



FORUM CIV.



Urgent appeal to stop the adoption of the discriminatory amendments to the Russian Family Code

We, the signatories of this open letter, express our concern regarding amendments to the Family Code proposed by the members of the Russian Parliament. These amendments could further restrict the rights of LGBTI people living in Russia, under the pretext of protecting the ‘traditional family’.

In July 2020, following the introduction of a gender-specific definition of marriage into the Russian Constitution, Russian senators submitted three bills that, in their words, aim to “strengthen traditional family” and are, according to them, necessary to harmonize the legislation with the new Constitution.

Parts of the proposed amendments simply emphasize already existing *de facto* limitations on same-sex marriage, as well as adoption and foster care by those in same-sex marriages or civil unions (performed abroad) as well as for citizens of countries with marriage equality or civil partnerships. But there are also worrying provisions that could create new obstacles for trans people living in Russia.

The new bills propose to remove the option of updating one’s birth record and introduce gender markers on birth certificates, while providing no clarity on how this change will reflect upon the current legal gender recognition procedures. Given that updated birth record represents the basis for obtaining new ID documents, trans people might become deprived of the opportunity to change their gender marker in passports. At the same time, in case obtaining passports with updated gender markers is still allowed, this will result in trans individuals undergoing transition having ID documents with two different gender markers, subjecting them to constant outing.

Both these scenarios will result in making the trans community even more vulnerable to violence and discrimination. Many trans people may *de facto* be banned from marriage, since Civic Register employees are allowed to examine a couple’s birth certificates. Moreover, considering that trans people in Russia are disproportionately affected by various forms of discrimination such as illegal detentions, lack of access to medical services, illegal infringements on personal data, both availability of legal gender recognition and the possibility to maintain one’s gender identity confidential, is crucial for their security, well-being and enjoyment of basic human rights.

Another problematic dimension of the bills in question is the toxicity of the public discussion surrounding LGBTI rights in Russia today, and wider societal effects of the proposed changes conveying a message of suspicion and hatred toward the Russian LGBTI community. We have already witnessed the negative impact of the so-called anti-propaganda law on the treatment of the LGBTI people and human rights defenders surpassing by far its actual scope and fuelling harmful stereotyping and othering that, based on the reports from the LGBTI activists living and working in Russia, has encouraged increase in violent attacks, discrimination and arrests. We fear that adoption of these new bills will cause a similar surge in homo/bi/transphobic violence and discrimination by both, state and non-state actors.

We stand in solidarity with the Russian LGBTI movement and applaud their relentless efforts to halt these amendments. We join their call on the members of the Russian State Duma to consider the appeals from civil society groups and abstain from adopting the proposed changes to the Family Code of the Russian Federation.

We appeal to the international community working in and with Russia to address this matter in their advocacy efforts and show increased support to and solidarity with the Russian LGBTI movement in these trying times.

Signatories

Amnesty International Sweden

Civil Rights Defenders

ForumCiv

RFSL – The Swedish Federation for LGBTIQI Rights

RFSU – The Swedish Association for Sexuality Education

Östgruppen – The Swedish Initiative for Democracy and Human Rights