


WORLDWIDE LGBT MOVEMENT: FROM LOCAL PRACTICES TO GLOBAL POLITICS.

INFORMATION BROCHURE



PROTECTION

ANTI-DISCRIMINATION LAWS
57 countries and 82 entities*

 Countries which introduced laws prohibiting discrimination on the grounds of sexual orientation

 NO SPECIFIC
LEGISLATION



SIDE BY SIDE
international film festival

STOP HOMOPHOBIA IN RUSSIA NOW!



Discrimination and violence against the LGBT community in Russia is real and on the rise.

Intolerance and open expressions of hate towards those with a different sexual orientation or gender identity is taken as a given, allowing to go unpunished by the law.

Laws against the so-called: “propaganda of homosexuality” are enforce in 8 regions of Russia: Ryazan, Archangel, Saint Petersburg, Kostroma, Novosibirsk, Magadan, Samara and Krasnodarsk and under discussion in many others.

The human rights of LGBT persons in Russia are being infringed on and flagrantly abused on a daily basis.

Homophobia is destructive and in its worst form it can bruise, beat and even kill LGBT people. It's time to take action.

JOIN OUR CAMPAIGN

SPEAK OUT – make a video address that will be uploaded through our resources as to why to say: “NO to HOMOPHOBIA.”

BE INFORMED – come to our events and take part in our workshops, debates, discussions and screenings. Know the facts. Educate yourself on the issues!

SPREAD THE WORD – pass on your knowledge. Tell your family, friends and colleagues. Distribute our flyers and brochures.

STAND UP & PROTEST – when you see homophobic behavior – a joke or a remark for example - don't stay silent. Speak up and complain, make homophobic behavior shameful.

FIND OUT MORE ABOUT THE CAMPAIGN www.bok-o-bok.ru

CONTENTS

Scott Long: "LGBTI People's Rights in the New Millennium:
Local to Global, Not the Other Way Around".....стр. 4



Nevin Öztop: "LGBT Situation in Turkey"стр. 13



Arsham Parsi: "LGBT Situation in Iran" стр. 17



Helen Talalaev, Eve Anijärv: "LGBT in Estonia"стр. 25



Aliaj Eugert: "Alliance Against the
Discrimination of LGBT in Albania".....стр. 29



Alliance of Straights for LGBT Equality: "MANIFESTO -
For Your Freedom and Ours!" St. Petersburg, Russia.....стр. 34



Igor Kochetkov: "LGBT in Russia: Pride, Prejudice
and Political Populism"стр. 36



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SCOTT LONG

LGBTI PEOPLE'S RIGHTS IN THE NEW MILLENNIUM: LOCAL TO GLOBAL, NOT THE OTHER WAY AROUND

In some ways, 2011 was a great year to be queer. It was the year that powerful people started listening. That's always a flattering and, if you like power, an empowering thing. First it was David Cameron, Britain's prime minister, who declared in October that his government would start tying development assistance money to whether or not countries respect LGBTI people's rights – specifically, to their willingness to repeal sodomy laws. The announcement got plenty of publicity. It came after months of pressure on Cameron from activists in his home country to do something against homophobia at the Commonwealth Heads of Government Meeting, a summit of the leaders of Britain's former colonies. Cameron had nothing very hopeful to pull out of his hat, so, with great fanfare, he yanked out this threat.

Then, in December, Hillary Clinton and Barack Obama joined in. Speaking at the UN in Geneva, on Human Rights Day –which commemorates the Universal Declaration of Human Rights --- the US Secretary of State proclaimed that sexual orientation and gender identity would form a new focus for American diplomacy:

[T]o LGBT men and women worldwide, let me say this: Wherever you live and whatever the circumstances of your life, whether you are connected to a network of support or feel isolated and vulnerable, please know that you are not alone. ... You have an ally in the United States of America and you have millions of friends among the American people. The Obama Administration defends the human rights of LGBT people as part of our comprehensive human rights policy and as a priority of our foreign policy.

Obama acceded by signing a “presidential memorandum” with concrete steps the US would take to defend LGBTI people's freedoms worldwide.

Not twenty years ago, it would have been hard to find a single government official in the world who'd talk about these questions seriously and publicly: much less a president and a premier. In 1994, Romania's justice minister could still joke that respecting lesbian and gay rights would mean “entering Europe from behind.” Today, Romanian authorities routinely voice, and vote, their support for those rights: in Bucharest, in Brussels, at the United Nations. Such stories as these all mark an amazing transit: both a group of people and a way of thinking have gone from reviled to respectable, from the remotest margins of politics to something near the center. In the arena of defending freedoms, there surely isn't another issue that has moved so far toward the heart of power in so little time.

And everybody loves power, right? So why aren't more of us thrilled?

Yet many aren't. Only weeks after Cameron's announcement, more than a hundred social-justice activists and organizations from across Africa rejected his offer of help in no uncertain terms in an open letter.

While the intention may well be to protect the rights of LGBTI people on the continent, the decision to cut aid disregards the role of the LGBTI and broader social justice

movement on the continent and creates the real risk of a serious backlash against LG-BTI people. A vibrant social justice movement within African civil society is working to ensure the visibility of – and enjoyment of rights by – LGBTI people. This movement is made up of people from all walks of life, both identifying and non-identifying as part of the LGBTI community. ... These objectives cannot be met when donor countries threaten to withhold aid.

No one has objected to Clinton's initiative in quite those terms. Few question the US government's sincerity, or the meaningful support it could give. Yet many queer activists remember the US's record of imperialism, and are wary of its abrupt embrace. Quite a few live in countries where US drones kill civilians; that adds an edge to their scepticism over American rhetoric on rights. One rights defender, an African lesbian who attended Clinton's speech in Switzerland, cornered the secretary of state at a reception afterwards and said emphatically: "We don't want aid conditionality!" Enthusiasm at a new ally blends nervously with warnings to the US not to overestimate its power, or miscalculate its help. What else accounts for the curious absence of excitement?

Surely it matters that, in many places, LG-BTI activists face continued oppression and violence unlikely to give way easily whatever the US and UK say. The relentless opposition to speaking openly about homosexuality in Eastern Europe – to Prides or "propaganda," a panic that reaches far beyond Russia to Poland, Hungary, and even Azerbaijan – is only one sign. There are no quick solutions, no angels from outside who can sweep away deep prejudices. Everybody knows that changing hearts and minds takes work and time.

Consider a few recent incidents. In July, a Tanzanian HIV and gay activist, Maurice Mjomba, was found brutally murdered in his home by unknown assailants. The crime (unlike the 2011 murder of Ugandan organizer David Kato) went almost unnoticed in the international press, largely indifferent to a country that hasn't been in the news much lately, and which they find hard to spell. In March, in Iraq, shadowy militias embarked on a killing campaign, kidnapping and murdering dozens of young men and women whom

they saw as "emos" – an expansive accusation that includes almost any kind of social, sexual, or gender dissidence. The crushed and mutilated corpses appeared on streets, in the trash, hanging from a highway overpass. Again, the international media paid only limited attention.

Many editors were injured by now to death in Mesopotamia; many reporters had left along with US soldiers, to pursue other stories in Cairo or Paris. Both these atrocities – one individual, one collective – reflect hatreds sunk deep in their respective societies. The limited attention span of the international community leaves them only limited capacity to register the cases, much less respond. If these killings are to be condemned, and their repetition to become impossible, the impulse must come from nearer home. Eliciting the condemnation and making prejudice recede will not be easy.

It's also critical to recognize that the violence and repression often stem from ferocious assertions that LGBTI people have no place in the countries or cultures that gave birth to them. The struggle for simple belonging is the hardest one LGBTI activists must wage. The rhetoric of exclusion, the specious claim that "culture" or "tradition" has never accommodated diversity or difference, fuels hatred



from Abuja to Archangelsk. Indeed, Russia has led in legitimizing this exclusionary rhetoric. Russia has pushed forward a resolution at the UN's Human Rights Council that asserts the dominance of "the traditional values of humankind" over human rights law. The document serves a potent political purpose. Relegating countries' treaty commitments to respect rights into secondary status beneath unspecified "traditions," it gives a broad carte blanche to suppress basic freedoms. It also affords a fine excuse to aim repression at specific, suspect groups who can be painted as outsiders. Confronted with these implications of the resolution, once-supportive countries have started backing away. But the UN-based brouhaha only illustrates a stance that has devastated the lives of LG-BTI people in many places.

In thinking about LGBTI communities' literal alienation from culture and country, Iraq is perhaps a case in point, if an extreme one. The Baghdad violence against "emos" this year isn't without precedent. In 2009 I helped to document a similar, murderous onslaught on men suspected of homosexual conduct. Both campaigns came from a toxic rage that

has other, unrelated sources. American occupation, the outside influences it brought, and the attendant economic and social dislocation, all produced a society brimming with anger. Gender relations have been one nexus of this fury: the murders of thousands of men in the civil war gave women new authority in family and culture, but created new anxieties. It was perhaps predictable, in a perverse way, for resentment to focus on men (and women) who seemed willfully to flout rules of behavior for their gender. Media and mosques tagged and targeted the effeminate or butch as not only decadent but alien. In the 2009 murder campaign, militias slaughtered dozens, probably hundreds of men who seemed "foreign" and "corrupted" in their eyes.

What's striking, though, is that even if US occupation helped produce the violence, the US could do nothing to stop it. The apparently omnipotent writ of the invading power that had put Iraq's government in place couldn't induce either docility or a decent respect for human rights. If the violence receded, it was largely because a few brave Iraqi journalists and feminist activists spoke out and shamed the killers into desisting. I can name a reporter or two in Baghdad who put their lives on the line by condemning the acts of powerful militias in print, for the sake of gay men they'd never met and would never know. Their words resonated. Clinton and Obama could express sympathy, but alter nothing.

Words from outside aren't always ineffective. Sometimes they can have huge effect — and backfire disastrously. In 2011, David Cameron's aid threat, which he undertook without consulting African rights defenders, provoked a furious backlash from African politicians who seized on the chance to pit "foreign influence" against indigenous authenticity. His intervention proved, they contended, that LGBTI people were planted on the continent from somewhere outside.

In Zimbabwe, for instance, the ruling party of famously homophobic president Robert Mugabe exploited the controversy to

attack the democratic opposition as a whole, for its (hesitant) support of gay rights. The opposition “are sponsored by the British and the West and they have to toe the line,” a spokesman said. “Failure to do so would cost them British support.” There, and in many other places, a move awkwardly meant to reinforce local struggles for rights ended up undermining them.

There’s a third, related reason for activists’ skepticism, though. It’s a paradox, all this support from the big countries. The powerful have begun to embrace LGBTI people’s rights earlier than many imagined. At the same time, they’ve come to the party too late.

For twenty years now, LGBTI activists have been patiently achieving the changes in their countries that made this moment of broad endorsement possible. They’ve been doing this whether the US or any other government supported them or not. They know that justice isn’t an abstraction: it moves from the local to the global, and without a foundation in grassroots work and accomplishment it means nothing. They’re grateful when the famous names acknowledge what they’ve already done; but, as the song says, sisters have been doing it for themselves. Consider a third huge happening this year. Last year, South Africa steered a first-ever successful resolution on sexual orientation and gender identity through the UN Human Rights Council. The vote mandated an official report on global human rights abuses against LGBT people, equally groundbreaking at the UN. It also led to an official panel this year at which states and dignitaries discussed the report and affirmed the need for protections. All this seemed dreamlike to many of us.

I was in Geneva in 1999, when I helped arrange for a lesbian activist to testify before the Human Rights Council for the first time ever. Generally, during the three-minute slots when civil society can speak to the assembled diplomats, nobody listens. Delegates shuffle their papers or gossip about

the last night’s debauches. When Elizabeth Khaxas began by saying, “I am a lesbian from Namibia,” the room fell completely silent. Nobody had heard that kind of thing in the chamber before. You could practically hear your pulsebeat. Every head swiveled to see what kind of imaginary monster had joined them, what kind of unprecedented intervention was at hand.

The same year, I helped organize the first-ever panel on LGBT rights at the UN in Geneva. Maybe a dozen people dared, furtively, to come to a small room in the back of the Palace of Nations. The notion that thirteen years later, Ban Ki-Moon would grace a successor discussion with his presence would have seemed a fantasy back then. Change happens. It happens faster than you think. But why? The resolution’s success looked, from the outside, like a sympathetic country doing its duty to human rights. In fact, though, the story was more complicated – and more encouraging.

In the months before the vote, South African LGBT and women’s groups worked non-stop to press their own government into taking the lead on the resolution. They pushed it as well to make the text far more inclusive and sweeping than many supposed possible, demanding that South Africa take its progressive constitution as a guide for foreign affairs, not just a promise for domestic ones.

The local work goes still farther back. That 1996 constitution itself took shape because activists, most of them seasoned in the anti-apartheid struggle, fought for almost six years to ensure its provisions and protections would embrace all the identities striving for recognition, and freedom. Those activists also drove the litigation that, ten years later, made Pretoria the first African government to recognize same-sex marriage. Nearly two decades of domestic organizing ultimately created a landmark change far away, at the UN. Without an experienced and canny South African civil society committed to LGBT people’s rights, without local

sweat and street demonstrations and pressure, nothing of global import in Geneva could have happened.

Of course, the South African activists who worked to frame the resolution weren't doing so entirely out of altruism. They also hoped the text and its commitments would come home. South Africa's constitution – a model for many other countries in its broad affirmation of rights – inspires idealistic visions of equality ensured and diversity respected. But the government has been seriously remiss in making those promises mean something. Poverty still divides the country. Violence racks its poorest parts. Gender, again, shapes the violence and serves up victims. South African women face the threat of rape almost everywhere. Amid that crisis, lesbian and bisexual women, transgender men, women who don't look or act "feminine" enough, are steady targets. In townships and rural areas, stories of murdered lesbians have multiplied for years. The state has done little to protect those women, to promote the values of the constitution, or even to educate people about what the bill of rights requires.

Now, though, what the government said and supported in Switzerland has implications back in Cape Town and Soweto. Activists can use what South Africa did at the UN to remind it of what it needs to be doing in townships and countryside.

That's always been part of the dynamic flow between local and global in human rights. Abstract words in UN documents become tools that activists can wield at home. Paper promises, in the hands of campaign-

ers, become prompts to domestic accomplishment and government action.

What's important to remember is that the paper promises themselves, though enacted in remote and indifferent places like the Palace of Nations or the UN Secretariat in New York, also began with activism at the grass-roots level. They started concrete, and small. They sprouted from a few people pressing their government to enact a change, one that perhaps appeared to be of only local significance. Eventually, though, it burst national boundaries, and burgeoned into a new statement or resolution or policy of international significance: significant in turn because it could support and further other movements for change in other local places, elsewhere in the world.



I've talked a lot about gender here. The ways people live out the gendered expectations societies impose on them are critical factors in the violence and oppression they face. Stephen Whittle, a UK-based transgender activist, once remarked that "99% of so-called homophobic violence is really transphobic violence." I can't vouch for the percentages, but the sentiment rings true. Gender is as cruel and crucial as sexuality in dictating and enforcing people's second-class status. Often as not, vengeful thugs who beat somebody up on the street for being different aren't imagining to themselves what the person does in bed. They're seeing somebody who doesn't act "manly" or "womanly" enough, who's breaking what they see as ironclad rules for what males and females should be. The unconscious gesture and not the presumed use of genitals brings the brutal punishment. Thinking about gender – gender

identity, gender expression, and the powers that gender our lives whether most of us like it or not --- is vital for all of us in lesbian, gay, bisexual, transgender, and intersex communities. Without that perspective, our movements don't speak to us in the places, and problems, where we live.

Gender identity, though, is also a case study in the relations between global and local that I'm discussing. Governments don't like talking about it; lawyers have trouble outlining the precedents. Precisely the centrality of the issues to our lives has made them invisible, a constant presence hard to articulate. And yet activists at the domestic level, unencumbered with much international support, have achieved tremendous successes arguing for transgender people's rights, with only the stories of abuses and the force of moral suasion on their side. Here are three recent examples:

- Nepal, in 2011, established a "third sex" category in its national census, and has indicated it will follow suit on national ID cards. This would allow transgender people and metis (a local identity for gender nonconformity) the option of identifying themselves as neither male nor female, breaking down one of the most rigid of legal binaries.

- Sweden, in early 2012, finally moved to scrap a decades-old requirement that transgender people submit to sterilization before their change of sex could be legally acknowledged. Forced sterilization has been widely and internationally condemned in cases involving biological women – but not trans people. Swedish politicians had to overcome the potential veto of the country's main right-

wing party before bowing to the demands of the trans community.

- Argentina in 2012 enacted the world's most liberal law on gender identity, letting people change their legally registered gender without medical intervention and without a judge's approval. The law passed the country's Senate unanimously. President Cristina Fernandez de Kirchner invited transgender people to the signing ceremony, handing them their new ID cards personally. «Today is a day of tremendous reparation,» she said: «today we do not shout for liberation but instead we shout for equality, which is just as important as freedom.»



These are enormous advances. Bold local advocates largely won them on their own. They will echo far beyond their points of origin; already governments on other continents are studying the Argentine law, with the usual mix of nervousness over implications and admiration for audacity. I remember organizing a demonstration twelve years in front of the Argentinean Consulate in New York, to call for an investigation into the killing of Vanesa Ledesma, a trans woman tortured to death in a police station in Cordoba. It was a chilly, windy day. The consul invited a few of us inside for coffee. He was exceptionally courtly and polite, but he seemed to incarnate the astonishment of his government that anyone should care about the killing of a transgender sex worker. It's Vanesa Ledesma's sisters and brothers in Argentina, trans women and men unafraid of death, who took to the streets and struggled. They found allies and lobbied politicians and worked an immense change in a whole country's culture in a dozen years. That doesn't happen every day.

But any change that doesn't have the same toil and courage built into its inner fabric isn't quite real.

And so: a heartfelt salute to the Side by Side festival, to the organizers, to those who will attend, to those who will teach and learn, speak and listen alike. You're working at the vital point where human rights both end and begin. While writing this, I found myself slipping into calling the festival "Step by Step" instead. That's rather the point, though: side by side in our several solidarities, we go forward slowly. Progress is step by step, and it's our own responsibility. No outside force can compel it by fiat. At heart the dream of sudden, painless change only mimics the methods of the dictators who commanded cities to rise out of magnetic mountains, and set slaves to die while digging useless canals between frozen termini. Change doesn't start from Kremlin offices. It starts from isolated rooms and theaters, side streets and small

demonstrations in windswept squares. Side by side, step by step, you'll make it come.

For more than twenty years, Scott Long has advocated for sexual rights across domestic and international spheres, documenting and combating grave human rights violations in countries including Egypt, Iraq, Romania, Zimbabwe, and the United States. From 2003-2010, he served as founding director of the Lesbian, Gay, Bisexual, and Transgender Rights Program at Human Rights Watch. A visiting fellow at Harvard Law School's Human Rights Program from 2010-2012, he is working on a book about sexual rights activism's transit from global North to global South.

He writes on human rights issues at

www.paper-bird.net





TURKEY

Nevin Öztıp

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THE HISTORY BEGINS

Kaos GL is an organization advocating for the human rights of Lesbian, Gay, Bisexual and Transgender (LGBT) individuals in Turkey. Celebrating September 1994 as the official founding date of the publication of Kaos GL Magazine's first issue, the organization has been working against militarism, nationalism, homophobia, transphobia and sexism from the beginning of its establishment.

The history of Kaos GL begins in 1993 with house gatherings and in 1994 with black & white photocopied "underground" magazines which were distributed in the streets of various places in Turkey. Upon a warning by the officials, the magazine was registered in 1999. The group made its first public appearance on May 1 Labor Day in 2001; numerous TV channels showed the group for the first time. The state TV TRT also showed but without naming it.

CONFISCATION OF THE MAGAZINE

In 2006, July-August edition of Kaos GL Magazine was confiscated on the same day it was printed by the Ankara Justice Court due to the court deeming its content to be "pornographic" and breaching "general morality". Kaos GL appealed the decision to the Supreme Court; however, the Supreme Court approved the lower court's decision that this edition is sold to those over 18, adding "the decision is lawful and complies with the procedural proceedings".

The former editor-in-chief of the magazine, Umut Güner, was being accused of publishing pornographic contents based on Turkish Penal Code, Article 226. He faced up to three years of jail sentence. He had been acquitted as the magazine "was not on sale yet". Kaos GL's court case is still continuing at the European Court of Human Rights with the fight that the magazine is not pornographic and its sale should be done regardless of readers' ages.

CLOSURE CASE OF THE ASSOCIATION

Ankara's deputy governor in 2005 ordered the closure of the Kaos Gay and Lesbian Cultural Researches and Solidarity Association, established on July 15, calling it "im-

moral". The Ankara Governor's Office said the association's title and purposes violated the Turkish Civil Code, which states that "associations against law and morality cannot be established". Ankara prosecutor Kürşat Kayral stated in his ruling that the American Psychiatric Association did not rate homosexuality as a disorder and the words «gay» and «lesbian» were widely used in daily life and scientific research. The association remained open.

WHAT IS ON THE AGENDA OF KAOS GL?

Kaos GL's aim is to support (LGBT) individuals in embracing libertarian values, realizing their own existence, and in cultivating themselves in order to contribute to the development of social peace and welfare. Kaos GL conducts cultural, educational, academic and artistic activities so that LGBT individuals can embrace freedom, justice and peace as their fundamental values.

The main work fields of the organization include the annual International Meeting Against Homophobia in dedication to

IDAHO (the day World Health Organization took homosexuality out of its "treatable mental illness list"); monitoring discrimination in workplace, education, health, housing and law; reporting hate murders, crimes and speeches; legal support section and LGBT Refugee program.

The Association takes active role in the discussions for the new Constitution which does not recognize LGBT reality in its 10th Article which defines equality among citizens; The Anti-Discrimination Bill which no longer protects LGBTs after the Ministry of Interior removed the term "sexual identity" from its draft in early 2011; the Foreigners and International Protection Bill which also no longer includes "sexual orientation" after its removal by the Ministry.

WHY A REGIONAL NETWORK AND WHY A GLOBAL IDAHO?

Obviously the day when "homosexuality" was deleted from the surface of paperwork at the World Health Organization does not date back much, however its seeds in various parts of the world and in different local



realities are blooming. In Turkey's context, for instance, IDAHO shortly means "alliance".

The reason why the concept of anti-homophobia and anti-transphobia worked out well in Turkey was because Kaos GL's road always crossed with other social movements in the country: feminists, anti-war activists, ecologists, workers, anarchists, anti-militarist and anti-nationalist voices, youth groups and peace demonstrators. Even Kaos GL's kick off motto tells a lot: "The liberation of homosexuals will also free heterosexuals". We knew from the beginning that it was impossible to free LGBTs without the others.

When LGBTs -mostly gays- made their first public appearance on May 1, 2001 on Labor Day, people realized the stereotype they had in mind in regard to the community had nothing to do with the kind of people they saw on the street marching with them. They were, just like themselves, simply working people who were demanding the same rights and no discrimination.

When the gay and lesbian workers sent a letter to one of the largest unions in late 90s, there were two conspiracy theories: it was either a letter from the police or a joke from the rival union. Framing the local IDAHO around the importance of Labor Day and Women's Day (IDAHO starts at the beginning of March in Turkey) brought the workers movement and women's movement into the discussions on the role of gender, sexual liberty and obligatory heterosexuality. It ended up being a process when everyone finally started understanding LGBTs have no secret agenda, and the concept of standing against homophobia and transphobia became a concept all social movements could apply and adjust to their own politics, local realities and cities.

REGIONAL NETWORK AGAINST HOMOPHOBIA

Using the horizontal network method, Kaos GL initiated a network around its neigh-

borhood during the 6th IDAHO in Ankara: Creating a Regional Network Against Homophobia in the Middle East, Balkans and Caucasus aims to provide a solidarity shelter for all the individuals suffering from hate based on homophobia, transphobia and sexism in and around Turkey. We live in a region popular for its border problems and religious clashes, however when it comes to different kinds of hate forms, there seems to be no borders or clashes.

As the LGBTs in Georgia, Armenia, Azerbaijan, Palestine, Iran, Iraq, Tunisia, Algeria, Israel, Serbia, Lebanon, Bosnia Herzegovina, Croatia, Greece, Turkey, Macedonia, Montenegro and Albania, we do not want to act only against heterosexism but also against nationalism and militarism that go hand in hand with it. Our regional network aims to create a ground to stand up for each other as we share similar political patterns and break mental and physical borders that separate us. We want to live with each other, we want to live for each other.



IRAN

Arsham Parsi

LGBT SITUATION IN IRAN

My name is Arsham Parsi.

I am the founder and Executive Director of the Iranian Railroad for Queer Refugees (IRQR), an international queer human rights non-governmental organization (NGO) based in Toronto, Canada. The primary mission of IRQR is to aid and assist Iranian Gay, Lesbian, Bisexual and Transgendered refugees in countries all over the world, and who now face the threat of deportation back to Iran, to the best of our abilities in obtaining asylum status in safe countries. IRQR helps those refugees through complicated asylum processes and provides funding for safe houses through donations wherever possible, as most of our queer refugee clients are in physical danger in their countries of transit as well.

Today, IRQR is the premium organization that works on behalf of the global population of Iranian queers, (i.e. lesbians, gays, bisexuals and transgendered persons). We document human rights violations against Iranian queers on the basis of sexual orientation; provide letters of support for Iranian queer asylum seekers and refugees; and vigorously support anti-homophobia, anti-transphobia and anti-persecution efforts in Iran. Our documentation is widely respected for its accuracy and credibility.

I am also the President of the Iranian Queer Association board of directors, the senior advisor and the secretary of Sepas Award board of directors, founder of the Iran PFLAG (Parents, Families and Friends of Lesbians and Gays), Founder of Iranian Queer HIV/AIDS Network, the coordinator and cultural ambassador for the Stockholm-

based International Lesbian and Gay Cultural Network (ILGCN), an official member and affiliate of the Brussels-based International

Lesbian and Gay Association (ILGA), the Toronto-based Rainbow Railroad Group, and the Berlin-based Advisory Committee of the Hirschfeld-Eddy Foundation for LGBT Human Rights. In April 2008 the Iranian Queer Organization (IRQO), the former NGO which became the foundation for IRQR today, was awarded the Felipa De Souza Human Rights Award by the New York-based International Gay and Lesbian Human Rights Commission (IGLHRC). In June 2008, IRQR was recognized at the Toronto Pride Award for Excellence in Human Rights. In August 2011,

IRQR was selected as the best entry winner of the theme at the Pride Toronto Parade.



To aid you in better understanding the harsh, violent and often lethal persecution of queers in Iran, as well as my and IRQR's commitment to aid and assist Iranian queers by every means possible, I have my own refugee story to tell. I was born on

September 20, 1980 in Shiraz, Iran, the sixth-largest city in the Islamic Republic. Not long after completing basic education in Shiraz, I came to terms with my sexual identity, and then began to do what I could to aid and assist other Iranian queers in a most careful and discrete manner. Part of my work consisted of helping a local doctor perform research for a study on HIV among gay and bisexual men in Shiraz. In 2001, four years before I fled Iran, I began covert efforts toward advancing queer civil rights in Shiraz. In 2003, I helped organize a clandestine Yahoo chat group for queer Iranians called Voice Celebration. There were a total of 50 participants. We established contacts with each other for mutual support and to exchange views on how best to remedy the oppressive civil and queer rights situation in Iran.

What was most striking for me about the conversations and exchanges of information at Voice Celebration was how many of us were operating under false identities. Nobody dared speak out publicly or under their real name due to fear of arrest, torture and even execution if we were discovered by the authorities. In 2005, my work in the field of queer advocacy in Shiraz attracted the attention of the Islamic authorities, who had begun to unravel my secret identity. This I learned from a fellow Iranian queer released from police custody, who told me that the authorities were looking for «a gay activist named Arsham.» I was forced to flee Iran on March 5, 2005 due to my fear of persecution and possible execution under Iran's harsh Islamic legal code of Lavat, by which gays in Iran can be sentenced to death. I traveled by train to Turkey, where I registered as a refugee at the Ankara office of the United Nations High Commissioner for Refugees (UNHCR). I was one of the fortunate few whose case was accepted by the UNHCR. I lived in Turkey for three months before my case was finally approved. I was invited to the Canadian Embassy in Ankara two months later, and in April 2006, I arrived in Canada to start a new life.

Now living in a safe country, I still consider myself first and foremost an Iranian. I can never forget that I am in exile due to my own sexual orientation. This situation is both a burden and a tremendous personal responsibility for me. In May 2005, as I crossed the border out of Iran into Turkey I promised myself, my nation and my people that I would one day return to a free, open and democratic Iran. To that end, I promised that I would fully devote my labors toward achieving for myself and my fellow citizens in Iran. This is the treasured dream and desire of so many millions around the globe, which so many in the West take for granted as breathing: freedom. As the founder and Executive Director of IRQR, I consider the work I am doing today to be an investment in that freer and brighter tomorrow for all Iranians in my now-troubled country.

For the record, I based the concept and mission of what would eventually become IRQR on the 19th Century Underground Railroad in the United States, i.e. the informal network of secret travel routes and safe houses utilized by Southern black slaves in order to escape to freedom in the Northern states and Canada, aided by abolitionists who were sympathetic to their cause. Over the past few years, my primary duty and responsibility has been providing legal, financial and other aid and assistance to Iranian queer asylum seekers who fled Iran due to their sexual orientation as I was once forced to. I and others will continue this work under the auspices of the Iranian Railroad for Queer Refugees (IRQR). We are now working to simplify our structure to focus exclusively on supporting Iranian queers in fleeing Iran, processing their asylum applications, preventing their deportation back to Iran, and in maximizing their safety in transit.

Most Iranian queer refugees are scattered throughout Europe and North America, primarily in the United Kingdom (UK), Netherlands, Cyprus, Sweden, Germany, Switzerland, Finland, Canada and the United States. Specifically the UK, Norway, Finland and Cyprus have been extremely reluctant to grant permanent asylum status to queer Iranian refugees. Not long ago two Iranian refugees living in the UK, Hussein Nasseri and Israfil Shiri, committed suicide after receiving deportation orders back to Iran where they faced imprisonment, torture, and most likely violent deaths.

There are still many more queer refugees from Iran who have not yet contacted us and are in desperate need of our help. One of the primary goals of IRQR's predecessor NGO, the Iranian Queer Organization (IRQO), was to increase the global level of awareness to the abysmal Iranian queer human rights situation, and the horrible persecution of queers that occurs daily in Iran. IRQR also hopes to provide a steady stream of news and information about homosexuality and transgendered individuals through the Internet into

Iran, and I believe that we have had great success in doing so. After founding an organization and several years of working with the Persian Gay and Lesbian Organization (PGLO) in Iran and IRQO in Canada, I have attained a great deal of valuable and practical experience.

Over time it became clear to me that we needed a new organization, one with an organizational structure dedicated solely to assisting queer Iranian refugees, i.e. to aid them in fleeing Iran, to support them while they are still in transition countries like Turkey, to assist them in finding their way through the harrowing bureaucratic mazes they must traverse in order to gain asylum, and to help them get settled into and cope with their new lives in gay-friendly democratic Western countries. Since being granted asylum myself in Canada in 2006, I have been able and most fortunate to have made several international trips to help queer refugees in building relationships with other international organizations. I am very happy that I have been able to build such a strong relationship with the UNHCR, which is now fully aware of the terrible Iranian queer human rights situation and of IRQR's involvement towards preventing queer human rights violations in Iran.

On each of my trips overseas, I have been able to secure international refugee protection status for an increasing number of Iranian queer asylum seekers. I have spent many hours listening to the desperate, tragic and heartbreaking stories of Iranian queers, all of which makes me very concerned for their situations and futures. My dedication to these refugees is fueled by my own experience as a queer Iranian exile in Turkey. It was the most difficult experience of my life, to suddenly find myself in an unexpected situation in a hostile country with no money and no personal safety or security for over a year.

Iranian queers have well-founded fears of persecution based on their sexual orientation or gender identity. The Penal Code of the Islamic Republic of Iran, which is based on strict Sharia law, permits the punishment of queer people by lashing, hanging, stoning, cutting in half by a sword, or dropping from a tall building or cliff. Additionally, under Fiqh – Islamic jurisprudence used in conjunction with Sharia law – homosexuality is punishable by beheading or burning alive.

My own and IRQR's experiences in researching human rights violations in Iran suggests that in «moral» cases, stringent standards of evidence are likely to be flouted by the judiciary in the name of protecting cultural and religious standards. In Iran, four male witnesses who attest that a defendant is homosexual, simply on the basis of rumor or slander, are likely to find their testimony accepted in lieu of more rigorous cross-examination of their sworn statements. Iranian legal and judicial procedures ensure that a judge's prejudice against a particular defendant, even based solely on a defendant's appearance or demeanor, is allowed near-limitless scope to determine a verdict based purely on subjective opinion. It is worth noting that even under the reform government of the former President Mohammed Khatami (1997 – 2005) the Islamic judiciary remained one of the bulwarks of religious conservatism in Iran, a judicial and legal status which has been strengthened and reinforced under the hard line rule of current President Mahmoud Ahmadinejad.

On September 24, 2007, Iranian President Mahmoud Ahmadinejad stated while addressing an audience at the University of Colombia in New York that “We do not have homosexuals in Iran. They do not exist in Iran and we do not have this phenomenon. I do not know who told you that we have them



in Iran.” This is a very clear statement from the head of the Iranian government regarding homosexuality in Iran. According to President Ahmadinejad’s statement, gays and lesbians not only have no legal rights in Iran, they in fact do not even exist in Iran at all.

In a public speech on January 13, 2006, Ayatollah Seyed Ali Khamenei, the supreme leader of the Islamic Republic of Iran, stated that “The Islamic world does not need the defeated Western version of democracy and human rights, which has been violated by the West several times. Democracy is in the Islamic education, and human rights are the most outstanding sayings in Islam.

We should learn science wherever it is and from whoever knows it, but the Islamic world should try not to be a student forever, and (should) try to use its abilities and its energies in order to produce new sciences. The Western criteria, which resulted in moral disintegration and developing sensualist and rudeness and legalizing sodomy (same-sex playing) and such other dishonors are not something to follow. Islam, with its high standards, is the best source of human salvation, and the masters of nations have this certain duty to reread and promote these valuable criteria.”

Many nations’ governments deport queer Iranians back to the Islamic Republic under the mistaken notion that queer individuals will be safe in Iran as long as they do not disclose their sexuality. However these government actions violate provisions of the Universal Declaration of Human Rights that assure the protection and preservation of many individual rights, including those of life, liberty, dignity, asylum, privacy and freedom from discrimination, arbitrary arrest, torture and inhumane punishment. Although sexual rights are not expressly provided for in the text of the Declaration, sexual autonomy is a fundamental human right because it is inextricably linked to one’s liberty, dignity and other human rights that are necessary in achieving quality of life. While sexual liberty is usually associated with reproductive

rights, it is also much broader. Because standards of morality are used to control peoples’ bodies and behavior, sexual liberty covers sexuality-based rights as well. Because they are thought to deviate from that which is moral, they are deprived of fundamental rights and liberties in many nations. Their privacy is invaded, they are ridiculed, excluded, isolated, discriminated against, sexually harassed, physically assaulted, arrested, tortured, raped and even murdered. The governments of various nations that have ratified the Universal Declaration of Human Rights need to recognize that queer Iranians have the right to both express their sexuality and live without fear of persecution, violence or even death, as do queers in the West.

In a sign of the general judicial attitude to homosexual conduct in Iran, Ayatollah Musavi-Ardebili, prominent Iranian clergy member and chief justice in Iran, said the following in a sermon delivered in 1990 at Tehran University, while he was serving as the head of the Supreme Council of the Judiciary: “For homosexuals, men or women, Islam has proscribed the most severe punishments...do you know how homosexuals are treated in Islam? After homosexuality has been proven on the basis of Sharia, the authorities should seize him [or her]...they should keep him standing, and should then split him in two with a sword, cut off his head at the neck or split the head. He will fall down. They (queers) get what they deserve.”

Homophobia runs both wide and deep in Iranian society. This in part reflects the influence of the conservative Islamic legal and religious standards established by the government. The Supreme Leader – the highest ranking political and religious authority in the Islamic Republic of Iran – Ayatollah Ruhollah Khomeini notoriously called for homosexuals to be exterminated as “parasites and corruptors of the nation” who “spread the stain of wickedness”. Because of Khomeini’s status as the principal marja-e-taqlid («source of information») in 1979 when he spoke these words, his remarks carry a great deal of in-

fluence in the law. The extent of homophobia in Iran also reflects a non-secular patriarchal social system in which sexuality is controlled and feared, except when used for reproductive purposes.

On November 13, 2007, an Iranian minister, Mohsen Yahyavi, told British MPs during a private meeting at a peace conference the following in response to the MPs' queries regarding numerous reports about gay youth being hanged in Iran: "Homosexuals deserve to be executed or tortured, and possibly both." Mr. Yahyavi is the highest-ranked politician in Iran to admit that the Islamic regime believes in the death penalty for homosexuality.

Within the region, Iran is distinguished by the extreme severity of the penalties it imposes on adult homosexuals engaging in consensual acts. Lavat, or sodomy, is punishable by execution on the first offense regardless of whether the partner is passive or active. Article 111 of the Islamic Penal Code states that: "Lavat is punishable by death so long as both the active and passive partners are mature, of sound mind, and have acted of free will." Death is also the proscribed punishment for a first offense involving sex between two males, one who is a Muslim and the other who is not a Muslim. According to Articles 121 and 122 of the Penal Code, Tafkhiz (the rubbing together of thighs or buttocks, or other forms of non-penetrative "foreplay" between men) is punishable by one hundred lashes for each partner. After a fourth conviction of Tafkhiz, the punishment is death. Article 123 of the Penal Code further proscribes that, "if two men who are not related by blood lie naked under the same cover without any necessity" each are to receive ninety-nine lashes.

According to Iran's Penal Code, an accused person can be convicted of sodomy if he reiterates a confession to the act four times, or if four "righteous men" testify that they have witnessed the act. Medical evidence of homosexual activity can also be used as direct evidence. This most arbitrary and capricious legal code also offers ways to circumvent normally high standard of evidence. Judges may lodge convictions for sodomy based solely on 'the knowledge of the judge', which in practice allow a wide range of circumstantial evidence to be admitted in court as proof of guilt. Torture is also commonplace in Iran, and the practice of torturing prisoners to extract confessions is widespread. Forced confessions are openly accepted as evidence in criminal trials.

In June 2002 Iran's Council of Guardians, a committee of 12 senior clerics, vetoed a bill passed by the Majlis (Iran's Parliament) that would have placed certain restrictions on the use of torture, and would have limited the judicial use of confessions obtained under duress. Yet even that bill would have provided inadequate protections against torture. For example, it would have set no limit on the length of time which a person could be detained incommunicado, and would have exempted from its protections of certain categories of arrestees, including "mofsed fil arz" («corruptors of the earth»), a general category for dissidents or «moral offenders» which could also be interpreted to include homosexuals. The refusal of Iran's government to enact even rudimentary safeguards against torture sends a clear message to legal authorities that confessions can be obtained from arrestees by any means. In both word and deed, the Iranian government has continued to stigmatize certain categories of arrestees as undeserving of even the most minimal protections.

On September 24, 2007, Iranian President Mahmoud Ahmadinejad stated while addressing an audience at the University of Colombia in New York that "We do not have homosexuals in Iran. They do not exist in Iran and we do not have this phenomenon. I do not know who told you that we have them in Iran."

In March 2009, The Army of Guardians of the Islamic Revolution of Iran (Sepah-e Pasdaran) announced that they had discovered corruption in the largest network of online activities, and had dismantled it. Several official news releases indicated that the moderators and members of certain websites such as Avizoon, XPersia, and BiaKlip were arrested, interrogated and identified as the perpetrators of a cyber «velvet revolution» (a non-violent gentle revolution). The groups' photos, names, and their online aliases were published on a website run by Sepah-e Pasdaran. Moreover, the identities of some of the arrested individuals have been exposed on national television as confessing to their «crimes». Since that time, two other websites and a number of individuals have also been arrested and publicly accused of hosting illegal content.

The Iranian government recently passed a bill on «Internet Crimes.» This bill allows a judge to issue a sentence of either execution or extreme punishment for those caught hosting or distributing content that is «anti-religious, pornographic, or uncomplimentary to government officials.» According to the Iranian penal code, homosexuality is considered obscene, and same-sex acts are crimes punishable by death. Also implicit in the penal code is the permitting of male kin to commit «honor killings» on homosexual or transsexual members of their families. The websites that contained any reference to homosexuality were the first ones to be dismantled and their moderators intimidated. These incidents all constitute attempts by the Iranian authorities to silence human and civil rights activists, as well as gay, lesbian, bisexual and transgender bloggers whose only means of communicating with the outside world and one another is through posting on the Internet.

Accusations against the bloggers from the Iranian courts may include «publishing stories and articles containing obscene and unethical sexual relationships» and referring to extra-marital and same-sex relationships. In one well-known case in Iran, a man and a woman had allegedly published «stories and articles on same-sex sexuality» and were arrested for it, though neither of the two identified as gay, lesbian or bisexual. Asqar R.L.A., a 39-year-old male residing in Shiraz, and Maryam G., a 27-year-old female residing in Yazd, have been accused of and have confessed to publishing articles and stories on same-sex relationships and spreading «homosexuality» among the youth in Iran.

So far, four of the detainees in the aforementioned cases confessed to publishing illegal sexual material online. Since same-sex acts are punishable by death, and promoting queer activities is considered «moral» actions against the state and the laws of Iran, unjust arrests, persecution and executions of members, friends and allies of Iranian queer communities will continue to increase. The recent arrests and exposure of the names of well-known gay bloggers in Iran revealed to all what the new decree targeting the queer internet community in Iran is doing.

Queer bloggers in Iran form one of the strongest networks of bloggers in the region. They vigorously oppose homophobic legislation and



criticize Iranian authorities for denying them their basic human rights. So far, a number of queer bloggers have removed their blogs in order to avoid investigation by the authorities. Some blogs, well known for their success in raising awareness of the absence of civil rights for queers in Iran's constitution, have been filtered. A number of other queer bloggers received official letters from police informing them that they are being followed, and any content, including e-mails and published weblogs that can be traced back to them, will be considered criminal activity. The letter demands that the writers cease all Internet communication.

the demise of writers and civil activists in the queer communities of Iran.

In his most historic and well-known speech from 1963, Dr. Martin Luther King said, "I have a dream." I have a dream, too. My dream is that one day the rights of all queers will be recognized and respected everywhere. That one day no one will be executed, tortured, arrested, imprisoned, isolated or disowned by their families and communities merely for the «crime» of being gay.

I dream of the day when my and other innocent Iranians' sexual orientation will not be a legal cause to deprive us of our fundamental human rights. That is my dream



IRQR is concerned for the dire situation queer bloggers now face in Iran as the Iranian regime cracks down on the top minds of the queer community. The Iranian queer movement is a peaceful civil rights movement, whose primary goal is the attainment of fundamental human rights: the right to live as legal citizens of their motherland, and without fear of persecution. The execution of queer bloggers is yet one more nail in the coffin of the Iranian queer community. The laws and accepted cultural norms in Iran create extremely harsh conditions for queers who are already leading lives in society's shadows, and hiding under pseudonyms and stripped of basic civil human rights in Iran. There is an alarming rise of attacks on queer bloggers and the crime of «publishing homosexual materials» which will inevitably end in

and greatest wish for myself and for all the voiceless in Iran who cannot speak for themselves. And although they have not chosen me as their voice, I have chosen to be theirs as they suffer in their self-imposed voids of silence. They cannot speak their consciences in today's Islamic Republic of Iran without fear of terrible reprisal from the authorities, so I must speak out on their behalf. My own conscience dictates no less. I declare this dream of mine for all. I will repeat it loudly and often, and hope one day soon to achieve this dream for all of my fellow citizens in the Persia that I love and once called home. I hope to do so again in Iran one day soon. Iran is not merely where I am from, it is who I am.

Arsham Parsi



EESTI LGBT ÜHING

ESTONIA

*Helen Talalaev
Eve Anijärv*

LGBT IN ESTONIA

OVERVIEW OF THE SITUATION

Estonia might be well known for their e-government and for considering free Wi-Fi in public places a human right, but the reality can be less advanced in other aspects of life. Lesbians, gays, bisexual and transgender (LGBT) people in Estonia have basic legal protection from the state but there is no recognition for same-sex couples and the anti-discrimination law provides only limited protection; the low awareness of LGBT issues in society in general and the low self-awareness of the LGBT people themselves may influence their everyday lives quite severely. However, human rights organizations, including the Estonian LGBT Association, have become more active and effective in recent years, hence the problematic issues mentioned above are challenged and dealt with.

BIGGEST CHALLENGES FACED BY THE LGBT COMMUNITY

Today Estonian LGBT people face challenges from society and from within themselves. Although society in general is becoming more tolerant towards LGBT people, there is still a long way to go. A recent study showed that only 38% of people living in Estonia consider homosexuality acceptable, whereas, 46% of people support the right of same-sex couples to officially register their relationship (like civil union, not marriage). The amount of support to the partnership law was in fact a positive surprise; however, support for marriage and adoption rights has remained low.

These factors create an atmosphere where many LGBT people choose to hide their identity and stay in the closet. This puts an enormous pressure on many LGBT people, resulting in short-term relationships, psychological problems, self-destructive behavior, isolation and loneliness. Furthermore, it also makes it difficult to build a unified LGBT community in Estonia, as there are not many people who want to actively participate in working to advance LGBT issues in Estonia.

Almost no public figures (and no politicians, in fact) have come out publicly as gay, lesbian, bisexual or transgender in Estonia, hence there is lack of positive role models for society and LGBT people themselves. This has two results: first, the general public does not know any well-known LGBT people, which may show the community as if it was something underground and hidden, instead of demonstrating how many LGBT people are involved in all areas of life. Second, LGBT people themselves do not have any success stories and some people might feel they do not have future perspectives as they do not see any lesbians, gays, bisexual or transgender people succeeding in society.

This may be especially true for young people. There is very little research on Estonian schools as regards to LGBT students or

teachers, hence there is no data on bullying in schools in Estonia. However, there is no reason to believe that the trends here would be considerably different than in other Eastern European countries.

The lack of research, studies and data has been a serious obstacle in tackling different issues. Fortunately, this void has started to disappear, mostly with the help of the Estonian Human Rights Centre and university students conducting a variety of research within the framework of their studies.

PRESENT STRATEGIES, METHODS AND PROJECTS BEING USED TO FIGHT FOR LGBT RIGHTS

Currently the work in the field of LGBT issues focuses on three main areas in Estonia: advocacy work for improving the legislation, which is supported by educational activities and the empowerment of the LGBT community.

The advocacy work focuses mainly on two legislative acts. First, the Estonian Ministry of Justice is working on the partnership law for both same-sex and opposite-sex couples. The draft will hopefully be ready towards the end of 2013. If everything goes well, the law will be adopted in 2014. Second, the current Equal Treatment Act does not provide equal protection on the grounds of sexual orientation, meaning that more protection is given on the grounds of ethnicity or the colour of skin. Therefore it is necessary to change

the law so that it provides protection from discrimination on the grounds of sexual orientation in the provision of services, in education and with regard to social benefits. A strategy that is used for changing these laws is coalition building – in addition to all Estonian LGBT organizations, we try to involve as many straight allies as possible to make these changes happen. Finding straight allies is quite new in Estonia, first attempts were done only in 2011 when Baltic Pride 2011 was organized in Estonia. However, this has proven a fruitful and effective way to gain more support and reach goals quicker.

A variety of educational activities are used to support the advocacy work. One important target group includes people working with the youth, i.e. teachers, youth workers, social workers, school psychologists. Since it was quite problematic to visit schools and meet students to talk about diversity, tolerance and human rights, the focus was shifted: the Estonian LGBT Association created a training for teachers and other professionals working with the youth. In 2012, 45 teachers took part in the training and 6 more trainings are planned before the end of 2013. This has been a very positive experience – there was much interest in the topic and the feedback has been supportive. Most participants have said that the training opened their eyes and gave them methods for noticing the LGBT youth in need and for tackling the problems that might come up.

In addition to teacher trainings, other activities are used to raise awareness on LGBT issues. In August 2012, Estonian Sexual Minorities Protection Union organized a conference entitled “LGBT Youth and School” for teachers and other professionals in Tallinn. Furthermore, activists from the Estonian LGBT Association organize discussion groups in youth centres (for both youth workers and young people themselves) and at youth events as the organization is already quite well known and they are invited to talk to the youth (sometimes by the youth themselves).



The Tallinn Law School at Tallinn University of Technology organizes a yearly campaign "Diversity Enriches" which raises awareness on different issues but it always focuses on LGBT people as well. This is a public campaign that gains much media attention and hence reaches quite many people in Estonia. In the framework of the project, several studies have also been carried out which have proven to be very useful advocacy tools. Hence it is extremely important to have adequate studies and data that help to demonstrate the need for changes in legislation, policy and attitudes.

In order to bring together LGBT people and their allies and, moreover, to increase the self-awareness of LGBT people and their understanding of their needs and rights, the Estonian LGBT Association established an information and activity centre for lesbians, gays, bisexual and transgender people in September 2011. The centre is named as OMA Centre where the acronym "OMA" comes from words in Estonian, which mean expanding one's world. This is, in short, what the centre aims to do – provide information, resources (e.g. a library), counselling services, self-development and awareness events (also held in other parts of Estonia) for the individuals of the community as well as for people who are interested in LGBT issues and want to know more. Some of the workshops that might be of interest are: a workshop "Life after Coming Out" which gave tools for handling situations after a gay, lesbian, bisexual or transgender person has come out to their family, friends or colleagues; series of workshops explaining diversity, equality and the LGBT movement in order to give background information for LGBT people for better understanding of themselves. The centre also invites guests to talk about a variety of issues – the most recent visit was by Judy and Dennis Shepard, the parents of Matthew Shepard, who visited Estonia, Poland, Lithuania and Hungary by the invitation of the US embassies in respective countries.

As a means to increase the awareness of lesbian and bisexual women an information booklet about safer sex for women and relationships between women was published. When usually there is quite much information about men having sex with men due to rather effective and well-financed HIV prevention, there is often lack of information available to lesbians and bisexual women. The booklet is distributed in clubs in Tallinn and women's clinics around Estonia.

OMA Centre also provides a regular get-together place for the Estonian transgender organization named Gendy and a gay Christian group in order to provide smaller LGBT organizations with more resources. Furthermore, the centre has helped to create a wider platform for people and organizations working on LGBT issues as the centre is the place where everyone meets. The centre is striving towards becoming a meeting place for the families and parents and other close ones of LGBT people; however, it is not easy to reach out to the parents.

The above methods and initiatives have proven successful when we look at the feedback given. There is more cooperation between Estonian LGBT organizations and straight allies. Activists have better skills for doing effective advocacy and involving many people in their work. There is more information on what kind of support professionals working with the youth need. New contacts with schools and youth centres are being created



which leads to new meetings, projects and more knowledgeable people working with the youth. LGBT people have started to express their needs more freely regarding the ideas for future events and projects. Hence there are many positive developments which create an excellent platform for further progress. Even less successful events and projects have been essential for learning and creating new content and focus points for projects ahead.

FUTURE HOPES

It is highly important to continue educating LGBT people for better self-awareness for them to be more confident so they would not let anyone marginalize them. The Estonian LGBT Association envisions an LGBT community that will increasingly show more initiative in the LGBT issues, take action to gain equal rights, not see activism as a taboo and stand up against the status quo of discriminating against LGBT people and their families.

*Helen Talalaev (President)
Eve Anijärv (Board member)
Estonian LGBT Association*

Helen Talalaev has actively worked in the field of LGBT issues for four years and is now the president of the Estonian LGBT Association. Her main focuses are on advocacy, cooperation with straight allies and education programmes with schools and youth centres. She is also responsible for the administration of the LGBT information centre in Tallinn. She has an M.A. in Gender Studies, lives and works in Tallinn, the capital of Estonia.

Eve Anijärv is the board member of the Estonian LGBT Association since June 2012. She focuses mainly on communication activities of the organization. Before that Eve was an active volunteer working in Tartu with the local LGBT community. She has extensive experience in NGO management as she was the Local Committee President in AIESEC and the President of AIESEC in Andalusia. Today she lives in Tartu and also continues her work with the local LGBT community.





ALBANIA

Aliaj Eugert

ALLIANCE AGAINST THE DISCRIMINATION OF LGBT PEOPLE

LGBT UNDER THE DICTATORSHIP TO THE BEGINNINGS OF DEMOCRACY

Before the 90s, Albania was considered as one of the most isolated countries in Europe. The dictatorial ideologies of the system had deep roots in the perception of people, transforming them into mechanic beings that had nothing but ideology. At the time you could not even start thinking about freedoms and rights, there were only duties that the regime demanded. During communism freedoms and rights were not taken into consideration and were denied absolutely, no one reacted, no one could rebel.

Of course we cannot talk about an LGBT community, even those people who considered themselves as different, used to see this as a deviation, illness or some sort of concern. There was no way of organizing any sort of group or organization that could ask for rights. During those years homosexuality was perceived as a disease, and a mental problem, and as such this deviation should have been punished. According to the Criminal Code of the Popular Socialist Republic

of Albania, homosexuality was a criminal offence and according to the law a person should be imprisoned from to 10 years.

Taking into consideration the testimony of witnesses at the time, the regime had such barbarian ways dealing with people that they suspected as homosexuals, that it was shameful. Except for the public judgments, social death, economic and family destruction the person also had at stake his own death. There are many cases when homosexual individuals were found dead in their homes under mysterious circumstances, or cases that they were dead after the investigator had accompanied them to the police station.

Most of the homosexuals during that time were obliged to have a double life, considering their sexual orientation and their desire for relations with the same sex as something hormonal or some sort of short term passion that would disappear with time, as long as it was kept secret. In most of the cases people were controlled by fear, fear that one day they would be discovered and everything would end, in addition to the suffering and the psychological pressure the fear of being caught was also there and strong.

During the 90s, the Western wind started blowing and the very longed for Democracy was introduced into Albania. The Albanians found themselves unprepared for the huge range of diversity of the external world. People started emigrating to western countries; information started spreading and brought new concepts, ideals, perceptions and lifestyles etc. Most of them were embraced pretty easily but other subjects remained tabu.

The transitional period in Albania was characterized by a continuous clash between values but as a consequence the slow European integration of Albania took place. Being a new democratic country, politically speaking Albania found itself with a huge lack of democratic legislation. All the laws and other legal instruments were reviewed, many conventions were signed and ratified and such



steps are allowing the activists of today to continue their activities.

On 29 March 1994, about ten gays assembled secretly and formed the first gay group in Albanian history, the Shoqata Gay Albania (Society Gay Albania). The law then still existed in Albania and condemned homosexuals up to 10 years of imprisonment (Article 137). The proposed new penal code of summer 1994 foresees punishment by fine and up to 3 years in prison (Section VII 114). This draft of the penal code, prepared by the ruling Democratic Party and soon to be discussed in Parliament, galvanized the first ever LGBT group into action. They sent fifteen members of the Democratic Party two strongly worded protests, appealing for the passage to be rescinded. SGA also requested help from ILGA (International Lesbian and Gay Association) and other international organizations. ILGA sent a letter of protest to the Albanian president (at that time Sali Berisha) and to other high government figures. Protests from other countries arrived too. In June 1994, Scott Long representing ILGA, arrived in Tirana and after discussions with SGA members, held talks with leading parliamentarians who then promised that the proposed passage would be withdrawn and that there would be no more discriminatory legislation against homosexuals. SGA has a relevant importance in the history of the LGBT movement in Albania. This group of people who worked hard were some kind of positive role models.

Even though homosexuality was taken out of the list of the mental illnesses, Albania still had made no correction or amendments to the Criminal Code which viewed homosexuality as an offence. In 1995 however Albania officially did not consider homosexuality as deviation and neither did constitute a criminal offence anymore. The new generations which had the opportunity to much more information but also with the development of the Albanian society made possible for new groups to network and connect in order to create some supporting activities.

ALLIANCE AGAINST THE DISCRIMINATION OF LGBT PEOPLE

The Alliance Against the Discrimination of LGBT People started as a consequence of the good will and commitment of a group of young lesbian women and who were joined, after some time, by fellow gays. For more than a year and a half we kept on working on a grassroots and volunteer basis, we organized activities with pocket money during our free time, and we held awareness raising campaigns and during the late hours we stuck up posters that were all improvised in A4 format and put them on the walls around the city. Also we organized discussion groups which had also some facility problems since we had no real space where to organize so we were forced to simply use parks or some bars that were available.

The commitment of this small group of friends and activists was so strong, the awareness of our needs and demand for recognition, we made it possible on 27th October 2009 to officially register the Alliance Against the Discrimination of the LGBT People as an NGO. The Alliance embraces a free, open, equal society for all sexual identities. The Alliance's aim is to create and empower members of the LGBT community in Albania, to defend their rights and the fight against discrimination based on the sexual orientation and gender identity. The Alliance during this time has been organizing a wide range of events at community, societal and

governmental levels. Full details are available on our website: www.aleancalgbt.org

INTRODUCTION OF ANTI-DISCRIMINATION LAW

The Albanian parliament approved an anti-discrimination law on 4 February 2010 which protects Albanians from a number of forms of discrimination, including on the grounds of sexual orientation and gender identity

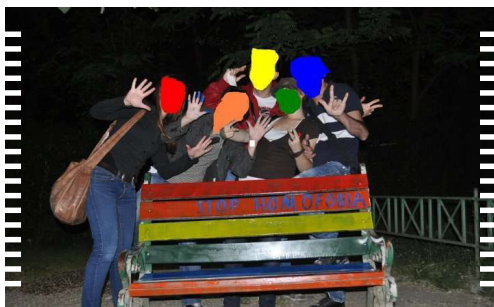
Article 1 of the law, which outlines the law's objective, states:

"This law regulates the implementation of and respect for the principle of equality in connection with gender, race, color, ethnicity, language, gender identity, sexual orientation, political, religious or philosophical beliefs, economic, education or social situation, pregnancy, parentage, parental responsibility, age, family or marital condition, civil status, residence, health status, genetic predispositions, restricted ability, affiliation with a particular group or for any other reason".

The law outlines detailed provisions for the protection from discrimination in employment, in education and in the field of goods and services. The law calls for the establishment of an independent, state-funded Commissioner for Protection from Discrimination who "assures the effective protection from discrimination and from every other form of conduct that incites discrimination".

The anti-discrimination legislation was unanimously approved by parliament. When the legislation was proposed in 2009 by the Prime Minister, he also stated support for legalizing same-sex marriage, which faced opposition from religious leaders.

We have a good anti-discrimination law, but as for many other laws we face many difficulties in implementing them. The Alliance during the 2012 has been very active in lobbying and advocacy.



THE RHETORIC OF HATE AND THE WORK GOES ON

Following the idea to organize a Pride in Albania we became the focus of the national and international media. This was as a result of the declaration made by the Vice Minister of Defence, Mr. Ekrem Spahiu who stated: "My only commentary on this Gay parade is that they should be beaten with billy clubs"

After Spahiu's outburst Albanian LGBT organizations said they would take Spahiu to court. This was a pure call to violence and we together with Pro LGBT NGO decided to take the case to court and demand that Spahiu be convicted in full accordance with Albanian law: a prison sentence of up to five years.

The case was closed at the prosecutor's office, but this was the first time that a high politician risked so much due to their statements. For us as Alliance this was a test. We tested the system and we now know that there is still a lot to do regarding hate speech. The Prime Minister, Sali Berisha, also criticized Spahiu's remarks as 'unacceptable,' while Albania's Ombudsman Igli Totozani and 48 Albanian NGOs also condemned the comments and asked Spahiu to apologize. We had the support of many other international and national organizations and this showed to the public how important it is for the world the right to unite together and the importance of nonviolence tactics.

Human Rights Watch said Spahiu's statement was 'terrible.' The European Union (EU) office in Tirana also condemned 'any discriminatory rhetoric as well as any incitement to hatred or violence.' The EU 'strongly urges the Albanian authorities to ensure that such behavior is not repeated,' it said in its statement. Albania has applied to join the EU, and the organization issues annual reports on the country's progress in meeting EU entry requirements.

WORKING WITH THE COMMUNITY, SOCIETY AND GOVERNMENT

For the International Day Against Homophobia (IDAHO) the Alliance organized the first LGBT Life Exhibition in Albania, which was an art space created and directed by our community members. It gained very good media visibility and we tried to show to the visitors what life is like in Albania for gays and lesbians. The exhibition was visited by many ambassadors resident in Albania, important figures from art and media and many LGBT community members.

In partnership with another LGBT NGO (Pro LGBT) we organized the "Gay Ride" which was an activity that had the biggest impact in Albania society. About 10 of us rode bicycles in the main boulevard and we called it: "Ride Against Homophobia". This was a very important activity because it was the first time that some people went out in public as LGBT. The Albanian media broadcasted the event live. We were attacked by some young youths throwing gas bombs but the police showed high professionalism and dealt with the situation. (video here : <http://www.youtube.com/watch?v=8MP6t-3Fyxo>)

During the week of IDAHO, we were engaged in disseminating information among the public and lessons in high schools and universities. We have a special team in our organization who go to classes and explain to students the importance of human rights and more specifically LGBT. We inform them on the LGBT movement in Albania, activities

and we answer all the question they might have.

The Alliance also has a strong focus on the community itself. We organize many activities like discussions group, movie showing and psychological or legal support. The Community Center of Alliance LGBT is frequented daily by 25-30 persons who can stay in the centre, use the space for creative work, study, reading books from our library, chatting with other members or use the internet.

The Alliance Against Discrimination of LGBT People in Albania, is now working in many areas. We are collaborating with the State Police Academy in order to review the curricula and provide training for police officers.

The Alliance has been part of a working group, established by the Ministry of Labor and Social Affairs (in connection of the 12 recommendation to join the EU), this working group has the responsibility to create a National Strategic Plan. The group has now fully completed its work and now each institution and NGO involved is providing projects for the implementation.

The Alliance is also working on the first study regarding high schools texts and within a month we will go public with specific recommendations and advice. Additionally, we have been in contact with the Ministry of Education to create a special program for training school psychologists who face a huge lack on LGBT issues. We are giving our support to particular cases at the moment.

From October 2012 we have established a collaboration with a Swedish organization which works with Albanian Woman NGOs . The idea is to create a network of partners outside the capital in order to create monthly or weekly activities with our support and help.

The Alliance has been part of the working group, established by the Ombudsman in order to review the Criminal Code, and provide the new Criminal Code with specific laws regarding Hate Speech and Hate Crime. The Ombudsman in collaboration with the Alliance Against Discrimination and other LGBT organizations Pink Embassy, LGBT Pro and United Pro LGB has approved a document with recommendations for the Albanian Parliament. We believe that those recommendations will be the focus of the next year when the Criminal Code can be changed again.

Alliance Against Discrimination of LGBT People together with Pink Embassy/LGBT Pro and United Pro LGB have established the "Tirana Pride 2013" with the idea to have such an event in Albania next year. At the moment the three organizations are working on consultations and ideas with partners and we are taking feedback from the community itself. We strongly believe that if we want to organize a Pride in Albania we should be

sure first that the community itself want it and they feel safe.

The Alliance Against Discrimination of LGBT People in Albania, will continue to work hard for the protection and promoting the LGBT rights in Albania. We know this is a very big challenge but we believe in the values of freedom and respect of everyone rights.

Aliaj Eugert

Is an activist of the Alliance Against Discrimination of LGBT People. He started out and a volunteer in 2010 but in 2011 he became a staff member and is responsible for Public Affairs Management and Legal Assistance. He was part of the working group established by the Ombudsman to introduce Hate Speech And Hate Crime laws in the Albanian Criminal Code and is also part of the working group for reviewing the curricula of the State Police Academy.



RUSSIA

Alliance of Straights for LGBT Equality Saint Petersburg



MANIFESTO

FOR YOUR FREEDOM AND OURS!

We are heterosexual people who support the fight for equal rights for gays, lesbians and transgender people. We have united to say “NO!” to discrimination and persecution of our co-citizens, friends and dear ones. We think that all citizens of Russia should possess equal rights regardless of their sexual orientation or gender identity.

Favoring homophobic prejudices in society, the ruling party has passed laws that make the so-called “propaganda of homosexuality” punishable with a fine in several regions of Russia including Saint Petersburg.

We consider these laws shameful and absurd. They violate human rights guaranteed by the Constitution of

the Russian Federation. They have nothing to do with concerns for moral values of children but instead deprive teenagers of their right to information and support. They encourage hatred among people, they discriminate against and humiliate an entire social group – the LGBT community. This is happening alongside with growing violence and calls for violence against the LGBT community coming from several radical political and religious groups and individuals. We are appalled at the fact that are pushing the country towards fascism and medieval views, basically dictating people who they should love and those who love in “an incorrect way” are forced to become invisible in the public space. Everyone has the right to love and be loved without hiding it. The government must not intrude into people’s bedrooms or minds. We want to put an end to this shameful trend!



We want to express our solidarity and support to you, our LGBT friends and co-citizens. Remember that you are not alone! We are not going to remain silent when injustice is being committed against you. We will fight together with you!

We invite all those who care to join our initiative, be it in real or virtual space. We would like to see at our meetings all those who wish to take part in the activities of the Alliance of Straights for LGBT Equality. We are open to all who share our beliefs. Especially welcome are friendly and tolerant heterosexuals who are sympathetic to the LGBT community in their fight for equal rights and against discrimination. Of course, we also invite LGBT people themselves to join us in our work.

We unite in order to show society, the authorities and the media that LGBT rights are not the concern of the LGBT community alone. It is our common concern! Certain people are trying to convince us that there is a fight of sexual minorities against the heterosexual majority going on. We know that this is a cynical lie because we are a part of the straight majority and did not give the right to speak out on our behalf to the hypocrites in politics and religion, did not grant them the monopoly on morality which they are trying to usurp. We are against fomenting hatred

and non-tolerance to human differences. We want to live in a society where every minority and every individual member feels comfortable and has equal protection of their rights and human dignity. It is this kind of society that the sensible and socially responsible majority is interested in.

It should be borne in mind that people differ not only in their sexual orientation and gender identity but also in their skin color, ethnicity, religious, political and other beliefs, state of health, sex, age, social status and other characteristics. Every human is a part of some kind of minority. The persecution that LGBT members are now being subjected to can also be directed against any other social group, that is it can affect your life as well. Think about it. And do not be indifferent to the humiliation of your co-citizens.

This manifesto was approved on the 2nd meeting of the Alliance, on May 25th, 2012
Saint Petersburg, Russia

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*Our links:*

*[http://www.facebook.com/](http://www.facebook.com/groups/378474945543273/)*

*[groups/378474945543273/](http://www.facebook.com/groups/378474945543273/)*

*[http://vk.com/straights\\_for\\_equality](http://vk.com/straights_for_equality)*

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Coordinators: Natalia Tsymbalova

and Sergey Kondrashov

Contact: straightsforequality@gmail.com





RUSSIA

Igor Kochetkov

LGBT IN RUSSIA: PRIDE, PREJUDICE, AND POLITICAL POPULISM.

Human rights activists working in Russia are worried about the current situation that has escalated in the last half year: when it comes to the right to freedom of expression, the authorities have not been cooperative. The LGBT community is the first victim of this new witch hunt. Laws have appeared in a number of regions around the Russian Federation (Ryazan, Kostroma, Arkhangelsk, Magadan, Novosibirsk, Samara and Krasnodar) regarding administrative responsibility for so-called “propaganda of homosexuality to minors.” A similar bill is now being considered at a national level.

These laws have been written with great ambiguity and their implementation has shown that they can be applied very arbitrarily

in order to discourage freedom of expression, peaceful assembly, as well as those protesting in favor of equal treatment – regardless of a person’s sexual orientation or gender identity. The police detain people for public calls to investigate crimes motivated by homophobia, for demonstrations which have rainbow flags and even for planning to hold a demonstration in support of LGBT rights.

To a certain degree homophobia, like any xenophobia, affects all layers of the population. According to sociologists, the lower the level of education, there is a higher fear and negative association towards homosexuals. Older respondents are also more likely to be homophobic. Men are more likely to be homophobic than women, and rates of homophobia are higher in rural areas and small cities. In my opinion, the general factors that affect the spread of homophobia in society are as follows: a lack of reliable information about people with different sexual orientations, a low level of general culture and a population which is disinclined, for the most part, to rationally assess their fears and prejudices.

Against the background of the unfolding socio-political crisis, the Russian authorities want to turn homophobia into a political factor to gain the sympathy of the uneducated, ill-informed and frightened population. By deliberately manipulating these sentiments they take homophobia from a shared common feeling (“homegrown homophobia”) to an invaluable channel of public discontent, which can then be directed at specific groups of people – in this case, at homosexual, bisexual, and transgendered people. Essentially, this is a form of political populism. It is dangerous when used by irresponsible politicians who rather than unite society try to divide it encouraging the growth of hostility and social tensions.

In Russia, intolerance, aggression and political repression is the result of many centuries of LGBT invisibility. Because they were invisible, those with ‘non-traditional’ sexualities were perceived not only as defects by members of society but by LGBT

people themselves. Prejudice forced them to constantly hide and to conform. For a long time even the idea of expressing themselves openly and asserting their rights seemed impossible.

In recent years the situation in Russia has begun to change. The LGBT community is becoming more and more visible and socially active. No longer invisible 'sinners' and 'criminals', they are becoming proud and liberated people who want to live happily and openly. This difficult process is confronting deeply-rooted stereotypes that are easily used in various political games.

On paper, laws 'banning the propaganda of homosexuality' are aimed at protecting minors. That is what is written. The spirit of these laws, however, is to prohibit people from saying what they think and prohibit freedom of choice. The idea that these laws protect children is nonsense – we can see that protecting children is not what interests the creators and administrators of these laws.

From a legal standpoint there are the norms of international law and the Russian constitution, under which civil rights and freedoms may be restricted only when it is necessary to protect the life, health and morality of others. In this case, the amend-

ments proposed by the deputies of the Legislative Assembly explicitly limit the right to disseminate information. But then the question arises: why should the dissemination of information about homosexuality, lesbianism, bisexuality or transgender identity – if taken objectively as an existing phenomena – be threatening? I cannot imagine someone going around to schools distributing information on sex between men and sex between women.

LGBT activists who speak out against this law are actually engaged in propaganda. But we advocate for the need of tolerance and respect for all people, regardless of their sexual orientation. We distribute information on issues faced by homosexual and transgender people. I see nothing in this information that is immoral and certainly nothing that is dangerous.

Minors need this information too. Sexual orientation is determined and understood by a person long before his or her 18th birthday. In our society a person is considered to be heterosexual from birth. When an adolescent suddenly begins to understand at the age of 12-13 that he is attracted to members of his own sex, he feels frightened and guilty. This teenager really needs objective, general information about homosexuality and trans-



gender issue from specialists and not illiterate legislators. Heterosexual teenagers need this information too. One of the problems faced by gay adolescents is bullying from their peers. Teenagers can be cruel and even more so to those who are not like them.

We need information on how to deal with people, regardless of their sexual orientation. A lack of information can be very dangerous. This new law will not help reduce the rate of teen suicide, a number which is higher in Russia than in most of the world. According to our estimates 26% of gays and lesbians in Russia have tried to commit suicide at least once. For many it happened when they were teenagers.

The laws, which have been aptly named 'Don't say gay!', have been in effect in several regions for more than six months. During this time, dozens of people have been arrested (mostly in St. Petersburg).

A typical example of how this law is being applied was when ten people were arrested during a government sanctioned demonstration on 1 May in St. Petersburg. Among the participants of this demonstration for human rights were LGBT activists who were holding rainbow flags.

The police brutally and without explanation seized activists who were holding flags, taking them to a police van. A total of 10 people were arrested. As soon as the arrests began other participants stopped the demonstration. Since the police were not going to release the detainees the event organizers decided to prevent further arrests by rearranging the column of marchers with rainbow flags. Without the support and solidarity of other organizations the continued participation of the LGBT community in political demonstrations would be impossible. Some of the organizers who share our democratic values are: the St. Petersburg branch of the unregistered party Parnas, Solidarnost (Solidarity), the Russian People's Democratic Union, the Libertarian Party, the Observers of St.

Petersburg, the movement for civil responsibility, as well as the regional office of the Yabloko party. On Konyushennaya Square, where the procession ended and a general rally began, seven people were detained for carrying posters that spoke out against state homophobia.

It is worth mentioning that out of hundreds of marchers it was only those who spoke out against homophobia in Russian society and the government were arrested. Although some of the participants were told before their arrest that they were in violation of the law against 'gay propaganda' this citation does not appear in any of the police records for that day. They were charged for participating in an unapproved rally on Konyushennaya Square and for refusing to cooperate with the police. During their hearings the detainees insisted that they had participated in a fully sanctioned march, whose goal was to defend citizens' rights and freedoms. The slogans on their posters (for example: 'Homophobia is Illegal') were consistent with these objectives and spoke of violating the rights of LGBT people. As expected, the court could not find any of the activists guilty of these offenses and dismissed their cases. However, this decision was made for only five detainees. Legal proceedings for the remaining twelve did not take place at all.

Another apparent consequence of these laws is the virtual legalization of aggression and violence toward LGBT people. Frequently, the police and local authorities do not protect LGBT activists' events from aggression and threats of far-right groups and religious fanatics.

On 1 June, Side by Side LGBT Film Festival was scheduled to open in Kemerovo. However, ten days prior to the start of the festival organizers began to receive death threats from a far-right group based in Novokuznetsk (a town located not far from Kemerovo). The organizers immediately submitted a complaint to the police regarding the threats after which they met with members

of the police and city administration. At the meeting the authorities refused to take action to protect the organizers and participants of the festival. They put psychological pressure on the organizers, trying to force them to cancel the event. As a result of the authorities inaction to stop the threats of violence and murder against the organizers and visitors the festival in Kemerovo was cancelled. At one point a festival volunteer was attacked in the city centre. The attack was reported to the police.

On 6 June, on the second day of Side by Side's events in Novosibirsk organizers and audience came under serious threat from a homophobic mob of aggressive youths. The youths, numbering around 30 or so in total, had surrounded the shopping centre where the screening was taking place in a multiplex on the fourth floor of the building. Prior to the start, during and at the end of the event the youths gathered around the screening hall, shouting insults and it was clear from their discussions with each other and behavior that they were intent on violence. Police were

present, but they did not respond to the organizer's requests to secure the area. The organizer's were forced to evacuate audience members by taxi and they themselves narrowly escaped physical attack.

Early on in the political campaign for the 'Don't say gay' laws, human rights activists warned that every totalitarian regime of the twentieth century began repressing dissidents by repressing sexual minorities. The repression of other groups comes next. Our predictions came true faster than we had expected. The monstrous cruelty of the absurd Pussy Riot verdict, the law on 'foreign agents' and other recent measures indicate that Russia, for the first time since the fall of communism, is on the brink of returning to totalitarianism.

Igor Kochetkov

Chairman of the Interregional Social Organization: Russian LGBT Network.



