



## STATEMENT

UPR Pre-session on Russian Federation

Geneva, 29 August 2023

Delivered by: Sphere Foundation

This statement is delivered on behalf of Sphere Foundation, a human rights organisation that has been advocating for the rights of the LGBT+ community in Russia since 2011.

This statement addresses the following issues: (1) transgender rights, (2) the impact of the new "LGBT+ propaganda" law, (3) vulnerability of transgender prisoners, (4) "foreign agents" legislation.

As a result of the previous UPR cycle in 2018, several recommendations concerning LGBT+ rights were accepted by Russia (namely, 147.89 — 147.98, 147.123 — 147.129, 147.238). None of them were implemented and the situation worsened for the last 4 years.

1. **Gender Transition Ban.** Recently, on July 14, 2023, the Russian State Duma passed the "Gender Transition Ban" bill in its third reading. This bill prohibits changing one's gender marker in official documents and surgical gender transition. Additionally, transgender individuals are barred from becoming adoptive or foster parents, and existing transgender marriages are deemed invalid. The bill has raised significant concerns, as it poses a major obstacle for transgender individuals seeking recognition and legal protection of their gender identity, leading to potential psychological distress and an increase in suicide rates.

In order to address this issue we recommend to the Government of Russian Federation to implement comprehensive legislation that recognizes and protects the rights of transgender individuals, ensuring their legal recognition, access to gender-affirming healthcare, and the right to live free from discrimination.

2. **The Impact of the new "LGBT+ Propaganda" Law.** The 2022 "LGBT+ Propaganda" law in Russia has significant implications for the LGBT+ community. It prohibits placing LGBT+ profiles and advertisements on dating websites and social media platforms, selling books and literature with LGBT+ content, and showing films and series related to LGBT+ topics. Violations of this law can lead to legal consequences and fines of up to 4000 EUR, severely restricting the freedom of expression and limiting the advocacy efforts of the LGBT+ community.

In order to address this issue we recommend to the Government of Russian Federation to repeal the "LGBT+ Propaganda" law and replace it with inclusive anti-discrimination legislation that upholds freedom of expression and protects the rights of LGBT+ individuals.

3. **Vulnerability of Transgender Prisoners.** Transgender inmates face challenges, including solitary confinement, impacting mental health and reintegration. The lack of specific guidelines for their treatment exacerbates their vulnerability within the penitentiary system, exposing them to potential abuse and discrimination. For instance, Innokenty Alimov spent two months in solitary confinement before being transferred to a female pre-trial detention centre following intervention by Sphere's lawyer.

In order to address this issue we recommend to the Government of Russian Federation to continue the good practice of sending transgender prisoners to serve their sentence based on their interests and recognise it by law.

4. **"Foreign Agents" Legislation.** The "foreign agents" legislation has intensified pressure on civil society organisations since 2020. As of July 2023, over 740 entities, including key Russian federal and regional LGBT+ organisations like Coming Out, Sphere Foundation, Russian LGBT Network, Moscow Community Center, Action, T\*-Action, Irida, Revers, Majak, Resource LGBT Center, Federation of LGBT Sport, T9 NSK, Parni Plus, Alliance of Straights and LGBT for Equality, Community Center "Action," and CK SOS, have been designated as "foreign agents." This designation also extends to activists, such as Igor Kochetkov, Mariya Sabunaeva, Kirill Fedorov, Sasha Kazantseva, Regina Dzugkoeva, Karen Shahinyan, Yaroslav Sirotkin, Yulia Tsvetkova, and Saša Belik. As "foreign agents," these organisations and individuals face increased scrutiny, extensive reporting requirements, and potential reputational damage, severely limiting their ability to advocate for LGBT+ rights in Russia.

In order to address this issue we recommend to the Government of Russian Federation to repeal the "foreign agents" legislation to remove its discriminatory impact on civil society organisations and activists.