



BY MATTHEW SCHAAF

ADVOCATING FOR EQUALITY

A BRIEF HISTORY OF LGBT RIGHTS IN RUSSIA

WHY THE OLYMPICS ARE JUST A BLIP ON THE LONG, AND POSSIBLY ENDLESS, ROAD TOWARD JUSTICE

What is propaganda of homosexuality? This is a question discussed in both international media and kitchens across Russia since the Russian Duma began considering a ban on homosexual “propaganda” in 2012. The “crazy printer,” as the Duma, which has been churning out one repressive law after another, is mockingly called by its critics, finalized

the ban on “propaganda” in June 2013 on the heels of an increase in homophobic attacks, hateful statements by a wide spectrum of Russian leaders, and a 100-year ban on public gay pride events in Moscow. Diplomats and foreign officials voiced concern and activists organized solidarity actions in foreign capitals, but it wasn’t until the question of how

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the propaganda ban will affect lesbian, gay, bisexual, and transgender (LGBT) athletes and fans during the Olympics that the marginalization and hate that has recently plagued LGBT people in Russia finally percolated into mainstream discourse. If you haven't been following LGBT rights in Russia, this moment would seem to have appeared completely out of the blue, but it was in fact a long time in the making.

For the last 20 years, there never was much attention to the LGBT population in Russia despite Russian activists' attempts to develop community, address the invisibility of people with so-called "nontraditional sexual orientations" in Russian society, and tackle widespread discrimination and violence. While article 121.1 of the criminal code, which criminalized sex between men in Soviet Russia, was annulled in 1993, Russia's chaotic and

"free" 1990s was no heyday for LGBT rights. Homosexuality as an alien Western infection or mental illness continued to be the defining narrative as Russian identity was being reconstructed and redefined by renewed religious fervor and nostalgia for the Russian empire. At the same time, homosexuality also came to be considered by many as anti-Russian, either because it was condemned by Russian Orthodox officialdom or because they believed it undermined Russian norms of machismo or patriarchy.

Until 1993, being a gay man in Russia could result in significant time in penal colonies or the Gulag. Even in 1993 around 75 men remained in prison for *muzhelozhstvo* (men lying with men), though that was a far cry from the 500 to 1,000 men who were annually imprisoned between 1960 and 1990. Getting people

out of prison and reconciling with this repressive past was one of the first tasks that Russian LGBT advocates took on following the decriminalization of homosexuality, according to the renowned Soviet and Russian sociologist Igor Kon. Activists campaigned for the freedom of imprisoned gay men and confronted attitudes such as that of one prison director who, Kon reports, reacted to the changes by saying, "I don't give a damn that article [121.1] was annulled, they're locked up and they'll stay locked up."

Numerous educational and LGBT rights groups, including Tema (Theme) and Krylya (Wings), sprang up in the early 1990s around the time when gay sex was decriminalized and pressure from the outside on the Russian government to reform was immense. In his volume *Sexual Culture in Russia*, Kon characterized the period as the "entrance into the battle by representatives of the sexual minorities themselves, mainstreaming of the problem of human rights, and transformation of the problem from medical to political." Foreign activists also entered the fray. The International Gay and Lesbian Human Rights Commission (IGLHRC) was launched in 1991 when 90 American

May Day 2013 LGBT rally; St. Petersburg, Russia. (Photos by Sergey Chernov)



LGBT activists traveled to the Soviet Union to advocate for reforms and the rights of gays and lesbians. In 1994, Russian activists and IGLHRC published the first report on the rights of LGBT people in Russia.

While violence against LGBT people was a regular occurrence in the late 1990s and early 2000s, an overall lack of visibility at once protected LGBT people from outward hostility and kept them on the margins of society. As bars with unmarked doors hidden in courtyards began opening in some cities, discretion ruled the day, and many gays and lesbians were content to stay in the closet—flying below the radar was the safest option.

With the exception of Russia's joining the Council of Europe in 1996 and adopting its jurisprudence and norms, few major LGBT rights developments—positive or negative—occurred in Russia until 2006, when the first law banning homosexuality propaganda was passed in the region of Ryazan. Similar laws subsequently went through in the Arkhangelsk region in 2011, and in St. Petersburg in 2012. While the law in Arkhangelsk was adopted without much uproar, media coverage and discussion of

the St. Petersburg law was much greater, in part because it was championed by a flamboyantly homophobic and mean-spirited member of the regional Duma and because of St. Petersburg's status as Russia's unofficial “cultural capital.” If such a law could pass in St. Petersburg, then it could happen anywhere. It soon did, passing in six other regions in 2011.

A new generation of advocates for the rights of LGBT people also began agitating for respect for rights in 2006, many seeking to tackle homophobia and discrimination in the courts, through engagement with the government, and broad efforts to educate the public. A group of activists organized gay pride events in Moscow in 2006, seeking official permission to hold a street event. Though they were denied,

they marched anyway and the police stood by as marchers were violently attacked by anti-gay Russian nationalist groups; some reports suggest that the police even encouraged a clash by funneling the groups together. Attempts to hold a gay pride demonstration in 2007 were met with similar results, including the arrest of the peaceful protesters rather than the violent agitators. The European Court of Human Rights ruled these bans discriminatory and in violation of key free assembly rights, noting in its 2010 decision that the authorities had “effectively endorsed” threats of violence and disorder such as the calls to stone homosexuals to death by a Nizhniy Novgorod mufti. In response, Moscow's Mayor Luzhkov produced his own flourishes, calling gay pride events

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“satanic” and prominent activists “faggots” and orchestrating a ban on gay pride demonstrations in Moscow for 100 years. The 100-year ban was stamped with a Moscow court’s approval in June 2012.

In St. Petersburg, Murmansk, Arkhangelsk, Yekaterinburg, Tyumen, and elsewhere, activists sought to change society’s approach to homosexuality and to tear down discriminatory laws and policies. However, the groups met strong resistance from authorities and were generally unable to register as official organizations, meaning they couldn’t conduct official business, open bank accounts, or receive official donations. Rainbow House in Tyumen, for instance, was repeatedly prevented from being registered because its goal of defending the rights of LGBT people would allegedly undermine spiritual public values. Evoking similarities to Russia’s anti-extremism and antiterrorism statutes—one of the authorities’ best bludgeons against independent activists—the government said that Rainbow House would undermine “the sovereignty and territorial integrity of the Russian Federation.” Coming Out in St. Petersburg was the first LGBT rights group to receive official government registration as such, but that was only in 2009; many groups continue to operate without official registration out of fears of inviting hostile scrutiny.

Marginalization and secrecy make it difficult to collect much accurate data on rights violations and public attitudes toward LGBT people and homosexuality. Nonetheless, online polls of some groups demonstrate the extent of the violence and threats against LGBT people in Russia; according to the results of a 2012 poll of

897 people from the LGBT community conducted by the Russian LGBT Network, 15.3 percent of respondents were physically assaulted during a ten-month period in 2011–2012, and nearly 3 percent had been attacked more than once. While the tenor of public discourse and media coverage make it clear that public approval of homosexuality is low and anecdotal evidence suggests that negative opinions are on the rise, there are no widely respected Russian polling agencies that can document the dynamics of public opinion about homosexuality and homophobia in Russia over time or even at one time.

An impressive and diverse number of the new groups have risen to the continuously mounting challenges, including violence against the community. The Russian LGBT Network based in St. Petersburg is striving to create a nationwide network of organizations and advocates who can tackle challenges to LGBT rights on the ground from Vladivostok to Kaliningrad. Through the Week against Homophobia, which has taken place annually since 2006, the Russian LGBT Network and partner groups use artistic and educational events to raise awareness among the LGBT community and society about homophobia and how to tackle it. Several other strong regional organizations work at the local level to build community, defend LGBT people in local courts and through political bodies, and fight discrimination. Coming Out organizes legal assistance for LGBT activists, supports LGBT parents and families in St. Petersburg, and organizes cultural events such as Queer Fest, an annual weeklong festival that has engaged the LGBT community and public in a celebration of queer pride and culture through photo exhibitions, discussions, films, and other events since 2009. This is only a small sampling of the diverse array of pro-LGBT activities under way against the backdrop of legal sanctions.

As creative and enterprising LGBT activists have grown in sophistication and visibility, they have been increasingly caught up in the government’s broader

assault on human rights groups and civil society organizations. The crackdown, which in reality began in fits and started almost ten years ago, is picking up steam and threatens the very existence of a broad swath of Russian civil society. A series of aggressive investigations and audits of nonprofit organizations by prosecutors across Russia—the monitoring project ClosedSociety.org documents at least 314 inspections so far—has led to fines, warnings, and prosecution of dozens of NGOs accused of being “foreign agents,” with some of Russia’s most prominent LGBT organizations among them. We have also seen a redefinition of treason under Russian law to include sharing information that harms Russia’s security with international bodies like the UN, a new Internet blacklist, bans on funding of advocacy and campaigning in Russia by U.S.-based individuals and organizations, and new restrictions on public assemblies—all part and parcel of the recent crackdown and aimed at intimidating, co-opting, or exhausting into submission many of Russia’s independent civil society groups.

Then there is the federal-level “propaganda” law, which bans “propaganda [among minors] of nontraditional sexual relations” aimed at cultivating nontraditional sexual attitudes, the desirability of nontraditional sexual relations, the “incorrect” impression that traditional and nontraditional sexual relations are equal, and an interest in nontraditional sexual relations. It is still unclear what falls under this definition, justly raising fears that the homophobic law will be used arbitrarily to quash what should be ordinary activities—such as publicly asserting equality between straight and gay people or giving any hint in public that you are gay or lesbian—with fines of up to \$31,000.

At the time of the law’s passing, Russia’s human rights ombudsman expressed concern that “harsh and unwise implementation [of the antipropaganda law] could lead to human costs and

tragedies.” That is exactly what it did. As it turns out, the authorities have actually brandished the national-level and regional “propaganda” laws in only a few cases, but the impact on society and on LGBT rights activists is palpable. Members of Russia’s LGBT community now fear that their work in public health, the arts, and social life will run afoul of the propaganda law. And as of late, it is not uncommon to see an “18+” requirement on event announcements in an apparent effort to avoid persecution under the law. A recent demonstration along the Arbat, a touristy street in downtown Moscow, during which activists chanted “Hitler also began with the gays . . . No to fascism in Russia,” ended in the activists being arrested and roughed up by the police as passersby refused to intervene when they found out that the action was in defense of LGBT rights.

The comparison with fascism is becoming less of an overstatement. Outrageous new homophobic proposals continue to come out of the “crazy printer” Duma. A proposal to allow the government to strip LGBT people of their parental rights is, though technically withdrawn from consideration, likely to reappear in 2014. The Duma also passed a ban on future adoptions by LGBT Russians and by people from countries where gay marriages are legal. Politicians, TV hosts, and other public personalities are joining in on the

hate. The host of a show on Russia-1, Dmitry Kisilev, recently said that “fining gays for propaganda of homosexuality among teenagers isn’t enough”; they should be forbidden from “donating blood, sperm, and their hearts . . . should be buried or burned” if they die in an accident. That will probably be the next proposal from the Duma.

For LGBT people and advocates for LGBT rights in Russia, the path forward is arduous, and it may very well get worse before it gets better. The Olympics are an excellent opportunity to shine light on the LGBT situation, but after the athletes and the media leave, Russian activists will remain, along with the mountain of challenges they face. As Igor Yasin, an LGBT rights activist from Moscow, said in a recent interview, the homophobic law “has triggered a public witch hunt,” but it has also inexorably activated advocates for LGBT rights in Russia. “[People] have suddenly started leaving their closets in a way that they never did before—a wave of ‘coming-outs’ is sweeping the country,” as “activists have emerged in just about every city” and “are making a real difference to people’s lives.”

A difference is clearly needed.

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