


Discrimination against members of the **LGBT+** community in the occupied Crimea on the grounds of sexual orientation and gender identity





Regional Center for Human Rights

TRANSITION
Transition Promotion Program

The Russian Federation persecutes representatives of the **LGBT+** community in the occupied Crimea through:

 extension of discriminatory Russian legislation to the territory of Crimea and Sevastopol

 introduction of discriminatory law enforcement practices

 deployment of hostile rhetoric and hate speech among the occupation authorities, media, and the population


 Discriminatory legislation prohibiting «propaganda of ‘non-traditional sexual relations’ among minors» includes:


Code of Administrative Offences of the Russian Federation


Federal Law “On Fundamental Guarantees of the Rights of the Child in the Russian Federation”


Federal Law “On the Protection of Children from Information Harmful to Health and Development”


Examples of violations of the rights of representatives of the **LGBT+** community in the occupied Crimea are:


 denial of permission to hold equality marches with reference to the «legislative prohibition of dissemination of information promoting «non-traditional sexual relations» among minors

 inability to receive proper medical care by members of the **LGBT+** community who are diagnosed with HIV/AIDS due to the recognition of substitution maintenance therapy programs as illegal

 hate attacks on **LGBT+** persons, which is not considered an aggravating circumstance in sentencing

 inability of transgender people to obtain identity documents and complete the gender reassignment procedure

 dismissal from work because of sexual orientation, in particular because of the presence of a record of affiliation with the **LGBT+** in the person’s medical record

 deliberate imposition of barriers for **LGBT+** friendly businesses

Through implementing a discriminatory policy against members of the **LGBT+** community in the occupied Crimea, the Russian Federation violates the following norms of international law:

International Covenant on Political and Civil Rights, in particular:

ARTICLE 17 freedom from unlawful interference with privacy, family, home

ARTICLE 19 right to freedom of expression

ARTICLE 21 right of peaceful assembly

ARTICLE 26 general prohibition of discrimination

European Convention on Human Rights, in particular:

ARTICLE 8 right to respect for private and family life

ARTICLE 9 freedom of thought, conscience and religion

(prohibition of discrimination)
ARTICLE 14 in conjunction with the previously mentioned articles.

Such actions of the Russian Federation can be qualified as:



Crime against humanity:

under **Article 7(1)(h)** of the Rome Statute of the ICC (persecution against an identifiable group or collectivity)



War crime:

under **Article 8(2)(a)(iii)** of the Rome Statute of the ICC (wilfully causing great suffering or serious injury to body or health).