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**Subject: Discrimination against LGBT people in Russia in relation to the 2014 Winter Olympic Games**

Dear Mr. De Kepper,

In the past you have been in contact with my colleagues Minky Worden and Jane Buchanan about human rights issues related to the Winter Olympic Games to be held in Sochi, Russia in 2014. We appreciate the ongoing dialogue between our organizations.

In this letter I would like to raise Human Rights Watch's concerns about the homophobic draft law that is expected to pass in the Russian parliament's upper chamber in the coming weeks.

This draft law is clearly incompatible with the Olympic Charter's promotion of "human dignity," as well as a blatant violation of Russia's international legal obligations to guarantee non-discrimination and respect for freedom of expression.

We note in particular that under the Olympic Charter any form of discrimination against a person is deemed "incompatible with belonging to the Olympic Movement" (Fundamental Principle of Olympism no. 6) and that the IOC's role is explicitly "to act against any form of discrimination affecting the Olympic Movement" (article 2(6) of the Charter).

This letter sets out our detailed concerns and proposed action for the IOC.

Human Rights Watch's long-standing position is that there cannot be a successful Olympics where there is discrimination or human rights abuses.

Human Rights Watch welcomes the IOC's acknowledgment in statements recently appearing in the media that athletes who will attend the Sochi Games may be affected by the law. However, we urge the IOC to issue its own public statement and communicate directly with the Russian authorities about the government's human rights and Olympic commitments.

The draft law, if adopted, will ban dissemination among minors of any information "promoting" "non-traditional sexual relationships" and

providing a “distorted notion of social equivalence of traditional and non-traditional sexual relationships.” The ban will apply to the press, television, radio, and the Internet. Although the draft law does not define “non-traditional,” it is widely understood to mean lesbian, gay, and bisexual relationships. A previous version of the draft banned propaganda promoting homosexuality.

On June 11, 2013, the bill passed in the lower chamber of the Russian parliament with 436 votes in favor, no votes against, and one abstention. The draft legislation consists of amendments to the law on “Protection of children from information harmful to their health and development” and the Code of Administrative Violations.

Under the guise of ‘protecting children’ this law encroaches on freedom of expression by effectively preventing any positive affirmation of lesbian, gay, bisexual, and transgender (LGBT) people. The draft law also censors information about equality, tolerance, public health, and other issues affecting the LGBT community. Equally alarming, the law implies that Russia’s LGBT community is unnatural and alien, thereby demonizing LGBT people and activists in the public eye, and possibly making them more vulnerable to harassment and physical attacks.

Under the draft national law, private persons found responsible for “propaganda of non-traditional sexual relationships among minors” would face fines of up to US\$155; government officials would face fines of up to US\$1,550; and organizations, fines up to 1 million rubles (\$31,000) or suspension of activity for up to 90 days. Heavier fines would be imposed for the same actions using mass media and telecommunications, including the Internet.

The draft law does not only apply to Russian citizens, but to anyone who publicly addresses homosexuality while in Russia. Foreigners—possibly including athletes—who violate the law, including possibly by speaking about their sexual orientation in public, run the risk of being fined, arrested for up to 15 days, and deported from Russia.

Similar laws banning “homosexual propaganda” among minors have already been adopted in 10 Russian regions, including the Krasnodar Region, which includes Sochi.

In addition to these laws, the Russian authorities have taken other measures to discriminate against and limit freedom of expression for LGBT people, including directly in relation to the 2014 Sochi Olympics. In 2011, Russian authorities refused to register the non-governmental organization “Pride House in Sochi,” which its founders hoped would work to combat homophobia in sport and promote LGBT rights during the Games.

The Sochi Pride House founders contested the denial of registration. In February 2012, the Krasnodar Pervomaisky District Court upheld the denial stating that the organization would “contradict the foundations of public morality and government policy in the area of protection of the family, motherhood, and childhood.” The organizers have since appealed to the European Court of Human Rights.

As you are aware, the first Olympic Pride House was created for the 2010 Winter Olympics in Vancouver. It offered information regarding homophobia in sports and a recreational

meeting place for LGBT athletes during the Games. During the 2012 London Summer Olympics, a Pride House functioned on Clapham Common for the duration of the Games. It is deplorable that the Pride House tradition will be cut short with Russia's hosting of the Games.

Both the pernicious legislation that is moving forward and the refusal by the authorities to register the organization "Olympic Pride House Sochi" are forms of discrimination affecting the Olympic Movement and sharply at odds with commitments to non-discrimination under the Olympic Charter. They are also incompatible with Russia's responsibilities to the Olympic Movement and the IOC as host of the Games.

Although news reports this week quoted a spokesman saying that the IOC is "concerned" about the draft law being passed and reiterated the IOC's "long commitment to non-discrimination against those taking part in the Olympic Games," we urge the IOC to take additional steps to send a clear signal to the Russian authorities that discrimination of people based on their sexual orientation and gender identity is at sharply at odds with Russia's human rights and Olympic commitments.

We also encourage you to obtain guarantees from the Russian authorities that no homophobic legislation will be adopted or implemented and that the authorities will refrain from any additional discriminatory legislative initiatives or policies that discriminate against lesbians, gays, bisexual, and transgender people. We also urge you to press the authorities to state publicly that, as Olympic Host, Russia will ensure, without distinction, the safety and the freedom of expression and association of all athletes, coaches, fans, and others who will attend the Sochi Games.

Finally, we feel that a press release or other clear public statement from the IOC itself regarding the IOC's support for LGBT rights and calling on Olympic hosts, including Russia, to demonstrate equal and unequivocal support in word and in practice would be key in pressing Russia to reverse its discriminatory course.

In light of these serious developments, we also reiterate our recommendation that the IOC establish a standing mechanism to establish human rights benchmarks among Olympic host countries and monitor human rights in the preparations for and during the Olympic Games.

We look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Dittrich". The signature is fluid and cursive, with a large initial "B" and "D".

Boris O. Dittrich,  
Advocacy Director  
LGBT Rights Program