

ANTI-GAY PROPAGANDA IN RUSSIA: ANALYSIS OF ITS EVOLUTION AND AFTERMATH

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ABSTRACT

On December 5, 2022, Russian president Vladimir Putin signed a bill outlawing the LGBT lifestyle in Russia. Its recent developments took place in November when the Duma approved the third and final reading of the bill. It further got approval from the Federation Council.

The federal law is titled: for the purpose of protecting children from information advocating a denial of traditional family values. The Russian government argues that children should be protected from exposure to LGBT ideas since it is against the traditional values put forward by the Russian state with heavy backing from the Russian Orthodox Church.

The law prohibits any form of information from spreading non-heterosexual ideas through books, cinema, or media. It also prohibits the public promotion of non-traditional family relations. The final legislation, after amendments applying to all ages, would henceforth fine violators from 100,000 to 2 million roubles.

The developments that took place recently attracted international reactions mostly calling for the withdrawal of the law, since it had serious inconsistency with several basic and fundamental declarations of human rights.

Russia being a democratic nation bringing in an arbitrary law that marginalises a particular set of people is unjustifiable. The influence of bringing about such a law will have its serious consequences in other parts of the world too.

This research paper aims to analyse the rise, causes, and consequences of homophobia in Russia and the effect of the latest legislation banning non-traditional sexual relations. It also attempts to give an insight into the lives of the LGBT community prior to the legislation and following the implementation of the same.

Keywords: Anti-Gay Propaganda, Russia, LGBT, Sexual Orientation, Homophobia

INTRODUCTION

Sexual minorities are groups whose sexual orientations differ from most of the population. It consists of gay, bisexual, and transgender people forming the body of the LGBT community. The addition of other sexual orientations has further broadened it. Terms like LGBTQ and LGBTQIA+ all refer to the widened scope of the same. The social acceptance of heterosexual relations has created an intense dichotomy between other non-traditional sexual relations. This has led to casting a shadow over the fact that these sexual minorities are humans too. The stigma associated with homosexuals has paved the way for extreme hate and homophobia against them. It is of prime importance that we shed light on the community's basic human rights violations and bring them to the forefront like any other law-abiding citizen.

It is up against such a scenario that Russia has brought anti-gay propaganda, with its earliest developments dating back to the late 20th century. After several amendments, it has been finally passed by Russian president Vladimir Putin in 2022.

EVOLUTION OF SEXUAL MINORITY GROUPS IN RUSSIA

Religious Influence

The evolution of sexual minorities results from the regressive attitudes that existed in the society that standardized heterosexuality. Western civilization had firmly established the heterosexual paradigm. Furthermore, doubtlessly, the primary driving force of the formation of western civilization traces its roots back to religion. Christianity, the major religion of the

west, has actively shaped a hostile attitude towards homosexuals. The canon law of the catholic church, which teaches how the church organizes and governs itself, had denounced homosexuality as a sin. The spread of Western ideas through religion had significant repercussions in Russia. Western culture provided a working model in actively discriminating against sexual minorities in non-western societies too.

The dominance of homophobic ideas shadowed cultures that had knowledge about sexual diversity and used to be willing to acknowledge the same. Such as, the Ancient Greeks had myths or historical works depicting same-sex love which have been ignored and suppressed or rewritten using characters and corresponding nouns and pronouns of the opposite sex.ⁱ

The result of this hostility and ignorance was that an urban gay subculture that advocated for the rights of sexual minorities came into existence. Many of the injustices faced by LGBT members have a link to the Russian orthodox church. With the arrival of the new legislation in Russia, the church has given its full support through public statements. "The Church has always supported banning not just the LGBT agenda, but any agenda promoting sin in the public space." This is the statement made by Vakhtang Kipshidze, the deputy chairman of the Moscow Patriarchate's Department for Church Relations with Society and Media.

Post-communism, Christian democratic ideas became the most remarkable social philosophies in Russia. Furthermore, these norms are implemented in the name of 'traditional Russian values.'

Influence Of Russian Traditional Values

The term "traditional religion" appeared in the public when there was the interpretation of the preamble to the Russian Federation 1997 "Law on Freedom of Conscience and Religious Associations." the prominence of Orthodoxy in the history of Russia and its further relevance in shaping Russia's future was recognized. The orthodox understanding of tradition associates it with inherited sums of texts, ideas, norms, and customs. In a much broader sense, this term equates to morality.

The traditional central values advocated by the Russian orthodox church are:

Faith; justice(meaning " the rightful place of a nation in the international community", i.e., status); peace; freedom(limited by moral obligation); unity (of different ethnic groups, social classes, political groups); morality; dignity; honesty; patriotism(defined as love for the

homeland, nation, culture, respect for history; readiness for self-sacrifice); solidarity; mercy; family; culture and national tradition(characterized as respect for one's own culture and tradition of others); prosperity (material and spiritual); diligence; self-limitation(resignation from consumption); and devotion (to the homeland and nation).ⁱⁱ

The arena of politics highly endorses this concept and has taken up the stand of upholding such moral values for a social cause. The blend of freedom, family, and tradition provides the framework for anti-gay laws to come into play.

The internal politics of Russia during the 2012-13 period was driven by the theme of returning to traditional family values. The so-called values are propagated mainly through the church. However, the current leaning of conservative ideas across Russia is also due to the array of domestic policies taken. Promoting traditional values was the crux of Putin's political campaign for the 2012 presidential election.

According to Russia's leading ideologues, the traditional family, the foundation of the Russian state, is threatened by discourses imported from the west, feminism, and LGBTQIA liberation, which herald the destruction of public morality and marriage. It protects the institution of marriage between a man and a woman. These are the guiding principles of protection of a child according to this concept.

During 2012, in Putin's address to the Federal Assembly, he openly asked to support institutions promoting traditional values. Russian orthodox church and Putin backed each other by giving public statements in solidarity with traditional family values. The idea of 'non-traditional sexual relations' and measures to fight them made to being introduced in the legislature in 2013.

Such traditional values have fueled youth movements like pro kremlin, nashis, walking together, and the young guard of united Russia. These groups are often termed the neo-Nazis of Russia

Influence Of Neo-Nazis

The origin of neo-Nazism in Putin's Russia goes back to the late 1990s when Russia was shaken by a violent act committed by skinhead gangs. Skinheads, are part of the neo-Nazi group, advocating for white supremacy. The act committed by these neo-Nazi groups was of purely racist objectives. However, after Putin acceded to the presidency, the neo-Nazis took a violent

turn. They were tamed in a way to launch 'managed nationalism' which was aimed at oppressing anti-Putin democrats.

The divergence of neo-Nazis started with the campaign against post-modernist literature by a pro-Putin youth organization -Moving Together. This group further branched out during the orange revolution of 2004. During this time, 'Moving Together' disguised into a more ambitious project against democracy, 'The Nashis.'

During 2005 nashi thug attacks against anti-Putin groups were recorded throughout the nation. These groups have gone to the extent of spreading extreme homophobia by making a gay man in Uzbekistan apologize for his sexuality through an online video that was released in 2014. He represented what torment the LGBT community underwent in pro-Putin Russia.

Another neo-Nazi group under the name 'occupy pedophilia' with the primary intention of fighting pedophilia and protecting children worked with actual intentions to spread LGBTQIA hate. The group, founded by Russian neo-Nazi Maxi Martsinkevich in 2010, is a 'loosely organized network of homophobic vigilantes that calls itself a social movement 'according to Human Rights Watch. Their acts are to terrorize gay youth by filming attacks on the LGBTQIA community and posting them online. Its activities peaked in 2013 when the initial stage of the Russian Anti-gay propaganda bill was passed.

All neo-Nazi acts were put under the umbrella of managed nationalism by Putin. They serve as one of the leading causes of initiating attacks on the LGBT community and injecting homophobia into the public.

SOCIO-CULTURAL ASPECT OF HOMOPHOBIA

The church, traditional family values, and neo-Nazis have paved the way for exploiting sexual minorities in Russia. The ever-rising transphobia in the country makes the situation even worse. Generally, most people in Russia have a neutral stance toward the LGBT community. However, they shift their position when confronted with public manifestations of the community, such as the gay pride march.

Same-sex relations between men used to be a crime in Russia, and about 250,000 men were convicted. Even after the decriminalization of homosexuality, public polls still reveal negative attitudes among the public. According to the Public Opinion Foundation, which conducted a

large-scale survey of attitudes towards LGBT persons in 2006 throughout Russia, 47 percent of the respondents claimed to disapprove of LGBT persons and their lifestyle.

Russian scientist I.S. Kohn summarized the reason for homophobia as follows:

"Very few people in Russia have personal acquaintance with LGBT persons. Even fewer people know transgender persons because it is a very new phenomenon in our society. People with personal relations with lgbtqia have a higher degree of tolerance. another factor is of course the location. people from bigger cities have higher tolerance levels. Besides that, there are differences between the regions. For instance, Siberia is a very difficult region with a high level of homophobia. The results are also related to the age, level of education. Generally younger, better-educated people are more tolerant. The level of income is also of important influence. Gender is also an issue; generally, women are less homophobic than men, and the hostility towards gay men is five times higher than towards lesbians.

From the perspective of LGBT members, the core reason that halts them from stepping into society is the absence of backing from their families. They are often met with problems of understanding from their family and are even bullied, attacked, and ashamed of. This paves the way to internalizing homophobia. They question their right to exist and rule them out as abnormal. The situation becomes even more challenging when such episodes drown them in psychological trauma, depression, and other mental disorders. The same bullying attitude haunts them at schools, workplaces, and all other social gatherings. With the introduction of the anti-gay propaganda bill in 2013, human rights watch has reported that the hostility towards the LGBT community has intensified in education and support services. The reason for such incidents to occur at educational institutions is the lack of awareness of the situation faced by sexual minorities.

Moreover, there is an absence of educational programs regarding sexual orientation across schools and universities. If support is not assured from their institutions or family, they might withdraw from pursuing other social relations and drop out. Their hurdles continue as they go into seeking employment. Disclosure of the sexual orientation of a person leads to their dismissal in Russian town, after which it is difficult to find a new job in the same town.

Nevertheless, they are shunned with hate in every domain they step into. Russian LGBT Network, an NGO working for the social acceptance of sexual minorities, has reported several hate crime incidents in Russia. This is not considered an offense as Russia has no legal

mechanism that allows LGBT persons to report hate crimes of speech. The Russian justice sector institutions' reasoning regarding hate crimes is that LGBT persons are not considered a social group. Hence, they cannot protect themselves against abusive remarks or hate crimes.

The church and the public have explicitly shown their hatred. Religious leaders are triggering young men to commit crimes against homosexuals in the name of God.

With religious and administrative authorities turning a blind eye to these people, neo-Nazis have taken the baton to spread violent attacks across the country.

The situation of NGOs advocating for LGBT rights is catastrophic since most of them deal with red-tapism from bureaucrats regarding their registration. Despite having several NGOs working on behalf of LGBT people, only two of them are officially registered. Even for these registered NGOs, operations are made complicated by authorities. New registrations are turned down because: "The activity of the organization promoting non-traditional sexual orientation can result in security subversion in the Russian society and the state."ⁱⁱⁱ

All these incidents go unheard by the world due to the unfortunate situation of media and television in Russia. There is a dominance of negative coverage of LGBT issues, and they lack sensitivity in approaching LGBT stories. Homosexuality was never discussed through media till the first pride march occurred in 2005. Even today, the situation has not improved, and their issues are virtually absent in the media. With their lack of awareness, media have damaged the perceptions about the LGBT community, and it kindles negativity rather than advocating for their acceptance.

All of these falls into the reason for the persistence of homophobia in Russia.

THE EVOLUTION OF RIGHTS OF SEXUAL MINORITIES IN RUSSIA

Russian resistance to homosexuality and the LGBT community dates back decades. A major sect of Russians has always shown intense hostility against their acceptance, calling it to defend the traditional values of the Russian world. This antagonism eventually led to the framing of the Russian Gay Propaganda Law.

December 1917, after the communist October Revolution, saw the legalisation of homosexuality in Russia by the Soviet Republic, repudiating the Digest of Laws of the Russian

Empire, which was the code of penal and civil law for late imperial Russia. The Russian penal code of 1922 and its redraft of 1926 had no article prohibiting same-sex. However, the legalisation was futile in stopping the prosecution and discrimination activities committed against the LGBT community in many parts of the empire.^{iv}

Same-sex between men was again recriminalized in 1933 under the rule of Stalin.^v Article 121 prohibiting male homosexuality was added to the Criminal code of the Soviet Union, under which thousands of men were imprisoned each year. This could be cited as a significant beginning of delineating homosexuality as a non-traditional sexual orientation and began to outline it as a sign of fascism.

Under the rule of Joseph Stalin, all soviet homosexuals and bisexuals were expected to marry a person of the opposite sex in order to seek a position in the Communist Party. With the end of the Stalin era, the government was taken over by Nikita Khrushchev, wherein Russia saw the liberalisation of most of the Stalin-made laws on marriage, divorce, and abortion. Nevertheless, the anti-gay criminal law and the hostility towards male homosexuals remained.

Homosexuals were portrayed as child molesters in a sex education manual, 'The Youth Becomes a Man' (1960), which was released in the Khrushchev era.

The 1950s and 1960s saw many discussions on interpreting homosexuality and consensual sodomy. Many practitioners of sexopathology argued that it should be treated with psychotherapy. It was even seen as a congenital condition, labelling their sexual orientation as 'unfortunate.'^{vi}

As a historic move, in the year of 1989, a Moscow-based gay rights organisation which was led by an LGBT rights activist Evgenia Deby was allowed to subsist, and permission to publish 'Tema,' a gay newspaper, was given. Moscow hosted the International gay and Lesbian Symposium and Film Festival in 1991. Two years afterward, in 1993, Article 121 was finally repealed from the Russian penal code. The legislation and the reform are said to be the result of pressure raised by the European Council. Even after the legalisation no Russian from the LGBT community was seen represented in the Parliament.

The end of the 1990s had the rise and fall of many LGBT human rights organisations. One such was the Triangle, which had several new LGBT-themed publications. Most of these organisations, including the Triangle was forced to dissolve due to lack of funding aggregated with legal and social harassment. By then, homosexuals had become the most hated group in Russia.

Homosexuality remained on the list of Russian mental disorders until it was removed in 1999. In 2006 the first and the only interregional LGBT organisation; the Russian LGBT network, was founded. A Moscow Pride March was organised which was subsequently banned in the following years. The Moscow Mayor Yuri Luzhkov labelled the march as ‘satanic.’ The coming years saw many instances of rights infringement and discrimination against LGBT Russians.

In 2007, a social conservative and democratic political party in Russia, Fair Russia, initiated a bill that contained provisions to deny those who openly demonstrated a homosexual way of life and homosexual orientation posts in the army and educational institutions. The Russian Duma on 8th May 2009 rejected the aforesaid bill, which criminalized gay propaganda. The pride parades continued to be opposed by the Russian government.^{vii} The European Court of Human Rights fined Russia for discriminating against gays and not protecting and promoting their human rights. However, it was not effective in all ways.^{viii}

In June 2013, a federal law “For the purpose of protecting children from information advocating a denial of traditional family values” was passed. The law banned any distribution of ‘propaganda’ of non-traditional sexual relationships to minors. The media referred to the law as Russia’s Gay Propaganda Law or the Anti-Gay Law.^{ix}

Vladimir Putin, the Russian President, justified the bill as a modus operandi to promote Russia’s traditional values against a liberal West. The Russian Orthodox Church and other conservative groups supported upholding the ‘propaganda’ law. The law was voted in a 388-1-1 ratio where Ilya Ponomarev, who has a long history fighting for the rights of LGBT, was the only one to vote against it. The polls that were conducted showed that a majority of Russians had a solid hostility towards sexual minorities. For them, homosexuality was ‘morally unacceptable’ and thus was worth condemning.

THE ONSET OF ANTI-GAY PROPAGANDA IN RUSSIA

The Anti-Gay Law is a bill that was unanimously approved by the Duma and the Federation Council of Russia, which was then signed into law by President Vladimir Putin on 30 June 2013. The new law came in as an amendment to Russia's existing child protection law and the Code of the Russian Federation on Administrative Offences. For the stated purpose of protecting the minors and safeguarding them from physical and moral health, any propaganda

of non-traditional sexual orientations, whether in public, in films, or the books, was stringently barred.

The contents of the bill can be classified into 3 Articles;

The article 1 of the bill was an amendment to the country's existing child protection law of 'On Protecting Children from Information Harmful to their Health and Development', wherein the distribution of any materials that can influence the minors to form homosexual predispositions, notions of attractions of non-traditional sexual relationships or imposing its information among minors amounts to criminal offence.

Article 2 entitles the government of Russia with the responsibility to protect minors from such acts.^x

Article 3 amended the Code of the Russian Federation on Administrative Offences in which article 6.21 deems propaganda of non-traditional sexual relations among minors, manifested in the distribution of information aimed at forming non-traditional sexual orientations, the attraction of non-traditional sexual relations, distorted conceptions of the social equality of traditional and non-traditional sexual relations among minors, or imposing information which evoke interest in these kinds of relations as a punishable offence. It also includes the penalties for the violation of the law.

Russia was in a phase where there was a markable decrease in the country's birth rates. The bill was also intended to boost Russia's falling birth rate by promoting the opposite sex and the institution of marriage.

The bill was highly criticised for its vagueness in its definition. This ambiguity can put sexual minorities in a more vulnerable state by the law enforcers, the conservative groups, and other opposers, paving the way for the law to become an explicit 'licence to harm.' The state and position of sexual minorities in Russia became uncertain.

A survey was conducted about the bill by the state-owned All Russian Centre for the Study of Public Opinion, in which 90 percent of the Russians surveyed favoured the law.^{xi} The legislation led to an increase in homophobic violence against LGBT people in Russia. Just hours after the law was passed, an activist who held a card reading "Freedom to the Gays and Lesbians of Russia" was arrested under the propaganda law. The law was used to halt gay pride marches and parades. In the following years, many gay rights activists voicing their rights were detained under the law.

Many leading figures, including actor Sir Ian McKellen and some Nobel laureates, wrote an open letter to Vladimir Putin asking him to repeal and reform the legislation. Numerous protests arose locally and from across the globe condemning the law.

Expansion To The 2013 Law

In 2022, the Russian government decided to expand its 2013 propaganda law, broadening Russia's definition of what constitutes 'LGBT propaganda.' Russia's State Duma unanimously passed draft legislation in October 2022. The further expansion of the law came in as a blanket ban covering all age groups, unlike the predecessor law of 2013, which prohibited non-traditional sexual expressions aimed at children. On 2 December 2022, the Federation Council passed the bill. President Putin assented the legislation on 5 December 2022.

The Duma deputies in the bill's explanatory note wrote that the new law was a reaction to a shift in approaches to the modern understanding of family, gender, and the fundamentals of childbearing, with the goal of preserving the Russian Federation's current law and order. One of the architects of the bill, Alexander Khinstein, stated homosexuality to be a 'hybrid warfare' by saying, "LGBT today is an element of hybrid warfare, and in this hybrid warfare we must protect our values, our society, and our children."^{xii}

The legislation classifies even positive and neutral representations of same sex relationships in the mass media or advertising as distributing pornography, inciting violence, or inflaming racial, ethnic, or religious tensions. It has the effect of making any expression of an LGBT lifestyle impossible and in amplifying the hate crimes against the sexual minorities of Russia. The law is also set to prohibit what authorities call 'paedophilia' and sex change propaganda. In Russia, heterosexuality is the norm, where typical, natural marriage can subsist. This norm brought about bigotry against homosexuals among other Russians. In support of the legislation, the Russian Embassy in Canada tweeted in a post, "It is all about family. Family is a man and a woman and children".^{xiii}

The US Secretary Antony Blinken expressed that 'the bill is a serious blow to the freedom of expression and the human rights of the LGBT people in the country' and thus should be withdrawn. After the bill got assented to and became law, it was nicknamed by the media as 'Answer to Blinken.'^{xiv}

'Summer in Pioneer Tie,' a 2021 bestselling novel revolving around the story of two men who fell in love in a summer camp in Soviet Kharkiv in the 1980s, sold a record number of copies.

However, the book attracted criticisms from lawmakers who called for the anti-LGBT legislation to be beefed up and strengthened. The video hosting platform TikTok was fined with 3 million roubles for promoting LGBT-themed videos. Under the banner of the law, the publishing houses in Russia were asked to remove all the books and magazines expressing 'LGBT propaganda' from the sale. The 2013 law created online barriers for Russian LGBT rights organisations whereby their websites were required to display 18+ labels. However, with the law's expansion in 2022, these sites may be forced to close entirely. The law can be seen as a clear infringement of the freedom of expression of the LGBT community, wherein we can say that discrimination was legalised.

Internet Blacklisting

Another facet of supporting the anti-gay propaganda bill was by strengthening internet blacklisting in Russia.

Internet blacklisting is a legal suppression of the resources available on the internet. Russian Federation laws and other governmental mechanisms are used to enforce the same. Since 2012, Russia has maintained a single register for the centralized blacklisting of internet protocols. The federal service maintains it to supervise communications, information technology, and mass media, also known as the Roskomnadzor.

During the initial phase, it was used to block websites propagating drug abuse, suicidal methods, and child pornography. But laws amended this further to block any material tagged as extremist by the federal list of extremist materials. The list branched out in 2015 when Russia's security council adds further controls on domains which tends to weaken the cultural and spiritual values of Russia . The anti-gay propaganda hance made its reverberations in the internet domain.

Furthermore the, Federal Law No 30-FZ “on amendments to the federal law ‘on information technologies and information protection’ march 18, 2019” further gave Roskomnadzor the right to block any domain without a court order. It bans ‘any information which shows disrespect for society, the Russian Federation, or the Constitution of the Russian Federation’.This has severe constitutional violations as it disallows people to express their

opinions on authorities—article 29 of the Russian constitution guarantees this right to criticise authorities.

Mass surveillance is done in Russia with the help of SORM, System of Operational Investigatory Measures, run by the federal security service. Any data can be obtained without a warrant, and this includes phone calls, email, and web browsing. In 2014 it established its sovereignty in social media platforms too. The ministry of communications ordered companies to enable, Deep packet Inspection, a data processing method by which it inspects in detail the data being sent over the network. By 2021, DPI had started targeting Twitter traffic in Russia.

The most recent consequence of this internet backlisting was during the invasion of Ukraine. It heavily intensified in late February 2022 by prohibiting any material that did not align with governmental information. News on the LGBTQIA community after the implementation of anti-gay propaganda might end up in a similar fate with the growing powers of authorities like Roskomnadzor, SORM, federal security service, and much more.

RUSSIAN FUNDAMENTAL RIGHTS AND ANTI-GAY PROPAGANDA LAW

With the introduction of the new anti-propaganda law, living in Russia as a person from the community of sexual minorities has become almost impossible. The LGBT community will be subjected to more scrutiny and surveillance than in the past. They face significant barriers to enjoying their fundamental rights that are constituted in chapter 2 of the constitution of the Russian Federation.

Article 17(2) of the Russian constitution reads, 'Fundamental human rights and freedoms are inalienable and shall be enjoyed by everyone since the day of birth'. Article 21(1) states that 'Human dignity shall be protected by the State. Nothing may serve as a basis for its derogation'.^{xv} The anti-gay propaganda law banned promoting any expressions of the LGBT lifestyle in the public domain, making the mere existence of minorities of non-traditional sexual orientation illegal. This questions their right to lead a dignified life, making them feel less than the other genders that are considered traditional. Homosexuals in Russia are often associated with the tags "satanic" or "mentally ill" by conservative groups. This false and discriminatory

view that people with non-traditional sexual orientation are a 'threat to tradition and the system of family' is inculcated among the people. It ultimately provides room for people to harass, bully and discriminate against them.

'Everyone shall be guaranteed the freedom of ideas and speech.' Reads Article 29(1) of the constitution of the Russian Federation. However, the contents of the 2022 law can be interpreted as a direct derogation of the aforesaid right of sexual minorities. No information about non-traditional sexual orientations can be legally provided to the children. The people are forbidden from speaking positively on LGBT topics. LGBT Russians are masked from representing their feelings or lifestyle in advertising, movies, books, or other mass platforms. Any action that promotes such behaviors can incur the person hefty fines and penalties. The law, since the past decade of its implementation has effectively been used in stopping the protests that the gay people organised. Gay people were barred from exercising their right to freedom of speech and expression even before the Anti-gay propaganda law came into force. In the late 1990s, an author, Gennady Trifonov, was detained for circulating gay poems. He was released upon the condition that his poems or writings would no longer have any depictions or references to homosexuality.

Article 30 entrusts the citizens of Russia that 'Everyone shall have the right to association, including the right to create trade unions for the protection of his or her interests. The freedom of activity of public association shall be guaranteed.' Nevertheless, there are accounts of hundreds of Russian gay rights activists being detained for organising associations to protect and promote them and their rights and to voice for the same. Conducting pride marches was restrained.

There is no active discrimination or non-discrimination law or legislation designed to protect and prevent discrimination against LGBT people in Russia.

EFFECT ON NATIONALITIES

The law had inflicted a widespread effect on all classes of nationalities who are sexual minorities as it paved a hostile climate for the Russian LGBT people.

Students and children of teenage expressed their intense fear of disclosing their sexual orientation or gender identity in public. Many students were threatened and physically abused. It was accounted that the teachers in the schools segregated them as a 'symptom of perversion imported from Western Europe or North America.' These children are forced to grow up in a land where their minds are inflicted with the perception that it is wrong to have a different sexual orientation and that LGBT people do not deserve to live, enjoying their rights equally like the other peers. The primary struggles the children face is not coming to terms with being different but the fact that they lack information about gender and sexuality in a hostile environment.

Homosexual couples in Russia fear that the hash new anti-gay propaganda law can force them to leave their country. Homosexual partners and couples with children are the most vulnerable among all the other sects—young mothers Yana and Yaroslava, who parents their 6-year-old, view the anti-gay law with extreme fear. In an interview given to CNN World, they said that to avoid scrutiny from authorities' they created a protective bubble around their family. They said the measures include using private social media accounts, having access to a network only with trusted people, sending their son to a private kindergarten, where the fact that a child has two mothers is less likely to elicit a homophobic reaction, and using a private hospital where they run less risk of a doctor child protection authorities to inquire about their family structure'. In a country where family is considered to be a man, woman, and their children, the sexual minorities live with the fear that their children might be taken from them because they are demonstrating an LGBT lifestyle to their children.

The LGBT rights activists voicing for the rights and freedoms of the community also had to face humility from the other Russians.

INTERNATIONAL REACTIONS

International bodies and organisations came to light addressing Russia to condemn and withdraw the legislation. The law was seen as an arbitrary measure by the Russian government to curtail homosexuality which was against the mandate of many of the organisations and bodies that Russia was a part of.

The Council of Europe was established to promote unity among the states and to protect the ideals and principles of their shared heritage referring to the protection of human rights and

democratic principles. Russia has been a part of the Council since 1996. The Council also houses the European Court of Human Rights, Europe's only supranational human rights body capable of issuing enforceable judgments in its member states. The European Court of Human Rights ruled that Russia's law violated the provisions that protected the rights of the LGBT community in the European Convention on human rights. These provisions were incorporated in the Convention in 1959. The law brought in by Russia was said to have no legitimate reasoning in a democratic society. The commission contended that the Russian Federation had failed to provide a rational objective as to why only the expression of homosexual propaganda is prohibited while heterosexual or sexuality, in general, is not. The commission concluded that the anti-propaganda laws were inconsistent with the European Convention of Human Rights articles 10, 11, and 14, wherein,

Article 10 entrusts the 'Freedom of Expression',

Article 11 states about 'Freedom of Assembly and Association', and

Article 14 is on 'Prohibition of discrimination'.

The United Nations expressed its concern over the legislation of LGBT propaganda. UN urged Russian lawmakers to repeal the legislation. The UN High Commissioner for Human Rights expressed that the law directly infringed on international human rights norms and standards. The law was called to be discriminatory, violating fundamental rights to freedom of expression and increasing hate speech, crimes, and abuse, including against children. Stigmatizing and discriminating against any group within a society can become the root cause of violence, negatively impacting society.

REPERCUSSIONS AROUND THE WORLD

FIFA World Cup 2022

The most recent hostility shown against sexual minorities was at the FIFA World Cup held in Qatar. National teams faced punishment for wearing rainbow 'One Love' armbands, and fans were banned from wearing rainbow shirts which are symbols for showing solidarity with the LGBT community. Qatar's energy minister told the press that members can visit the world cup but cannot dictate their ideologies to Qataris.

A protestor of this policy was banned from attending the rest of the matches and quashed his permit to stay in the country. The players who wore armbands gave a joint statement that they were ready to pay fines for violating FIFA's uniform codes.

The Qatari government abides by a conservative Islamic society. The sharia law punishes homosexuality. The queer community in Qatar is frightened to organize themselves because they will be jailed with a maximum sentence if found.

Qatar's homophobia is shocking since there is state-sponsored conversion therapy for homosexuals. They even deny them access to legal aid, family, or medical care.

This situation is further aggravated by its underlying connections to Russia. Qatari emir has thanked Vladimir Putin for his support for FIFA 2022 edition. However, on February 28, 2022, FIFA suspended Russian clubs from participating in the world cup due to the Ukraine invasion of Russia. Despite the existence of such tensions between the organisers and Russia, Qatar authorities voiced the support Putin gave for organising this event.

Ukraine

While homophobia in Russia has a long history, the past months have seen the anti-gay propaganda law and its repercussions becoming a part of the conversations about the war in Ukraine. The chief Kremlin propagandist Vladimir Solovyov defined the invasion of Ukraine by Russia as a counterattack to the Ukrainian genocide committed against the Russian people. The bigotry towards sexual minorities was explicitly expressed, coining it to be pederastic values, accusing the Ukrainian leader of promoting non-traditional sexual values. Throughout the Russian – Ukrainian conflict, Russia was predominantly occupied with spreading the anti-LGBT message in both the home and Ukraine.

Compared to Russia, Ukraine is much more advanced in accepting sexual orientations other than heterosexuality. The country has hosted pride parades for years. The president of Ukraine, Volodymyr Zelenskyy, even raised the idea of legalising same-sex marriages.

Many groups across contented that the measures of instigating anti-gay propaganda among Ukrainians were an attempt to distract the Russian attention from the war that was going on between the two countries.

CONCLUSION

By passing the bill ‘Anti-Gay Propaganda’ into the status a law, Russia has given room for a war on the LGBT community. The law, just like its predecessor law of 2013, does not protect anyone but has effectively inflicted homophobic violence and hate crimes against the sexual minorities of Russia.

The right to lead a dignified life and freedom and expression are the most fundamental and essential of all the other rights. The LGBT people, like others, primarily are humans and citizens of the nation who must be allowed to enjoy the rights that they are entitled to, equally to others.

Homosexuality and other non-traditional sexual orientations should not be considered to be taboo. Sexual differences must be respected. Choosing one’s sexuality or sexual orientation is a part of their liberty. A democratic federation like Russia bringing up laws derogating these rights lacks reason.

The clause of the law prohibiting the distribution of information about non-traditional sexual orientation among children can be termed irrational. The rights of minors cannot be protected by prohibiting public debates on homosexuality or restricting any kinds of positive speeches and expressions on LGBT. On the contrary, they should receive relevant, appropriate, objective information about sexuality, including homosexuality. The kids must live in peace the way they are, in a surrounding that helps them to realise who they are and decide for themselves.

Laws are for the people to live in harmony, enjoying their rights. A law like ‘Anti-Gay Propaganda’, which discriminates against a community of minorities, should have no place in society.

ENDNOTES

ⁱ Bullough V L, *Sexual Variance in society and history*, University of Chicago press, Chicago (1976) p.64.

ⁱⁱ Alicja Curanović, *4 The Main Features of Traditional Values in Russian Discourse*, Open JSTOR Collection (Feb. 1, 2015), <https://www.jstor.org/stable/resrep19000.6>.

ⁱⁱⁱ Moscow Helsinki Group, *Situation of Lesbians, Gays, Bisexuals and Transgenders in the Russian Federation*, 2009, p. 44.

^{iv} Olga Khoroshilova, *1917 Russian Revolution: The Gay community’s brief window of freedom*, BBC NEWS (Nov. 10, 2017), <https://www.bbc.com/news/world-europe-41737330>.

^v Morgan & Joe, *The Secret Gay History of Russia*, Gay Star News, (Mar.21,2021).

^{vi} Alexander and Rustam, *Homosexuality in the USSR (1956–82)*, School of Historical and Philosophical Studies - The University of Melbourne, (May 2018).

^{vii} *Bill Criminalizing Gay Propaganda Rejected by Russian Parliament*, GayRussia.Ru., (May 10,2009).

^{viii} *European Court fines Russia for banning gay parades*, BBC NEWS (Mar. 6 2012), European court fines Russia for banning gay parades - BBC News.

^{ix} *Russia passes anti-gay-law*, THE GUARDIAN, (Jun.30,2013), <https://www.theguardian.com/world/2013/jun/30/russia-passes-anti-gay-law>.

^x *Russia: Federal laws introducing ban of propaganda of non-traditional sexual relationships*, ARTICLE 19.org (Feb. 14, 2014), <https://www.article19.org/data/files/medialibrary/37129/13-06-27-russia-LA.pdf>.

^{xi} David M. Herszenhorn, *Gays in Russia find no haven, despite support from the West*, THE NEW YORK TIMES (Aug.11,2013),<https://www.nytimes.com/2013/08/12/world/europe/gays-in-russia-find-no-haven-despite-support-from-the-west.html>.

^{xii} *Russian parliament passes law banning 'LGBT propaganda' among adults*, REUTERS, (Nov. 25, 2022), <https://www.reuters.com/world/russias-parliament-passes-law-banning-lgbt-propaganda-among-adults-2022-11-24/>.

^{xiii} Jordan Robeldo, *Russian embassy in Canada faces backlash after uploading a homophobic tweet*, GAYTIMES, (Nov. 25, 2022) ,<https://www.gaytimes.co.uk/life/russian-embassy-in-canada-faces-backlash-after-uploading-a-homophobic-tweet/>.

^{xiv} Jasmine Andersson, *Russia passes 'Answer to Blinken' gay propaganda law* ,BBC NEWS,(Nov. 24, 2022) <https://www.bbc.com/news/world-europe-63747732>

^{xv} RUSSIA CONST., Ch 2.