, you don't become gay, you're born gay."[20] The court fined them 4,000 rubles ($120) each.

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[17] Council of Europe Venice Commission, Opinion on the issue of the prohibition of so-called "Propaganda of homosexuality" in the light of recent legislation in some member states of the Council of Europe, CDL-AD(2013)022-e, June 18, 2013, http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)022-e (accessed December 3, 2014).

[18] United Nations Committee on the Rights of the Child, Concluding observations on the combined fourth and fifth periodic reports of the Russian Federation, CRC/C/RUS/CO/4-5, January 31, 2014, http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/RUS/CRC_C_RUS_CO_4-5_16305_E.pdf (accessed December 3, 2014).

[19] "Russia: Anti-LGBT Law a Tool for Discrimination," Human Rights Watch news release, June 30, 2014, http://www.hrw.org/news/2014/06/29/russia-anti-lgbt-law-tool-discrimination.

[20] "LGBT Activist Fined for Breaking 'Gay Propaganda' Law," *Moscow Times*, December 5, 2013, http://www.themoscowtimes.com/article/490844.html (accessed September 15, 2014).

After they lost their January 2014 appeal, the activists reportedly filed a case against Russia with the European Court of Human Rights challenging the ruling.[21]

The third person to be found liable under the federal "propaganda" law is Dmitry Isakov, an LGBT activist from Kazan, a city 800 kilometers east of Moscow. A Kazan court fined Isakov 4,000 rubles ($120) for violating the law because on June 30, 2013, he held a one-minute picket on the city's central square, holding a placard that said, "Being gay and loving gays is normal; beating gays and killing gays is criminal."[22]

In February 2014 a Kazan appeals court upheld the decision.[23] Isakov told Human Rights Watch that he has since filed a case with the European Court of Human Rights challenging the ruling.[24]

Authorities in Khabarovsk filed a lawsuit against an editor of *Molodoi Dalnevostochnik*, the oldest newspaper in Khabarovsk region, under the "propaganda" law.[25] In September 2013 the newspaper published an interview with a gay teacher from Khabarovsk in which the teacher was quoted saying, "My own existence proves that homosexuality is normal."[26] The Russian state body for media oversight accused the newspaper's editor of violating the law because the newspaper was marked 16+, indicating that it is appropriate for readers older than 16.[27]

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[21] "Nikolai Alekseyev paid the first federal fine for gay propaganda in Russia's history [Николай Алексеев оплатил первый в истории России федеральный штраф за гей-пропаганду]," *Gay Russia*, January 24, 2014, http://www.gayrussia.eu/russia/8613/?phrase_id=637933 (accessed September 15, 2014).

[22] "Dispatches: Shocked by Russia's Intolerance," Human Rights Watch news release, December 23, 3014, http://www.hrw.org/news/2013/12/23/dispatches-shocked-russia-s-intolerance.

[23] Human Rights Watch email correspondence with Dmitry Isakov, February 11, 2014.

[24] Ibid, June 25, 2014.

[25] "Here we go! Molodoi Dalnevostochnik editor accused of breaking the 'anti-gay' law [Поехали! Редактора 'Молодого дальневосточника' обвинили в нарушении 'антигейского' закона]," *Amurburg.ru*, November 12, 2013, http://amurburg.ru/news/offtop/poekhali_redaktora_molodogo_dalnevostochnika_obvinili_v_narushenii_antigeyskogo_zakona/ (accessed September 15, 2014).

[26] Human Rights Watch interview with Alexander Ermoshkin, LGBT activist and geography teacher from Khabarovsk, November 3, 2013.

[27] "Here we go! Molodoi Dalnevostochnik editor accused of breaking the 'anti-gay' law," *Amurburg.ru*; "Chief editor of Khabarovsk's oldest newspaper fined for 'gay propaganda' [В Хабаровске за 'гей-пропаганду' осудили главреда старейшей газеты]," *Amurburg.ru*, January 29, 2014, http://amurburg.ru/news/offtop/pervye_zhertvy_antigeyskogo_zakona_v_khabarovske_za_propagandu_osudili_glavreda_stareyshey_gazety/?sphrase_id=529770 (accessed December 3, 2014).

According to media reports, in January 2014 a Khabarovsk court fined the newspaper's editor 50,000 rubles (approximately $1,450).[28] The ruling was upheld on appeal.[29]

The authorities filed a suit against Deti-404, an online group that offers psychological support and a community for LGBT children who are victims of violence and aggression because of their sexuality.[30] The "404" in the group's title is a reference to the standard Internet "error 404" message, which indicates a nonexistent webpage.

Maria Kozlovskaya, the defense lawyer for Deti-404's administrator, told Human Rights Watch that in October 2013 Vitali Milonov, a member of the St. Petersburg city council and one of the authors of the St. Petersburg regional law banning propaganda for homosexuality (see below), filed a complaint with the authorities to review the group's activities.[31] In the complaint, Milonov claimed that Deti-404's activities might constitute propaganda for "nontraditional sexual relationships," in violation of the federal law.[32]

In February 2014, a court found no elements of "propaganda for nontraditional sexual relationships" in Deti-404 and dismissed the suit against the administrator.[33] However on November 18 Roskomnadzor, Russia's state agency for media oversight, filed a complaint against Deti-404's administrator, Lena Klimova, that she had violated the same law. According to a statement by Roskomnadzor issued on November 17, the case will be referred to a magistrates' court.[34] In the charges Roskomnadzor claimed that what Deti-404 published "could cause children to think that to be gay means to be a person who is brave, strong,

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[28] "Molodoi Dalnevostochnik editor fined 50,000 rubles for gay propaganda [Редактора 'Молодого дальневосточника' оштрафовали на 50 000 рублей за гей-пропаганду]," *Vedomosti*, January 31, 2014, http://www.vedomosti.ru/politics/news/22123831/redaktora-molodogo-dalnevostochnika-oshtrafovali-na-50-000 (accessed September 15, 2014).

[29] "Central district court also found Molodoi Dalnevostochnik guilty of 'gay propaganda' [Центральный районный суд тоже признал 'Молодой Дальневосточник' виновным в 'гей-пропаганде']," *Priamurka.ru*, April 7, 2014, http://www.priamurka.ru/society/2751/ (accessed September 15, 2014).

[30] "A court dropped charges against 'Deti-404' [Суд снял обвинения с группы 'Дети-404']," *Colta*, February 21, 2014, http://www.colta.ru/news/2153 (accessed September 15, 2014).

[31] Human Rights Watch email correspondence with Maria Kozlovskaya, June 26, 2014.

[32] Ibid.

[33] "LGBT youth support group founder not guilty of promoting homosexuality, court says," *Queer Russia*, February 21, 2014, http://queerussia.info/2014/02/21/4445/#sthash.q7gidmb6.dpuf (accessed September 15, 2014).

[34] Roskomnadzor, "On the project 'Deti-404' [О проекте 'Дети- 404']," post to Facebook, November 17, 2014, https://www.facebook.com/roskomnadzor.official/photos/a.1485309358414507.1073741828.1460928964185880/1501691363442973 (accessed December 5, 2014).

confident, persistent, who has a sense of dignity and self-respect."[35] Officials from Roskomnadzor told Klimova that they launched the case upon the requests of many individuals who had complained about Deti-404. At time of writing, Klimova was awaiting trial.

Human Rights Watch is also aware of, but was unable to confirm, a report in the Russian media that in August 2014 a court in Smolensk fined a manufacturer of children's games 45,000 rubles ($1,250) because a "dare" in its card game, "Fanty,"—a version of the game Truth or Dare—was deemed to constitute propaganda.[36]

Regional Anti-LGBT "Propaganda" Laws

Earlier efforts to ban "propaganda of homosexuality" date from 2003 to 2006, when federal lawmakers made several attempts to introduce criminal penalties for it.[37] They were not successful.[38] However beginning in 2006, 11 regional legislatures adopted laws similar to the one eventually adopted by the State Duma and signed into law by president Putin.[39] Legislatures in 10 regions made the promotion of positive communication about LGBT relations to children an administrative offense. These are: Ryazan region (2006), Arkhangelsk region (2011), Kostroma region (2012), Novosibirsk region (2012), Magadan region (2012), Samara region (2012), Krasnodar krai (2012), the Bashkortostan republic (2012), St. Petersburg city (2012), and Irkutsk region (2013).[40]

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[35] Human Rights Watch email correspondence with Lena Klimova, November 20, 2014.

[36] "The director of a Smolensk company was fined for a game with 'gay-Rambo' [Директора смоленского предприятия оштрафовали за игру про 'Рэмбо-гея']," *RIA.ru*, August 6, 2014, http://ria.ru/society/20140806/1018981748.html (accessed December 5, 2014).

[37] Draft laws nos. 367150-3, 55235-4, 294197-4, and 311625-4, archives of the State Duma of the Russian Federation.

[38] The State Duma's legal department and Committee for Civil, Criminal, Arbitration, and Procedural Legislation deemed the proposal "illogical" and "at odds" with the Russian Criminal Code. See Ksenia Kirichenko, "Conclusion on the impact of legislation banning 'propaganda of homosexualism to children' in the Russian Federation and its regions [Заключение о последствиях принятия законодательства о запрете 'пропаганды гомосексуализма среди несовершеннолетних' в Российской Федерации и ее регионах]," http://comingoutspb.ru/ru/news/12_05 (accessed October 1, 2014), paras. 2.1.3 and 2.1.4.

[39] "Analysis of the implementation of legislation banning 'propaganda of homosexualism' to children [Анализ и правоприменение законодательства о запрете 'пропаганды гомосексуализма' среди несовершеннолетних]," roundtable discussion, September 2013; Valerii Sozaev, "Analysis of enforcement of legislation prohibiting propaganda of homosexualism among minors [Анализ правоприменительной практики законодательства о запрете пропаганды гомосексуализма среди несовершеннолетних], " *MHG Monitoring*, October 23, 2013, http://mhg-monitoring.org/proanalizirovana-pravoprimenitelnaya-praktika-zakonodatelstva-o-zaprete-propagandy-gomoseksualizma (accessed October 7, 2014).

[40] Several regional laws were repealed after the federal anti-LGBT "propaganda" law was adopted. The Arkhangelsk regional law was repealed on October 17, 2013, the Kostroma regional law on November 14, 2013, the Magadan regional law on October 25, 2013, and the St. Petersburg regional law on June 18, 2014.

A Kaliningrad regional law adopted in January 2013 bans "propaganda of pedophilia, sexual relationships with minors, homosexuality, lesbianism, and bisexuality" not only to children but to the general public.[41]

Several cases are known to have been pursued under regional "propaganda" laws.[42] One case, against LGBT activist Irina Fedotova, was overturned, resulting in monetary compensation for the accused.

On March 30, 2009, Fedotova stood next to a secondary school in Ryazan with posters that said, "Homosexuality is normal" and, "I am proud of my homosexuality."[43] A court ruled that she violated the Ryazan regional "propaganda" law and ordered her to pay a fine of 1,500 rubles ($45).[44] Fedotova filed an application with the United Nations Human Rights Committee on the grounds that the conviction violated the International Covenant on Civil and Political Rights (ICCPR). In its October 2012 ruling the committee described provisions in the Ryazan law as "ambiguous and discriminatory" and found Russia in violation of Fedotova's right to freedom of expression.[45]

In August 2013 Fedotova appealed the court ruling.[46] On September 26, 2013, the Ryazan Regional Court reportedly acquitted Fedotova of all charges, and the acquittal was confirmed by the Supreme Court.[47]

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[41] "Kaliningrad passed a law banning propaganda of homosexuality [В Калининграде приняли закон о запрете пропаганды гомосексуализма]," *Rossiyskaya Gazeta*, January 24, 2013, http://www.rg.ru/2013/01/24/reg-szfo/propaganda-anons.html (accessed September 15, 2014).

[42] Sozaev, "Analysis of the implementation of the legislation banning 'propaganda of homosexualism' to children," *MHG Monitoring*. Human Rights Watch has not done comprehensive research on the numbers of cases in which the authorities have filed suits against people for violating regional "propaganda" laws.

[43] "A court ordered the Russian Ministry of Finance to pay compensation for prosecution for gay propaganda [Суд обязал Минфин РФ выплатить компенсацию в связи с преследованием за гей-пропаганду]," *Novaya Gazeta,* May 23, 2014, http://www.novayagazeta.ru/news/1682488.html (accessed September 15, 2014).

[44] "Gay propaganda was paid from the state budget [Гей-пропаганду оплатили из бюджета]," *Gazeta.ru*, May 23, 2014, http://www.gazeta.ru/social/2014/05/23/6045665.shtml (accessed September 15, 2014).

[45] ICCPR, Communication No. 1932/2010, Views adopted by the Committee at its 106th (15 October-2 November 2012) CCPR/C/106/D/1932/2010, November 19, 2012, http://www2.ohchr.org/english/bodies/hrc/docs/CCPR.C.106.D.1932.2010.doc (accessed December 4, 2014).

[46] "Ryazan regional court will hear a case about prosecution of an LGBT activist for gay propaganda [Рязанский областной суд рассмотрит дело об отмене наказания ЛГБТ-активистки за гей-пропаганду]," *HRO.org*, August 16, 2013, http://www.hro.org/node/17207 (accessed September 15, 2014).

[47] "Ryazan regional court dropped prosecution of activist Irina Fedotova for gay propaganda near children's institutions [Рязанский областной суд отменил преследование активистки Ирины Федотовой за гей-пропаганду у детских учреждений]," *Gay Russia*, October 2, 2013, http://www.gayrussia.eu/russia/7859/ (accessed September 15, 2014).

In May 2014 a Moscow court ordered the Ministry of Finance to pay Fedotova 8,000 rubles (approximately $220) in compensation for being unlawfully prosecuted for "gay propaganda."[48]

Other activists have also been fined under regional "propaganda" laws for protests and picketing and have brought cases to the European Court of Human Rights.[49] Nikolay Bayev, like Fedotova, on March, 30 2009 stood in front of a school and a school library in Ryazan with posters stating, "Homosexuality is normal" and, "I am proud of my homosexuality." He was also ordered to pay a fine of 1,500 rubles ($45). In January 2012, LGBT activists Aleksey Kiselev and Nikolai Alekseyev (who has won a case before the European Court of Human Rights for bans imposed in Moscow in 2006, 2007, and 2008 on gay rights marches) both held individual pickets in front of the children's library in Arkhangelsk. Kiselev was ordered to pay a fine of 1,800 rubles ($54), and Alekseyev had to pay a fine of 2,000 rubles ($60). Alekseyev picketed again in April 2012 in front of the St. Petersburg city hall with a poster displaying the quote, "Homosexuality is not a perversion. Field hockey and ice ballet are." He was fined 5,000 rubles ($150) for violating the St. Petersburg "propaganda" law.[50]

Other Anti-LGBT Legislation

In June 2013 the Duma passed a law banning foreign same-sex couples from adopting children in Russia.[51] In February 2014 Prime Minister Dmitry Medvedev signed a governmental decree expanding the scope of the law and banning all unmarried individuals from countries where same-sex marriage is legal from adopting Russian children.[52]

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[48] "Gay propaganda was paid from the state budget," *Gazeta.ru*.

[49] See application nos. 67667/09, 44092/12, and 56717/12 (*Bayev, Kiselev and Alekseyev v. Russia*), pending with the European Court of Human Rights, http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-128180#{"itemid":["001-128180"]} (accessed December 4, 2014).

[50] "Deputy Vitaly Milonov intends to collection a quarter of a million rubles from Nikolai Alekseyev [Депутат Виталий Милонов намерен взыскать с Николая Алексеева четверть миллиона рублей]," *Gay Russia*, April 24, 2014, http://www.gayrussia.eu/russia/6358/ (accessed December 5, 2014).

[51] "Putin signed a law banning the adoption of children by same-sex couples [Путин подписал закон о запрете усыновления детей однополыми парами]," *Komsomolskaya Pravda*, July 3, 2013, http://www.kp.ru/online/news/1477914/ (accessed September 15, 2014).

[52] "Russia banned adoption by people from countries where same-sex marriage is legal: only for traditional families [Россия ограничила усыновление в страны с однополыми браками: только в традиционные семьи]," *MediaLeaks*, February 13, 2014, http://medialeaks.ru/news/7282/ (accessed October 7, 2014). See Medvedev's decree here: http://government.ru/media/files/41d4bedd5f406ad737b1.pdf (accessed October 7, 2014).

In September 2013 a State Duma deputy from the ruling party introduced a bill that would make homosexual "activities" of one or both parents legal grounds for denial of parental rights.[53] The author withdrew the bill on October 16, 2013, reportedly in order to revise and improve it.[54] It had not been reintroduced at time of writing.

Anti-LGBT Rhetoric

The Russian government's narrative depicts LGBT relationships as destructive to Russia's traditional way of life, its population growth, and even its statehood.[55]

The LGBT community in Russia is portrayed as a corrosive influence of Western governments, which are seen to be tolerant of alternative, "nontraditional" sexual practices and lifestyles. In September 2013 at the Valdai Forum, an international discussion on Russia's role in the world, President Vladimir Putin criticized Western civilization's values, saying that "[countries] are implementing policies that equate large families with same-sex partnerships, belief in God with belief in Satan. "[56] He also pointed out that Western countries lost the ability to procreate.[57]

The government has used the ideological rhetoric of "traditional values" to persuade Russians to reject LGBT equality.[58] The discourse of "traditional values" is the ideological framework that the Russian government has used domestically and internationally to roll back protection of individual human rights and justify its increasingly restrictive policies on fundamental freedoms. A heterosexual union, a large family, religious observance, and obedience to authority are all key elements of "traditional values."[59] On the

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53 Draft Law No.338740-6 On introducing amendments to article 69 of the Family Code of the Russian Federation [Законопроект, О внесении дополнений в статью 69 Семейного кодекса Российской Федерации], http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=338740-6&02 (accessed October 7, 2014).

54 "Draft law to strip gay people of child custody withdrawn from the State Duma [Из Госдумы отозвали законопроект о лишении геев родительских прав]," *Lenta*, October 19, 2013, http://lenta.ru/news/2013/10/19/bill (accessed September 15, 2014).

55 "Large press conference with Vladimir Putin [Большая пресс-конференция Владимира Путина]," *Lenta.ru*, February 1, 2007, http://lenta.ru/articles/2007/02/01/putin/ (accessed December 4, 2014). In this 2007 interview Putin linked gay pride parades and "sexual minorities" to Russia's demographic problems.

56 Excerpts from transcript of the meeting of the Valdai International Discussion Club, September 19, 2013, http://eng.kremlin.ru/news/6007 (accessed December 1, 2014).

57 Ibid.

58 "Elena Mizulina called the legalization of gay marriage 'a serious challenge to our civilization' [Елена Мизулина назвала легализацию гей-браков 'серьезным цивилизационным вызовом']," Gay Russia, July 6, 2013, http://www.gayrussia.eu/m/russia/7082/ (accessed December 4, 2014).

59 Elena Mizulina, "State Family Policy of the Russian Federation until 2025 [Государственной семейной политики Российской Федерации на период до 2025 года], concept paper, 2013,

international level, Russia introduced several resolutions at the UN Human Rights Council that called for giving priority to the family over the individual as a subject of international human rights law.[60]

The Winter Olympic Games hosted by Russia in Sochi in February 2014 put Russia's anti-LGBT legislation in the international spotlight because the Olympic Charter includes an explicit rejection of all discrimination as incompatible with the Olympic movement.[61] But instead of addressing international concerns over the anti-LGBT "propaganda" law, Russian government officials insisted that the law was not discriminatory and that they would enforce it while at the same time saying gay athletes were welcome.[62]

Other Russian officials simply denied that any discrimination against LGBT people existed in the country while simultaneously engaging in homophobic rhetoric. In a particularly explicit expression of intolerance toward LGBT people, Russian Deputy Prime Minister Dmitry Rogozin posted a comment on Twitter several days before the start of the Sochi Olympic Winter Games in which he said, "Politicians who want to legalize same-sex marriage and to spread propaganda of homosexualism hate their people and do not wish them to continue to procreate."[63]

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http://open.gov.ru/upload/iblock/5df/5dfade1ae031a7f9959d132b73345ec7.pdf (accessed November 4, 2014). The final version of the concept adopted by the government on August 25, 2014 did not have references to religion, but it did emphasize the need to stick to traditional family values, http://government.ru/media/files/41d4ffd61a02c7a4b206.pdf (accessed November 4, 2014). In November 2013 Elena Mizulina, one of the authors of the anti-LGBT "propaganda" law, suggested to emphasize "a special role of Orthodox Christianity" in the Russian Constitution and argued that Orthodox Christianity is "the foundation of national and cultural specificity of Russia." See "Elena Mizulina suggested to enshrine a special role of the Orthodox Christianity in the Constitution [Елена Мизулина предложила закрепить особую роль православия в Конституции]," *TVTs*, November 22, 2013, http://www.tvc.ru/news/show/id/23220 (accessed October 9, 2014).

[60] Norwegian Helsinki Committee, "UN Human Rights Council: Russia's traditional values initiative result in abuse at domestic level," June 20, 2014, http://nhc.no/no/nyheter/Russia%E2%80%99s+traditional+values+initiative+result+in+abuse+at+domestic+level.b7C_wlnKY2.ips (accessed October 1, 2014).

[61] The Olympic Charter, Principle 6: "Any form of discrimination with regard to a country or a person on grounds of race, religion, politics, gender or otherwise is incompatible with belonging to the Olympic Movement." See http://www.olympic.org/documents/olympic_charter_en.pdf (accessed December 4, 2014). Also see "Ban Ki-moon condemns persecution of gay people in Russia," *Guardian*, February 6, 2014, http://www.theguardian.com/world/2014/feb/06/sochi-olympics-ban-ki-moon-lgbt-prejudice (accessed November 4, 2014).

[62] In August 2013 Vitali Mutko, Russia's Minister of Sport, said in an interview, "An athlete of nontraditional sexual orientation isn't banned from coming to Sochi…. But if he goes out into the streets and starts to propagandize, then of course he will be held accountable." See "Russian minister warns it won't allow gay rights activism at Sochi Games," *Associated Press*, August 1, 2013, http://www.cbc.ca/sports/olympics/russian-minister-warns-it-won-t-allow-gay-rights-activism-at-sochi-games-1.1355765 (accessed December 4, 2014).

[63] Dmitry Rogozin's Twitter account, https://twitter.com/Rogozin/status/430276874779262977 (accessed October 2, 2014).The word "homosexualism" ("гомосексуализм") in Russian has a negative connotation and originates from a period during the Soviet

President Putin at a September 2013 Valdai Forum meeting insisted there was "no infringement on the rights of sexual minorities."[64] On January 17, 2014, a few weeks before the Olympic Games were set to open, Putin conflated homosexuality with pedophilia saying, "We aren't banning anything, we aren't rounding up anyone, we have no criminal punishment for such relations, unlike many other countries…. One can feel relaxed and at ease, but please leave the children in peace."[65]

State-controlled media have also played a role in fostering anti-LGBT sentiments in the country.

In November 2013 the television show *Special Correspondent* broadcast an hour-long program in which participants repeatedly called gay people "perverts" and "sodomites" and suggested that gay people in Russia are a part of a "Western expansion of sin in Russia."[66] It justified the law as necessary to "protect our children from perverts."[67]

Special Correspondent is known for demonizing critics of the Russian government and independent activists, portraying them as puppets that help Western governments' efforts to destroy Russia. It broadcast at least one other show with hateful rhetoric about LGBT people.

In August 2013 Dmitry Kiselyov, deputy general director of the Russian State Television and Radio Broadcasting Company, said on state-owned television channel Rossiya 1,

> I think that just imposing fines on gays for homosexual propaganda among teenagers is not enough. They should be banned from donating blood,

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Union when homosexuality was seen as a mental illness and a criminal offence. When a person uses "homosexualism" over "homosexuality," ("гомосексуальность") it is usually meant to express a negative opinion about LGBT people.

[64] Lynn Berry, "Vladimir Putin Says There's No Discrimination of Gays in Russia," *Huffington Post*, September 19, 2013, http://www.huffingtonpost.com/2013/09/19/putin-denies-gay-discrimination-russia_n_3955769.html (accessed October 1, 2014).

[65] "Putin stresses 'gay propaganda' law," *ESPN*, January 17, 2014, http://espn.go.com/olympics/winter/2014/story/_/id/10309240/2014-sochi-olympics-gays-leave-children-peace-vladimir-putin-says (accessed October 1, 2014).

[66] "Litsedei [Лицедеи]," *Special Correspondent*, Russia 1, November 12, 2013, http://www.youtube.com/watch?v=jU7IHDq4Chc (accessed September 15, 2014).

[67] Ibid.

> sperm. And their hearts, in case of a car accident, should be buried in the ground or burned as unsuitable for the continuation of life.[68]

In February 2013 Maxim Shevchenko, a journalist and a member of the Presidential Council for Civil Society and Human Rights, in an opinion on the video portal Russia.ru said that "homosexuals are devil's slaves" and called gay people "a weapon of Antichrist." He urged the government to pass the law "to ban homosexualism."[69]

[68] "Dmitri Kiselyov, Russian Official, Degrades Gays On National Television," *Huffington Post*, August 12, 2013, http://www.huffingtonpost.com/2013/08/12/dmitri-kusilev-degrades-lgbt-tv_n_3743414.html (accessed October 2, 2014). Watch video here: http://www.youtube.com/watch?v=pwLvPR2KedI.

[69] "Gays as a weapon of Antichrist [Геи как оружие Антихриста]," *Russia.ru*, http://www.russia.ru/video/diskurs_13960/ (accessed October 2, 2014).

II. Harassment and Physical Attacks against LGBT People

Lesbian, gay, bisexual, and transgender (LGBT) people in Russia face stigma, harassment, and violence in their everyday lives, and LGBT victims of violence and groups told Human Rights Watch that these problems intensified in 2013. Victims in eight cities, including Moscow, St. Petersburg, and Novosibirsk, told Human Rights Watch that they were attacked in public places, abducted, beaten, harassed, threatened, and psychologically abused. They told Human Rights Watch that they were afraid to go to the police to report violence, fearing further harassment and believing the police would not bother to pursue their attackers. When victims did lodge complaints with the police, few investigations followed.

Human Rights Watch interviewed 26 people, including one person under the age of 18, who said they were beaten by hostile individuals or homophobic vigilante groups for being perceived as gay or belonging to the LGBT community. Some were slapped or punched in the face and kicked; some sustained serious bodily injury; and several were held by force for periods up to several hours and subjected to threats and intimidation.

Many of the attacks happened in the evening or at night in public places, such as cafes, on the subway, or on the street. Some took place during the day, often in the presence of other people who did not attempt to stop the attacks; in one case bystanders started to intervene but then stopped once assailants told them that the victim was gay.[70]

That the assailants were motivated by homophobia is unmistakable. Most interviewees told Human Rights Watch that their attackers often used offensive, obscene language related to their sexual orientation, for example calling them pedophiles, perverts, or abnormal.

Violence and Harassment by Vigilante Groups

Starting in late 2012, numerous vigilante groups consisting mostly of radical nationalists began attacking and harassing gay people in dozens of Russian cities. The groups lure gay men and teenage boys on the pretext of a fake date and humiliate and often physically abuse them. They film the attacks and post them on social networks to expose the victims

[70] Please see below the subsection about Occupy Pedophilia.

to public humiliation and make them vulnerable to further abuse. These groups have posted hundreds of videos online, and they grew increasingly active in the lead-up and aftermath of the adoption of the anti-LGBT "propaganda" law.[71]

Occupy Pedophilia (Оккупай Педофиляй)

The most prominent of these groups is Occupy Pedophilia, a loosely organized network of homophobic vigilantes that calls itself a "social movement" and has associated branches and imitators in dozens of cities and towns across Russia. Since late 2012, its members have harassed and attacked primarily gay people and children and in some cases also transgender women and gender queer individuals.[72]

Its founder is Maxim Martsinkevich, who is also known by his nickname "Tesak," which means cleaver or hatchet in Russian. Martsinkevich was part of a neo-Nazi group, has prior convictions for hate crimes, and at time of writing was convicted for "extremism" for offenses not related to Occupy Pedophilia.[73]

Occupy Pedophilia's avowed aim is to protect children from all pedophilia but has from its inception been an explicitly homophobic initiative. In all but a few posted videos, the vigilantes have lured the victims into seeking a same-sex encounter with a child or a younger man and then, upon ambushing them, accused the victims of being gay or a pedophile and subjected them to other homophobic slurs, among other abuses. Martsinkevich's homophobic remarks are a matter of public record.[74]

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[71] Alec Luhn, "Russian anti-gay law prompts rise in homophobic violence," *Guardian*, September 1, 2013, http://www.theguardian.com/world/2013/sep/01/russia-rise-homophobic-violence (accessed September 30, 2014).

[72] Jason St. Amand, "Graphic Video of Russian Trans Woman Being Beaten Surfaces Online," *Edge*, August 20, 2013, http://www.edgeboston.com/index.php?ch=news&sc=international&sc3=&id=148367 (accessed September 30, 2014).

[73] For more information on Martsinkevich's 2014 conviction, see section III, "Government Response." In 2008 Martsinkevich was sentenced to three years in prison for hate speech during debates at the Moscow cafe Bilingua. In 2009 he was also sentenced to three years in prison for inciting ethnic discord for imitating a killing of a Tajik migrant, the video of which was posted on social networks. He was eventually released in late 2010 after serving his combined prison sentence of three and a half years.

[74] In extremely isolated cases, the videos target heterosexual men or men who seek out sex with girls. One video created by the Omsk branch of Occupy Pedophilia shows a group luring a 31-year-old man with the promise of sex with a 13-year-old girl. Another "capture" is of a 19-year-old man attempting to meet up with a 14-year-old girl for sex. However, these cases are extremely few: a search for videos related to young girls on the Occupy Pedophilia official website yields 3 results (out of approximately 114 videos).

Organization, Geographical Scope, and Methodology

In the movement's early days Martsinkevich traveled to various cities in Russia and Ukraine to galvanize Occupy Pedophilia groups which then continued to meet to plan and carry out attacks.[75] Otherwise, Occupy Pedophilia and its imitators have a mainly online presence, chiefly through pages they maintain on the Russian online social networking site VKontakte, where they post and discuss videos of their attacks.

Occupy Pedophilia's main website has links to webpages for branches in 22 cities in Russia and Ukraine. These include such major Russian cities as St. Petersburg, Krasnodar, Kaliningrad, Ufa, Ryazan, Rostov, Tula, Cheboksary, Perm, Orenburg, Omsk, Yoshkor-Ola, Velikii-Novgorod, Pskov, Kazan, Samara, Magnitogorsk, Belgorod, and Kamensk-Uralsky.[76]

All 22 branches have pages on VKontakte, which also hosts Occupy Pedophilia groups from an additional 11 Russian cities and towns that are not on the main Occupy Pedophilia website.[77] This is not an exhaustive number, as there is often more than one group in one location. Human Rights Watch counted only those group pages that either contain videos or re-posts of videos of attacks by other Occupy Pedophilia groups since 2012 and announcements for upcoming "safaris," as they call their entrapments and ambushes of LGBT people.

Some Occupy Pedophilia cells have produced one or two videos of assaults at the beginning of the movement's creation in late 2012 but have posted none since, while others—such as the Krasnodar and St. Petersburg branches—have throughout 2013 posted videos of their numerous attacks. The Occupy Pedophilia group in Krasnodar posted a video on July 8, 2014 which showed a man being accused of being gay and a pedophile and one of the assailants pouring what looks like urine over the victim's head. The St. Petersburg Occupy Pedophilia group also posted videos in June 2014 in which the

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[75] Martsinkevich conducted lectures and seminars in Moscow and other Russian cities and towns about a range of subjects, including interaction with police, pedophilia, and weight loss. Information about his visits to Russian cities can be found on his VKontakte group's page "Tesak's lecture" and on the website tesak.org. "Russian skinhead Tesak's illegal actions in Ukraine: he shaved gays' hair and posted the video online [Российский скинхед Тесак устроил беспредел в Украине: побрил геев и выложил видео в Интернет]," *Segodnya.ua*, November 3, 2013, http://www.segodnya.ua/regions/kharkov/Rossiyskiy-skinhed-Tesak-ustroil-bespredel-v-Ukraine-pobril-geev-i-vylozhil-video-v-Internet-472583.html (accessed August 8, 2014).

[76] Occupy Pedophilia groups also operate in seven towns in Ukraine, according to their VKontakte pages, and one city in Moldova.

[77] Data as of July 15, 2014.

vigilantes hit their victims and threaten to switch off the camera and push one of the victims into the river.

It is difficult to quantify how active Occupy Pedophilia is at any given time. There is no central repository of Occupy Pedophilia attack videos. By November 2013 the primary Occupy Pedophilia VKontakte group alone had more than 88,000 followers, and as of December 3, 2014, it had over 91,000 followers. [78]

To date no one has counted how many members are in the other Occupy Pedophilia groups on VKontakte. New cells spontaneously develop, create new VKontakte pages, and reduplicate their content across multiple pages and social media platforms, such as YouTube, RuTube, and Odnoklassniki.[79]

The attacks generally proceed in a similar way: a vigilante group uses a teenage boy, or has someone pose as one online, and engages in an online chat with the victim, eventually agreeing to meet with him. A group of young men arrive at the agreed-upon location, where they tell the victim that he has been tricked and accuse him of being a pedophile. They question him about his reasons for meeting and his sexual orientation and eventually verbally, physically, and in some cases sexually assault him.

One of the group's trademark abuses is pouring urine over its victims and in some cases forcing them to drink it. Assailants often hit and kick the victims; in some cases they hit their victims with dildos or forced them to hold and pose with dildos; stripped them naked; painted or drew slurs on them; and/or sprayed them with construction foam in the genital area.[80] In some cases they have also used electric shocks.

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[78] The primary Occupy Pedophilia group on VKontakte was originally administered by Martsinkevich and other prominent members. An August 2013 article estimated it had around 75,000 followers; in the week of October 22 to 29, 2013 alone, the group's followers swelled by almost 1,000. "Russia's new neo-Nazi sport: terrorizing gay youth online

As Vladimir Putin pushes anti-gay agenda, vigilante movements gain momentum on social media," *The Verge*, August 7, 2013, http://www.theverge.com/2013/8/7/4595246/russia-anti-gay-neo-nazis-bully-teens-on-social-media-occupy-pedofilyay (accessed August 8, 2014).

[79] RuTube is a Russian analogue of YouTube, a popular video hosting platform. Odnoklassniki is similarly a Russian analogue of the social networking website Facebook.

[80] In videos viewed by Human Rights Watch, assailants had painted on their victims rainbows and the words "pedophile," "pederast," "I love men," and "I am a pedophile. I fuck children."

Occupy Gerontophilia (Оккупай Геронтофиляй)

If Martsinkevich's Occupy Pedophilia group operates under the guise of being a group of moral vigilantes protecting children from sexual abuse, a group called **Occupy Gerontophilia**, founded approximately in late 2012 or early 2013 by Martsinkevich follower Filipp Razinskiy, used no such pretexts. The group targeted gay boys who sought out encounters with older men. Razinskiy harassed and shamed the boys whom he held by force and is at least once shown on video attempting to persuade one of the boys to perform oral sex on him in exchange for being released.[81] Occupy Gerontophilia's page on VKontakte, which had more than 150,000 subscribers, has since been removed, allegedly for violating the privacy rights of the children who appear in the videos.[82]

The impact on victims of Occupy Pedophilia-style attacks can be severe. Twenty-two victims Human Rights Watch interviewed for this report said that they developed anxiety and became depressed as a result of the attacks. One said he felt forced to reveal his sexual orientation to his family members and employers as a preventive measure in case the video of the attack on him were to appear online.[83] Others said they stayed at home because they were scared to be outside and to be caught again by vigilantes. In addition to lasting emotional trauma, some vigilantes' victims also sustained serious physical injuries, including bone fractures and face injuries.

Victims' Stories

Human Rights Watch interviewed nine people who were the targets of attacks by Occupy Pedophilia-style groups; some of their stories are told below.[84] All of them confirmed the pattern of humiliation and abuse described above. One of the victims required surgery and prolonged hospitalization as a result of injuries he sustained during the attack, and another sustained multiple cuts and bruises.

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[81] Scott Long, "Truths behind the gay torture images from Russia," post to "A Paper Bird" (blog), August 11, 2013, http://paper-bird.net/2013/08/11/truths-behind-the-gay-torture-images-from-russia/ (accessed September 30, 2014); Gianluca Mezzofior, "Occupy Pedophilia: Filmed Attacks on LGBT Community by Ultra-Nationalists Surge with Anti-Gay Law," *International Business Times*, September 2, 2013, http://www.ibtimes.co.uk/articles/503123/20130902/occupy-paedophilia-russia-lgbt-vkontakte-anti-propaganda.htm (accessed September 30, 2014).

[82] "Anti-Gay Vigilante Groups Face Backlash," *Moscow Times*, August 19, 2013, http://www.themoscowtimes.com/news/article/anti-gay-vigilante-groups-face-backlash/484774.html (accessed September 30, 2014).

[83] Another victim told Human Rights Watch that he stayed away from all dating websites for at least six months out of fear of being ambushed again.

[84] In only one case did the assailants claim they were from Occupy Pedophilia.

At least five victims who initially had agreed to speak to a Human Rights Watch researcher later declined to do so, citing their fear of further exposure and retaliation by their assailants.

Zhenya

Zhenya (last name and city withheld for security reasons), age 28, was ambushed, beaten, and robbed by a vigilante group in July 2013 in a major Siberian city. [85] When he arrived for what he believed to be a date with someone he had met online, he was surrounded by men in their late 20s, accused of being a pedophile, and hit several times:

> I met a guy on a dating website and we agreed to meet around 10 p.m. He told me, "I'm at my friend's house now, come here and I'll come out." When I came to the agreed- upon place, I saw four or five men who ran toward me screaming, "We got you!" "Pedophile!" "Here's the boy you wanted to meet!"

Zhenya was then punched in the jaw by, he believed, two of the attackers. He also told Human Rights Watch that he believed that at least one of the men who had hit him wore a metal knuckle:

> I felt pain and blood in my mouth, but only later learned that the attackers had broken my jaw in two places. They took me to a nearby empty yard and asked me, "So how are we going to fix this?" "We could break your arms and legs, or…" I understood that they wanted money.

The attackers forced Zhenya to give them his banking card pin code and withdrew 50,000 rubles (approximately US$1,600) from a cash machine. They also stole 8,000 rubles ($250) in cash from his wallet.

Although they did not have a video camera, the vigilantes recorded the attack on an audio recorder and told Zhenya that they would give the recording to the police and that he would go to prison:

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[85] Human Rights Watch interview with Zhenya, city withheld, November 19, 2013. The interview was conducted in a major Russian city where various anti-gay nationalist vigilante groups are particularly active.

> Before they let me go, they asked me, "Do you know what people have always done to gays in Russia? They impaled gays!"

Once he was allowed to leave, Zhenya ran to his car and drove to an emergency care unit, from which he was taken to a hospital. After a four-hour operation on his jaw, he remained in the hospital for two weeks, and it took two months for Zhenya to recover fully from his injuries.

A police investigator visited Zhenya in the hospital and took an official complaint from him about the attack. However, Zhenya did not tell the police officer about the homophobic aspects of the attack because he feared being outed to his family and colleagues. At time of writing, to the best of Human Rights Watch's knowledge, Zhenya's attackers have not been identified or held accountable.

Zhenya was ambushed a second time in early September 2013, this time by group of young men who identified themselves as Occupy Pedophilia followers. Zhenya had met a boy on a dating website who said he was 16 years old and wanted to meet. Zhenya met him at a cafe in the town's center at 4 p.m. and shortly after was surrounded by at least 15 young men who called him "faggot" and "pedophile." Zhenya said that the assailants recorded the meeting using two expensive-looking video cameras. They forced Zhenya to show his passport, which they filmed, and told him, "If you don't want this video to come out online, contact us." Zhenya said that he had understood this as a strong hint that he could buy their silence, which he did not do. The vigilantes left Zhenya in the cafe 30 minutes later and punctured two of his car's tires on their way out.

The video was eventually posted on VKontakte. Zhenya deleted his VKontakte account after the encounter. Zhenya did not report the incident to police because, he said, he was not injured, feared further retribution and ultimately being outed, and did not believe an investigation would be effective.

Alexei A.

Anti-gay vigilantes ambushed Alexei, age 28, in a suburb of Novosibirsk in February 2013, accused him of pedophilia, and beat him.[86] They filmed the attack and published the video on VKontakte and YouTube.

[86] Human Rights Watch interview with Alexei A. (pseudonym), Novosibirsk, November 18 and 19, 2013.

Alexei said he had met a young man on a dating website who said he was 19. But after two days of exchanging messages, the young man confessed that he was younger and would turn 16 in two days. They met shortly thereafter in the suburbs of Novosibirsk around 10 p.m.:

> When we met, the young man looked 20, not 15, as he had claimed. I realized that I had been tricked and decided to leave. This was when five men in face masks approached me and began punching and kicking me. They punched me in the face at least seven times. As they were beating me, an ambulance drove by. I got in front of the car and stopped it. The ambulance driver asked the attackers why they were beating me and they said, "This is a pedophile; he propositioned a 15-year old boy for sex."

Alexei said the driver tried to drive away but that he opened the vehicle's door, grabbed the steering wheel, and yelled, "Please save me! They're killing me! Don't leave! Call the police!"

Alexei told Human Rights Watch that as he was pleading with the ambulance driver, the attackers continued to punch and kick him. He showed a Human Rights Watch researcher a photo that he said he had taken after the attack. In the photo Alexei's forehead is bruised and red, and one of his eyes is bruised and filled with blood. Alexei said that he had received these injuries as a result of the attack.

Alexei said that the ambulance driver and a nurse who was also in the vehicle eventually called the police. While they waited for the police to arrive, the assailants remained with Alexei. The ambulance driver tried to hide the vehicle's license plate to prevent Alexei from photographing it.

The police officers took Alexei and his attackers to a police station:

> When we all arrived at the police station, one of the police officers said, "I would have done the same thing [to Alexei]." I told the police about the video that the attackers made while beating me.

Alexei said that the police released his assailants after about an hour and a half without searching or questioning them. The police searched Alexei and his bag, found several condoms, and forced him to stay at the police station for five hours.

Alexei said that the vigilantes posted the video of the attack on VKontakte and YouTube, even though he had heard a police investigator order them not to do so.

Alexei filed a formal complaint against his attackers, who also submitted a complaint against him alleging that he had propositioned sex to a 15-year-old.

After a preliminary court hearing which combined both complaints, Alexei requested and received access to the case materials:

> I saw that all my personal information was there—my full name, address, place of work—and that it is easily accessible to the attackers as a party to this dispute. I began to fear that they would retaliate against me if I pursue the case. I also doubted that the prosecution would lead anywhere. Police caught them right after the attack [and with the video camera], but it was enough for them to say that I was a pedophile [to get the police officers' approval].

Alexei said that he withdrew his complaint, fearing for his and his relatives' safety. He told Human Rights Watch that he experienced "heavy stress" for a month after the attack and was afraid to go outside. He said that he personally knew at least seven other victims of anti-gay vigilantes in Novosibirsk:

> They [vigilantes] think they have the right to treat us like this. I feel as if I'm not protected by law. All these bandits have been given impunity....

Slava S., Novosibirsk

Slava, age 27, was lured for a meeting in Novosibirsk with a 17-year-old boy and ambushed by a dozen men in a shopping mall in September 2013:[87]

[87] Human Rights Watch interview with Slava S. (pseudonym), Novosibirsk, November 18, 2013.

> They forced me to stand in the middle of the circle they formed around me. They asked me questions about my sex life and sexual preferences and then they forced me to yell that I was a pedophile and gay. They called themselves Athletes against Pedophiles and told me, "We will catch all of you and we will teach you how to live." It was around 5 p.m., so there were a lot of people in the mall shopping and dining. But no one stopped them, no one interfered.

The assailants did not beat Slava. He said they filmed the entire encounter and photographed his passport; he did not know whether the video of his harassment by the vigilantes had been posted online and did not report the assault to the police because he was afraid the vigilantes would retaliate.

Misha M., Rostov-on-Don

In December 2013 a group of vigilantes in Rostov-on-Don, in southern Russia, lured Misha for a fake date and humiliated him for being gay.[88] He had not heard of Occupy Pedophilia or similar groups before the encounter. He told Human Rights Watch,

> On December 29 I began exchanging messages with a man whose [online alias] was Andrej, who said he was 23. Andrej later told me that he was in fact 15, but I agreed to meet him because he looked older in his photos. Andrej invited me to his place. We met at a bus stop, and he was visibly nervous and became even more nervous once we got to his apartment. I offered to leave since he was obviously uncomfortable with the situation, but at this moment several neo-Nazis stormed the apartment and began interrogating me.

Misha told Human Rights Watch that seven men ambushed him in the apartment. One held an electric shock device and two others had baseball bats; two more had video cameras. Misha said that they were dressed in t-shirts with various neo-Nazi symbols, including swastikas. The assailants accused Misha of being a pedophile and did not let him leave for three hours. They insulted him with homophobic slurs and asked him questions about his sexual preferences. The attackers pushed Misha but did not beat him or use the electric

[88] Human Rights Watch Skype interview with Misha M. (pseudonym), March 11, 2014.

shock device. Eventually, they stripped Misha to the waist and wrote, “I love men” on his stomach and back with markers and drew rainbows on his shoulders.

The next day, the assailants posted online photos of the attack, and a week later they posted the video. Misha told Human Rights Watch that he had become the target of online harassment by other neo-Nazis as a result.

Misha said that he did not report the attack to the police because he did not expect the police to protect him. He explained, “It was more likely that the police would sympathize with the neo-Nazis who had attacked me rather than hold them accountable for what they had subjected me to.”

Everyday Violence and Harassment against LGBT People by Individuals

Human Rights Watch documented attacks and harassment LGBT persons face in their everyday lives, for example on the metro, on the street, at nightclubs, and, in one case, at a job interview. Victims told Human Rights Watch that assailants followed and in many cases hit them, all the while accusing them of being gay, calling them “faggots,” saying they “dressed like faggots,” or saying gay people were “abnormal” and had no rights. In most cases documented below, the assailants were strangers, and in one case the victim knew his assailant.

All interviewees told Human Rights Watch how strangers have hurled homophobic slurs at them in public places, even if not all such incidents escalated to physical violence.

Only a few people reported the attacks to the police; the majority did not believe that their attackers would be identified and held accountable. Almost all victims who filed complaints with the police are yet to see any effective and meaningful investigations into assaults against them.

Ivan Fedoseyev (Johnny), a 21-year old gay man and LGBT activist from St. Petersburg, told Human Rights Watch that in three incidents from February to August 2013, when public discussion of the anti-LGBT “propaganda” law peaked, strangers harassed him

because they did not like how he was dressed and assumed he was gay.[89] In one of the incidents, an assailant severely beat him.

In February 2013 Fedoseyev was talking to a friend outside a gay nightclub in St. Petersburg when two men approached them and began punching and kicking them while calling them "faggots." After beating them for several minutes, the attackers left. Fedoseyev went to a hospital to treat his injuries—bruises and scrapes—and asked doctors to inform the police about the attack.[90] Police never contacted him.

In July 2013 three unknown men approached Fedoseyev on the street along the Fontanka River in St. Petersburg and started asking him explicit sexual questions, such as whether he "fucks in the ass." Fedoseyev told Human Right Watch that the men grabbed him by his jacket and asked him whether he wanted to "take a dip in the water." He managed to free himself and get away from the assailants.

In late August 2013 Fedoseyev was on his way to a fashion show, stylishly dressed. He told Human Rights Watch,

> A man approached me in the metro and asked me whether I was afraid to walk "dressed like this." He asked me, "Do you know we have a law that bans gays?" He then started to yell offensive insults about me, calling me a "faggot," asked people around to take a good look at me, and followed me into a train. Inside the metro car he called me a "faggot" and slapped me in the face.

Fedoseyev left the subway car as soon as he could. He did not report the assault to the police. He said,

> I'm scared to go to the police. I don't trust them and doubt my complaint would be taken seriously and investigated. I knew it would be a waste of time. The [propaganda] law gave a green light to homophobes to attack us.

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[89] Human Rights Watch interview with Johnny, St. Petersburg, October 16, 2013.

[90] A May 2012 Ministry of Health decree requires medical personnel to inform law enforcement authorities when patients' injuries appear to have been caused by unlawful actions. Ministry of Health and Social Development of the Russian Federation, Decree No. 565 of May 17, 2012, "Confirming the rules by which medical institutions inform internal affairs agencies about incoming patients about whom there are grounds to believe that unlawful action was the cause of harm to their health," *Rossiiskaya Gazeta*, August 3, 2012, http://www.rg.ru/2012/08/03/vred-dok.html (accessed August 31, 2014).

Risa R., age 28, a transgender woman, was abducted and brutally assaulted in St. Petersburg in the summer of 2013.[91] Four attackers forced her into their car and drove to the outskirts of the city, where they stripped her naked, beat her, and pulled out two of her toenails with pliers.

> They kept calling me a "faggot" and telling me how much they hated gays. I told them repeatedly that I wasn't gay, that I was a transgender woman, but they did not want to listen. One of them said, "You're nothing but a faggot. We will get your brain straight right now." Several times they threatened to rape me. Then they took pliers from their car and ripped out two of my toenails. Afterwards, they said, "Now you will be better off. Now you will be pretty."

The attackers drove away with Risa's clothes, leaving her with nothing to cover her body with and bleeding. She had to walk four and a half hours to reach her home.

> The only thing that mattered to me at that point was that I was home, that I was alive. I took a shower but told myself I would not look at my feet because I had experienced enough pain that night.

Risa did not go to the hospital because she was afraid that she would be asked how she had received her injuries. She also did not report the attack to the police because she had "no illusions that the police would investigate."

In the following months, Risa said, she was verbally and physically assaulted several more times on the street and in public transport because people thought she was gay or did not like her appearance.

Another transgender woman, Katya K., from St. Petersburg, told Human Rights Watch that she was routinely verbally and physically assaulted because of her gender identity.[92] She told Human Rights Watch that at a job interview, she was told, "You [LGBT] all are monsters and perverts. You should be burned!" She was then physically pushed out of the room

[91] Human Rights Watch interviews with Risa R. (pseudonym), St. Petersburg, October 18 and 28, 2013.

[92] Human Rights Watch interview with Katya K. (pseudonym), St. Petersburg, November 19, 2013.

where the interview took place. In September 2012 a neighbor wrote a complaint to the police calling Katya a "pervert" and asking the police to investigate her "behavior."[93]

In August 2013 Katya said that she was assaulted by a drunken man at a grocery store. The assailant called Katya a "monster" and threatened her with sexual violence because, he told Katya, "you all enjoy it." Katya told Human Rights Watch that the man spit at her. When the store owner called the police, the police detained Katya but not her assailant. Katya decided not to write a formal complaint because she knew that the police would not "treat her well."[94]

Nikita N., age 21, an LGBT activist from Novosibirsk, told Human Rights Watch that he had been harassed several times because of his sexual orientation.[95] He said that in February 2013 a man punched him in the face and called him a "damn faggot." The blow broke the skin on his lip and brow. Nikita punched the man back. He did not report the attack to the police because he did not believe that anything would be done to punish his attacker. In April 2013 a stranger approached Nikita at a bus stop and asked him, "What is wrong with your hair? Why do you have piercings? Are you gay? Are you not afraid to live looking like this?" Nikita said that the man then attempted to punch him in the face but missed. Nikita ran away from the bus stop.

Artyom A., age 21, and his friend Alexander A., were beaten up in Samara in June 2013 by several men because of their sexual orientation.[96] An acquaintance of Alexander became hostile when he found out that Alexander was bisexual and asked him to meet to talk to him about it. Artyom came along. The meeting took place after dark, and when the two arrived they saw two other men, who immediately began punching and kicking them. When a security guard from a nearby store came out and asked them what they were doing, the attackers replied, "We're beating up pedophiles!"

The assailants broke Artyom's arm and left him with bruises all over his body. Artyom's face was heavily swollen from the beating. Alexander was also badly beaten and suffered a concussion.

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[93] Ibid.

[94] Ibid.

[95] Human Rights Watch with Nikita, Novosibirsk, November 18, 2013.

[96] Human Rights Watch interview with Artyom and Alexander, Samara, November 6, 2013.

Both men filed a complaint with the police the next day. However, one of the assailants called them and apologized for the attack, saying that they had gotten drunk and "wanted to have some fun." He offered to pay for the two men's medical expenses. Artyom and Alexander withdrew the complaint a week later and accepted the offered money. Artyom told Human Rights Watch that he had surgery as a result of the injuries he had sustained and spent two weeks in a hospital. He said that he did not believe that the police "would do anything," so they preferred to take the money to cover their medical bills.

Garry G., a 17-year-old queer activist from Moscow, was assaulted by an unknown man a few hours before he spoke to Human Rights Watch.[97] Garry told Human Rights Watch that the man, dressed in a t-shirt with the words "I am Russian" printed on it, approached him outside a Moscow subway station. The man grabbed Garry by the collar, pushed him against a nearby tree and threatened Garry with violence if he "continued to be this." Garry told Human Rights Watch that the man referred to Garry's androgynous appearance and sexual orientation.

Attacks and Intimidation against LGBT Activists

Attacks on LGBT Public Gatherings

Since at least the mid-2000s, Russian authorities have refused to tolerate most public events in support of LGBT rights and equality, and homophobic counter-demonstrators have violently disrupted many of them. Although data are not available, the vast majority of people Human Rights Watch interviewed who have been involved in such events said in their experience the frequency of attacks has risen in the past two years. They said that in 2013 anti-gay activists had attacked just about every LGBT equality event of which they were aware. Most of these gatherings had been held to protest the anti-LGBT "propaganda" laws.[98]

Human Rights Watch documented 18 violent attacks on LGBT activists that took place between 2012 and 2014 in several Russian cities, including Voronezh, Moscow, Novosibirsk, and St. Petersburg.

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[97] Human Rights Watch interview with Garry G. (pseudonym), Moscow, October 28, 2013.

[98] For example, Natalia Tsymbalova, one of the leaders of an LGBT group Alliance of Straight People for LGBT Equality, told Human Rights Watch that she and other LGBT activists had faced increased interference by anti-gay counter- protesters in 2013 in St. Petersburg, especially since the Russian parliament started debating the anti-gay propaganda draft law. She gave several examples of LGBT public events when police ignored violence against activists and did not act to stop physical attacks and aggression by anti-gay counter-protesters. Human Rights Watch interview with Natalia Tsymbalova, St. Petersburg, October 15, 2013.

Twenty-two LGBT activists told Human Rights Watch that they themselves had been physically attacked at least once while participating in peaceful public events in support of LGBT equality. They and others also described how anti-gay counter-protesters routinely harass LGBT activists and their supporters during public events, use offensive homophobic slurs, or threaten them with physical violence. In five out of seven cases documented below, police did not take adequate measures to prevent and stop the harassment and attacks and in at least one case used excessive force against LGBT activists and arbitrarily detained them.

The counter-protesters who try to disrupt LGBT public events represent various informal religious and nationalist groups who claim to be protecting Russia's morals and supporting the country's population growth. Some of their views, which they articulate often aggressively at LGBT public events, follows the Russian government's official discourse about the importance of Russia's "traditional values" to protect Russian society and culture from the corrosive influence of foreign, and particularly Western, countries and cultures.[99]

Cases

Voronezh, January 2013

On January 20, 2013, a mob of hundreds of anti-LGBT counter-protesters in Voronezh rushed a group of a dozen LGBT activists trying to hold a public gathering to protest an early draft of the anti-gay "propaganda" law. Some people in the mob attacked the LGBT activists, injuring several of them.

In early January, a small group of LGBT activists received approval from the Voronezh municipal authorities to hold the gathering. The activists began receiving threats, including death threats, immediately after they had posted information about the event on social networks, particularly on VKontakte, on January 11 and 12. **Andrei Nasonov**, one of the protest organizers, told Human Rights Watch that one such message, which appeared on a pubic VKontakte page dedicated to the event, said, "I will come. I will come and kill you. When all [demonstration] is over and you're on your way home, I will catch one of you and will smash your head. Be afraid, faggots, you are a disgrace to my country."[100]

[99] Human Rights Watch interviews with several LGBT activists, St. Petersburg, October 12-19, 2013; observations of a Human Rights Watch researcher at a demonstration for LGBT equality, St. Petersburg, October 12, 2013.

[100] Human Rights Watch interview with Andrey Nasonov, Voronezh, November 21, 2013.

Additionally, he and other activists received more threats on VKontakte. Nasonov received a direct message in his personal account from "Aleksei" which said, "Fucking bitch, damn faggot, we're going to kill you on the 20th [of January]," and, "I'll wait for you, … put Vaseline on your skis so they enter [you] better =* BITCH."[101]

Nasonov also received a message from "Vitali" which said,

> You seem to have problems with your head!!! It's useless to be offended by you, but we can't allow you to conduct your public events!!! Or do you think that police will be protecting you 24 hours a day??? It's actually good that you will get together, I'll see your faces and remember them, then you'd better watch your back and be afraid.… Think about it: how will police treat a complaint from a faggot??? Come on!!![102]

Members of nationalist groups on VKontakte also posted LGBT activists' personal data, including their full names, home addresses, and links to their VKontakte accounts, urging followers to "visit" LGBT activists before the demonstration.[103]

On January 17 the activists filed a complaint with the police about the death threats. In a meeting with activists, which Nasonov attended, police and municipal authorities acknowledged the security threat, but instead of taking immediate steps to investigate, they tried to convince the activists to cancel the public gathering. The activists declined and asked the police to ensure safety at the demonstration. According to Nasonov, police officials promised to do "what they can."[104]

On January 20, when a dozen LGBT activists arrived at the square in central Voronezh that was the venue for the gathering, they saw a crowd of several hundred counter-protesters, which by one account gradually became larger, and about 7 to 10 police officers.

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[101] Human Rights Watch email correspondence with Andrey Nasonov, March 21, 2014. Copies of 17 screenshots of messages with death threats to Nasonov are on file with Human Rights Watch.

[102] Human Rights Watch email correspondence with Andrey Nasonov, March 21, 2014. Copy of the screenshot with the message is on file with Human Rights Watch.

[103] Human Rights Watch email correspondence with Andrey Nasonov, March 21, 2014.

[104] Human Rights Watch in-person and telephone interviews with Andrey Nasonov, Voronezh and New York, November 21, 2013 and August 6, 2014.

When the attack began, around 15 or 20 riot police, dressed in the usual police uniform without protective body gear, were dispatched to the square. Three activists who were attacked described to Human Rights Watch the violence, the injuries they sustained, and their unsuccessful efforts to seek justice. Andrey Nasonov told Human Rights Watch that counter-protesters attacked him almost immediately:

> When I came to the central square, I saw maximum 10 police officers and no OMON [riot police]. I saw a huge crowd of anti-gay protesters, around 500 people who ran toward me as soon as I unfurled my poster, which said, "Stop hatred." Two men pushed me, I fell, and they started kicking me in the head. When they stopped, I got up and passed out. [105]

Nasonov lodged a complaint with local police on January 21, the day after the attack, and gave testimony to police on January 30. The next and last contact he had with police was in late March, when police notified him by mail that the investigation had been suspended as of March 22, 2013 because they could not identify the assailants. The notice said that the case file had been forwarded for follow-up to Interior Ministry criminal investigation unit #6 in Voronezh.[106] Since then, Nasonov has heard nothing from police regarding the investigation. He said that he did not contact the police for updates because he had given up hope that the police would effectively investigate the attack.[107]

Nasonov said that for a few weeks after the attack, he had felt unsafe in public places and suffered depression.[108] In July 2014 Nasonov emigrated from Russia to the United States.

The mob also attacked **Pavel Lebedev**, who co-organized the protest. Lebedev told Human Rights Watch that as soon as he opened his poster—which read, "Homosexuality, heterosexuality, bisexuality is normal!"—a group of journalists, followed by a crowd of nationalists, ran toward him.[109] A young man kicked him in the stomach, Lebedev said, and he fell to the ground and curled up from pain but got up and tried to hold his poster up

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[105] Human Rights Watch interview with Andrey Nasonov, Voronezh, November 21, 2013.

[106] The police notice to Nasonov is on file with Human Rights Watch.

[107] Human Rights Watch in-person and telephone interviews with Andrey Nasonov, Voronezh and New York, November 21, 2013, March 13, 2014 and August 6, 2014.

[108] Human Rights Watch interview with Andrey Nasonov, Voronezh, November 21, 2013.

[109] See photo of Pavel Lebedev holding the poster here: http://article20.org/node/1425/#.U-OCo-NdWSo. Human Rights Watch Skype interview with Pavel Lebedev, August 7, 2014.

again. A group of four or five men immediately pushed him to the ground and kicked him in the back, legs, arms, and head for about a minute. Lebedev said that police stopped the beating by grabbing the assailants and pulling them aside but did not detain them.

Lebedev said that he saw counter-protesters kick and punch other LGBT activists as well. When someone from the crowd threw an object which looked like a smoke bomb at the activists, they decided to leave.

Lebedev said that after he was beaten he felt as though he would to pass out and that he vomited for several days thereafter. The doctor who examined Lebedev found he had sustained an injury to his abdomen and a scrape on his forehead.[110]

Lebedev filed a police complaint directly after the attack and returned several days later to give testimony and work up a police sketch of his assailants. About 10 days later the police called him and said that they had identified one suspect, a 17-year-old Voronezh resident.

The police charged the suspect with battery (article 116, part 2 of the Criminal Code). A separate criminal investigation against other individuals who had beaten Lebedev was later suspended because police said that they could not identify the perpetrators.[111]

On August 2, 2013, the Central District Court of Voronezh found the accused guilty of the battery charge, with no aggravating circumstances. It sentenced him to two months of correctional labor and ordered him to pay 35,000 rubles (approximately $970) to Lebedev to cover court expenses. The appeal hearing, however, was scheduled for January 21, 2014, exactly one year and one day after the attack. At the hearing, the prosecutor asked the judge to drop the charges because the one-year term required by law to prosecute the crime had passed. Although the court did not drop the charges, the judge annulled the sentence, absolving the attacker of any punishment.[112]

Lebedev was attacked again by three young men unknown to him on June 3, 2014, while he was sitting with a friend on a bench near his apartment building in Voronezh. The men

[110] Ibid.

[111] Human Rights Watch telephone interview with Olga Gnezdilova, Lebedev's lawyer, August 8, 2014.

[112] Human Rights Watch telephone interview with Andrey Nasonov, August 6, 2014.

said they recognized Lebedev and asked, "Are you that faggot? I've wanted to talk to you for a while!"[113]

One of the attackers then pushed Lebedev to the ground, and all three kicked him in the chest and stomach. Lebedev and his friend managed to run to the apartment building and hide in one of the entrances.

Lebedev said that he immediately filed a complaint with the police. He received a notice issued on June 12 informing him that the police did not establish a criminal element in his "conflict" with the three men, declined to open a criminal investigation, and were forwarding the case for review to a district prosecutor.[114]

In July Lebedev emigrated from Russia to seek asylum in a European country.

Svetlana S. was also attacked and injured during the demonstration. She told Human Rights Watch that it was her first time participating in an LGBT rights gathering but she decided it was time to speak out against discrimination of Russia's LGBT community. She came to the square with a poster that said, "I am married. I have two children. I am against article 6.13.1. P.S. It is not shameful to be tolerant."[115]

Svetlana said that she came by herself and stood on a separate part of the central square, away from the group of LGBT activists. As soon as Svetlana opened her poster, counter-protesters surrounded her and said that they did not believe that Svetlana was married and straight. A few people threw snowballs at her. Suddenly, she said, she felt a man jumping on her from behind, causing her to fall face down into the slushy snow. Svetlana said that she felt at least two or three more people jumping on her.

After what felt like a couple of minutes, an activist pulled Svetlana out from under the pile of assailants and took her to safety.

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[113] Human Rights Watch Skype interview with Pavel Lebedev, August 7, 2014.

[114] The police notice is on file with Human Rights Watch.

[115] Human Rights Watch interview with Svetlana S., Voronezh, November 22, 2013. At the time, when the State Duma was still considering the draft "propaganda" law, the article of the Administrative Violations Code banning the administrative violations code that was to ban "propaganda of non-traditional sexual relationships" to children was article 6.13.1. As adopted, it is article 6.2-1.

She went to a local department of the investigative committee the next day to report the attack, although she said she knew it would be useless.[116]

Officials at the investigative committee unit mocked her, asked her why she had gone to the demonstration in the first place, and told her that the complaint would be forwarded to the police. In June 2013, when she inquired with the police about the status of her complaint, she was told that the police were still conducting a preliminary investigation. Svetlana said that since then she has received no further information about her case.[117]

On April 20, 2013, Andrey Nasonov and Pavel Lebedev filed a lawsuit against the police for failing to protect LGBT activists from aggressive and violent counter-protesters during the January 2013 demonstration.[118]

On October 24, 2013 ,the Central District Court of Voronezh found no violations by the police at the demonstration and ruled against the activists.[119] Although by law the activists should have received a copy of the full verdict within five days in order to appeal, they did not receive the copy for over three months, thereby preventing them from appealing.

St. Petersburg, June 29, 2013

On June 29, 2013, a group of LGBT activists gathered at Mars Field in St. Petersburg to express their support for LGBT rights and protest discrimination and violence based on sexual orientation and gender identity. Counter-protesters violently attacked the activists, and police did little to prevent the violence and detained LGBT activists and their assailants alike.

Consistent with Russian law, the organizers had notified the city authorities about the event and obtained an official written confirmation from the mayor's office acknowledging the notification.

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[116] Ibid.

[117] Ibid.

[118] Human Rights Watch in-person, email, and telephone interviews with Andrey Nasonov, November 21, 2013, March 21, 2014, and August 6, 2014; Human Rights Watch telephone interview with Pavel Lebedev, August 7, 2014; Human Rights Watch telephone interview with Olga Gnezdilova, lawyer for Nasonov and Lebedev, August 8, 2014.

[119] "LGBT activists lost in court to the Voronezh police [ЛГБТ-активисты проиграли суд воронежской полиции]," *RAPSINEWS*, October 24, 2013, http://rapsinews.ru/judicial_news/20131024/269380261.html (accessed August 8, 2014); Human Rights Watch telephone interview with Olga Gnezdilova, August 8, 2014.

A group of about 60 protesters gathered at the portion of Mars Field designated for public events and demonstrations. According to demonstrators interviewed by Human Rights Watch, there were about 100 police officers present at the site and more than 200 counter-protesters.[120] Among them were representatives of informal nationalist groups, such as "Slav Power," "The Russian Run," and others known for expressing racist and homophobic views online and in other public forums. Some of the counter-protesters came with children.

The counter-protesters insulted the LGBT activists by using crude and obscene homophobic language. Shortly thereafter, the counter-protesters began physically attacking LGBT activists, kicking and punching them in the presence of police officers. Two activists who witnessed the attacks told Human Rights Watch that the police intervened only after counter-protesters threw stones, eggs, and smoke bombs at the activists and after some of the activists had been beaten.

At least seven activists had to be hospitalized with various injuries, including a head injury, a broken lip, scrapes, and bruises.[121] Several videos available online and viewed by a Human Rights Watch researcher clearly show the counter-protesters punching and kicking the activists and threatening them with further physical violence.

Reportedly, at least one police officer sustained injuries from an altercation with counter-protesters.[122]

Half an hour after the demonstration began and after the counter-protesters had physically attacked and thrown smoke bombs at the activists, the police demanded that all the demonstrators leave, claiming they had received an onlooker's complaint alleging that the children whose parents had brought them to the gathering were being exposed to "homosexual propaganda."

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[120] Andrei Tolmachev, representative of the St. Petersburg ombudsman, "Report on monitoring of a demonstration in Mars Field on June 29, 2013 [Отчет о наблюдении за митингом в едином специально отведенном месте на марсовом поле 29 июня 2013 года]," http://ombudsmanspb.ru/ru/otchet_o_nabljudenii_za_mitingom_v_edinom_spetsial (accessed July 2, 2013).

[121] Human Rights Watch telephone interview with Kseniya Kirichenko, lawyer and LGBT activist who provided legal support to detained activists, St. Petersburg, June 30, 2013.

[122] Human Rights Watch telephone interview with Kseniya Kirichenko, June 30, 2013; see also Tolmachev, "Report on monitoring of a demonstration in Mars Field on June 29, 2013."

When the LGBT activists refused to leave, the police advanced on them, forcing them to move toward police buses parked nearby and detaining them. Police forcefully pushed demonstrators using their batons, including by holding batons across people's throats.[123] Several LGBT activists received bruises and scrapes as a result.

Daniil Grachev, 20, activist with the Alliance of Straight People for LGBT Equality in St. Petersburg, was one of the protesters police detained. He told Human Rights Watch that several riot police grabbed him because he was trying to prevent anti-gay counter-protesters from harassing and attacking other activists:

> Several police officers seized me, and one of them put a baton across my neck. It was painful and I had difficulty breathing. They dragged me toward a police bus.

Another LGBT activist, Kirill Fedorov, 21, was badly beaten by counter-protesters when he and two other activists tried to distance themselves from the violent crowd. Police detained him nonetheless. Kirill told Human Rights Watch,

> We started moving away from the crowd and I heard someone yell, "Look, the faggots are getting away!" Someone kicked me and I fell on the ground. My friends tried to help me and they got kicked too. When I stood up, they kicked me again, and then they punched me in the face. My lips and nose were broken and I felt blood on my face and saw it on my hands when I wiped my face. There were no police trying to stop the nationalists, so my friends formed a circle around me in order to protect me from further punches, which were still coming at me. They [counter-protesters] yelled, "Get the hell out of Russian land, sodomites!"

[123] Human Rights Watch in-person and telephone interviews with Daniil Grachev and Yuri Gavrikov, St. Petersburg, July and October 2013. Both Grachev and Gavrikov were pushed by police with batons. Video available at https://www.youtube.com/watch?v=OlwzsRxI650 and https://www.youtube.com/watch?v=NsX2nudLvrw (accessed December 4, 2014). Human Rights watch viewed these videos and observed police aggressively pushing and using batons against the activists.

Fedorov told Human Rights Watch that the police eventually took the activists into a police bus. Fedorov asked for medical assistance, but a police officer told him, "You won't die." He later filed a complaint with the police, to no avail.[124]

That day police detained about 60 LGBT activists and took them to several different police stations. They also detained at least 10 counter-protesters.[125] The Russian LGBT Network, which provided legal support to the detained activists, estimated that most activists spent four to six hours in detention before they were allowed to go home.[126] Yuri Gavrikov, one of the event's organizers, was held in a police station overnight and released on the morning of June 30.[127] At least 30 detained LGBT activists received police citations for two administrative offences: "violation of the established order for organizing or conducting a gathering, meeting, demonstration, rally, or picket" (article 20.2 of the Administrative Violations Code) and "refusal to heed orders of law enforcement officials" (article 19.3).[128] Several days later, a court dropped the charges. Human Rights Watch does not have information about any charges brought against counter-protesters.

St. Petersburg, October 12, 2013

A Human Rights Watch researcher observed a rally organized by LGBT activists on October 12, 2013 in St. Petersburg to commemorate International Coming Out Day. After about a dozen LGBT activists arrived at the Mars Field in central St. Petersburg for the rally, a crowd of at least five times as many anti-gay counter-protesters harassed and attacked them. Some of the counter-protesters were dressed as priests with religious accessories; others were in military uniforms and camouflage outfits. The counter-protesters yelled that gays were "abnormal" and that there was no place for them in St. Petersburg and blocked access for LGBT activists to the protest venue. After several attempts to reach the venue, LGBT activists were unable to start the event.

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[124] See section below.

[125] Human Rights Watch telephone interview with Yuri Gavrikov, one of the event organizers, July 1-2, 2013.

[126] Human Rights Watch telephone interview with Maria Kozlovskaya, Russian LGBT Network lawyer who provided legal assistance to detained LGBT activists, July 1, 2013.

[127] Human Rights Watch telephone interview with Yuri Gavrikov, July 1-2, 2013.

[128] Human Rights Watch in-person and telephone interviews with several participants in the gathering, June 30, July 1-2, October 15-18, 2013, St. Petersburg.

The LGBT activists told the police at Mars Field that they were effectively barred from reaching the event venue.[129] However, the police who numbered several dozen ordinary police officers and many riot police, did not take adequate measures to ensure access to the venue and prevent harassment and attacks by anti-gay counter-protesters. The police began detaining counter-protesters only when several of them started insulting police officers for not stopping the LGBT rally. A few activists were also detained but were released after several hours. Their initial charges of organizing and participating in an unsanctioned public event were eventually dropped.

On two occasions, in September 2013 and July 2014, police did provide adequate protection to peaceful LGBT public gatherings in St. Petersburg, according to LGBT activists. Natalia Tsymbalova told Human Rights Watch that an LGBT public action in September 2013 took place without major interference from around 100 counter-protesters due to the sufficient number of police officers who kept the aggressive crowd away from LGBT activists.[130] Tsymbalova attributed the proper protection by police to the fact that the LGBT demonstration was held on the day of the G-20 Summit, September 6, and the authorities wanted to avoid a scandal.[131]

Another LGBT event in St. Petersburg in July 2014 took place in relative calm in stark contrast to the usual atmosphere of aggression and violence. Yuri Gavrikov, one of the organizers, told Human Rights Watch that there were enough police to ensure the participants' security and that the police accompanied them from and back to the subway.[132]

Moscow, October 10-12, 2014

On October 10, a group of so-called "Orthodox activists" attacked a peaceful LGBT event dedicated to *International Coming Out Day* at the Sakharov Center in central Moscow. The event, organized by the LGBT nongovernmental organization (NGO) Rainbow Association, was a discussion about what it is like for LGBT people to be open about their sexuality,

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[129] Natalia Tsymbalova told Human Rights Watch that she and other LGBT activists had faced an increased number of interferences by anti-gay counter-protesters in 2013 in St. Petersburg. She told Human Rights Watch that instead of ensuring the security of all present activists and their supporters, the St. Petersburg police looked on while counter-protesters harassed and beat LGBT activists and in many cases detained LGBT activists along with their assailants.

[130] Human Rights Watch interview with Natalia Tsymbalova, St. Petersburg, October 15, 2013.

[131] Ibid.

[132] Human Rights Watch email correspondence with Yuri Gavrikov, August 19, 2014.

with participants sharing some personal stories.[133] About an hour after the event began, a group of at least 30 anti-gay protesters tried to access the Sakharov Center.[134] When the guard did not let them in, they blocked the entrance from the outside, screamed homophobic insults, and threw several raw eggs at the guard.[135]

The organizers immediately called the police. Two police officers arrived, but it turned out they had been summoned by the anti-gay protesters to inspect the LGBT event. When the LGBT activists asked the police officers to protect them, they said that they could not do anything. They gave the activists a phone number to call once the event was over and left. However, when the activists called the number, they said it was out of order.[136]

Still blocked inside the building, the activists said that they called various police stations but received no assistance. Only after they called the Moscow prosecutor's office did the police arrive. Four police cars arrived at the Sakharov Center at 10 p.m. Between 10 and 15 police officers created a corridor around the entrance for the participants to leave the building safely. The police detained at least three of the most aggressive anti-gay protesters.[137]

One of the assailants, Dmitry Enteo, known for his fervent anti-LGBT activism and views, posted tweets on his Twitter account around 9 p.m. saying, "Storming the Sakharov Center, where sodomites are defiling children, there are 50 of us, victory will be ours"[138] and, "We're holding the siege, soon it will be over, the enemy is terrified and will be defeated soon. Moscow is not Sodom!"[139]

Two days later, on October 12, around 10 LGBT activists held a small, peaceful, public outreach event in northeastern Moscow. They had informed local authorities about it. One

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[133] Human Rights Watch telephone interview with Andrei Obolenski, chairman of the Rainbow Association and one of the organizers of the event who was present during the attack, Moscow, October 10, 2014.

[134] Ibid.

[135] Ibid.

[136] Ibid.

[137] Ibid.

[138] Dmitry Enteo, "Storming the Sakharov Center, where sodomites are defiling children, there are 50 of us, victory will be ours [Штурмуем Сахаровский центр, где содомиты растлевают детей, нас 50 человек, победа будет за нами]," post to Twitter, October 10, 2014, https://twitter.com/dimitriyenteo/status/520604453435867136 (accessed December 4, 2014).

[139] Dmitry Enteo, "We're holding the siege, soon it will be over, the enemy is terrified and will be defeated soon. Moscow is not Sodom! [Держим осаду, скоро развязка, враг в ужасе и скоро будет повержен. Москва не Содом!]," October 10, 2014 https://twitter.com/dimitriyenteo/status/520606888887869441 (accessed December 4, 2014).

of the organizers told Human Rights Watch that the event's aim was to create "a broad dialogue between citizens and representatives of vulnerable social groups."[140]

Two Human Rights Watch staff members monitored the event. The activists held LGBT-themed banners and distributed brochures about LGBT equality to passers-by. One of the passers-by was aggressive and insulted the activists.[141]

A police car with three police officers and two men in civilian clothing arrived ten minutes after the event started. For twenty minutes they talked to the activists and photographed their banners. At 3:30 p.m. a second police car arrived and the police officers demanded that the activists show them a letter from the local authorities confirming that they had been notified about the event.

Human Rights Watch staff witnessed the police arguing that LGBT people were not a "social group" and therefore the public event did not correspond to the declared purpose of the gathering. The police asked the activists to stop the event and leave; the activists agreed and began packing their belongings. Meanwhile, a crowd of 30-40 people gathered around the activists and the police and shouted homophobic slurs at them.

Suddenly, without waiting for the activists to pack up and leave, the police asked them to get into police cars. The activists refused, and the police officers forcefully pushed them into the cars.

Eight LGBT activists were detained. Two of them resisted, so the police pushed them to the ground and dragged them to the car.[142] One of the activists told Human Rights Watch that police officers hit her legs, pressed a baton against her throat until she began to choke and, after they took her to the a Sokolniki police station, threated her with more violence.[143]

All activists were charged under article 19.3 of the Code of Administrative Offences for resisting the legal orders of police.[144] All were released around 6 p.m.[145]

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[140] Human Rights Watch interview with Reyda Linn, LGBT activist, October 12, 2014.

[141] Observations of two Human Rights Watch staff on October 12, 2014.

[142] Ibid.

[143] Human Rights Watch interview Reyda Linn, October 12, 2014.

[144] Ibid.

LGBT Organizations and Groups Supporting the LGBT Community

In 2013 several Russian LGBT organizations and their staff were threatened with violence and had their activities disrupted.

An egregious attack occurred in November 2013 at LaSky, an HIV prevention center in St. Petersburg serving the LGBT community and men who have sex with men. Two people entered the LaSky office during a social event and attacked visitors, shooting one in the eye with a pneumatic gun and beating another with a baseball bat. As a result, Dmitry Chizhevsky lost sight in his eye.[146]

Side by Side, an LGBT International Film Festival based in St. Petersburg, experienced severe, serial harassment by anti-gay activists.[147] In November 2013 anonymous bomb threats disrupted or delayed almost all of the festival's screenings. One person was arrested for making a bomb threat, but there have been no reports of anyone being held accountable in conjunction with other incidents.

Although in previous years nationalists and other anti-gay "activists" disrupted film screenings of the Side by Side Film festival, the organizers told Human Rights Watch that the disruptions at the 2013 film festival in St. Petersburg were the worst since the festival started in 2007.[148] At 7:30 p.m. on November 21, just before the festival began, the shopping center that houses the cinema received an anonymous telephoned bomb threat.[149] Police promptly swept the building, which had been evacuated, and found no explosives. The festival's opening ceremony went on following a two-hour delay.[150]

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[145] Observations of two Human Rights Watch staff, October 12, 2014.

[146] For details about this attack, see section III, "Government Responses."

[147] Human Rights Watch telephone interview with Gulya Sultanova, one of the festival's organizers, November 30, 2013

[148] Human Rights Watch telephone interview with Gulya Sultanova, November 30, 2013. Sultanova that police had dutifully responded to all of the bomb threats and that the fact that the perpetrators had gone as far as to commit a crime in making the bomb threats showed that they felt they would not be punished. "Side by Side with telephone terrorism [Бок о бок с телефонным терроризмом]," *Svoboda.org*, November 26, 2013, http://www.svoboda.org/content/article/25180632.html (accessed July 29, 2014).

[149] "Suspect of hoax bomb threat at LGBT Film Festival detained, faces three years in jail," *Queer Russia*, November 23, 2013, http://queerussia.info/2013/11/23/2632/ (accessed September 30, 2014).

[150] "Hoax Call Fails to Stop the Opening of VI Side by Side Film Festival," *Side by Side International Film Festival*, November 22, 2013, http://www.bok-o-bok.ru/news/archive?pid=25&lan=1&tid=1051 (accessed September 30, 2014).

However, due to the delay organizers were forced to cancel a reception for dignitaries and a panel with the cinematographer of the night's headlining film.[151]

Kirill Kalugin, an LGBT activist, was attacked shortly before the opening ceremony as he sat in a cafe near the shopping center. The assailant, Anatoly Artyukh, an anti-gay activist and leader of the Orthodox nationalist group Narodniy Sobor, allegedly poured coffee on Kalugin and tried to tear out his earring.[152]

The screenings on November 23 were due to be held at Zona Deistviya, a space located in a loft building called Etazhi. Etazhi received an anonymous phone call about a bomb threat just before the screening. Although the threat turned out to be a hoax, one of the films had to be rescheduled, and Zona Deistviya's administration cancelled its rental agreement with Side by Side after the incident, citing a decision by the Etazhi administration.[153]

On November 25 the Skorokhod Art Center was evacuated at 9:50 p.m., 20 minutes before the end of a film screening, due to a third bomb threat.[154] Once again the police swept the building and found no explosives.[155]

The next day, November 26, a man called the police and said that a bomb was planted on the premises of Jam Hall, a venue that was showing the film *Blue is the Warmest Color*. Viewers were told to leave the theater and returned after 40 minutes when the threats were found to be false.[156] Audiences on other floors of the theater, which had multiple events taking place that evening),were not asked to evacuate.[157]

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[151] "LGBT Film Festival Faces Bomb Threats and Cancellations Update," *St. Petersburg Times*, November 27, 2013, http://www.sptimes.ru/story/38574 (accessed September 30, 2014). Artyukh is also a close associate of Vitaly Milonov, a member of the Legislative Assembly of St. Petersburg and also one of the authors of the St. Petersburg anti-LGBT propaganda law adopted in 2012.

[152] "Urgent: St. Petersburg Side by Side LGBT Film Fest grand opening disrupted by bomb threat call," *Queer Russia*, November 21, 2013, http://queerussia.info/2013/11/21/2598/ (accessed September 30, 2014).

[153] "LGBT Film Festival Faces Bomb Threats and Cancellations Update," *St. Petersburg Times*, November 27, 2013, http://www.sptimes.ru/story/38574 (accessed September 30, 2014).

[154] "'All must leave the building!' – Side by Side Film Festival received another bomb threat ['Всем покинуть здание!' – кинофестиваль 'Бок о Бок' снова заминировали]," *Gay.ru*, November 26, 2013, http://www.gay.ru/news/rainbow/2013/11/26-27618.htm (accessed September 30, 2014).

[155] "LGBT Film Festival Faces Bomb Threats and Cancellations Update," *St. Petersburg Times*, November 27, 2013, http://sptimes.ru/index.php?action_id=100&story_id=38574 (accessed September 30, 2014).

[156] "Venue of an LGBT Festival in St. Petersburg received a third bomb threat [Место проведения ЛГБТ-фестиваля в Петербурге 'заминировали' в третий раз]," *RosBalt*, November 26, 2013, http://www.rosbalt.ru/piter/2013/11/26/1204204.html (accessed September 30, 2014).

[157] "LGBT Film Festival Faces Bomb Threats and Cancellations Update," *St. Petersburg Times*.

Shortly before the bomb threat was reported, three young people left the theater, claiming to be 17 years of age (the festival was open only to those 18 years or older, in compliance with the law against exposing minors to "homosexual propaganda").[158] Vitaliy Milonov, a member of the St. Petersburg Legislative Assembly and author of that body's 2012 anti-gay "propaganda" law, immediately took to social networking sites to decry the presence of children in the audience.[159] The festival's organizers have since accused Milonov of entrapment.[160] Milonov acknowledged that the children were part of United Russia's (the ruling party) Young Guard but that they did not attend the film screening on his urging.[161] Milonov himself attempted to enter the screening but was kept out by security guards. Throughout the festival, he commented on it on social media, calling its participants "sodomites," "perverts," and "pedophiles."[162]

Prior to the festival's closing on November 30, unknown individuals began handing out soap and ropes (a symbol for hanging oneself) to attendees, saying that they were from the festival's organizers.[163] The final night was also interrupted by a bomb threat at 4:30 p.m., which as with previous threats was conveyed through an anonymous phone call shortly before the final ceremonies were to begin.[164] The festival proceeded after a short delay, during which police yet again conducted a search for explosives.[165]

Gulya Sultanova, one of the festival's organizers, said that during the festival law enforcement authorities responded to the serial harassment and threats with care and remained respectful in their interactions with the festival's participants and viewers.[166]

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[158] Side by Side VKontakte group page, http://vk.com/fest_bokobok?w=wall-2049553_2999%2Fall (accessed September 30, 2014).

[159] "Milonov: Children found at the LGBT Fil Festival for adults [Милонов: На ЛГБТ-кинофестивале на фильме для взрослых нашли детей]," RosBalt, November 27, 2013, http://www.rosbalt.ru/piter/2013/11/27/1204246.html (accessed September 30, 2014).

[160] "LGBT Film Festival Faces Bomb Threats and Cancellations Update," *St. Petersburg Times*.

[161] Ibid.

[162] Ibid.

[163] "Provocateurs gave out ropes and soap to LGBT Film Festival audience [Перед началом ЛГБТ-фестиваля в Петербурге провокаторы раздавали собравшимся веревки и мыло]," *RosBalt*, November 30, 2013, http://www.rosbalt.ru/piter/2013/11/30/1205864.html (accessed September 30, 2014).

[164] Human Rights Watch telephone interview with Gulya Sultanova, November 30, 2013.

[165] "Police did not find explosives at the LGBT film festival venue in St. Petersburg [Полицейские не нашли взрывчатки на месте проведения ЛГБТ-кинофестиваля в Петербурге]," *RosBalt*, November 30, 2013, http://www.rosbalt.ru/piter/2013/11/30/1205887.html (accessed September 30, 2014).

[166] Human Rights Watch telephone interview with Gulya Sultanova, November 30, 2013.

On November 23, police took into custody a 37-year-old suspect, who was charged with making "false messages about a terrorist act" for the false bomb reports on the festival's opening night.[167]

Sultanova was not aware of any other individuals being prosecuted for the other bomb threats.[168]

Russian LGBT Network staff told Human Rights Watch that in November 2013 they had received threats of an unspecific nature against the group's office and staff from anti-gay activists in St. Petersburg. The LGBT Network chairperson told Human Rights Watch that they did not report the threats to the police because the threats were not specific and the police would not have acted until the law was breached.[169] The group's chairman was forced to cancel a trip abroad due to fear of violence against his staff.

QueerFest, an international festival of LGBT culture held annually in St. Petersburg by the LGBT group Coming Out, experienced severe harassment and pressure in September 2014, resulting in disruption and cancellations of several events. One of the organizers, Polina Andrianova, told Human Rights Watch that QueerFest had never faced such consistent and organized interference in the six years of the festival's existence.[170]

Andrianova said that venue owners told her that police warned them that "public disturbances" could occur during QueerFest for which the venues would be held responsible. Andrianova also said that police threatened the venues' owners with inspections, pressuring them to break their contracts with QueerFest.

On September 17, a day before the festival was set to start, the organizers discovered announcements on social networks posted by so-called "orthodox activists," mobilizing people to gather near the opening night's venue and disrupt the event. The organizers

[167] Article 207 of the Russian Criminal Code, which carries a maximum three-year prison sentence. "Provocateurs gave out ropes and soap to LGBT Film Festival audience, *RosBalt*; "Suspect of hoax bomb threat at LGBT Film Festival detained, faces three years in jail," *Queer Russia*, November 23, 2013, http://queerussia.info/2013/11/23/2632/ (accessed September 30, 2014).

[168] Human Rights Watch telephone interviews with Gulya Sultanova, November 30, 2013 and April 25, 2014.

[169] Human Rights Watch telephone interview with Igor Kochetkov, November 30, 2013.

[170] Human Rights Watch interview with Polina Adrianova, St. Petersburg, September 20, 2014.

informed the St. Petersburg ombudsman and the city police of the threats and asked them to take preventive measures.[171]

The festival's opening ceremony was scheduled to take place on September 18 in Freedom Art Space, located in Kazansky business center, but less than two hours before the opening the venue's owner demanded that they not hold the event in the building.[172] The owner claimed that they were breaking the contract due to "compromised integrity of the arch over the building's entrance, which may result in its collapse."[173] However, all other activities in the building proceeded as planned.[174]

After the organizers and volunteers moved the event to a new venue, a group of approximately ten nationalists tried to break into Freedom Art Space. Among them were local deputy Vitaly Milonov and radical orthodox activists Anatoly Artyukh and Dmitry Enteo. Milonov made insulting statements, claiming that inside "pro-Ukrainian sodomites" were "propagating homosexualism to children."[175]

Approximately 20 anti-gay counter-protesters came to the new venue after most of the participants had gathered inside.[176] Despite the presence of approximately 15 police officers, 15 minutes after the opening ceremony began the counter-protesters entered the building and attempted to break inside the club where the event was taking place, but security guards stopped them.[177]

The assailants used syringes to spray the audience with green liquid antiseptic through the open door and physically assaulted participants who tried to leave.[178] The anti-gay counter-protesters also threw stink bombs through the club entrance, then put a big metal lock on the club's door from the outside, locking in dozens of participants. Eventually, police dispersed the anti-LGBT counter-protesters but did not detain any of them.[179]

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[171] Ibid.

[172] Ibid.

[173] Human Rights Watch viewed the notice from the owners of the Freedom Art Space to the QueerFest organizers.

[174] Human Rights Watch interview with Polina Adrianova, St. Petersburg, September 20, 2014.

[175] Ibid.

[176] Human Rights Watch interview with Polina Adrianova, St. Petersburg, September 20, 2014.

[177] Observations of a Human Rights Watch staff member who attended the event, St. Petersburg, September 18, 2014.

[178] Ibid.

[179] Ibid.

After the city ombudsman, Alexander Shishlov, arrived on the scene and demanded law enforcement to act, police collected testimony from 24 people present during the attack.[180] At least two members of the audience later requested medical assistance.[181]

On September 19, after receiving a phone call from the police, Etazhi cancelled scheduled QueerFest events an hour before they were to start.[182] The same evening, another venue cancelled an event scheduled for September 20.[183]

On September 20 QueerFest lost the venue for its Night of Independent Music concert when a night club refused to host it. After an urgent search for a new venue, the organizers managed to start the concert, which went on for approximately two hours before it was interrupted by a phone call that a bomb was on the premises. The police asked all participants to leave the club while they searched the building but found no explosives.[184]

The organizers chose not to publicize the festival's further venues, and QueerFest continued in a closed format, with participants invited to join via webcast.

On September 24 QueerFest held a press conference to discuss the disruption of the festival. Police tried to pressure the Institute of Regional Press, which hosted the press conference, to cancel the event under the pretext that "violations of public order may ensue."[185] The press conference took place despite the intimidation from the authorities.

[180] Human Rights Watch interview with Polina Andrianova, St. Petersburg, September 20, 2014.

[181] Ibid.

[182] Human Rights Watch interview with Polina Andrianova, St. Petersburg, September 20, 2014.

[183] Human Rights Watch interview with Polina Andrianova, St. Petersburg, September 20, 2014.

[184] "A bomb threat did not stop the festival QueerFest from continuing [Звонок о 'заминировании' не помешал проведению фестиваля 'КвирФест']," *BaltInfo*, September 21, 2014, http://www.baltinfo.ru/2014/09/21/Zvonok-o-zaminirovanii-ne-pomeshal-provedeniyu-festivalya-KvirFest-450979 (accessed October 6, 2014).

[185] "Director of Regional Press Institute: Interior Ministry warned us of danger to host a press conference about the disruption of QueerFest [Директор ИРП: МВД предупредило об опасности проведения пресс-конференции о срыве 'КвирФеста']," *RosBalt*, September 24, 2014, http://www.rosbalt.ru/piter/2014/09/24/1318975.html (accessed October 6, 2014).

III. Government Responses

Victims of homophobic violence face almost insurmountable barriers to obtaining protection and justice, and the result is virtual impunity for homophobic crimes. In cases documented in this report, when police investigated homophobic attacks against lesbian, gay, bisexual, or transgender (LGBT) people, they were often dismissive of victims' complaints, downplaying their gravity or blaming victims for allegedly flaunting their sexual orientation.[186] In some cases they made blatantly homophobic remarks, and in one case, they explicitly condoned homophobic violence and expressed solidarity with assailants. Even in cases when the police detained the perpetrators right after the attack, they did not take active and effective measures to protect the victims.

In seven cases where Human Rights Watch was able to review documents from criminal and administrative proceedings or interviewed victims and their lawyers, police did not secure key evidence from possible suspects, did not take prompt actions to collect evidence, and did not interview victims and possible key witnesses. In only three cases documented by Human Rights Watch in this report between 2012 and 2014 were the investigations brought to court. While at least two of them resulted in conviction, sentences given to perpetrators of homophobic hate crimes did not appear to be proportionate to the gravity of harm inflicted on victims.

Moreover, law enforcement agencies willfully ignore the key motivation behind the attacks, namely hatred of LGBT people. Russian law enforcement agencies do not treat even the most blatantly homophobic violence as a hate crime.[187] Not a single case documented in this report was investigated as a hate crime. When law enforcement agencies responded to the crimes at all, they treated them as common crimes, such as hooliganism or assault and battery rather than as hate crimes. Police also largely lack the necessary skills to conduct hate crime investigations into homophobic violence.[188]

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[186] Human Rights Watch interviews with victims of homophobic violence, September 2013-April 2014, Russia.

[187] Human Rights Watch email correspondence with Aleksander Verkhovskiy, director of SOVA research center and expert on issues of nationalism and xenophobia in Russia, December 2, 2013.

[188] Human Rights Watch email correspondence with Kseniya Kirichenko, lawyer for LGBT group Vykhod (Coming Out), October 9, 2014.

Furthermore the authorities do not keep data on homophobic or anti-LGBT violence, and the absence of such data allows them to deny its very existence and therefore the upsurge in violence. This failing makes it difficult for anyone to reliably track the dynamics of the violence, obscures its true extent, and impedes the development of strategies that could protect people from attacks.

As a result of police inaction, inappropriate treatment of victims, and failure to use hate crime laws, homophobic violence goes unreported and unpunished. In 22 cases documented by Human Rights Watch, victims did not file police reports because, they said, they did not trust the police, feared more humiliation and violence, or simply did not see any value in taking time to report the attacks against them because they knew from previous experience that the police would not bother to carry out an effective investigation.

Dismissive Attitudes, Victim Blaming, Ineffective Investigations

Of the 78 victims of homophobic violence or aggressive harassment Human Rights Watch interviewed, 44 said that they reported the assaults or harassment to the police. With the exception of the Side by Side film festival organizer, who said that police in St Petersburg effectively investigated bomb threats and treated festival participants respectfully, all said that they were unsatisfied with how the police handled their complaints. Victims interviewed by Human Rights Watch commonly said that police officers who handled their complaints were dismissive about the attacks, verbally expressed reluctance to start preliminary investigations, used homophobic slurs, and often blamed the victims for "bringing it [the violence] upon themselves."[189] In some cases police explicitly condoned the attacks. Most interviewees whose cases were the subject to investigation said that they had limited contact with law enforcement officials after filing the initial police report and little idea of the status of the investigations.

Those who filed police reports told Human Rights Watch that hostile police attitudes and reluctance to investigate left them with a sense of despair and helplessness. For example, Alexei A., the 28-year-old gay man from Novosibirsk who was the victim of an Occupy Pedophilia-style attack, told Human Rights Watch that after vigilantes kicked and punched him, a police unit arrived and took him and the assailants to a police station.[190] One of the

[189] Human Rights Watch in-person and telephone interviews with victims of homophobic violence, September 2013 -August 2014.
[190] See section II, "Harassment and Physical Attacks against LGBT People."

police officers at the station, upon learning that Alexei was gay, said to him, "I would have done the same thing." At that moment, Alexei told Human Rights Watch, he realized that he could not count on the police for protection.

Alexei said that the police were not interested in collecting evidence about the attack against him: they did not ask him about his injuries, which were visible, and did not offer a referral for a forensic exam to document his injuries. As noted above, they instead conducted a thorough search of his clothing and his bag. The police found several condoms in Alexei's bag and asked him questions about his sex life, which Alexei said he had found extremely humiliating and distressing to answer.

As described above, Alexei dropped his complaint against the assailants both because he feared the perpetrators would retaliate against him and his family and because of the treatment he received by police, which convinced him that "the prosecution would go nowhere."[191]

Gleb Latnik, an LGBT activist from Pervouralsk, told Human Rights Watch that when he went to the police to report an attack against him that had just happened, he did not receive the protection he had hoped for.[192] His injuries were visible—there was significant bruising on his forehead, there were bruises under his eyes, and one eye was swollen shut. The police officer who took his complaint said to him, "It's all right, you're gay so it's normal that you were attacked. Why would you need to file a complaint against anyone?" Several months after the attack, Latnik emigrated from Russia to the United States.
At time of writing, over a year after an assailant shot Dmitry Chizhevsky, a blogger and activist, in the eye with a pneumatic pistol, his attackers still have not been identified and held responsible.[193] Chizhevsky told Human Rights Watch that the investigation into the attack against him was suspended in October 2014.[194]

[191] See section II, "Harassment and Physical Attacks against LGBT People."

[192] Human Rights Watch interview with Gleb Latnik, New York, November 21, 2013. In August 2013 three men attacked Latnik and beat him up. Latnik said that the men called him a "faggot" and a "pedophile" as they were kicking and punching him.

[193] Human Rights Watch telephone interview with Dmitry Chizhevsky, May 13, 2014. Except where otherwise noted, information on the attack against Chizhevsky derives from this interview.

[194] Human Rights Watch interview with Dmitry Chizhevsky, New York, November 19, 2014.

As noted above, Chizhevsky told Human Rights Watch that on November 3, 2013, two masked individuals attacked him and another person at the offices of LaSky, an HIV prevention community center serving LGBT people. Chizehvsky was in the hallway on his way out when he saw two masked men at the entrance talking to another LaSky visitor.[195] He said that he felt something hitting him in the eye, heard several shots fired, and was hit on his back and one of his legs. When he attempted to hide around the corner, the attackers yelled, "Where do you think you're going, faggot?" Despite several medical procedures, Chizhevsky lost his sight in his left eye.

Criminal proceedings were initiated under article 213, part 2 (hooliganism committed by a group), but according to Chizhevsky the police did not actively look for his aggressors. Although Chizhevsky met several times with the police, he said that he was disappointed with the investigation. He believes that police did not inspect the crime scene thoroughly on the day of the attack. For example, LaSky staff found at least eight more bullets after the police left the premises. Chizhevsky also told Human Rights Watch that the police only took two or three fingerprints from the crime scene in LaSky's rather large office space.

Chizhevsky also received at least three notices from the police investigator leading his case informing him that the investigation was suspended because of the police's inability to identify the perpetrators, the most recent of which was issued in October 2014. Chizhevsky believed the investigation was only later re-opened due to public pressure.

Chizhevsky told Human Rights Watch that although initially after the attack he was determined to bring his attackers to justice, after six months of seeing police failure in investigating his case he gave up hope:

> I am planning to leave the country because I don't believe that there is any possibility that [the police] will find [my attackers] half a year later. At first [after the attack] I said that it was important to stay in the country, it was important to fight back…. [But] it became crystal clear to me that the situation in Russia these days is such that it is acceptable to call [LGBT]

[195] See subsection "LGBT Organizations and Groups Supporting the LGBT Community" above.

> people such as myself the fifth column and that it was time to get away from this place.[196]

Chizhevsky left Russia to seek asylum in another country. He explained, "I want to live for myself a bit. That is why I made the decision [to leave Russia]."[197]

In its May 20, 2014 letter in reply to questions from Human Rights Watch, the prosecutor general's office said that a criminal case was launched on November 4, 2013 into the attack on Chizhevsky on charges of hooliganism and battery. The letter said that the investigation was ongoing but included no further detail.[198]

In several other cases Human Rights Watch documented in this report, authorities pressed but then dropped charges. This is consistent with the findings of the Russian LGBT Network's report for 2012, which found that of the 22 attacks listed in the report, in two cases authorities pressed "hooliganism" charges against a total of three people and dropped charges against one of the three.[199] In two other cases, hooliganism and battery charges were pressed but later dropped.[200] In yet another case noted in the report, a woman tried unsuccessfully multiple times to convince police to investigate a beating she received by attackers yelling homophobic slurs.[201] According to the LGBT Network, the victim reported the attack to several district police units in Moscow, but police officials failed to investigate the assault.

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[196] Human Rights Watch telephone interview with Dmitry Chizhevsky, May 13, 2014.

[197] Human Rights Watch telephone interview with Dmitry Chizhevsky, August 5, 2014.

[198] Letter from the prosecutor general's office to Human Rights Watch, May 20, 2014.

[199] One of the incidents was an attack on Boris Romanov (please see below for details of the case). The second case related to an attack on June 12, 2012 in St. Petersburg by several nationalists against members of the Alliance of Straight People for LGBT Equality. The assailants beat LGBT activists and damaged their property, including a video camera. Two members were charged with hooliganism, but charges against one of them were later dropped. Human Rights Watch does not have any information about the outcome of the case against the other person who was charged. Russian LGBT Network, "Report about hate crimes in Russia in 2012 for the OSCE [Доклад российской ЛГБТ-сети о преступлениях ненависти в 2012 году для ОБСЕ], http://lgbtnet.ru/sites/default/files/prestupleniya_nenavisti_2012_0.pdf. The report does not indicate whether, with regard to the remainder of the 22 cases, victims reported the violence to the police.

[200] The hooliganism charges were dropped against one of the assailants against LGBT activists in St. Petersburg on June 12, 2012 (please see footnote above). In the other case, the battery charges against attackers of a gay club in Tyumen were also dropped. Russian LGBT Network, "Report about hate crimes in Russia in 2012 for the OSCE"

[201] Russian LGBT Network, "Report about hate crimes in Russia in 2012 for the OSCE."

Unwillingness to Qualify Anti-LGBT Violence as Hate Crimes

As a result of the inaction and hostile attitudes described, few cases of homophobic attacks against LGBT people reach the criminal justice system, and when they do, neither law enforcement officials nor the judiciary treat them as hate crimes.

Hate Motivation in Russian Law

Russia's Criminal Code establishes hate motivation as an aggravating circumstance to certain kinds of crimes. The Russian law enforcement and justice system is therefore capable of prosecuting hate crimes committed against LGBT people.

Under article 63 of the Russian Criminal Code, the "commission of a crime by reason of political, ideological, racial, national or religious hatred or enmity or by reason of hatred or enmity with respect to a social group" triggers additional penalties to such crimes as murder, inflicting bodily injury, battery, and the like. The Criminal Code does not explicitly list sexual orientation and gender identity among the types of enmity on which a hate crime can be based. However, the law allows law enforcement officers and judges to determine whether a crime was motivated by hatred of "a social group," which could encompass LGBT people.[202] No aspect of the law prevents law enforcement agencies from treating LGBT people as a "social group" and applying article 63 in the investigation and prosecution of homophobic violence, but they clearly have chosen not to do so.

In replies to letters from Human Rights Watch, Russian law enforcement authorities confirmed that this aggravating circumstance has not been applied to prosecute crimes against LGBT people who were attacked for their sexual orientation or gender identity. [203]

LGBT activists say that Russia's hate crime laws are inadequate for prosecuting homophobic crimes.[204] The absence of the definition of a "social group" in Russian legislation, which would encompass LGBT people and allow Russian prosecutors and courts to apply hate crime laws against homophobic crimes, creates an insurmountable barrier for victims and their lawyers.[205] Courts are expected to rely on experts to tell them

[202] Russian Criminal Code, available at http://www.consultant.ru/popular/ukrf/ (accessed December 4, 2014).

[203] Letter from the prosecutor general's office to Human Rights Watch, May 20, 2014.

[204] Human Rights Watch interview with Kseniya Kirichenko, lawyer for LGBT group Vykhod (Coming Out), October 9, 2014.

[205] Human Rights Watch interview with Aleksander Verkhovsky, director, SOVA Anti-Extremism Center, December 2013 and September 2014; Human Rights Watch interview with Kseniya Kirichenko, October 9, 2014.

whether LGBT people comprise a social group. In the absence of a definition of a "social group" accepted in Russia, different experts give different opinions. Considering the prevalence of homophobic sentiments in public life, these opinions are not favorable to victims of anti-LGBT crimes.

In several cases documented by the LGBT group Coming Out, prosecutors pressed extremism charges against perpetrators of homophobic violence, but courts dismissed the cases because they reasoned that LGBT people were not a recognized social group. [206]

In its response to Human Rights Watch's letter regarding investigations into homophobic violence, the Russian prosecutor general's office confirmed that according to law enforcement data no hate crimes against LGBT people were registered from 2012 to May 2014. In response to Human Rights Watch's question, the prosecutor general's office did not explain why article 63 has not been applied in such cases.

The letter also stated, "Russian law does not provide for the registration of police complaints from LGBT people and collection of statistics about the number of hate crimes specifically committed against lesbians, gay, bisexual or transgender individuals." Therefore, the prosecutor general's office could not provide this information to Human Rights Watch, since no such data existed.

Likewise, the Russian Ministry of Interior informed Human Rights Watch that it does not gather any "statistical data about crimes committed against lesbian, gay, bisexual and transgender people, as well as about results of investigations, prosecution and measures to eliminate the consequences of committed crimes in the framework of the statistical reporting by the Russian Interior Ministry."[207]

The Investigative Committee did not include any information about the collection of hate crime data in their response to Human Rights Watch's written inquiries.

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[206] Human Rights Watch email correspondence with Kseniya Kirichenko, October 9-10, 2014. As noted above, article 282 of the Criminal Code, which addresses extremism, covers, among other things, incitement of enmity and insult to dignity based on sex, race, nationality language , origin, religion, or belonging to a social group.

[207] Letter from the Ministry of Interior to Human Rights Watch, May 21, 2014.

Cases

In two cases documented in this report, lawyers representing LGBT people petitioned courts unsuccessfully to have the attacks against their clients classified as hate crimes. As described above, on January 20, 2013, a group of three or four from a mob of several hundred anti-LGBT counter-protesters severely beat Pavel Lebedev at a small public gathering of LGBT activists, seriously injuring him. Lebedev's lawyer, Olga Gnezdilova, told Human Rights Watch that she petitioned both the prosecutor and the court to qualify Lebedev's beating as a hate crime and provided evidence of death threats received by Lebedev before the protest and pointing out that the attack took place at an LGBT public demonstration where people came to beat up "faggots."[208] Her petitions were declined and, as described above, a court convicted a lone suspect on battery charges and on appeal annulled the punishment it had assigned him.[209]

In one of the cases documented by Human Rights Watch, an assailant had openly acknowledged that he was motivated by homophobic sentiment during the investigation and trial. Gleb Likhotkin attacked Boris Romanov at an LGBT flash mob marking International Day Against Homophobia on May 17, 2012 in St. Petersburg. Romanov told Human Rights Watch that the flash mob organizers planned to release balloons as a symbol of LGBT equality. Romanov said that the St. Petersburg authorities had sanctioned the event and that several police officers were present to ensure order. Romanov was holding a balloon on which he had written, "God loves women and men equally" when Likhotkin lurched toward him and a woman standing next to him.

A video of the attack, viewed by Human Rights Watch, shows Romanov trying to protect the woman when Likhotkin fired at least twice from a pneumatic gun into Romanov's face.[210] The video shows Likhotkin, as police were arresting him, declaring to the crowd of LGBT activists that "sodomy is a mortal sin."[211] It also shows another anti-LGBT activist holding a big cross yelling, "Death to sodomites" mere moments before Likhotkin attacked Romanov.

Likhotkin's trial on hooliganism charges began in May 2013. During one of the trial hearings, attended by a Human Rights Watch researcher, Likhotkin testified that he had

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[208] Human Rights Watch telephone interview with Olga Gnezdilova, August 8, 2014.

[209] A copy of the verdict is on file with Human Rights Watch.

[210] Video of the attack is available on YouTube: https://www.youtube.com/watch?v=yWgpEcD7zwU#t=41 (accessed July 17, 2014).

[211] Ibid.

interpreted the writing on Romanov's balloon as, "God accepts nontraditional sexual perversion."[212] He said that when he heard there would be a "gay pride parade" on May 17, he "did not believe this because we have a law banning gay propaganda" and that when he went to see for himself, he saw "all kinds of gay propaganda" ("a distorted/flawed rainbow," "a pink triangle," and "posters").[213]

Despite testimony Likhotkin gave in court and during the investigation making clear his motives, the judge rejected without explanation Romanov's lawyer's petitions to reclassify the attack and the shooting as a crime motivated by hatred toward LGBT people as a social group.[214] On November 11, 2013, the Petrogradsky District Court in St. Petersburg convicted and sentenced Likhotkin to one year of probation and ordered him to pay 10,000 rubles (approximately US$300) as compensation for Romanov's temporary loss of ability to work due to his injury. In February 2014 the St. Petersburg City Court dismissed the case on appeal because it fell under a presidential amnesty announced in December 2013.[215]

Response To Attacks By Occupy Pedophilia And Their Imitators

As described below, in the few cases where law enforcement pressed charges against such openly anti-LGBT vigilantes as Occupy Pedophilia, including its leader, Maxim Martsinkevich, for their attacks against gay people, they did not invoke hatred as an aggravating circumstance, even though the videos clearly show perpetrators using anti-gay slurs in connection with physical abuse of victims and with force and threats to hinder victims' escape.[216]

Even though Occupy Pedophilia and associated groups operate quite openly and Occupy Pedophilia has become active in over 30 Russian cities, in the past year Human Rights Watch is aware of only two cases in which authorities have pressed charges and two others in which investigations have been opened.[217]

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[212] Observations of a Human Rights Watch researcher in court, St. Petersburg, October 18, 2013.

[213] Ibid.

[214] Human Rights Watch interview with Kseniya Kirichenko, St. Petersburg, October 18, 2013.

[215] "Orthodox activist Gleb Likhotkin amnestied in commemoration of the 20th anniversary of the Russian Constitution [Православного активиста Глеба Лихоткина амнистировали в связи с 20-летием Конституции]," *RosBalt*, February 12, 2014, http://www.rosbalt.ru/piter/2014/02/12/1232525.html (accessed July 17, 2014).

[216] As noted above, Martsinkevich was arrested for "extremism" but not for his position in a group dedicated to carrying out violence against gay people.

[217] As described above, participants in attacks make little effort to conceal their faces in the videos posted online. Occupy Pedophilia page administrators on VKontakte openly advertise their upcoming "safaris," or attacks, and alert followers who

In August 2013 some members of an Occupy Pedophilia branch in Kamensk-Uralsky, where the group was particularly brazen in showing violence in their videos, were investigated following complaints from 11 assault victims. The Center for Combating Extremism, with the help of riot police, conducted a surprise raid on the apartments of the Occupy Pedophilia branch's prominent members,[218] where they found various knives, daggers, whips, live ammunition, and blunt instruments.[219]

In August 2013, criminal investigations into battery were launched after four victims submitted written complaints against the vigilantes in Kamensk-Uralsky. In April 2014 media reported that the authorities divided the case into two separate cases: a case against the group's leader for creating an extremist community (article 282.1, part 1 of the Criminal Code) and a case against eight of its members for participation in an extremist community (article 282.1 part 2).[220] The Russian media reported that as of February 2014, three suspects were in pretrial detention, while others were under house arrest.[221]

On August 15, 2014, a Moscow court convicted Occupy Pedophilia's founder, Maxim Martsinkevich, for his extremist comments online directed against non-Russians and immigrants.[222] The charges, however, did not include his well-documented homophobic violence. Martsinkevich was sentenced to five years in a penal colony.[223] On November 11 the Moscow City Court reduced on appeal Martsinkevich's prison term to two years and ten months.[224]

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are interested in participating to privately message the administrators for the date and location of the planned attack and advise them about a potential fee to participate in the "capture."

[218] "Police searched apartments of Occupy Pedophilia members [Полиция обыскала квартиры членов 'Оккупай-педофиляй']," *Russia.ru*, August 2, 2013, http://russia.ru/news/society/2013/8/2/14602.html (accessed September 30, 2014).

[219] "Anti-Gay Vigilante Groups Face Backlash," *Moscow Times*, August 19, 2013, http://www.themoscowtimes.com/news/article/anti-gay-vigilante-groups-face-backlash/484774.html (accessed September 30, 2014).

[220] "Occupy Pedophilia sent to pretrial detention ['Оккупай-Педофиляй' зарегистрировали в СИЗО]," *Kommersant.ru*, April 16, 2014, http://www.kommersant.ru/doc/2453967 (accessed August 9, 2014).

[221] Ibid.

[222] "Nationalist Tesak sentenced to five year of penal colony [Националиста Тесака приговорили к пяти годам колонии]," *Interfax*, August 15, 2014, http://www.interfax.ru/russia/391575 (accessed September 30, 2014).

[223] "Russian Neo-Nazi Sentenced to Five Years In Penal Colony, But Not For Antigay Attacks," *The Advocate*, August 19, 2014, http://www.advocate.com/world/2014/08/19/russian-neo-nazi-sentenced-five-years-penal-colony-not-antigay-attacks (accessed September 30, 2014).

[224] "Russia Cuts Sentence For 'Occupy Pedophilia' Leader," *BuzzFeed*, November 11, 2014, http://www.buzzfeed.com/susiearmitage/russia-cuts-sentence-for-occupy-pedophilia-leader (accessed November 11, 2014).

In December 2013 a Moscow court issued an arrest warrant for Martsinkevich on charges of incitement of hatred or enmity, as well as the humiliation of human dignity under article 282, part 2 of the Russian Criminal Code.[225] The charges were related to three videos he had published online. In one of the videos, Martsinkevich discusses a film about the Great Patriotic War and muses about what life would be like now if Hitler had won the war.[226]

Russian authorities also reportedly investigated one of Martsinkevich's followers, Philipp Razinski.[227] Russian police opened a criminal case against Razinski, who was 17 years old at the time, in December 2013, accusing him of extremism under article 282.[228] It remains unclear, however, whether any other charges were brought against him.[229]

Police also opened a criminal investigation against the leader of the Occupy Pedophilia group in St. Petersburg, Ekaterina Zigunova. Zigunova wrote on her VKontakte account page on July 5, 2014 that she is accused of hooliganism (article 213, part. 2), robbery with the use of violence (article 161, part 2), and damage to private property (article 167, part 2 of the Criminal Code).[230] At time of writing she was barred from leaving the city and from disclosing information about the case.[231]

In October 2013, police in Nizhny Novgorod reported on their website that they opened a criminal case against four members of the Occupy Pedophilia group in Nizhni Novgorod, who in addition to beating their victims also robbed them. According to the police report, the accused faced robbery charges under article 161 of the Criminal Code.[232]

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[225] "Tesak, nationalist Maksim Martsinkevich, detained in Cuba [На Кубе задержан Тесак - националист Максим Марцинкевич]," *NewsRu*, January 18, 2014, http://www.newsru.com/world/18jan2014/tesak.html (accessed August 9, 2014).

[226] "Trendy profession of Tesak [Модная профессия Тесака]," *Radio Freedom*, July 27, 2014, http://www.svoboda.mobi/a/25474190.html (accessed September 30, 2014).

[227] The second criminal case was launched in February 2014 under articles 282 (incitement of hatred or enmity and the humiliation of human dignity) and 137 (violation of inviolability of privacy). However, according to media reports, the case was opened not because one of his victims was thought to be gay but because he was Jewish. Rozinski was put under travel ban.

[228] "Young follower of nationalist Tesak became a suspect in an extremism case [Юный соратник националиста Тесака стал подозреваемым в деле об экстремизме]," *Interfax*, February 20, 2014, http://www.interfax.ru/russia/359906 (accessed July 2, 2014).

[229] Ibid.

[230] Human Rights Watch reviewed the posting on Zigunova's VKontakte page on August 5, 2014.

[231] Ibid.

[232] "Police in Nizhni Novgorod detained robbers who filmed their crimes [В Нижнем Новгороде задержаны грабители, снимавшие хищения на видео]," Main Department of the Interior Ministry of Russia in Nizhni Novgorod, October 2, 2013, http://52.mvd.ru/news/item/1250323/ (accessed September 30, 2014).

Some Occupy Pedophilia groups appear to have begun to take some precautions to avoid legal ramifications for their actions, mainly by including disclaimers in their videos alleging that people featured in them are actors. For example, an October 2013 video posted on the Occupy Pedophilia group page for Ufa and reposted on the main VKontakte page bears the description "all people in the video are actors."[233] However, the description of the video then reads, "A gay citizen came to visit a boy and invited the boy to come shower with him, but the boy refused, and so we decided to talk with him.… We are reposting [this video] to the maximum, to ruin the life of this bastard, the full episode will come out when there are 50 reposts." The video includes footage of a member of Occupy Pedophilia interviewing the victim and striking him repeatedly with a dildo.[234]

Several of the videos on Occupy Pedophilia groups' pages depict the victims turning to the camera and stating, "I am an actor." In one of the videos, the supposed "actor" is eventually forced to eat cigarettes, among other "punishments."[235]

On the face of it, such disclaimers have no credibility, but Human Rights Watch is not aware of any instances in which law enforcement has assessed what weight would be given to them.

[233] Human Rights Watch viewed this video.

[234] Human Rights Watch viewed this video on VKontakte in September 2013.

[235] Human Rights Watch viewed several such videos on VKontakte in September 2013.

IV. Harassment and Discrimination of LGBT Persons: Job Dismissals

Human Rights Watch documented seven cases in which LGBT people or people who support LGBT rights were threatened or pressured to resign from their jobs as educators in schools, universities, or community centers for children. In each case, smear campaigns, mostly in the form of petitions allegedly by concerned parents, targeted the individual on the basis of their sexual orientation or their personal support outside the workplace for LGBT rights. In almost all cases the campaigns invoked the anti-gay "propaganda" law and claimed that the educators could spread "propaganda" and demanded their dismissal. In six of these cases, their employers presented the educators with an ultimatum to stop their activism or resign, did not renew their contracts, or simply pressured them to resign.

Aleksander Beryozkin resigned from his job as an associate professor of sociology at Far Eastern Federal University in Vladivostok a few weeks after a public campaign against him started in early May 2014.[236] A group of people unknown to Beryozkin created an online petition, which Human Rights Watch reviewed, outing him as a gay man. The petition and online news reports accused him of engaging in LGBT propaganda financed by the United States State Department at the university. The petition called on the university administration to review Beryozkin's work and to establish whether he engaged in "propaganda for LGBT values among students," including with those under 18, and to dismiss him if he had.

At the time of the smear campaign, Beryozkin's contract was up for renewal. When he discussed the smear campaign with the university administration, he told Human Rights Watch that an administrator said to him, "You must understand you can't stay here." Beryozkin said that after being outed as gay in such a public and hateful way, he no longer felt safe in Vladivostok.[237] He resigned in mid-May 2014 and left Russia shortly thereafter.

Aleksander Ermoshkin, a secondary school geography teacher in Khabarovsk, told Human Rights Watch that he lost his job as a result of an alleged petition campaign against him in

[236] Human Rights Watch email correspondence with Alexander Beryozkin, May 17-19, 2014.

[237] Human Rights Watch telephone interview with Aleksander Beryozkin, June 26, 2014.

August 2013 by a group of people unknown to him. The group sent a letter to the Khabarovsk Regional Department of the Education Ministry calling for Ermoshkin's dismissal from his teaching job because he is openly gay and a known LGBT activist in Khabarovsk.[238]

The local education department claimed that the letter had 700 signatures and that it alleged that Ermoshkin's presence in the school could violate the federal anti-LGBT "propaganda" law because he presented homosexuality and equality for LGBT people in a positive light. The school administration forced Ermoshkin, who had taught at the same school for 10 years, to resign after the local education department supported calls for his dismissal. Officials at the local department refused Ermoshkin's request to see the letter.[239]

Ermoshkin told Human Rights Watch that he sued the school over the manner in which his resignation was managed. In May 2014 a Khabarovsk court ruled in favor of the school administration.[240] The ruling, which Human Rights Watch reviewed, found that Ermoshkin's resignation was in accordance with law.[241] Ermoshkin said that he has appealed the verdict.

Ekaterina Bogach, a Spanish language teacher from St. Petersburg, was targeted by a homophobic group for her support of LGBT rights. Media reports said that in November 2013 the group sent a complaint to the municipal committee on education and began an online campaign harassing Bogach, claiming that her involvement with the Alliance of Heterosexual People for LGBT Equality was harmful to her students.[242] The group claimed to represent a group called Parents of Russia but did not include parents of Bogach's students. Media reports said that the letter to the education committee called Bogach a "supporter of perverts" and claimed that she was harmful to her students' "psyche."[243]

The committee on education began an internal investigation into the complaint.[244]

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[238] Human Rights Watch interview with Aleksander Ermoshkin, Moscow, November 4, 2013.

[239] Ibid.

[240] Human Rights Watch email correspondence with Aleksandr Ermoshkin, June 24, 2014.

[241] A copy of the court verdict in Ermoshkin's case is on file with Human Rights Watch.

[242] "Spanish teacher from St. Petersburg Ekaterina Bogach about accusations of gay propaganda against her: it is slander, I did not break the law [Учитель испанского из Петербурга Екатерина Богач об обвинениях в гей-пропаганде: это донос, нарушения закона с моей стороны нет]," *TV Rain*, November 8, 2013; "Ekaterina Bogach [Екатерина Богач]," *Grani.ru*, November 5, 2013, http://grani.ru/people/2023/ (accessed June 24, 2014).

[243] Ibid.

[244] Human Rights Watch has no information about the results, if any, of the investigation. "Spanish teacher from St. Petersburg Ekaterina Bogach about accusations of gay propaganda against her: it is slander, I did not break the law," *TV Rain*.

Despite the harassment campaign against her, Bogach kept her job.[245] Over 100 of Bogach's former students signed a petition in her support.[246] Two deputies of the St. Petersburg legislature also expressed support for Bogach and called on the municipal committee on education to stop the harassment and investigation against her.[247]

Olga Bakhaeva was forced to resign from her teaching job in the city of Magnitogorsk after a harassment campaign against her that began in May 2013.

Bakhaeva told Human Rights Watch that she often posted and re-posted messages in support of LGBT rights on her account on the VKontakte social networking website.[248] Bakhaeva said that in May 2013 the group Parents of Russia had complained online about these posts to the administration of the school where she worked.

Bakhaeva said that she became the target of an online harassment campaign, receiving insulting and threating messages from anonymous users. Some of these individuals told her that LGBT people should not be allowed to work in schools, alleging that they are in direct violation of the anti-LGBT "propaganda" law. She told Human Rights Watch that she had received a message from one of these people that said, "I know how to destroy someone's life."[249]

As a result of the complaint, the school administration chided Bakhaeva and gave her an ultimatum to either stop her online activism or lose her job. She told Human Rights Watch that she had to resign because she felt it was wrong to keep quiet about discrimination against LGBT people. "I … could no longer stand working in an increasingly hostile atmosphere," she said.[250]

In April 2013 Konstantin Golava was laid off from his job as an after-school activity counselor at a municipal youth community center in Togliatti, a city 1,700 kilometers southeast of St. Petersburg. Golava told Human Rights Watch that in December 2012 the

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[245] Ibid.

[246] "Teachers cannot have a civic position? [Учителям запрещено быть гражданами?]," *RosBalt*, November 11, 2013, http://www.rosbalt.ru/generation/2013/11/11/1198166.html (accessed August 8, 2014).

[247] Ibid.

[248] Human Rights Watch interview with Olga Bakhaeva, St. Petersburg, October 18, 2013.

[249] Ibid.

[250] Ibid.

management called him to a meeting in which they gave him an ultimatum to either stop his environmental and LGBT activism or face immediate dismissal.[251] The administration eliminated his position in April 2013 and laid him off, he said.

With the assistance of the Samara region ombudsman's office he submitted a complaint to the State Labor Inspectorate challenging the decision. The inspection body concluded that in laying off Golava the management had violated Russia's labor laws and filed a lawsuit against Golava's employer but lost.[252] Golava said that he did not appeal the decision because he thought it would be futile.[253]

Oleg Kluenkov, an associate professor of philosophy at the Northern Arctic Federal University (SAFU) in Arkhangelsk and a staff member of the Arkhangelsk LGBT group Rakurs, was fired as a result of a smear campaign against him in local media and harassment by local law enforcement authorities. Kluenkov told Human Rights Watch that in November 2013 he had visited Arkhangelsk's sister city of Portland, Maine in November 2013 as a representative of a Russian LGBT organization and that during his visit he spoke about LGBT discrimination in Russia.[254] Several Arkhangelsk municipal officials visited Portland after Kluenkov and, he said, were unhappy to hear questions about LGBT rights in Arkhangelsk from their American counterparts. Malicious articles appeared in local press shortly thereafter, alleging that Kluenkov had made the trip "on Western money."[255]

In December 2013 the Arkhangelsk city prosecutor's assistant summoned Kluenkov and questioned him about his trip, particularly about how his trip had been financed.[256] Kluenkov said that months later, in April 2014, the prosecutor's office sent a note to his university's management notifying them about Kluenkov's violation of the Labor Code due to his absence from the university during his trip to the United States.[257] On April 17 the university management issued Kluenkov a reprimand and proposed that he resign because

[251] Human Rights Watch interview with Konstantin Golova, St. Petersburg, October 19, 2013.

[252] Ibid.

[253] Human Rights Watch email correspondence with Konstantin Golova, June 25, 2014.

[254] Human Rights Watch interview with Oleg Kluenkov, Moscow, September 11, 2014.

[255] Ibid.

[256] Ibid.

[257] Kluenkov told Human Rights Watch that the prosecutor's office pointed out that for this trip Kluenkov did not take vacation days and therefore missed work. Kluenkov, however, said that as a researcher he was not obliged by his work contract to be at the university on the days when he does not have classes.

he "tarnished the university's image."[258] Kluenkov said that the management told him, "All this is happening because of your trip to America." He refused and continued to work.

In late May the prosecutor's office sent a second note to the university and on June 17 Kluenkov was dismissed due to the alleged absence from his job during working hours. Kluenkov sued the university for unlawful dismissal, but the court ruled against him on September 1. He has appealed the court's decision.

Kluenkov's colleague at SAFU and the head of Rakurs, Tatyana Vinnichenko, also faced pressure from the university's management. In April 2014 she was called to a meeting with the university administration and given an ultimatum: either work at Rakurs or at SAFU. When she asked why she needed to choose, she was told, "Because the political situation has changed."[259]

Both Kluenkov and Vinnichenko told Human Rights Watch that SAFU's administration had always been aware of their work at Rakurs and that prior to 2014 they had never experienced difficulties over their LGBT activism.[260] Unlike Kluenkov, Vinnichenko continues to work at the university, where she has a contract that ends in spring 2015.

[258] Human Rights Watch interview with Oleg Kluenkov, September 11, 2014.

[259] Human Rights Watch telephone interview with Tatyana Vinnichenko, October 8-9, 2014.

[260] Human Rights Watch interview with Oleg Kluenkov, September 11, 2014; Human Rights Watch telephone interview with Tatyana VInnichenko, October 8-9, 2014.

V. Russia's International and Domestic Human Rights Obligations

This report shows that the absence of appropriate and effective measures by the Russian government to address the escalating violence and harassment against LGBT people and rights activists constitute a serious violation of Russia's obligations under international human rights law.

Russia has ratified numerous international human rights treaties that place obligations on it to protect the rights of individuals against violence and other types of abuse. Russia is obligated to take appropriate measures to prevent, punish, investigate, and redress the harm caused to individuals' rights and provide effective remedies to victims of human rights abuses.[261]

Russia has clear obligations under human rights law to act with due diligence to protect the human rights of LGBT persons to live free from violence, to uphold nondiscrimination, and to provide effective judicial remedies. Unequal protection against violence and unequal access to justice are prohibited under international law.

International Obligations Regarding Protection from Violence and Nondiscrimination

Russia ratified the International Covenant on Civil and Political Rights (ICCPR) in 1973.[262] It requires all state parties "to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."[263] The ICCPR includes guarantees to the right to life (article 6) and also states in article 9 that "everyone has the right to …

[261] Human Rights Committee, General Comment 31, Nature of the General Legal Obligation on States Parties to the Covenant, U.N. Doc. CCPR/C/21/Rev.1/Add.13 (2004), para. 8; European Convention for the Protection of Human Rights and Fundamental Freedoms, 213 U.N.T.S. 222, entered into force September 3, 1953, as amended by protocols nos. 3, 5, 8, and 11, which entered into force on September 21, 1970, December 20, 1971, January 1, 1990, and November 1, 1998 respectively, ratified by Russia on May 5, 1998, article 13.

[262] United Nations Treaty Collection, International Covenant on Civil and Political Rights, https://treaties.un.org/pages/viewdetails.aspx?chapter=4&src=treaty&mtdsg_no=iv-4&lang=en (accessed December 4, 2014).

[263] ICCPR, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316, 999 U.N.T.S. 171, December 16, 1966, art. 2(1).

security of person." These guarantees impose obligations on Russian authorities not to ignore danger to the life of people under their jurisdiction, and to take reasonable and appropriate measures to protect them.

Article 26 of the ICCPR guarantees that "all persons are equal before the law and are entitled without any discrimination to the equal protection of the law." The ICCPR also affirms the right to be free to lead an intimate life peacefully (article 17, the right to privacy), the right to freedom to express oneself, including one's gender identity, through clothes or comportment (article 19, the right to freedom of expression), and the freedom to move and meet in public without fear of harassment or attack (article 21, the freedom of assembly). As a state party to the ICCPR, Russia is obliged to prevent persecution of people for exercising those freedoms and punish it when it occurs.

The Human Rights Committee (the United Nations authoritative body which interprets the ICCPR and monitors the countries' compliance with it) has long held and emphasized on several occasions that sexual orientation is a status protected against discrimination under these provisions.[264]

The UN Human Rights Committee has found states in violation of their obligations under article 9 on security of the person if they fail to take adequate steps to protect people in the face of repeated threats to their lives. [265] The committee has criticized states' failure to protect people from violence based on sexual orientation, noting its concern at "the incidents of people being attacked, or even killed, on account of their sexual orientation" (article 9), "the small number of investigations mounted into such illegal acts," as well as at laws "used to discriminate against people on account of their sexual orientation" (article 26). It has urged states to "provide effective protection against violence and discrimination based on sexual orientation."[266]

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[264] See *Toonen v. Australia*, Communication no. 488/1992, adopted April 4, 1994; *Young v. Australia*, Communication no. 941/2000, adopted September 18, 2003. The Human Rights Committee has also urged states to pass antidiscrimination legislation that expressly includes sexual orientation and to prohibit in their constitutions all discrimination based on sexual orientation and gender identity. Human Rights Committee, Concluding Observations: Slovakia, CRC/C/SVK/CO/2, June 8, 2007, para. 28; Concluding Observations: Namibia, CCPR/CO/81/NAM, July 30, 2004, para. 22; Concluding Observations: Trinidad and Tobago, CCPR/CO/70/TTO, November 3, 2000, para. 11; Concluding Observations: Poland, CCPR/C/79/Add.110, 66th Session, para. 23.

[265] Human Rights Committee, Concluding Observations: El Salvador, CCPR/Co/78/SLV, July 22, 2003, para 16.

[266] Ibid.

In October 2012 the UN Human Rights Committee issued a ruling against Russia in a case involving the conviction of an LGBT activist under a regional anti-LGBT "propaganda" law (see section I). [267] The committee ruled that Russia was in violation of the right to freedom of expression (article 19) and labeled provisions in the "propaganda" law "ambiguous and discriminatory."[268]

In November 2012 the UN Committee Against Torture expressed concern at the Russian police's failure to "promptly react to, or to carry out effective investigations and bring charges against all those responsible for violent attacks against lesbian, gay, bisexual and transgender (LGBT) persons."[269] The committee urged Russia to "take effective measures to ensure the protection of all persons at risk, including … LGBT persons …, including through enhanced monitoring. All acts of violence and discrimination against [LGBT people] should be promptly, impartially and effectively investigated, the perpetrators brought to justice, and redress provided to the victims."[270] It also called on Russian authorities to "publicly condemn attacks against … LGBT persons … and organize awareness-raising campaigns, including among police, promoting tolerance and respect for diversity."

Russia became a member of the Council of Europe in 1996 and is bound to respect and uphold the organization's human rights standards, among other obligations. Russia also became a party to the European Convention on Human Rights in May 1998, is subject to the jurisdiction of the European Court of Human Rights, and is obligated to respect and implement its judgments. With respect to discrimination on the basis of sexual orientation,

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[267] ICCPR, Communication No. 1932/2010, CCPR/C/106/D/1932/2010, November 19, 2012, http://www2.ohchr.org/english/bodies/hrc/docs/CCPR.C.106.D.1932.2010.doc (accessed December 4, 2014). The same law, and laws like it in two other regions, have been challenged before the European Court of Human Rights. The cases filed between November 2009 and July 2012 are pending, see application nos. 67667/09, 44092/12 and 56717/12 (*Bayev, Kiselev and Alekseyev v Russia*).

[268] On March 30, 2009, LGBT activist Irina Fedotova stood next to a secondary school in Ryazan with posters that said, "Homosexuality is normal" and, "I am proud of my homosexuality." She was later convicted for an administrative violation of the Ryazan regional law prohibiting "public actions aimed at propaganda of homosexuality among minors" and ordered to pay 1,500 rubles ($45). Later, in August 2013, Fedotova appealed her guilty verdict following the ruling of the UN Human Rights Committee. On September 26, 2013, the Rayzan Regional Court reportedly acquitted Fedotova of all charges.

[269] UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Concluding observations on the fifth periodic report of the Russian Federation, adopted by the Committee at its forty-ninth session (29 October-23 November 2012), CAT/C/RUS/CO/5, December 11, 2012, http://www.europarl.europa.eu/meetdocs/2009_2014/documents/droi/dv/83_unconcluding2_/83_unconcluding2_en.pdf (accessed December 4, 2014), para. 15.

[270] Ibid, paras 15(a) and (b).

the court has repeatedly emphasized that not only is it a violation of the convention, but it is as serious as discrimination on the ground of race, gender, or ethnic origin. [271]

In March 2010 the Committee of Ministers of the Council of Europe issued a recommendation on measures to combat discrimination on grounds of sexual orientation or gender identity.[272] The recommendation calls member states to act to eliminate discrimination and ensure respect for the rights of LGBT people.[273] In particular, it urges states to "ensure effective, prompt and impartial investigations into alleged cases of crimes and other incidents where the sexual orientation or gender identity of the victim is reasonably suspected to have constituted a motive for the perpetrator."[274] The recommendation in addition appeals to member states to ensure that "the right to freedom of expression can be effectively enjoyed, without discrimination on grounds of sexual orientation or gender identity, including with respect to the freedom to receive and impart information on subjects dealing with sexual orientation or gender identity."[275] Recommendation CM/Rec(2010)5 was unanimously adopted, which means that it received the vote of a representative of the Russian Foreign Ministry.

The Yogakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity provides that "everyone, regardless of sexual orientation or gender identity, has the right to security of the person and to protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual or group."[276] The principles also call on states to take all available measures "to ensure full enjoyment of freedom of opinion and expression, while respecting the rights and freedoms of others, without discrimination on the basis of sexual orientation or

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[271] See *X v. Turkey*, application no. 24626/09, judgment of October 9, 2012. The court found Turkey in violation of articles 3 and 14 (prohibition on ill-treatment and discrimination), as the applicant's sexual orientation was deemed to be the main reason for placing him in solitary confinement for 13 months while he was in prison facing criminal charges (para. 57). See also *Alekseyev v. Russia,* application nos. 4916/07, 25924/08, and 14599/09, judgment of October 21, 2010, para. 108; *Vejdeland* v. *Sweden*, application no. 1813/07, judgment of February 9, 2012, para. 55; and most recently *Vallianatos and others v. Greece,* application nos. 29381/09 and 32684/09, judgment of November 7, 2013, paras. 76-77.

[272] Council of Europe, Recommendation CM/Rec (2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, adopted March 31, 2010, https://wcd.coe.int/ViewDoc.jsp?id=1606669 (accessed December 4, 2014).

[273] Ibid.

[274] Ibid, para. 1.

[275] Ibid, para. 13.

[276] Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity, March 2007, http://www.yogyakartaprinciples.org/principles_en.htm (accessed December 4, 2014), principle 5.

gender identity, including the receipt and imparting of information and ideas concerning sexual orientation and gender identity, as well as related advocacy for legal rights, publication of materials, broadcasting, organisation of or participation in conferences, and dissemination of and access to safer-sex information."[277]

International Human Rights Law and the Federal Anti-LGBT Propaganda Law

The adoption of the 2013 federal law on propaganda of "nontraditional sexual relationships" to children and similar regional laws in 11 Russian regions violates many of Russia's international human rights obligations.

As a party to the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights (ICCPR), Russia has undertaken legal obligations to guarantee the rights to freedom of assembly and expression and to ensure the enjoyment of those rights without discrimination. As noted, the UN Human Rights Committee has already issued a decision that the type of legislation that bans "propaganda" of LGBT relationships violates the right to freedom of expression and nondiscrimination, and the European Court of Human Rights is considering several similar cases.[278]

While the European Court of Human Rights has yet to issue a definitive judgment on the application of any of the "propaganda" laws, it has made clear that activities that constitute promotion of LGBT rights fall firmly within the protection of the guarantees in the ECHR on freedom of expression, association, and assembly and that interferences with those rights will be strictly scrutinized. For example, it has repeatedly and definitively struck down efforts by Russia and other countries to curtail activities to promote respect for equality and LGBT rights through bans and restrictions on public marches or refusal to recognize organizations working on such issues.[279] The court has reminded Russia specifically,

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[277] Ibid, principle 19.

[278] See ICCPR, Communication No. 1932/2010 and ECHR application nos. 67667/09, 44092/12, and 56717/12 (*Bayev, Kiselev and Alekseyev v. Russia*).

[279] *Baczkowski and Others v. Poland,* application no. 1543/06, judgment of May 3, 2007; *Alekseyev v. Russia,* application nos. 4916/07, 25924/08, and 14599/09, judgment of October 21, 2010; *Genderdoc-M v. Moldova*, application no. 9106/06, judgment of September 12, 2012.

> … As the Court stated in *Sergey Kuznetsov v. Russia* (no. 10877/04, § 45, 23 October 2008): "any measures interfering with the freedom of assembly and expression other than in cases of incitement to violence or rejection of democratic principles—however shocking and unacceptable certain views or words used may appear to the authorities—do a disservice to democracy and often even endanger it.[280]

In rejecting the Russian government's arguments that the state was only required to respect and tolerate the rights of sexual minorities in the private and not in the public sphere, the court noted,

> There is no scientific evidence or sociological data at the Court's disposal suggesting that the mere mention of homosexuality, or open public debate about sexual minorities' social status, would adversely affect children or "vulnerable adults." On the contrary, it is only through fair and public debate that society may address such complex issues as the one raised in the present case. Such debate, backed up by academic research, would benefit social cohesion by ensuring that representatives of all views are heard, including the individuals concerned."[281]

Under freedom of expression standards, governments are required to guarantee the expression of ideas or thoughts that might offend, shock, or disturb some sections of the population.[282] Any restriction on the right to freedom of expression must be demonstrably proportionate and necessary to achieve a legitimate aim. The federal and regional laws banning LGBT "propaganda" fail this test.

Moreover, according to European Court case law, any measure that results in a difference of treatment in enjoyment of rights based solely on sexual orientation amounts to discrimination and is therefore a violation under the convention.[283]

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[280] *Alekseyev v. Russia*, para. 80.

[281] Ibid, para. 86.

[282] *Handyside v. United Kingdom*, judgment of December 7, 1976.

[283] See *Alekseyev v. Russia*, para. 102; *X v. Turkey*, para. 50; and *Vallianatos and others v. Greece*, paras. 76-77.

Children's Rights

The purported rationale behind Russia's federal and regional "propaganda" bans is that the kind of information banned (i.e. that which normalizes same-sex relationships or portrays them as acceptable and of equal value to heterosexual relationships) poses a threat to the intellectual, moral, and mental well-being of children. However, in practice, not only is there no evidence that such information poses such a threat, the offending laws violate Russia's obligations under international human rights law and in particular the Convention on the Rights of the Child (CRC), to which it is a party.[284]

During a periodic review in January 2014 the UN Committee on the Rights of the Child recommended that the Russian authorities "repeal its laws prohibiting propaganda of homosexuality and ensure that children who belong to LGBTI groups or children of LGBTI families are not subjected to any forms of discrimination by raising the awareness of the public on equality and non-discrimination based on sexual orientation and gender identity."[285]

By targeting and stigmatizing LGBT persons, the ban also targets LGBT children and children in families with LGBT parents or other relatives, interfering with their right to freedom of expression, their family lives, their security and wellbeing, and their right to health and subjecting them to discrimination.

Critically, as noted by Anand Grover, the special rapporteur on the right to health, the ban also violates the right of all children to access essential information, including vital health information about issues relating to sexual health.[286]

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[284] CRC, adopted November 20, 1989, G.A. Res. 44/25, entered into force September 2, 1990, ratified by Russia on August 16, 1990, art. 13.

[285] CRC, Concluding observations on the combined fourth and fifth periodic reports of the Russian Federation, CRC/C/RUS/CO/4-5, January 31, 2014, http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/RUS/CRC_C_RUS_CO_4-5_16305_E.pdf (accessed December 4, 2014).

[286] CRC, General comment No. 4 (2003), Adolescent health and development in the context of the Convention on the Rights of the Child, CRC/GC/2003/41, July 2003, http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsiQql8gX5ZxhocQqSRzx6ZfAICbDzm5DUreYo1tlYOkZcPE%2bQh98dgWJaknr%2bF7jm9%2bkvHmi4ctJTvJ1CPTUqN7%2f4K3R8rTOQIXpWvhMbxof (accessed December 4, 2014).

Russia's Domestic Obligations

Russia's constitution guarantees freedom from violence in article 21: "Nobody should be subjected to torture, violence, or other severe or humiliating treatment or punishment." Russian authorities' failure to protect LGBT people from violence and discrimination is a failure to fulfill that constitutional guarantee.

The Russian Constitution also protects Russian citizens from discrimination (article 19) and guarantees their right to freedom of expression (article 29).[287]

The Russian Criminal Code does not have specific provisions to address hate motives toward LGBT persons as an aggravating circumstance of a crime. Article 63, however, does contain the term "social group," which could cover LGBT victims of crimes, but, as noted above, Russian police and courts do not consider LGBT persons as a social group. As of today, not a single crime committed against an LGBT person documented in this report has been investigated as a hate crime, and therefore not a single perpetrator has been prosecuted for committing a crime with a hate motive toward LGBT people.

The response of Russian law enforcement and judicial authorities to anti-LGBT violence is inadequate and constitutes failure to protect the public from violent crime.

[287] "Everyone shall have the right freely to seek, receive, transmit, produce and disseminate information by any legal means. The list of types of information, which constitute State secrets, shall be determined by federal law." Constitution of the Russian Federation, article 29(4).

Acknowledgements

Tanya Cooper, Russia researcher in the Europe and Central Asia Division of Human Rights Watch, researched and wrote this report. Some of the research was conducted together with Anna Kirey, former researcher with the Lesbian, Gay, Bisexual, and Transgender (LGBT) Rights Program.

This report was edited by Rachel Denber, deputy director of the Europe and Central Asia Division of Human Rights Watch. It was reviewed by Boris Dittrich, advocacy director of the LGBT Rights Program; Zama Coursen-Neff, executive director of the Children's Rights Division; and Veronika Szente Goldston, advocacy director of the Europe and Central Asia Division. Aisling Reidy, senior legal advisor, provided legal review, and Tom Porteous, deputy program director, provided Program review.

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This report would not have been possible without the many important contributions from Kseniya Kirichenko, coordinator of strategic litigation and international advocacy for the LGBT group Coming Out; Alexander Verkhovsky, director of the SOVA Center for Information and Analysis; and Alexander Burkov, an LGBT activist from Novosibirsk.

Human Rights Watch is deeply grateful to the many LGBT activists in Moscow, St. Petersburg, Samara, Voronezh, Kazan, Novosibirsk, and other Russian cities who agreed to be interviewed for this report. Their commitment to protecting rights of victims of homophobic and transphobic violence is humbling and inspiring. We are especially grateful to all LGBT persons and their supporters who spoke to us about their experiences. We hope that one day soon they can live in a Russia free of violence and discrimination.

Appendix

1) Human Rights Watch Correspondence with the Ministry of Interior

2) Human Rights Watch Correspondence with the Investigative Committee

3) Human Rights Watch Correspondence with the Prosecutor General's Office

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April 16, 2014

HUMAN RIGHTS WATCH

HRW.org

Minister of Interior
Russian Federation
Vladimir Aleksandrovich Kolokoltsev

Dear Vladimir Aleksandrovich,
Please accept my greetings on behalf of Human Rights Watch. I am writing to kindly request a meeting for Human Rights Watch representatives with relevant officials of the Interior Ministry of the Russian Federation to learn about measures your office is taking to combat violence and harassment of LGBT people.

As you may know, Human Rights Watch is an independent, international human rights organization that advocates respect for human rights in some 90 countries worldwide, including Russia.

In recent months, Human Rights Watch documented many cases of violence and harassment of lesbian, gay, bisexual and transgender (LGBT) people and activists. A brief summary of the types of violence we documented is below. We would welcome an opportunity to meet to share our findings with you in more details and to discuss the Interior Ministry's role in prosecuting cases of homophobic violence and other abuses. A list of specific questions for discussion is at the end of this letter. We are eager to reflect in our public reporting any steps the Interior Ministry is taking to hold accountable those responsible for homophobic violence.

Human Rights Watch conducted in-depth interviews with several dozen victims of homophobic violence in several cities, including Saint Petersburg and Moscow, in 2013 and 2014. These interviewees, who were all LGBT people, experienced various types of physical violence and harassment because of their sexual orientation or gender identity. Additionally, we interviewed over 30 LGBT activists who were attacked or harassed at public gatherings by anti-gay counter protestors and detained by police for their participation in demonstrations for LGBT equality. Human Rights Watch also interviewed representatives of nongovernmental organizations that work to protect the rights of LGBT people, as well as representatives of other human rights organizations. Several victims of homophobic and transphobic violence and harassment

declined to be interviewed due to fear of retaliation, of being outed, and lack of trust in the justice system.

As you must be aware, the absence of statistics on crimes motivated by homophobia makes it impossible to put an exact figure on the rise in the number of such attacks in 2013. However, it is worth noting that all of the victims and LGBT groups, who spoke to Human Rights Watch, said they experienced an escalation in homophobic violence starting in late 2012.

The types of violence and harassment these individuals told us about fell into three broad categories. Some interviewees said they had for years faced stigma, harassment, and violence in their everyday lives, and that these problems intensified in 2013. Interviewees in cities including Moscow, St. Petersburg, and Novosibirsk told Human Rights Watch they were physically attacked in public places, abducted, beaten, harassed, threatened, and psychologically abused. In some cases, their attackers were individuals; in others, they were groups of homophobic youths. Interviewees said they were afraid to report the violence to the police, fearing further harassment and believing the police would not bother to pursue their attackers. When victims did lodge complaints with the police, few investigations followed.

Other interviewees were victims of abuse by such vigilante groups as Occupy Pedophilia. As you may be aware, these groups lure men or boys to meetings, accuse them of being gay and pedophiles, humiliate and, in many cases, abuse them physically, and post videos of the proceedings on social media. In one the most severe of these cases we documented, the victims told us that his attackers broke his jaw and robbed him.

According to its own web postings, Occupy Pedophilia has carried out attacks in cities including St. Petersburg, Krasnodar, Kaliningrad, Novosibirsk, Ufa, Ryazan, Rostov, Tula, Omsk, Kazan, Magnitogorsk, Irkutsk and others. Its VKontakte webpage hosts hundreds of videos from more than 30 Russian cities. Other nationalistic groups not directly associated with Occupy Pedophilia use similar methods to attack LGBT people.

These groups have posted online hundreds of videos of abuse they perpetrated against gay men. Yet, Human Rights Watch is unaware of anyone held accountable for perpetrating the abuse depicted in the videos. Maxim Martsinkevich, the founder and main leader of Occupy Pedophilia, was arrested by Russian authorities in January 2014. To the best of our knowledge, he faces extremism charges that are reportedly unrelated to his group's violence against LGBT people.

We also interviewed LGBT activists, who were targets of attacks by anti-LGBT activists, and witnesses of such attacks, during public events in support for LGBT equality in 2012 and 2013 in Voronezh, St. Petersburg, Moscow, and Novosibirsk. Interviewees told Human Rights Watch that law enforcement officials often did not take appropriate measures to

protect activists from violence and in many cases detained them without grounds. In court, the activists faced administrative charges, some were later dropped.

Human Rights Watch documented cases of violence and harassment of LGBT activists in Moscow, St. Petersburg, Novosibirsk, Voronezh, Samara, and Kazan. Several LGBT organizations and their staff experienced violence, threats, and interference with their work. One egregious attack occurred in November at LaSky, an HIV prevention center serving the LGBT community in St. Petersburg. Two people entered the LaSky office during a social event and attacked visitors, shooting one in the eye with a pneumatic gun and beating another with a baseball bat.

In light of these findings, we would welcome a reply to this letter at your earliest convenience in order to reflect your office's position on these important issues on the problems faced by Russian LGBT people and activists. Human Rights Watch representatives will be in Moscow between May 20 and 26. We very much hope that relevant experts from the Interior Ministry will be able to meet with us on these dates.

You can address questions related to the organization of this meeting to our colleagues in HRW's Moscow office Ivan Kondratenko (kondrai@hrw.org, tel: +7 915 175 2711).

Below is a list of questions we would like to discuss at the meeting:

1) How many complaints has the Interior Ministry received that pertain to homophobic violence or hate crimes against LGBT people in 2012 and 2013? How do these numbers compare to previous years?
2) Is homophobic violence a pattern that the Interior Ministry tracks? Does the Interior Ministry collect statistics about hate crimes committed against LGBT people? If so, are they publically available information? If statistics are not publically available, would the Interior Ministry be able to share with us any such information?
3) How many cases of attacks against LGBT people did the Interior Ministry investigate in 2012/2013? Was anyone prosecuted for such crimes in 2012/2013? If not, are there currently any outstanding investigations?
4) Has the Interior Ministry registered any quantitative change in the number of instances of violence and harassment against LGBT people?
5) Is the Interior Ministry aware of any other initiatives within the law enforcement establishment to stop illegal and abusive activities of these vigilante groups and prevent such abuses from happening again?
6) What mechanisms does the Interior Ministry have in place to guarantee confidentiality of investigations of cases of violence and harassment of LGBT individuals (operativno rozysknye meropriyatiya)? How do you assess the effectiveness of these measures? To what degree is there a specific need to ensure confidentiality for victims of homophobic violence?

7) Are there any existing guidelines on addressing homophobic violence developed by the Interior Ministry? Would you be able to share them with us?

8) Do Russian Federation's police academies include specialized training on violence based on sexual orientation or gender identity in their curricula?

We look forward to hearing from you on these issues and to continuing our constructive dialogue in the interest of ensuing human rights protections for Russia's LGBT community. Thank you for your attention and I look forward to your reply.

Sincerely yours,

Hugh Williamson
Executive Director for Europe and Central Asia division
Human Rights Watch

Translation from Russian

Ministry of Internal Affairs of the Russian Federation
Administration for Interaction with Civil Society and the Media

May 21, 2014 N 23/126-У

Dear Mr. Williamson,

The Administration for Interaction with Civil Society and the Media of the Ministry of Internal Affairs of the Russian Federation reviewed your letter (dated April 28, 2014 N 126-У) addressed to the Ministry of Internal Affairs of the Russian Federation.

We would like to inform you that the legal basis for service in the bodies of Internal Affairs of the Russian Federation is stipulated by Federal Law No. Z-FZ "On Police," dated February 7, 2011, and Federal Law No. 342-FZ "On Service in the Bodies of Internal Affairs of the Russian Federation and Amendments to Select Legal Acts of the Russian Federation."

The above-mentioned federal laws stipulate police authority to protect rights, freedoms, and legal interests of a person regardless of gender, race, ethnicity, language, origins, property and official job status, place of residence, religious affiliations, beliefs, affiliation with public associations, and other circumstances.

Educational institutions of the Ministry of Internal Affairs (MVD) offer educational programs that provide for obtaining theoretical knowledge in a volume necessary to conduct operational tasks, taking into account the specific character of the respective units; the legal basis for these programs constitute: international law provisions, laws and other legal acts of the Russian Federation, normative legal documents of the Ministry of Internal Affairs of the Russian Federation, which are aimed at shaping cultural and professional competence of future internal affairs staff.

Additionally, we would like to inform you that the Ministry of Internal Affairs of the Russian Federation does not separately gather information on crimes committed against lesbians, gays, bisexuals, and transgenders, as well as investigation results, prosecution, and measures taken to eliminate consequences of the crimes committed.

Deputy Head M.N. Molokova

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April 18, 2014

HUMAN RIGHTS WATCH

HRW.org

Investigative Committee
Russian Federation
Aleksandr Ivanovich Bastrykin

Dear Aleksandr Ivanovich,

Please accept my greetings on behalf of Human Rights Watch. I am writing to kindly request a meeting for Human Rights Watch representatives with relevant officials of the Investigative Committee to learn about measures your office is taking to combat violence and harassment of LGBT people.

As you may know, Human Rights Watch is an independent, international human rights organization that advocates respect for human rights in some 90 countries worldwide, including Russia.

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In light of these findings, we would welcome a reply to this letter at your earliest convenience in order to reflect your office's position on these important issues on the problems faced by Russian LGBT people and activists. Human Rights Watch representatives will be in Moscow between May 20 and 26. We very much hope that relevant experts from the Investigative Committee will be able to meet with us on these dates.

You can address questions related to the organization of this meeting to our colleagues in HRW's Moscow office Ivan Kondratenko (kondrai@hrw.org, tel: +7 915 175 2711).

Below is a list of questions we would like to discuss at the meeting:

1) How many complaints has the Investigative Committee, and, to your knowledge, your regional offices, received that pertain to homophobic violence or hate crimes against LGBT people in 2012 and 2013? How do these numbers compare to previous years?
2) Is homophobic violence a pattern that the Investigative Committee tracks? Does the Investigative Committee collect statistics about hate crimes committed against LGBT people? If so, are they publically available information? If statistics are not publically available, would the Investigative Committee be able to share with us any such information?
3) How many cases of attacks against LGBT people did the Investigative Committee investigate in 2012/2013? Was anyone prosecuted for such crimes in 2012/2013? If not, are there currently any outstanding investigations?
4) Has the Investigative Committee registered any quantitative change in the number of instances of violence and harassment against LGBT people?
5) How many investigations did the Investigative Committee carry out against members of Occupy Pedophilia and other anti-LGBT vigilante groups in 2012/2013 for the crimes described in this letter? We would be very grateful for any information about the charges, the underlying actions that prompted the charges, prosecutions, and convictions.
6) Aside from investigations, is the Investigative Committee aware of any other initiatives within the law enforcement establishment to stop illegal and abusive activities of these vigilante groups and prevent such abuses from happening again?

7) What mechanisms does the Interior Ministry have in place to guarantee confidentiality of investigations of cases of violence and harassment of LGBT individuals (operativno rozysknye meropriyatiya)? How do you assess the effectiveness of these measures? To what degree is there a specific need to ensure confidentiality for victims of homophobic violence?

8) Are there any existing guidelines on investigating homophobic violence developed by the Investigative Committee? Would the Prosecutor General's office be able to share them with us?

We look forward to hearing from you on these issues and to continuing our constructive dialogue in the interest of ensuing human rights protections for Russia's LGBT community. Thank you for your attention and I look forward to your reply.

Sincerely yours,

Hugh Williamson
Executive Director for Europe and Central Asia division
Human Rights Watch

Translation from Russian

The Investigative Committee of the Russian Federation
May 19, 2014 No. 208-12485-14

Human Rights Watch Representative Office

The Investigative Committee of the Russian Federation (further the Investigative Committee) has reviewed the appeal of the human rights organization Human Rights Watch on prevention of discrimination and violence based on sexual orientation and gender identity in the Russian Federation.

The Investigative Committee is constantly taking measures to efficiently execute the authority entrusted to it by Federal Law No. 403-FZ "On the Investigative Committee of the Russian Federation," dated December 28, 2010, in the area of criminal judicial procedure, including protection of rights and freedoms of a human and a citizen. Leadership of the Investigative Committee pays particular attention to work in this area.

It should also be noted that according to Russian Federation legislation, information obtained during preliminary investigations cannot be revealed. Disclosure of private information and circumstances in the course of investigative actions is not tolerated.

Information on reception of citizens and organizations' representatives is posted on the Investigative Committee's official website at http://www/sledcom.ru.

Information received from the human rights organization Human Rights Watch deserves attention and will be considered in the further work of the Investigative Committee of the Russian Federation.

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April 16, 2014

HUMAN RIGHTS WATCH

HRW.org

Prosecutor General's office
Prosecutor General of the Russian Federation
Yuri Chaika

Dear Yuri Yakovlevich,
Please accept my greetings on behalf of Human Rights Watch. I am writing to kindly request a meeting for Human Rights Watch representatives with relevant officials of the Prosecutor General's office to learn about measures the Prosecutor General's office is taking to combat violence and harassment of LGBT people.

As you may know, Human Rights Watch is an independent, international human rights organization that advocates respect for human rights in some 90 countries worldwide, including Russia.

In recent months, Human Rights Watch documented many cases of violence and harassment of lesbian, gay, bisexual and transgender (LGBT) people and activists. A brief summary of the types of violence we documented is below. We would welcome an opportunity to meet to share our findings with you in more detail and to discuss the Prosecutor General's role in prosecuting cases of homophobic violence and other abuses. A list of specific questions for discussion is at the end of this letter. We are eager to reflect in our public reporting any steps the Prosecutor General's Office is taking to hold accountable those responsible for homophobic violence.

Human Rights Watch conducted in-depth interviews with several dozen victims of homophobic violence in several cities, including Saint Petersburg and Moscow, in 2013 and 2014. These interviewees, who were all LGBT people, experienced various types of physical violence and harassment because of their sexual orientation or gender identity. Additionally, we interviewed over 30 LGBT activists who were attacked or harassed at public gatherings by anti-gay counter protestors and detained by police for their participation in demonstrations for LGBT equality. Human Rights Watch also interviewed representatives of nongovernmental organizations that work to protect the rights of LGBT people, as well as representatives of other human rights organizations. Several victims of

homophobic and transphobic violence and harassment declined to be interviewed due to fear of retaliation, of being outed, and lack of trust in the justice system.

As you must be aware the absence of statistics on crimes motivated by homophobia makes it impossible to put an exact figure on the rise in the number of such attacks in 2013. However, it is worth noting that all of the victims and LGBT groups, who spoke to Human Rights Watch, said they experienced an escalation in homophobic violence starting in late 2012.

The types of violence and harassment these individuals told us about fell into three broad categories. Some interviewees said they had for years faced stigma, harassment, and violence in their everyday lives, and that these problems intensified in 2013. Interviewees in cities including Moscow, St. Petersburg, and Novosibirsk told Human Rights Watch they were physically attacked in public places, abducted, beaten, harassed, threatened, and psychologically abused. In some cases, their attackers were individuals; in others, they were groups of homophobic youths. Interviewees said they were afraid to report the violence to the police, fearing further harassment and believing the police would not bother to pursue their attackers. When victims did lodge complaints with the police, few investigations followed.

Other interviewees were victims of abuse by such vigilante groups as Occupy Pedophilia. As you may be aware, these groups lure men or boys to meetings, accuse them of being gay and pedophiles, humiliate and, in many cases, abuse them physically, and post videos of the proceedings on social media. In one the most severe of these cases we documented, the victims told us that his attackers broke his jaw and robbed him.

According to its own web postings, Occupy Pedophilia has carried out attacks in cities including St. Petersburg, Krasnodar, Kaliningrad, Novosibirsk, Ufa, Ryazan, Rostov, Tula, Omsk, Kazan, Magnitogorsk, Irkutsk and others. Its VKontakte webpage hosts hundreds of videos from more than 30 Russian cities. Other nationalistic groups not directly associated with Occupy Pedophilia use similar methods to attack LGBT people.

These groups have posted online hundreds of videos of abuse they perpetrated against gay men. Yet, Human Rights Watch is unaware of anyone held accountable for perpetrating the abuse depicted in the videos. Maxim Martsinkevich, the founder and main leader of Occupy Pedophilia, was arrested by Russian authorities in January 2014. To the best of our knowledge, he faces extremism charges that are reportedly unrelated to his group's violence against LGBT people.

We also interviewed LGBT activists, who were targets of attacks by anti-LGBT activists, and witnesses of such attacks, during public events in support for LGBT equality in 2012 and 2013 in Voronezh, St. Petersburg, Moscow, and Novosibirsk. Interviewees told Human Rights Watch that law enforcement officials often did not take appropriate measures to protect

activists from violence and in many cases detained them without grounds. In court, the activists faced administrative charges, some were later dropped.

Human Rights Watch documented cases of violence and harassment of LGBT activists in Moscow, St. Petersburg, Novosibirsk, Voronezh, Samara, and Kazan. Several LGBT organizations and their staff experienced violence, threats, and interference with their work. One egregious attack occurred in November at LaSky, an HIV prevention center serving the LGBT community in St. Petersburg. Two people entered the LaSky office during a social event and attacked visitors, shooting one in the eye with a pneumatic gun and beating another with a baseball bat.

In light of these findings, we would welcome a reply to this letter at your earliest convenience in order to reflect your office's position on these important issues on the problems faced by Russian LGBT people and activists. Human Rights Watch representatives will be in Moscow between May 20 and 26. We very much hope that relevant experts from the General Prosecutor's office will be able to meet with us on these dates.

You can address questions related to the organization of this meeting to our colleagues in HRW's Moscow office Ivan Kondratenko (kondrai@hrw.org, tel: +7 915 175 2711).

Below is a list of questions we would like to discuss at the meeting:

1) How many complaints has the Prosecutor General's office, and, to your knowledge, regional prosecutors' offices, received that pertain to homophobic violence or hate crimes against LGBT people in 2012 and 2013? How do these numbers compare to previous years?
2) Is homophobic violence a pattern that the Prosecutor General's office tracks? Does the Prosecutor General's office collect statistics about hate crimes committed against LGBT people? If so, are they publicly available information? If statistics are not publicly available, would the Prosecutor General's office be able to share with us any such information?
3) How many cases of attacks against LGBT people did the Prosecutor General's office prosecute in 2012/2013? Was anyone prosecuted for such crimes in 2012/2013? If not, are there currently any outstanding investigations?
4) How many investigations did the Prosecutor General's office take to court against members of Occupy Pedophilia and other anti-LGBT vigilante groups in 2012/2013 for the crimes described in this letter? We would be very grateful for any information about the charges, the underlying actions that prompted the charges, prosecutions, and convictions.
5) Aside from investigations, is the Prosecutor General's office aware of any other initiatives within the law enforcement establishment to stop illegal and abusive activities of these vigilante groups and prevent such abuses from happening again?
6) Are there any existing guidelines on investigating homophobic violence developed by the Prosecutor General's office? Would the Prosecutor General's office be able to share them with us?

We look forward to hearing from you on these issues and to continuing our constructive dialogue in the interest of ensuing human rights protections for Russia's LGBT community. Thank you for your attention and I look forward to your reply.

Sincerely yours,

Hugh Williamson
Executive Director for Europe and Central Asia division
Human Rights Watch

Translation from Russian

The Prosecutor General's Office of the Russian Federation

May 20, 2014 N 27/3-329-2013/ON23905-14

The Prosecutor General's Office of the Russian Federation has reviewed a meeting request letter from Hugh Williamson, Human Rights Watch Europe and Central Asia Division Director, requesting a meeting with our staff responsible for work on homophobic violence.

We would like to inform you about the following.

According to law enforcement authorities' data, during the time period of 2012-to date 2014, no crimes were registered committed out of homophobia or violence against the LGBT community.

The legislation does not provide for maintaining separate records of complaints from and offenses against the LGBT community.

Thus, it is not possible to provide you with statistical information requested on offences committed against lesbian, gay, bisexual, and transgender people (further LGBT).

There have been several cases of criminal prosecution of citizens who committed offences against the LGBT community out of hooliganism motives in Voronezh region and in St. Petersburg. The Court did not find extremism motives in these crimes.

On November 4, 2013, the Investigative Directorate of the Directorate of the Ministry of Internal Affairs (SU UMVD) of St. Petersburg's Admiralteiskii district opened a criminal case against unidentified persons under article 116, part 2; article 213, part 2; and article 111, part 2, point d of the Criminal Code of the Russian Federation for acts of hooliganism committed on November 3, 2013 on the office premises of LaSky. Investigation of the criminal case is ongoing, as well as investigation and search operations aimed at identification of persons who committed the crime.

Law enforcement agencies and prosecutors continuously undertake preventive measures in order to prevent extremist manifestations; explanatory work among the population is conducted, and the Internet network is being monitored, among other things.

At the same time, I would like to inform you that the LGBT community does not always comply with federal legislation regulating organization and conducting of public events. Not only does this prohibit authorities to take timely measures to ensure safety and public order during these events, but also serves as grounds for prosecuting representatives of the LGBT community.

For instance, on April 11, 2014, in Samara, without prior notification to the Samara city administration, a public action "with the goal to bring public attention to the problem of silencing hate crimes against the LGBT community in Russia" was conducted along with dissemination of propaganda materials. Three protocols on administrative offences were issued under article 20.2, part 5 of the Russian Federation Administrative Code and were submitted to the Samara Leninskii District Court along with inspection materials, and currently they are being reviewed by the Court.

Since Mr. Williamson's letter does not include specific information on infringement of the law, since specific cases of violence and persecution of LGBT activists are not listed (including by members of "Occupy-Pedophilia" and other homophobic groups and citizens), and since victims of violence are not named, there are no grounds for a prosecutor's inquiry.

Taking into account the above-stated, we consider a meeting to discuss these issues impractical at this time.

Acting Head
Department for Supervision over Execution of Legislation on Federal Security, Interethnic Relations and Combating Extremism and Terrorism
N.G. Polyakova

Russia's lesbian, gay, bisexual, and transgender (LGBT) community has become the target of physical violence and everyday harassment. In the past two years there has been a surge of attacks by individuals and vigilante groups against LGBT people and activists. Russian law enforcement agencies appear to lack the will to take homophobic violence seriously and have done little to hold assailants accountable. This inaction has perpetuated the cycle of discrimination, harassment, and violence.

In June 2013 Russia effectively entrenched legalized discrimination against LGBT people by adopting a federal law—the anti-LGBT "propaganda" law—banning distribution of information in the presence of children about LGBT relationships.

License to Harm: Violence and Harassment against LGBT People and Activists in Russia documents the spread of homophobic and transphobic violence and everyday harassment against LGBT people and activists in the lead-up to and since the adoption of the 2013 anti-LGBT law. The report is based on dozens of interviews with LGBT people and activists from 16 cities and towns in Russia. Human Rights Watch deplores the wholly inadequate efforts by Russian law enforcement to effectively investigate anti-LGBT violence and curb its spread.

Human Rights Watch urges Russian authorities to address the escalation of anti-LGBT violence in the country, prosecute homophobic attacks as hate crimes, and repeal the anti-LGBT "propaganda" law.

hrw.org

(above) A young lesbian couple in Russia embrace each other in the street, an act that has the potential to expose them to verbal or physical attacks.

(front cover) People hold posters depicting victims of homophobic violence at a public event in St. Petersburg.

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