**Input to the thematic report: freedom of religion or belief and sexual orientation and gender identity**

****Commentary by LGBT-Initiative group “Coming Out”[[1]](#footnote-0)

For Independent Expert on protection against
violence and discrimination based on
sexual orientation and gender identity

**Russian religious context**

Contemporary Russia has a legacy of the Soviet period, where any religion was prohibited and believers and priests of different confessions were persecuted, murdered (in the early period), and jailed. Under the rule of the Communist party, Soviet people changed their relations with religion, churches, and spiritual practices significantly and lost interest in them; the traces of these processes can be found in the current situation. After the removal of religious restrictions in the late 1980s and the fall of the Soviet Union in 1991, Russian society was experiencing so-called ‘religious revival.’ The number of churches, religious communities and organisations increased immediately. Post-Soviet Russia’s authorities used religious narratives of the Russian Empire as a means to legitimise their power and position themselves as a state with ‘great thousand-year history.’[[2]](#footnote-1) Therefore, in the Post-Soviet period, religion and religious values became an important part of the Russian state’s propaganda. The Orthodox church has adopted a high position in the political system of contemporary Russia. At the same time, some religions are oppressed, such as Jehovah's Witnesses who were announced extremist in 2017.[[3]](#footnote-2)

As a result of all described above, in Russia, we have an ambivalent situation when the state appeals to religious values regularly, but many Russian people are indifferent to the Faith. Most Russians, while identifying with Orthodox Christians, do not go to church or celebrate religious holidays[[4]](#footnote-3). Besides, Russia is a multi-ethnic and multicultural country where different regions have various religions and levels of religiosity.

*What are the actual or perceived points of tension (if any) between the right to manifest one’s freedom of religion or belief, and freedom from violence and discrimination based on sexual orientation and gender identity? Are there any areas in which they are mutually exclusive?*

Religion and LGBT+ identities are commonly perceived as incompatible or mutually exclusive among Russian believers as well as Russian LGBT+ people.[[5]](#footnote-4) On the one hand, religious leaders frequently use homophobic and transphobic rhetoric in their public speeches. One of the last bright examples of such rhetoric is Patriarch Kirill's sermon, where he talked about gay pride as a sin and marker of belonging to the ‘Western’ world.[[6]](#footnote-5) In this sermon, the Patriarch also spoke about international relations and justified the war in Ukraine. The Orthodox Church leader repeated the clue points of Russian state propaganda, including homophobia. Besides, the vast majority of Russian churches of all denominations are unfriendly to LGBT+ people. On the other hand, within Russian LGBT+ communities, believers are often seen as dangerous and ‘backward’, so the problem of exclusion of LGBT+ believers, a minority within a minority, exists.

*Has the State adopted, in public policy, legislation or jurisprudence, norms purportedly based on protecting freedom of religion or belief that promote, enable and/or condone violence and discrimination against individuals based on sexual orientation or gender identity? If so, please give examples, with commentary as needed to explain context, scope, and application.*

Accepted in 2013, the discriminatory law banning 'propaganda of non-traditional values' was a result of a mixture of secular and religious homophobic ideas about homosexuality. Before the acceptance, the State Duma deputies enlisted the support of the Russian Orthodox Church to lobby for the ‘propaganda law.’[[7]](#footnote-6) So religious organisations participated actively in the formation of Russian homophobic politics. This law is designed to protect so-called ‘traditional values’, an unclear concept including spirituality, patriotism, patriarchal gender and family norms.[[8]](#footnote-7)

Also, in 2013, amendments to the Criminal Code were adopted to increase liability 'for insulting the feelings of believers,' including establishing criminal liability in the form of imprisonment for 'public actions expressing clear disrespect for society and committed to insult the religious feelings of believers.' Lawyers and researchers discussed the contradictions of this law and its incompatibility with the Russian Constitution. This law is used for censorship and restriction of human rights of the repressed groups including LGBT+ people. For example, in July 2022, a St. Petersburg court [found](https://comingoutspb.com/news/sud-vynes-reshenie-po-delu-ob-oskorblenii-chuvstv-veruyushchikh/?sphrase_id=5320) a photographer guilty and fined him 15.000 rubles (about 200 euro) for insulting the feelings of believers after a video showing two men kissing in front of a church.[[9]](#footnote-8)

*What are the key trends or significant instances of discriminatory or abusive practices by individual providers of goods or services in the public sphere against LGBT+ and gender-diverse persons that rely on religious narratives?*

Although LGBT people in Russia regularly face restrictions on access to goods or services,[[10]](#footnote-9) individual providers rarely rely on a religious narrative. However, sometimes these situations arise. For instance, in July 2022, a photographer in Moscow was fired because of his sexual orientation.[[11]](#footnote-10) His employer explained their decision that his homosexuality did not conform to their religion (Orthodox Christianity, supposedly).

Another problem based on religious narrative and linked to services is conversion therapy. According to the data of activists and journalists, in the Islamic-dominated North Caucasus, anti-scientific ‘conversion therapies’ are being practiced by non-licensed rehabilitation centers and clinics to treat homosexuality and atheism at the request of relatives. Thus, in January 2023, an 18-year-old resident of Dagestan, Elina Ukhmanova, filed a complaint with the police about forced detention and torture at the Alliance Recovery rehabilitation center in Makhachkala. According to her, her parents sent her there to "treat" her bisexuality and atheism.[[12]](#footnote-11) It is worth noting that both sexual orientation and the rejection of religion are assessed as a disease that can be cured.

*Provide any examples of good practice – at the international, national or local level – where State and non-State actors (including faith leaders, groups and organisations, international organisations, civil society organisations, and the UN human rights system) have taken effective measures to protect and promote freedom of religion or belief of LGBT+ and gender-diverse persons, and made efforts to prevent, mitigate and respond to any violence and/or discrimination justified in the name of religion.*

As an example of good practice, LGBT Ministries can be named. In Russia, there are at least two LGBT Ministries and groups of LGBT+ believers: Nuntiare et Recreare (in Latin: herald and strengthen) in Saint Petersburg and Svet Mira (Light of the World) in Moscow. Both of them arrange collective worship, groups for communication, seminars or other educational events, and publish enlightening literature. These grassroots initiatives help LGBT+ and gender-diverse persons to exercise freedom of religion or belief. However, these groups regularly face State oppression and fundamentalist attacks. For example, in 2011, when Nuntiare et Recreare organised LGBT Christians Forum in St. Petersburg, conservative public groups attempted to disrupt the event and contacted the Attorney General for help.[[13]](#footnote-12) In 2022, Roskomnadzor (The Federal Service for Supervision of Communications, Information Technology and Mass Media) blocked the site of Nuntiare et Recreare.[[14]](#footnote-13)

**Conclusions**

In Russia, the state supports certain confessions while banning others and uses religious narratives in propaganda and homophobic politics. Legislation positioned as protecting the rights of believers discriminates against LGBT+ people. Few initiatives that protect LGBT+ believers exist, but they are repressed systematically. Being faithful and being LGBT+ are perceived as mutually exclusive in mass opinion.

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1. “Coming Out” (<https://comingoutspb.com/eng/>) is a regional nonprofit initiative group founded in 2008 in St. Petersburg, Russia. We work for universal recognition of human dignity and equal rights of all regardless of sexual orientation or gender identity by lobbying and advocacy, educational and cultural events, and providing psychological and legal services to LGBT\* people [↑](#footnote-ref-0)
2. See Smolkin V. A Sacred Space is Never Empty: A History of Soviet atheism. Princeton University Press, 2018. [↑](#footnote-ref-1)
3. Russia's mysterious campaign against Jehovah's Witnesses // ABC News. 18 July 2021. <https://abcnews.go.com/International/russias-mysterious-campaign-jehovahs-witnesses/story?id=78629389>. [↑](#footnote-ref-2)
4. See Religiosity // Levada Center. 18.05.2022. <https://www.levada.ru/en/2022/05/18/religiosity/>. [↑](#footnote-ref-3)
5. See Kislitsyna P. Religious Experiences in Life Stories of Homosexuals and Bisexuals in Russia // Channell-Justice E. (Ed.) Decolonizing Queer Experience & Performance: LGBT+ Narratives from Eastern Europe & Eurasia. Lanham: Lexington Books, 2020. P.173-188. In this chapter, the author also considers the cases of religious oppression and good practices of religious empowerment for Russian LGB people. It could be found in the Appendix to the Input. [↑](#footnote-ref-4)
6. Patriarshaya propoved' v Nedelyu syropustnuyu posle Liturgii v Khrame Khrista Spasitelya [Patriarchal Sermon after the Liturgy at the Cathedral of Christ the Savior] // Official Site of Moscow Patriarchia. 6 March 2022. <http://www.patriarchia.ru/db/text/5906442.html>. [↑](#footnote-ref-5)
7. See Healey D. Russian Homophobia from Stalin to Sochi. London: Bloomsbury Publishing, 2018. [↑](#footnote-ref-6)
8. Edenborg E. Putin’s Anti-Gay War on Ukraine // Boston Review. 14 March 2022. <https://www.bostonreview.net/articles/putins-anti-gay-war-on-ukraine/>. [↑](#footnote-ref-7)
9. Sud vyneset resheniye po delu ob oskorblenii chuvstv veruyushchikh [The court to rule in the case of insulting the feelings of believers] // Coming Out. 25 July 2022, <https://comingoutspb.com/news/sud-vynes-reshenie-po-delu-ob-oskorblenii-chuvstv-veruyushchikh/?sphrase_id=5320>. [↑](#footnote-ref-8)
10. Report on the situation of the LGBT\* people in Saint Petersburg in 2021. St. Petersburg: Coming Out, 2022. <https://comingoutspb.com/eng/publications/human-rights/2022-report-on-the-situation-of-the-lgbt-people-in-saint-petersburg-in-2021/> [↑](#footnote-ref-9)
11. “Bog osuzhdayet vs’o eto”. Moskovskogo fotografa uvolili iz-za seksual'noy oriyentatsii ["God condemns it all." Moscow photographer fired due to sexual orientation] // Msk1.ru. 5 July 2022. <https://msk1.ru/text/job/2022/07/05/71464460/>. [↑](#footnote-ref-10)
12. Zhitel'nitsa Dagestana rasskazala o pytkakh v reabilitatsionnom tsentre [A resident of Dagestan spoke about torture in a rehabilitation center] // Svoboda.org. 9 January 2023. <https://www.svoboda.org/a/zhiteljnitsa-dagestana-rasskazala-o-pytkah-v-reabilitatsionnom-tsentre/32216023.html>. [↑](#footnote-ref-11)
13. Pravoslavnyye poobeshchali pomeshat' provedeniyu foruma geyev-khristian [The Orthodox promised to interfere with the holding of Gay Christians Forum] // Gazeta.spb. 5 September 2011. <https://gazeta.spb.ru/565756-0/>. [↑](#footnote-ref-12)
14. As the founder of the Ministry, Timothy Sozaev, reported in his blog: <https://t.me/marginalgaynotes/2523>. [↑](#footnote-ref-13)