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OPPOSING RUSSIAN COLONIAL OPPRESSION: VOICES OF DIFFERENT PEOPLES

We publish a compilation of the speeches of the “Opposing Russian Colonial Oppression: Voices of Different Peoples” panelists. The event was hosted on the 25th of October in the European Parliament by MEP Rasa Juknevičienė in cooperation with the Anti-Discrimination Centre Memorial. The speakers were experts from Ukraine, Central Asia, Caucasus, Siberia and Far East.

The event was marked the 10th Anniversary of ADC Memorial work in Brussels. Organizing this discussion, ADC Memorial considers it important to give the floor to representatives of different peoples struggling with the colonial oppression of Russia, opposing discrimination and racism. The voices of all peoples are significant – among them there are the voices of large peoples, representatives of different countries, and also the voices of very small peoples (or nations) who cannot create an independent state, but the fight against discrimination, for their rights and dignity is equally important for all of them.



VIRA GRUZOVA

I am Ukrainian.

My presentation is about the Ukrainian way of resisting Russian colonial oppression and my personal story which has become part of this way. My story shows that freedom and self-awareness as a citizen can't be separated from the daily struggle for civil rights.

I am now 35 years old, and my Ukrainian identity did not take shape immediately. Three important milestones on this path are the two revolutions of 2004 and 2013 and the full-scale war unleashed by Russia. I think that this process is over now – I am 1000% Ukrainian, and this will not change. My 6-year-old son has been living in Belgium for the last 2 years because of the Russian-Ukrainian war. Through this time, he has spoken and thought a lot about his feeling of being a Ukrainian.

I come from an apolitical family of scientists. I do not remember thinking about being Ukrainian till my 18 years old. There was no reason to think and question this statement; on the contrary, it wasn't so popular to raise this topic in post-Soviet times in Ukraine. People were not tolerant of such expressions. In the early post-Soviet period, the political and public life of Ukraine was under the enormous influence of Russia and its political agenda – in this sense, the colonial pressure that developed back in the days of the Russian

Empire and the Soviet Union continued and was not overcome, although its anti-democratic and illegal nature contradicted progress, independence and human rights.

Like many citizens of the country, I did not understand the danger of this influence for a long time. Political and media propaganda successfully fed us lies. However, at a certain moment we realized that this is a serious and literally life choice: to exist in independent and democratic Ukraine, or to die if civil rights are taken away from us. We decided to live. To be Ukraine and fight for what belongs to us by right.

In 2004, a big peaceful revolution took place, a pro-Ukrainian presidential candidate and his supporters fought for democratic change against a pro-Russian candidate. I was 16 years old, and for the first time I saw an ideological conflict between the future and the past, between what I feel is right progressive, and what can remain “as always”.

Since then, I have been actively defending my own and others’ civil rights. Ukraine was droning in corruption, injustice, and unlawful actions of arrogant officials. As youth activists, me and my friends were fighting for our basic rights: the right to freedom of assembly, the right to vote, the right to medical care for students etc. We demanded high-quality performance of our duties from the authorities.

There weren’t many of us, but we managed to achieve positive changes. It was a good school for me. We felt that we were at the forefront of the Ukrainian civil movement. And we really took on a lot of responsibility as citizens of Ukraine. It was patriotic and brave to speak Ukrainian publicly and privately in Odesa or Donetsk, to gather large rallies in support of some new laws or in protest against actions of some minister. At that time, not everyone shared our activism, it was a bit dangerous, many people said that “this is not normal”, “we don’t usually do this.”

I was an idealist, I didn’t see the whole picture, thus when the pro-Russian government came to power in Ukraine in 2010 with Viktor Yanukovich as president, I didn’t realize that this was the beginning of a real catastrophe. But it was clear that these changes pose a direct threat to Ukrainian democracy and that we must be ready for confrontation and struggle.

When Euromaidan gathered in 2013, when the times of the peaceful Revolution of Dignity came, I was scared, but I was in the forefront. It was obvious: in order to

become the Ukraine we want, we need to fight and win. I realized that once again I bear great responsibility for the future of our country, while others sit at home and do nothing. There were so many of us in the main squares of the country during those months of the Revolution of Dignity, and for me this civil movement was an example of such instruments of a democratic society as social protest, public campaigns, educating people, participating in elections, going to the courts, advocacy.

We didn’t use the word “imperialism” then, but my friend was killed in the center of Kyiv among more than 100 participants in a peaceful protest – because of Russia and its imperialism. My Crimea was forcibly occupied by Russia – with all the people and relationships that were between people. Russia went on an open offensive, it was cruel and unfair, and we did not expect it.

But did it stop me from being Ukrainian?

Did I stop being responsible, wanting to live my life in my land with our Ukrainian problems and talents?

Did it make me less rightful to what is mine?

No.

Today we, Ukrainians, and the whole democratic world on our side, are fighting a final battle with Russia. Ukraine will stand to the end, and our people have never had such consolidation. The threat of Russia and its imperial ambitions have existed for centuries, but it was not so easy to realize how deadly it is.

In conclusion, three points that I have learned:

- democratic rights should be constantly fought for, since reactionary forces use any weakness of opponents;
- this fight should be serious, civil rights protection mechanisms should be strong and effective, since the price of the issue is the independence of the country and the lives of its citizens;
- we cannot wait for violent conflicts – we need to prevent them and take measures when dialogue is still possible, and not when weapons are used.



KATERINA NAZARSHOEVA **Russian colonial pressure** **in Central Asia**

My presentation is about the opposition to Russian colonial pressure in Central Asia, which I know firsthand. It’s an honour for me to be the voice of peoples of Central Asia. Our region is multinational, multicultural, and therefore it is not surprising that many people there have a complicated identity, such as mine – there are Uzbek, Ukrainian, Pamir-Tajik, Moldovan components. All these peoples experienced colonial oppression during the Russian Empire, and in Soviet times the policy of suppression continued. The results of this policy have affected the history of my family and my personal history even now, when more than 30 years have passed since the collapse of the Soviet Union. Throughout my life, I have faced injustice as a migrant in Russia, as a Pamiri in Tajikistan, and as a Ukrainian, when a full-scale war in Ukraine began.

In the Soviet Union, internationalism and friendship of peoples were proclaimed, but in fact national movement was suppressed. That’s why so many ethnic conflicts and pogroms happened after the collapse of the USSR. Since childhood, my roots have been suppressed and erased, even if they were diverse, but I did not feel like a Pamiri, a Ukrainian or a Tajik. Concepts connected with culture, native language, tradition and religion of the peoples were considered as nationalism or even extremism. Already at the time of independence, such a policy continued in the countries of Central Asia towards minorities.

The countries of Central Asia are still very dependent on Russia. In the time of the Russian Empire, it related primarily to the exploitation of natural resources and cheap labor of the local population, in mines, salt extraction, construction of railways, and military fortifications.

Nowadays, in the 21st century, there is a multimillion labor migration of Central Asian residents to Russia. I have experienced it myself – this is a biased attitude, constant humiliation, oppression, disrespect, and rudeness, both from the side of ordinary people and from the authorities and state structures in Russia. This is a cruel exploitation of workers; they live and work in poor conditions, safety regulations are often not observed, and workers die from accidents. Russia's migration rules are designed in such a way that it is impossible to comply with, thus workers from Central Asia often become victims of police raids, constant extortion of bribes from the police, corruption in migration authorities, expulsions, blacklisting entry bans. Racism remains a huge problem in Russia, both at domestic and state level. People of non-Slavic appearance, of non-Russian nationality feel this at every step. In my case, it was not my appearance or skin color, but my documents and citizenship. I have been looking for a job in Russia for a long time. I have a higher education; I speak Russian perfectly. I made a very good impression at the interview, but as soon as the employer found out that I was from Tajikistan, the attitude towards me changed dramatically. It no longer mattered what kind of experience I have, what kind of knowledge I possess – since I am a migrant and a Tajikistan citizen, it means that there is no trust.

Now, during the war in Ukraine, labor migrants from Central Asia are paying a terrible price for their migration and for the dependence of our region on Russia. Many of them, in order to avoid bureaucracy and corruption, document checks at every step, decided to obtain Russian citizenship, and now they are forcibly subjected to mobilization as citizens of Russia. Many migrants who have retained the citizenship of their countries are tricked into signing a contract with the Russian army, or they are attracted to work in the occupied territories of Ukraine, thus they participate in war crimes. Thus, they are now dying not on construction sites in Russia and not from attacks by Russian racists, but in the criminal war.

This also has its analogies in the history of the Russian Empire. During the First World War, Tsar Nicholas II issued a decree on the mobilization of 400 thousand so-called aliens, meaning non-Russian population of Siberia and Central Asia, into the army for rear work. Then it became the cause of a mass uprising, which was suppressed in the most brutal way by punitive detachments of the Russian army and Cossacks. Fleeing from the repression,

Kazakhs and Kyrgyz fled to Western China. Now history repeats itself, in line with the full-scale war in Ukraine and the mobilization of migrants and indigenous peoples in Russia.

Since the beginning of the full-scale invasion, the Ukrainian identity has awakened in me, I have become more aware of all these analogies, of the influence of Russian history on our countries. I have seen two wars – the civil war in Tajikistan and now the war in Ukraine. I didn't want such a life for my children, but my children also experienced the war. We again became refugees.

There is such an expression “Russia is a prison of peoples.” The peoples of Central Asia remain hostages of the Russian Federation. The situation will change only with the victory of Ukraine.



SHAMIL MAGOMEDOV

I am from Dagestan, and it's hard to speak on behalf of the whole republic because there are many views about the policies of Russia towards Dagestani people. Thus, I will cover the diversity of opinions present in Dagestan society about the imperial policies of Russia. They depend on social status, religion, or ethnicity, and many other factors. For us, the period of the imperial policies of Russia has started since 1859 when Imam Shamil was imprisoned, he was the leader of the Caucasian opposition to Russia who later surrendered, and Russia guaranteed freedom of religion for Caucasus, Dagestan, and Chechnya. For a long time, they respected this agreement.

Already in 1980-90, discrimination of Dagestanis and en masse other Caucasians in Russia became obvious. It includes, for instance, difficulties in renting apartments (in the announcements it is mentioned “For Slavs only”) or in employment. It happens even in the army; when I was serving in the

border troops, a FSB agent recruited people for the elite troops to safeguard presidential facilities, and he said that only Slavs are allowed. When I asked why only Slavs, he was a bit confused because it was not legal, and referred to a recommendation from higher authorities. I think many people from Caucasus have faced such situations.

In the state federal media, the origin or ethnicity of Caucasians are always stressed in publications about committed crimes. And, referring to my 14-year professional experience as a Human Rights lawyer in cooperation with the Memorial, Caucasians in central regions of Russia usually get longer prison terms than representatives of the Slavic population for the same crimes with the same aggravating or mitigating circumstances. In prison facilities, Caucasians are frequently discriminated by prison guards and administrations only because of the ethnicity and religion.

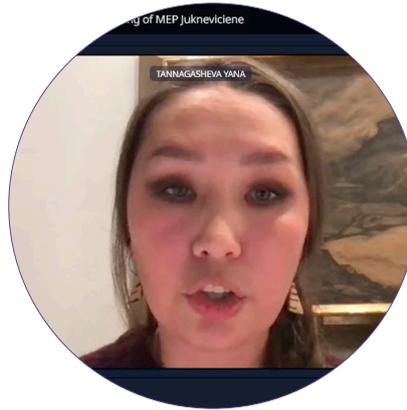
Some events made Dagestani people doubtful about being an equal actor in Russia. For instance, in 2010, Russia gave two Dagestani villages in Magaramkent district to Azerbaijan, together with surrounding pastures. It's not only about the land; it's also about water resources (Samur river) which is more expensive than gold in southern Dagestan. After the collapse of USSR in 1991, these villages found themselves surrounded by Azerbaijani territory, but they always belonged to Dagestan. In September 2010, the agreement was signed on the state border between Azerbaijan and Russia, signed by former Russian President Medvedev and the President Aliyev, while Dagestani people were not asked about it; no one spoke about this on state media. The previous President of Dagestan Mukhu Aliyev blocked the agreement at the stage of the negotiations in Baku and even had a conflict with the Minister of Foreign Affairs of Russia, Sergey Lavrov. The agreement was signed after Mukhu Aliyev had to leave his position due to his opposition to the issue of new demarcation.

In Dagestani society, there is an opinion that corruption, which, according to the formal statistics, is one of the highest in Dagestan among other regions of Russia, is determined as a tool used by the federal center to retard the economic development of Dagestan. The thesis that Dagestan lives on subsidies from Moscow is very actively promoted by the federal government, but many people in Dagestan don't believe in it because the republic has very good economic potential to be sustainable, and it could survive as an independent state.

We observe an imitation of fight against corruption in Dagestan, it's obvious to the population of the republic. 10 years ago, there were so many arrests of high officials (mayors, ministers), but the arrested ones were replaced by people who don't have good reputation and had been involved into corruption schemes before.

The problem of pressure against the religious communities of Dagestan is acute. Muslims are about 90% of population in Dagestan. The federal center has introduced the so-called preventative registration of people inclined to Islamist extremism and terrorism, but in fact these semi-official lists include random people, even those who do not confess any religions. Our Human Rights center Memorial was approached by many people who found themselves on the list. The authorities deny that such list exists, but everyone knows about it. People are stopped at checkpoints, they are interrogated, fingerprinted, photographed, kept for hours, the police take samples of their saliva and voices, their homes are visited; so it creates a problem in day-to-day life. The officers of the Ministry of Interior aim at identifying as many as possible persons inclined to extremism; as they fail to identify many people, they just try to fulfill the plan grabbing believers in a mosque during a police raid. According to some estimations, there are about 20,000 to 25,000 persons in Dagestan included in this list, and the majority are those having nothing to do with any extremism or terrorism.

On the background of all these issues, the opinion of independence of Dagestan is becoming more popular, but the majority thinks that it is not realistic. The strong argument against it is the experience of Chechnya. Two wars in Chechnya, as you know, were not only for territorial independence, but also along the religious lines. Many Dagestani people know the situation firsthand, and they understand that Dagestan can turn into another Chechnya with radical religious groups grabbing the power. This factor is a serious concern for many Dagestanis, no matter how much they disagree with the federal center. Although many Dagestani people hate Russia as a metropolis, the issue of sovereignty is frozen, and people don't know how to go about this idea and how to avoid the Chechen scenario.



YANA TANNAGASHEVA

Thank you very much for inviting me. It is very interesting to listen to the stories of all the speakers that echoed in me. I'm going to dwell on my own story, and tell you about the general situation of indigenous peoples of Russia. I belong to the Shor, a small indigenous people from Russia, living in Kemerovo Oblast, which is the coal area of Kuzbass. Five years ago, I had to flee from Russia because my family and I were fighting against the barbaric excavation of coal in Kuzbass and we were threatened and harassed by Russian authorities and large coal corporations. We got asylum in Sweden.

Indigenous peoples of Russia are different. I'm from a small indigenous people, and there are larger ones. Non-Russians in Russia have always been suffering. In Russia, my people have been fishing and hunting for centuries and used to do smith work before we lost this type of our traditional handcrafting because the Russians prohibited smith working to our people. Today, we are losing traditional crafts like fishing and hunting because of the barbaric excavation of coal. Our taiga is being destroyed, and our rivers are polluted by the barbaric open mine excavation of coal. Today, we are losing such traditional crafts as fishing, hunting, and many of my people relocate to urban areas. They lose their native language; they assimilate, undergo urbanization, and naturally, our health really suffers. Our children are born with horrible diseases. There's a very high rate of cancer because of the environmental disaster in our region. This is one of the chains in the link of the colonial policy of Russia.

Indigenous peoples of Russia have been suffering, and we can see this today. We could see this when a large-

scale invasion of the Russian troops started in Ukraine a year ago. Who were the first people to be mobilised in the army, who were sent to the front? The representatives of indigenous people: Yakuts, Buryats, Tuvans. Some of our men escape mobilisation just going to taiga for hunting, berry-picking, and traditional survival. There was a case of escape via Alaska when men crossed the border by boat and asked for asylum. Many people could not hide; they didn't know what to do. They are grabbed and enlisted. There were reported cases in Yakutia in faraway villages, there were no roads, the mobilised people were taken by helicopters. Some representatives of indigenous people go to the war voluntarily because they are subjected to propaganda. Many of them go there just to make their living. They die, and then their bodies are brought home. The Shors are 10,000 people, and if they enlist 10 or 20 men, it's a big loss. Some of our people are prisoners of war. Many of them get back from the war wounded and disable. It's a horrible tragedy for our peoples. Some people who are in prisons conclude contracts to come back to their homeland as alleged heroes. In general, it's horrible, scary, and very sad. It's important to highlight it, and it's important that we're here today to discuss it.

The agenda of colonial oppression is very acute. We have been speaking about that for a long time. This situation in our region, the situation with coal excavation, has been going on for quite a while. Indigenous peoples not only in Russia but around the world usually live in areas with a lot of resources, and there is a conflict between the peoples and businesses. We have a right to our area, and there should be informed preliminary consent. However, Russia does not recognize the rights of indigenous peoples. Russia tries to manipulate indigenous peoples when those who have lots of money and leverage buy the representatives of some organizations among indigenous people. They present us as funny people who just dance and sing, but they do nothing for our native language, they do nothing to really develop us, and they do not support the right for our self-determination.

In conclusion, I would like to reiterate the idea that has been mentioned today, that Ukraine today pays a very high price. This is a tragedy. We can see they pay this price not only for their own freedom but for the freedom of all other nations and people who for centuries have been suffering from discrimination, suppression and xenophobia.



DMITRY BEREZHKOV
(International Committee
of Indigenous Peoples
of Russia / ICIPR)

I am a representative of the Itelmen people from Kamchatka. It's a big peninsula in the Russian Far East and one of the richest regions in the world by fish and biological water resources. Indigenous Peoples have big problems with commercial companies involved in the fishing industry in our region. Sometimes, we have even a situation when a commercial company receives a license and place for fishing inside the village or near the village where indigenous people live, and it is prohibited for the local population to catch fish there, where they have fished for centuries. It's just one example of discrimination.

I also am a member of the International Committee of Indigenous Peoples of Russia. It's a relatively new organization we created in March 2022 as our reaction to the war in Ukraine. I escaped Russia for political reasons under the pressure of the Russian security service in 2011. Later, other Indigenous activists from Russia joined our team and are located now in different countries. When Russia invaded Ukraine in February 2022, we realized that we needed to unite our efforts to express our disagreement with this war and to show the world that the Indigenous Peoples of Russia do not support this conflict. I need to mention that it is very dangerous for Indigenous activists, our colleagues, sisters, and brothers who continue to live in Russia to express themselves openly about this war because of the fear of repression.

At the same time, it's essential to underline who are the Indigenous Peoples in Russia. The Russian Federation, at the beginning of the 90s, recognized so-called small-numbered Indigenous Peoples, and it is rather unique termi-

nology. It's not used in other parts of the world. These are peoples who continue their traditional style of life, like reindeer herding, hunting, and fishing. At the same time, according to Russian legislation, they must be less than 50,000. From one perspective, it's a very restrictive and discriminating situation for other Indigenous Nations in Russia, like, for example, Yakuts, who are bigger in number. On the other hand, we must recognize that our small-numbered Indigenous Peoples are among the most vulnerable. Some of our nations are less than several thousand, even hundreds of persons. About two-thirds of the small-numbered Indigenous Peoples of the Russian Arctic, Siberia, and the Far East are involved in the traditional economy, continue their traditional cultural practices, and preserve their traditional style of life. They depend economically on fishing, reindeer herding, and other customary livelihoods. Indigenous peoples continue to be one of the poorest parts of the general population of Russia. Such events like today's discussion are significant for us because we experience a lack of resources, including intellectual, human resources, and financial ones, and our voice is not visible on the national as well as international levels because bigger players do not consider it important to hear some voices who are so small in number.

I also want to underline a significant point: what colonization is and how Russian officials and historians consider it. In the discourse that Russian historians and official representatives of the state promote, they do not recognize that Russia is a colonial empire. They say that Russia did not colonize Siberian territories as it was a voluntary unification and creation of nations' brotherhood. At the same time, we understand that Russia is a pure example of a classical colonial empire. It's a tradition that goes from Moscow Tsardom to the Russian Empire, then to the Soviet Union, and it continues today as the current Russian Federation. Russian officials insisted that the Russian empire was totally different from European empires like the British or Spanish ones.

But according to our point of view, the only significant difference was its economic nature. For example, when the Spanish came to America, they hunted for gold and killed everybody who possessed it to grab the treasure. In contrast, Russian Cossacks who came to Siberia needed, first and foremost, highly valued furs for external trading, and that's why they did not kill too many Indigenous populations because they needed Yasak as a tax from conquered communities.

Further, the same economic nature of indigenous peoples' engagement continued throughout the Soviet Union's history, but the main trading item and its extraction system had just changed. The oil and natural gas extracted in Siberia and Yamal became the source of the Soviet Union and further the Russian Federation's economic power. One more shift in the extractive nature of the same resource-based economy we are witnessing right now while the fossil fuel economy is transforming into a green one that is greedy for transitional minerals like lithium, nickel, and other similar metals.

It's like waves of attacks for different treasures on the same conquered territories. Such an economic approach is especially crucial for Moscow because the trade of natural resources is one of the primary sources of income for the Russian budget.

There are 40 small-numbered Indigenous Peoples in the Russian Arctic, Siberia, and the Far East. Their general population is about 250,000; for example, we have only about 2,500 people in my Nation, Itelmens. But these Indigenous Peoples live in a vast territory from Finland to Chukotka and China. It's about two-thirds of the Russian territory because many Indigenous Peoples remain nomadic. They use huge areas, for example, for reindeer herding.

Today, Russia tries to use the Indigenous Peoples' movement as an instrument of their further colonization. As you maybe know, the Russian Association of Indigenous Peoples of the North (RAIPON) operates in Russia as a representative body of small-numbered Indigenous Peoples. I worked for this organization for many years before I had to leave the country. When I worked there, it was a usual human rights organization that protected indigenous rights and promoted the human rights agenda. But now, it has become an instrument of the Kremlin's propaganda. This year, the UN body, the Expert Mechanism on the Rights of Indigenous Peoples, prepared a report on the influence of militarization on Indigenous Peoples around the world. They include several points about Russia; when we read these points, we can even imagine that they were written in the Kremlin directly. For example, when the authors spoke about the recruiting campaign and forced mobilization among Indigenous Peoples for the war against Ukraine in Russia, they said that Indigenous Peoples had the right to alternative military service during the recruiting campaign and could refuse to go to the war.

But I have two friends in Yakutia who were recruited for military service and forcefully mobilized explicitly because they were Indigenous hunters. They were speaking not only in Russian but in the Indigenous language. They also were officially jobless as they continued their traditional style of life.

If you consider the percentage of recruiting of indigenous peoples, it is a huge number. But the challenge for us is that Russia, through its influence and negotiations with other countries of the Global South, targets the UN documentation. We protested against approving this report; we said that this was not true, it was a lie, and it ultimately did not reflect the accurate picture, but finally, it was approved by the UN under the pressure of Russia and with the support of the RAIPON's indigenous agents. Today, it's an official UN document, and we ask for the support of the international expert community to fight against such apparent lies in the internationally recognized documents.

The other reason why such events are essential for us is also about colonization and colonial aspects. I don't like this terminology, "the window of opportunity," but a lot of discussions are going on, not only in ethnic minorities, at national and different nations' levels, but also, for example, in Russian political opposition, – discussions about what happens in the future. And we all agree the war in Ukraine must be kind of a final step in the Russian state policy towards Indigenous Peoples and other minorities. We don't want it to be the same in the future; the situation must be changed. There are a lot of different discussions about how it could happen.

Will Russia be disintegrated in the future? Will there be there separate states created? Is it possible or not? There are different points of view on these challenging questions.

One perspective among the so-called¹ democratic opposition is often discussed. They are saying that it will not be possible

future for Russia as disintegration or separation of different Nations. But in some of their arguments, we hear the exact words that the Kremlin uses in its colonial discourse. For example, their argumentation states that when Russians came to Siberian or Arctic lands, these territories were empty: «many territories east of the Volga River were historically scarcely populated». Another doubtful argument I heard is that many of today's ethnic republics or other Federation's constituent units have regional administrations that consist of representatives of the local minorities: Yakuts in Yakutia or Tatar in Tatarstan. They consider it proof of these nationalities' participation in regional governance. Without further analysis of these postulates, we can see that they precisely reflect standard Moscow narratives reproduced in thousands of history research and schoolbooks.

But the biggest disappointment for us is that they stage such discussions without any consultation, without even asking the people who live in this region, who represent these Nations, who are members of these ethnic communities. One of the Russian opposition activists said that the idea of an independent Bashkortostan is interesting only to a few marginals inside the republic, and that's why it is not a question for a broad discussion. We consider it a very disappointing point of view and a continuation of the imperial paradigm because an empire is not only about lands, economy, or policy. It's also about your mindset, your brain, and what you're thinking about. In general, we can say that empires exist not only on the maps, but also in our heads.

The other disturbing point of view is the opinion of some ethnic activists who say that they want to organize their own separate states, destroy the empire, and obtain independence by any means, regardless of the ultimate outcome.

As Indigenous Peoples, we support the general paradigm of the Nations' self-determination up to the opportunity to create separate national states.

But as ethnic Indigenous minorities, we understand that small-numbered Indigenous Peoples of the Russian Arctic, Siberia, and the Far East cannot create their own states in the future because, first of all, of their small numbering. We will anyway find ourselves in somebody else's state, like Russia or, for example, Yakutia, or another country.

And we are very cautious about such discussions as their initiators aim to create independent states and don't want to pay much attention to the future governance or political system like democracy. We had an experience with the disintegration of the Soviet Union, which disparted in the beginning of 1990th into different types of sovereignties like Central Asian republics or Baltic democracies.

Today, these countries have entirely different historical and political backgrounds. And I'm not sure that Siberian Indigenous Peoples, in the case of Russia's disintegration, will be too interested in finding ourselves in a kind of Central Asian type of autocracies in the future instead of Putin's authoritarian regime.

That's why such discussions as we have here today are essential for us. We need to discuss what will be the future of indigenous peoples, small-numbered indigenous peoples of the Russian Arctic, Siberia, and the Far East, in the future political agenda of the region. Unfortunately, we understand that bigger (more numbered) players are not interested or find it challenging to discuss such political perspectives with so small (small-numbered) stakeholders, like the Indigenous Peoples of the Russian Arctic. That's why we ask for the support of the Western political and intellectual powers who understand what international law is and the place of indigenous peoples in it to participate in such discussions as a mediator with enough capacity to invite different political stakeholders to the table.

¹ This glossary item is not an accidental one. In my opinion, the proponents of democratic views who now live outside Russia (most often not of their own free will, but due to political persecution) and who continue to actively discuss the Russian political agenda and ways its changing, who organize broadcasts on YouTube and try to influence the situation inside Russia, should rather be called political emigration than political opposition.

In the history of Russia, we remember a leader of the political opposition who, after being in exile, with the help of his supporters inside the country, still managed to return and build his highly successful political project, which later brought numerous disasters to the whole nation. His name was Vladimir Lenin.

However, his role was unique, while most Russian political emigrants remained as such and had no further significant influence on politics and governance inside Russia. In my opinion, this situation fully applies to the representatives of indigenous peoples, who have also been forced to emigrate due to the pressure of the Russian authorities in recent years.

**THE UN COMMITTEE ON THE RIGHTS OF THE CHILD:
RUSSIA SHOULD NOT DISCRIMINATE CHILDREN FROM VULNERABLE GROUPS**
A joint press-release of ADC Memorial Brussels and
International Committee of Indigenous Peoples of Russia

Upon consideration of Russia's state report at its 95th session in January 2024, the UN Committee on the Rights of the Child issued recommendations to Russia with harsh criticism of violations of children's rights. The Committee took into account reports from civil society, including a joint report by ADC Memorial and the Kharkiv Human Rights Group.

The Committee recognized Russia's responsibility for the crimes committed during the armed aggression against Ukraine leading to the killing and wounding of hundreds of children and is accompanied by grave violations such as arbitrary detention, ill-treatment and torture, sexualized violence against children in the occupied territory of Ukraine; attacks on hospitals, schools and educational institutions and the occupation of schools by Russian armed forces, limiting access to education for millions of children. The Committee paid special attention to children living on the temporarily occupied territories and those abducted by Russian forces: the deprivation of children of Ukrainian citizenship and the simplified assignment of Russian citizenship to them, breaking their ties with Ukraine and the denial of their Ukrainian identity was recognised as the violation of the Convention and international humanitarian law. For more information about the recommendations of the CRC on Ukrainian children, see the joint press release of ADC Memorial and the Kharkiv Human Rights Group.

There are also important recommendations of the UN CRC related to children from other vulnerable groups.

In particular, the Committee reiterated the recommendation to guarantee appropriate living conditions, social protection, housing, nutrition, access to health care and education for all children, with special attention to vulnerable groups. The Committee highlighted the problems of Roma settlements and called for measures to legalize houses, end demolishing homes and evicting their residents, and, if this is unavoidable, to provide alternative housing and compensation for the affected families and children. The Committee recom-

mended that Roma settlements should be provided with basic resources, in particular, gas and electricity supply.

For indigenous children, guarantees of appropriate living conditions should include the preservation of a natural environment, the opportunity to lead a traditional lifestyle and use natural resources on ancestral lands, as well as access to traditional nutrition. Pointing to the vulnerability of indigenous communities to the extractive industry, the Committee called on the Russian authorities to create a clear regulatory framework and legal accountability for industries, especially in the oil, gas and coal mining industries, so that their activities would not have negative impact on human rights and jeopardize environmental, sanitary, labor and other standards, especially those related to the rights of children, including the rights of indigenous children. Companies should be required to conduct assessments, consultations and full public disclosure of information about the impact of their business activities on the environment, health and rights of children and their plans to eliminate such impacts.

The Committee, repeating its recommendation on the previous report of the Russian Federation, called for improving medical facilities and services in remote settlements of indigenous communities; promote traditional lifestyles, traditional economic activities of indigenous communities, including hunting and fishing, ensure traditional diets; preserve the cultural and linguistic identity and heritage of indigenous children, ensure access to schools and – when it's possible – basic education in their native languages.

The Committee is concerned about the general militarization of the school environment, which affects all schoolchildren, and especially Ukrainian children taken to Russia, as well as the fact that Russian curriculum has been introduced in the occupied territories of Ukraine, it is reported that teachers are forced to express active support and impose on children positive attitude towards the Russian invasion of Ukraine as well as refrain from criticizing the Russian authorities. Noting violations of the rights to education in their native language in Crimea, the Committee called for ensuring the right of children to study in Ukrainian and Crimean (Crimean Tatar) languages and to use these languages freely.

The Committee called for an end to the politicization and militarization of schools and the rewriting of school curriculum in favor of the political and militaristic agenda. The Committee believes that education should prepare children for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin. The Committee pointed out that children should be able to freely express their opinions and enjoy freedom of assembly and association, while forcing them to join ideological pro-government organizations such as the Movement of the First and Yunarmia is unacceptable.

The Committee called for ensuring **access to education without discrimination of any kind**, in particular, abolishing the requirement of registration for children of migrant workers to gain access to schools and ensuring the right to attend schools during the entire period of stay of migrant children in the Russian Federation.

The Committee condemned repressions against civil society in Russia, including the tightening of legislation on "foreign agents" and laws persecuting LGBTI+; in particular, the Committee called for the repeal of the "law on LGBT-propaganda" and the decision of the Supreme Court of the Russian Federation to recognize LGBTI+ people as belonging to the "extremist community". The Committee pointed out that in practice these legislative innovations are **destroying the lives of LGBTI+ children and children from LGBTI+ families.**

The UN CRC is concerned about violations of children's rights in closed institutions and within the facilities of law enforcement agencies, including reports of inhuman treatment, torture, violence and the fabrication of criminal charges against LGBT children in the North Caucasus. Experts called to end such common in the Caucasus region practices as femicide, killings in the name of so-called "honour", child marriage, abduction of women and girls for forced marriage, polygamy, and female genital mutilations. The Committee called for special protective schemes for victims and awareness-raising campaigns explaining the harmful effects of these practices to the general public, local authorities, religious leaders, judges and prosecutors.

THE AUTONOMY WITHOUT AUTONOMY

Oleg Orlov is sentenced to 2.5 years in prison for an anti-war publication in which he called the current Russian regime fascism. Culturologists add the prefix “schizo-” to this word, meaning that this sort of fascism pretends to be “anti-fascism” (examples of this: “denazification” as the reason for the military invasion of Ukraine, and manic obsession with patriotism and the theme of the Great Patriotic War, and so on).

In the sphere of interethnic relations, such a topsy-turvy approach is supported not only by massive propaganda, but also by an extensive state machinery – legislation, institutions and advisory councils in charge of the “friendship of peoples”, a network of “ethnic” and “national-cultural” public organizations – the only permitted form of self-determination, an ersatz of real federalism and self-government.

Officially, Russia’s national policy declares the goal to strengthen the unity of the “civil nation”, meaning that all citizens of the country should be primarily “Russia’s” (which is difficult to express in English where the word “Russian” only exists). At the same time, they can at the same time relate themselves to ethnic, religious and cultural groups, which also needs to be respected, and the traditions, languages and cultural heritage of these groups should be preserved and protected. These ideas are contained in government strategies, state programs and action plans, and are not bad from a bird’s-eye view. What’s wrong with people having both a “small” and a “big” identity, if at the same time the “big” one doesn’t suppress the “small” one, and these identities and people who have them peacefully coexist, without discrimination?

But upon closer examination and in practice, it quickly turns out that the two components of state strategies – “the unity of the nation” and “ethnocultural development of peoples of Russia” – are not equal. From the very beginning of the promotion of the “civil nation”, the first one was given more attention and banally more financial resources, while the “peoples of Russia” were given a postcard and folklore role. Defending the rights of ethnic minorities and indigenous peoples, ADC Memorial has constantly repeatedly criticized the ostentation of the “friendship of peoples” against the background of the unresolved important problems of ethnic minorities, the denial of discrimination and racism by the authorities and the lack of effective measures to overcome them.



Photo of protest in Bashkortostan: Muzych. Own work, CC BY-SA 4.0

Indeed, the problems of governing a multiethnic, multicultural country without xenophobia, racism, and interethnic conflicts are by no means speculative, and it is relevant not only for Russia. How to ensure equal representation of minorities? How to deal with the situation when the country is divided into nominally “ethnic” territories, with different statuses? How to ensure the rights and security of minorities, even if they have their own republic, region, district, and even more important – if they don’t have it? How can languages be preserved when the scope of their use is obviously narrower than of the majority language?

There is an extensive literature on this subject, both philosophical and more practical; countries with a multiethnic population have their own approaches and relevant legislative acts. One of such approaches is to create national cultural autonomies, meaning not territories inhabited and self-governed by one or another ethnic group, but public organizations of people who identify themselves as belonging to a particular group and culture. After the collapse of the USSR, the issue of interethnic harmony became acute, and the ideas of national and cultural autonomy, suppressed from the very first years of Soviet power, appeared in the public space. In 1996, the federal law “On National-Cultural Autonomy” (NCA) was adopted in the Russian Federation.

In the law, in its current use, the NCA is defined as “a form of national

and cultural self-determination, which is an association of citizens of the Russian Federation who consider themselves to be a certain ethnic community in a situation of a national minority in the relevant territory, on the basis of their voluntary self-organization in order to independently resolve issues of preserving identity, language development, education, national culture; strengthening the unity of the Russian nation; harmonization of interethnic relations; promotion of interreligious dialogue; as well as the implementation of activities, aimed at the social and cultural adaptation and integration of migrants.”

There is a lot of ideas mixed up in this definition, including the strengthening of the “Russia’s civil nation”, but in fact, the NCA is just a sort of a public organization with “ethnic specifics”.

The law clearly states: “The right to national and cultural autonomy is not the right to national and territorial self-determination.” This non-territorial autonomy assigns minorities only the sphere of culture, education, and education (nominally, even quite broadly: the right to organize education in their native language is stipulated, for example). As a reputable expert writes, “The culturalization of ethnicity looks primarily as a means of depoliticizing it, and the concept “cultural” is often used as a synonym for non-political. Only the activity of minorities, which is related to culture (often in the folklore and ethnographic sense), is recognized and encouraged by the State. Politics and

the economy are controlled by others; at the same time, the problems of people belonging to a minority, such as discrimination and social marginalization, are ignored or described as a product of cultural specificity.”

Bad or good definition of the national-cultural autonomy the law gives, is this the right approach to the “national question” at all, was it possible through such a law to achieve a real improvement in the social climate, tolerance, and respect for minority rights – all this is old business related to pre-war reality. Now all the discussions are over; the state has completely usurped the “ethnic” agenda dispersing independent organizations that defended the rights of ethnic minorities and indigenous peoples, and subjugating the remaining ones.

This is especially dramatic nowadays for small indigenous peoples, whose very physical survival is threatened by the extractive industry and mobilization for war. Dmitry Berezhkov, a human rights defender, a representative of the Itelmen people, says:

“... the state pays for the activities of mankurts, propagandists from among indigenous peoples who work for the authorities and on international platforms or inside Russia dancing and singing songs for victory over Ukraine. These propagandists come to the UN and say that everything is fine with the rights of indigenous peoples, that the state protects and loves them. This is a unique picture – while indigenous peoples come from Australia, Africa, Asia, Latin America and talk about their problems, about violations of their rights by governments and business, – representatives of indigenous peoples of Russia come and begin to praise their state. It is clear that the majority of them are now paid by the state, and are allowed by the state to go abroad.”

This was the case before: the authorities used the ethnic NGOs, diaspora communities, national-cultural associations either to create a beautiful picture during the “friendship festivals”, or to defame them and demand collective responsibility if any excesses occurred. If a fight happened with the involvement of, for example, Azerbaijanis – the head of the Azerbaijani autonomy or community is called for explanations. I remember a case when, after such a fight, an urgent meeting of the Azerbaijani National-Cultural Autonomy was convened in St. Petersburg, where the participants decided to “strengthen control over the activities of the Azerbaijanis in the districts of their living” (as the newspapers reported).

And even in less bloodthirsty times than now, leaders of ethnic public organizations rarely found the courage in such situations not to swear loyalty, but to talk about the unacceptability of collective responsibility. What can we say about today, with the de facto legalized practice of apologizing on camera! For example, almost dozens of Uzbek and other public organizations in Russia have publicly condemned Usman Baratov, the head of the interregional Uzbek association “Vatandosh”. The “criminal act” attributed to Baratov is as follows: “a publication on the social network about the prices of eggs, which the military correspondents considered offensive to the participants of special military operation [in Ukraine].” Will they conduct a linguistic examination of the publication? Would a professional expert conclude seriously that a photo of a mangy hen with the caption “Hell for you, not eggs! Bring back the roosters from the front!” indicates an intention to offend the military? But after all, this picture can be understood in this sense, only by an adherent of criminal concepts and a native speaker of the criminal language (the word “rooster” there has an offensive meaning). By the way, demonstrating criminal culture is forbidden by law. But in this very sense the publication of Baratov was understood by the military correspondents and by the head of the Investigative Committee Bastrykin. And now – no jokes – Baratov is in jail, he was put on the list of extremists for the picture of a mangy chicken...

It was not only military correspondents who attacked Baratov. In a documentary about the problems of migrants, he said: “Adaptation – yes, integration – yes, but not assimilation. It’s a dangerous thing, to lose your roots. I disagree when the passports are called “Russian passports” on federal channels. It should be “passport of Russia”. Russian nationalists could not tolerate this statement; among them the odious deputy Pyotr Tolstoy best of all described the current attitude of the state to the problem of national self-determination: “All these national diasporas, associations and communities are nothing but legalized mafia structures. How are these “communities” better than the same ones, but Corsican or Sicilian? ...It’s time to end interethnic liberalism. There should be no place in Russia for parallel structures with their own laws, customs and power. Only strict implementation of the norms of Russian legislation and behavior.”

Well, who, I ask, knows Russian legislation better? It is not deputy Tolstoy, but Usman Baratov, who explains the officially declared principles of the

national policy of the Russian Federation and tells about “the civil nation of Russia”, preserving the roots and, of course, about a “passport of Russia”, not a “Russian passport”. Tolstoy did not explain what “Russian behavior” is, but we all know it...

This is the evolution – from the perestroika discussions about how to build a multinational state, to calls to end “interethnic liberalism.” But let’s stop talking about liberalism... Raids on migrants at their place of work and residence have long ago become routine, but even more terrible impression – and, of course, a burning shame for the “cultural capital” (St.Petersburg) – are caused by raids on New Year’s Eve, when migrants go out with their families and children to admire the decorated festive city center and where thousands of them are detained.

The authorities are acting brutally not only against migrant workers, whose integration, by the way, is also stated as a strategic goal of state policy. Protests in the regions that have a declared sovereignty are also being severely suppressed. In Bashkortostan, where thousands of people protested against gold mining, dozens of criminal cases have been opened and three people have died (death in hospital after detention, death after detention under unclear circumstances, suicide).

Bashkir activist Fail Alsynov was sentenced to four years in a penal colony – his statement in his native language, which can be translated as “black people [will leave],” was interpreted by the court as inciting hatred and hostility towards migrants who work in gold mining.

Let’s stop linguistic discussions – an activist was imprisoned for four years for an ambiguous expression in the Bashkir language, while a State Duma deputy and others like him are not responsible for pure distilled xenophobia (like the identification of diasporas and other legitimate associations with the mafia).

*Olga ABRAMENKO,
first published on
the Radio Liberty blog*

THE ANNUAL UN FORUM ON MINORITY ISSUES: ADC Memorial raised the issues of minorities in the region of Eastern Europe and Central Asia

The 16th UN Forum on Minority Issues was held in Geneva on November 30 – December 1, 2023. This year, the theme of the Forum was «Minorities and Cohesive Societies: Equality, Social Inclusion, and Socio-economic Participation».

During the interactive dialogue between representatives of NGOs and the Special Rapporteur on Minority Issues, ADC Memorial made a statement about the situation in the region: on the difficult situation of minorities in Central Asia, anti-Semitic demonstrations in Dagestan, Russia's war aggression against Ukraine. There were also some other statements on the situation in Central Asia: on the violation of the rights of the Pamiri peoples in Tajikistan, the Karakalpak people in Uzbekistan, and the Dungan minority in Kazakhstan.

STATEMENT BY THE ANTI-DISCRIMINATION CENTRE MEMORIAL BRUSSELS AT THE 16TH UN FORUM ON MINORITY ISSUES

The region of Eastern Europe and Central Asia has been experiencing significant cataclysms in recent years. In the shadow of Russia's aggressive war against Ukraine, negative political processes in Central Asia have been left without proper international attention. Meanwhile, in this region we see strengthening of authoritarian tendencies reacted with mass protests, attempts of state coup. The anti-Dungan pogrom in Kazakhstan in 2020 became a kind of repetition for the coup attempt in January 2022. Repressions against Pamiri peoples in Tajikistan and restriction of the political and cultural autonomy of the Gorno-Badakhshan Autonomous Oblast, attempts to deprive the Karakalpak people of their sovereignty as part of Uzbekistan – all these events have led to significant casualties and demonstrate how vulnerable minorities are during political cataclysms and crises.

In Russia, over the past decade, state propaganda has shaped the discourse about Russia's exclusivity, its "special historical path" and "traditional values." At the same time, hatred and discrimination against various minorities were escalated – meaning anti-Semitism, Islamophobia, migrantophobia, an-

ti-Gypsism. All this legitimized direct violence and became a prerequisite for Russia's aggression against Ukraine. In its turn, the war intensified hatred and xenophobia, and minorities were again particularly vulnerable. In the occupied territories of Ukraine, the Crimean Tatar people are being persecuted, and the Roma population is suffering.

After the terrorist aggression of HAMAS against Israel, anti-Semitic demonstrations and pogroms took place in the North Caucasus region of Russia, in the Republic of Dagestan, where the population traditionally practices Islam. The Russian authorities did not take proper response measures, the rioters were not brought to justice. At the same time, in other regions of Russia racism towards people from the North Caucasian republics also takes place. This is happening against the general background of the discrimination of migrant workers from Central Asia, mostly from traditionally Muslim countries – Uzbekistan, Tajikistan, Kyrgyzstan. Thus, the state support for xenophobia leads to a new escalation of hatred and open aggression.

The mandatory conditions for equal participation of minorities in social and economic life are promotion of the ideas of democracy and human rights; zero tolerance to anti-Semitism, Islamophobia, ethnic hatred.

The Forum on Minority Issues was established as a platform for the development of dialogue and cooperation on the issue of respect for the rights of national (or ethnic), religious and linguistic minorities. The Forum is attended by official representatives of States, intergovernmental and regional organizations and mechanisms in the field of human rights, scientists and experts on minority issues, representatives of minorities and NGOs. The Special Rapporteur on minority issues guides the work of the Forum, prepares its annual meetings and reports to the Human Rights Council on the thematic recommendations of the Forum.

THE SITUATION IN KARAKALPAKSTAN RAISES CONCERN TO INTERNATIONAL EXPERTS

In the summer of 2022, an attempt was made to deprive Karakalpakstan of its sovereign status within the Republic of Uzbekistan. The population of Karakalpakstan responded to the proposed respective amendments of the Constitution of Uzbekistan with mass peaceful protests, which were brutally suppressed. Since then, the persecution of activists in Karakalpakstan has not stopped.

This situation is causing concern and criticism from the international community. Thus, in October 2023, the European Parliament's Committee on Foreign Affairs, in a report on Uzbekistan, condemned the repression and violence against the Karakalpak people and urged the Uzbekistan authorities to refrain from using disproportionate force against peaceful demonstrators and conduct a truly independent, impartial and effective investigation of the Nukus events, to give a legal assessment of the actions of the security forces and their use of weapons, which led to numerous casualties and injuries. The Committee stressed the need for the independence of judicial processes and their openness to the public and the media, and called for the release of political prisoners. The Committee welcomed the commitment of the Uzbek authorities to preserve the current constitutional status of Karakalpakstan.

On November 9, 2023, the UN Special Rapporteurs issued a statement demanding an end to the ill-treatment of human rights defender Dauletmurat Tazhimuratov, who was sentenced to 16 years for participating in protests. In August 2023, the experts sent an official letter to the government of Uzbekistan on this matter, which remained without response.

Meanwhile, Karakalpak activists do not find refuge in neighboring countries and are forced to emigrate to third countries. Thus, in November 2023, Kazakhstan denied asylum to activist Tleubike Yuldasheva, although she is threatened with persecution in Uzbekistan. Activist Aqylbek Muratbai (Muratov) was arrested in Almaty, Kazakhstan, on 15 February and is still in custody and is at risk of refoulement on the Uzbekistan's request on charges of extremism, fundamentalism and separatism for supporting the Karakalpak. & is at risk of refoulement

REACTION OF INTERNATIONAL BODIES TO THE SITUATION IN GBAO (TAJIKISTAN) IN 2023

The year 2023 was difficult for the Pamiri population of the Gorno-Badakhshan Autonomous Oblast of Tajikistan (GBAO). Repression intensified, arrests of ordinary citizens, pressure in prisons on convicted Pamiris, infringement of civil rights and freedoms continued. At the same time, the year 2023 will be remembered for sharp criticism towards the Tajikistan authorities from international organizations, Western states and individual politicians for systematic human rights violations in GBAO. Unfortunately, the country's authorities deny targeted repressions against the Pamiri minority, and do not respond to the criticism – neither with actions nor even with official comments or statements. There has been no relief for the situation of political prisoners, and their number has even increased.

In 2023, ADC Memorial constantly raised the issue of Pamiri peoples' rights at various international venues. The alternative report of ADC Memorial for the UN CERD on Tajikistan (109th session, April 2023) was supported by activists of the Pamiri diaspora and is mainly devoted to the persecution of Pamiris in 2021-2022. The situation in GBAO became one of the main topics of discussion at the session and recommendations of the Committee. The negative impact of state repression on Pamiri women is discussed in an alternative report to the UN CEDAW (87th session, to be held in January 2024). ADC Memorial consulted the UN Special Rapporteur on Minority Issues before his visit to Tajikistan (October 2023). ADC Memorial presented the experience of protecting minority rights in Central Asia to the expert community and civil society leaders at the international conference "Turning Points in Eurasia: Geopolitics, Economics and Civil Society in Central Asia – Current Situation and Future Prospects" (August 2023, Almaty (Kazakhstan)).

Well-known international human rights organizations in 2023 also made statements and calls for the observance of human rights and the release of Pamiri political prisoners: the International Minority Rights Group (MRG), the Norwegian Helsinki Committee, Human Rights Watch, Amnesty International, Freedom House, Freedom Now, Human Rights Foundation, International Partnership for Human Rights (IPHR), CIVICUS, Committee to Protect Journalists, Reporters Without Borders.

A number of international statements were made by representatives of the European Union.

- On November 27, 2023, at a meeting of the Committee for Cooperation between the European Union and Tajikistan (Brussels), the European Union called for bringing to justice all those responsible for human rights violations in GBAO. The EU expressed concern about the detention of human rights defenders, independent journalists and bloggers.
- The head of the European Delegation to Tajikistan, Raimundas Karoblis, expressed concern about the termination of the activities of hundreds of non-governmental organizations in the country over the past year, including in GBAO. Speaking on December 11, 2023, at a civil society seminar in Dushanbe on the topic "Strengthening cooperation between civil society organizations and state institutions in Tajikistan," he stated that "the termination of the activities of 700 public organizations in Tajikistan does not work in favor of the democratization of society."
- During the 14th round of the annual Dialogue on Human Rights between the European Union and Tajikistan (December 14, 2023, Dushanbe) The European Union expressed concern about ill-treatment and torture in detention centers and called on the Government of Tajikistan to "immediately and unconditionally" release human rights defenders, journalists and activists who remain in detention. The EU pointed out the insufficiency of the investigation of human rights violations during the events in GBAO in 2021-2022. The participants of the Dialogue also discussed Tajikistan's application to join the EU's Generalised Scheme of Preference Plus (GSP+), a preferential system that allows developing countries to export their goods to the EU market at lower customs tariffs. Back in 2019, Tajikistan applied to join this system, under the condition of implementation its obligations on 27 ratified Conventions, including on human rights, labor rights, environment and climate, etc.
- In May 2023, eight UN experts sent a detailed letter to the Tajikistan authorities about serious human rights violations, arbitrary detention and political persecution of journalists and human rights defenders, including those who defended the rights of the Pamiri minority in GBAO. On July 4, 2023, they issued a statement indicating that the authorities were abusing the anti-terrorism law to suppress critical voices in Tajikistan. In September, UN experts said they were waiting for a response from the Tajikistan authorities to the letter expressing concern about the situation of convicted journalists and civil society activists.
- In October, the UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor, at a meeting with the Permanent Representative of Tajikistan to the UN, Jonibek Hikmat, called on the Tajikistan authorities to release convicted journalists and bloggers.
- On October 19, the UN Special Rapporteur on Minority Issues, Fernand de Varennes, in his statement following his visit to Tajikistan, expressed particular concern about the fate of ethnic and religious minorities, including the Pamiri community in GBAO.

The situation of civil society in Tajikistan and repression against Pamiris were mentioned by the U.S. representatives: the statement at the annual OSCE Human Dimension Conference (Warsaw, October 2023), by the Head of the Delegation, Michael G. Kozak; in early December, the Head of the U.S. Senate Foreign Relations Committee, Ben Cardin, in a letter sent to the President of Tajikistan, called on to stop using transnational repression. In his letter, the senator touched upon the issues of torture and violence in prisons in Tajikistan, pressure on journalists and human rights defenders, as well as repression against residents of GBAO.

In 2023, the rights of the Pamiri peoples were on the agenda of the UN Special Rapporteurs.

ROMA OF UKRAINE: A NEW MEANING OF THE WORD "HOPE"
A publication dated to the International Roma Day on April 8, 2024

Celebrating the International Roma Day on April 8, noting the importance of Roma culture and raising awareness of the problems of the Roma people, we have collected information on how the Roma of Ukraine are living and participating in the life of the country.

In 2024, in the tenth year of the brutal war waged by Russia on the territory of Ukraine, we continue to monitor changes in the lives of Ukrainian Roma. According to some data, the Roma in Ukraine could be compared in number with the Crimean Tatar people and have lived here for all 30+ years of the country's independence (most Roma had lived here before, back in Soviet times). Many families in the third generation live in their village, in their home and in their region. As they say, "we don't have our own Israel," and Ukraine is their home today.

In the third year of a full-scale war, Roma serve in the army, they return to unsafe but native towns and villages even despite air alarms do not allow them to live normally, learn to rebuild their lives in other places in Ukraine if their homes are destroyed and property is lost. Unfortunately, sometimes Roma still face stereotypical attitudes and lack of respect from the ethnic majority.

While collecting this material, we talked with those who live in Kryvyi Rih, Sumy and Zaporizhzhia: with activists who represent and protect the Roma and help them; with those who serve in the army; with those who survived the occupation of their homes by the Russian military. Almost all of them spoke Ukrainian. As for many people in Ukraine, it is normal and usual for Roma to speak several languages (Romani, Russian and Ukrainian).

Roma and their traditional way of life have been stereotypically simplified in the minds of people – a nomadic lifestyle, poverty, dishonest intentions, insufficient education, and a specific appearance. Of course, among Roma there are those who feed these stereotypes and do not integrate into society, but at the same time unequal treatment, discrimination against Roma just for their appearance exist so far, in employment or while dissemination of humanitarian aid. However, in Ukraine there are many Roma who differ from their neighbors only in appearance and traditions, but not in the way of life. The Roma community in Ukraine shares common values such as "this is my land" and common actions: "I will live here and protect it."



*Nikolay Bushtarenko, a serviceman from the Roma community of Sumy.
 Photo provided by Olga Mikhaylenko, Sumy, "MANUSHA"*

Perhaps, in the wake of today's rapid changes within the country, people, uniting against an external enemy, learn to form their diversity in a puzzle called "Modern Ukraine" and accept their country and fellow citizens as they are, and not "as we would like to see it".

We have a lot of Roma already serving. Unfortunately, some are already dead. They serve all over Ukraine, and we also help them. They call and ask what exactly is needed, so we collect money and try to help. Everyone wants to help, so that there will be a victory as soon as possible. We are holding on as best we can.

Olga Mykhailenko, NGO "Manusha",
 Sumy

There is a family, they came here from Khmelnytskyi before the war. The guy from Khmelnytskyi had just served, came home from the army, and when they moved to Kryvyi Rih, the war began. He immediately went to the military enlistment office, as he was liable for military service, and told them to register him. At first he served in Kryvyi Rih, and then went to the front line.

Vasily from Kryvyi Rih

In Russia, the attitude towards national minorities leaves much to be desired; aggression and perception of "non-

Russians" as "second-rate" people is not uncommon among Russians. During the occupation of the Zaporizhzhia region, as witnesses told us, the military from the Russian Federation specifically searched for Roma houses.

There are a very small number of Roma families left in the occupied territory. It's really hard to earn money to live there. Stocks, savings, provisions are gradually running out, so people are still trying to leave those places.

When the occupation had just begun and the first Russian brigades came in, they specifically sought out Roma families and began to put pressure on them, mock them, beat them up to take money, gold, etc. Mothers cried a lot, remembering how they were asked: where are young girls here? Such bullying and violence took place, so information about it quickly spread among Roma families, and they went out at night, sometimes through fields, along trails, risking their lives, to Zaporizhzhia.

Oleksiy Kirin from the Zaporizhzhya Roma Centre "Lacho Drom"

The Ukrainian language at home and at work, caring for their community, volunteering and providing humanitarian aid, supporting their own in the army, activism in public organizations and educational projects – all this became a re-

sponse to the problems that Roma faced during the war, to the attitude of the state and ordinary people to Roma, to the new challenges that have torn them away from their usual habitat and routine.

It appeared to be unexpected for some people that many Ukrainian Roma are so attached to their native land, but really those who had to flee from home most of all dream of returning to a free and peaceful Ukraine.

"Give me my lovely Kakhovka, my nook, my house, my garden... My soul is there. The children and grandchildren are here, but sadness oppresses me. Give me my native Kakhovka and that's it... I think all will be as God wills. This has to end. There will be peace, there will be no war and we will go home, I plan so," says a woman who had survived occupation in the Kherson region and left for Europe only in February 2024 due to her rapidly deteriorating health condition.

Life on the territory of war: survival, looking for housing and work, helping the most vulnerable

The situation a few dozen kilometers from the border with the Russian Federation – in Kharkiv, Sumy or Kremenchuh – is not the same as in cities in the depths of Ukraine, for example in Odesa or Kryvyi Rih, although military operations there also affect everyday life.

An aggravating problem for Roma in the situation of military instability is the lack of education and documents.

The most important question for Roma is just to survive. This applies now, of course, not only to the Roma. But it is very difficult for Roma, because they are often people without education, elderly people are sometimes illiterate, they do not read, do not write.

Miroslav Gorvat, Zakarpattia

When Roma asked for help, and representatives of state authorities offered them to run somewhere for a certificate or fill in something extra while these are people who are illiterate! The Roma just turned around and left without help.

Oleksiy Kirin from the Zaporizhzhya Roma Centre "Lacho Drom"

During evacuation, there is often a problem with documents. In Belopol, the Roma had a house smashed, but

there are constant bombings, so no one will rebuild the house, there is no sense. The family left for Germany, but they didn't even have time to file documents for compensation.

Olga Mykhailenko,
NGO "Manusha", Sumy

Many Roma who have changed their place of residence have also to change their professional occupation – they have to adopt to the situation, accept any job. Even in Transcarpathia, as local Roma tell us, the situation in employment has deteriorated sharply. And in the cities overloaded with displaced people in the east of Ukraine, this trend also exists. There is also discrimination in employment.

Many have found low-paying jobs: cleaners, movers, sellers. It is a pity that these Roma did not find good positions. They often complain about discrimination when applying for a job – even if a person has an education, has some kind of profession. Seeing that this is a Roma girl or a Roma guy, they will most likely be denied a position.

Most Roma families came from villages where they felt comfortable even without being able to read and write. They had cattle, grew something in the garden, did some simple work for their neighbors – and this was enough for them. But once in cities, they need to have a different level of education, knowledge, and sociability to be able to earn enough for their families".

Oleksiy Kirin from the Zaporizhzhya Roma Centre "Lacho Drom"

There are fewer Roma migrants in Uzhgorod. Before it reached 800 people from other regions of Ukraine, now it's about 150. They went either abroad or home to the Kharkiv and Kiev regions. Although it is difficult there, but here in Uzhgorod there is also nowhere to live and it is difficult to survive financially. In Zakarpattia unemployment is rather massive. It is easier to survive in the summer season: they work on construction sites – we traditionally take a lot of Roma as good helpers to the construction site.

Miroslav Gorvat, Zakarpattia

In the military enlistment centers, they do not pay special attention to Roma, the attitude is the same as to the Ukrainians. The fact is that the Roma go to the army voluntarily. Considering that Roma families have financial problems, the guys are even glad that there is an opportunity to receive a decent salary.

Oleksiy Kirin from the Zaporizhzhya Roma Centre "Lacho Drom"

For Roma, discrimination based on nationality is an aggravation of the problems common to all citizens of Ukraine who have been forced to move from dangerous places of residence. Humanitarian aid is also provided by ordinary people who sometimes have in mind stereotypes and norms of unequal treatment of people of Roma origin.

They had a job at home. Many of them had their own business and traded on the market. They left everything. Housing for Roma is a problem all over the country, and abroad too. Because the owners don't want to rent their property to such category of people as Roma. They refuse us, then we start looking for rent somewhere ourselves, we settle them with our relatives, sometimes in empty houses.

Olga Mykhailenko,
NGO "Manusha", Sumy

Help is not very easy to get if people understand that they are facing Roms. "Did you work? Are you a pensioner to get something? The gypsies have arrived." It is not very interesting to give them this help to Roma.

Lilia, Kryvyi Rih

But there is however good news: the Roma community has found a way to improve its situation. Roma activists unite in public organizations and work as human rights defenders and lawyers. There are educational projects and service organizations for those Roma in Ukraine who need more help and a more inclusive approach.

Recently, most humanitarian aid has been received under the control of public organizations that do not pay attention to a person's appearance, religion or nationality. If a person is in a difficult situation and comes, for example, to us, then s/he provides documents and signs for humanitarian kits – and that's it. Government agencies require more documents, a lot of troubles with filling out paperwork to receive assistance.

Kherson families also come to us. There is such a city as Kamenskoye – many Roma lived there before the war, but now their number has increased significantly, because people go to relatives and acquaintances so that they have a place to stay, get some necessary information and help. Many families apply for IDP status in order to receive at least some payments from the state. It's a small help, but it exists.

Oleksiy Kirin from the Zaporizhzhya Roma Centre "Lacho Drom"

For two years of the war, Roma, like other residents of Ukraine, have been forced to live in constant readiness for shelling, rapid changes in the situation. Those who live in the frontline regions are under the threat of an enemy offensive and immediate evacuation.

Sumy is a frontline area. Every day there are shellings in the region and in the city. Roma are constantly leaving. We have a compact population of Roma here, so there are a lot of them. Some of the Roma are returning. There are those who come from other cities where the attacks are more intensive. We have border areas under constant shelling, but in Sumy it's a little quieter. That's why they're coming here to us. Now the authorities are forcibly evacuating people from the five-kilometre zone. And people leave on their own if they can.

Olga Mykhailenko, NGO
"Manusha", Sumy

Many people are "tired of being afraid," they have not been taught strict security measures, and in the third year of a full-scale war, they do not run to shelters. At the same time, the Roma residents of the frontline zones interviewed by us are trying to establish a normal life even in these conditions, to think about the future. They, like all residents of Ukraine, place great hopes on the ZSU, on the strength of Ukraine waiting for victory in the war.

Regarding the shelling, we have probably all got used to it. Of course, this should scare a person, but most of them stopped grabbing children and immediately running to a shelter. Yes, the children are walking because we are 25 kilometres from the front line. Children are walking, there are a lot of children in parks, cafes and restaurants are open. People got tired of living in isolation, in fear, in stress, and began to live a normal life again: children walking, girls, guys relaxing. But everyone understands that all this can change very quickly. Almost everyone has an emergency suitcase with documents and necessary things. Even the deputy mayor says that emergency things should be collected so that you can quickly pick up and leave, because the situation can change at any moment.

As for the occupation, there is no such fear, because the city is large, and during these 2 years it has been strengthened. Both Romani and non-Romani families know this. There are fears that constant shelling will begin, because we have already faced this when there



Crimean Roma in Novotroitskoye settlement, Kherson region, Ukraine, 2021. Photo by Vladimir Panchenko

were 27 attacks in a couple of hours at night, and it's really scary – for yourself, for children, and for loved ones, you worry about everyone. But some Roma families are trying to take root here, they see their future in our city, some people see themselves in the towns nearby. They are trying to look for a stable job, they begin to quickly master new professions in order to find a better job. Even in such a difficult time, they are trying to plan their future, to improve it somehow.

Oleksiy Kirin from the Zaporizhzhya
Roma Centre "Lacho Drom"

In general, due to vulnerability even before in pre-war life – lower security, lower education, frequent discrimination – during the war, it is more difficult for the Roma population to get help, find housing and work in a new place, and adapt to life abroad. This leads to new moves, instable conditions, and children dropping out of school.

Emigration and return: difficulties of children in getting education

Many Roma who left Ukraine faced discrimination in finding housing, receiving social aid, and integrating into a new life. This led to a "pendulum" migration abroad and back to Ukraine or moving from one European country to another in search of better conditions. Many Roma, having failed to adapt to European rules, returned to Ukraine – often not to their former place of residence, but to friends and relatives in other regions, where it is also difficult to find housing and work.

Now we see a trend of return from European countries. People are returning to Zaporizhia, some of them are returning and staying in Western Ukraine.

Oleksiy Kirin from the Zaporizhzhya
Roma Centre "Lacho Drom"

Communicating with some international organizations, for example, the Council of Europe, with representatives of the United Nations, it seems that a lot of things are being done for us. But sometimes this is not the case. For example, housing: they say – you are a family, you like to live in a camp, so you will live in one apartment, for example, 17 people. And such standards, that two or three people should live in one room, or that a mother and child should have a room to live separately from the others, are not always observed in the case of Roma.

I see many people returning, but these are migrating people who come to see how their home is, how their mother is, how their relatives are, and then they go abroad again.

To return permanent... This is a very difficult question, in my opinion. I don't know what will happen, the situation here is critical. Many have nowhere to go back, no work at home, no way to survive at all.

Miroslav Gorvat, Zakarpattia

Sometimes the reason for returning back to Ukraine is the non-integration of Roma children into schools in European countries. For example, in Germany,

school attendance is strictly monitored – among other things, the payment of social benefits depends on this. But not all Roma families manage to meet these requirements.

People want to go home, and they come back; those who have a house left, go to relatives, parents, friends. Some Roma are returning because they did not settle down abroad, could not adapt.

One of the reasons is problems with children; children began to be taken from Roma families. Here is a case: at school, a child is shown something in a picture, but he does not understand, he cannot name it. Parents are given a month – if you do not fix the situation, then we will take the child from the family. They got scared and came back.

Olga Mykhailenko,
NGO “Manusha”, Sumy

Many Roma returned because of problems with children. For example, in Germany, Roma children do not always adapt well. Not all children can study well, not everywhere parents can cope with this; sometimes the school is far, the children can't go there unaccompanied but the parents can't fetch them to school. And if children do not go to school, they can be taken away from their parents – Roma are very afraid of this. There were a lot of rumors: oh, the children are being taken away, some family is telling something, another family is telling something else. Probably, it is difficult for children, and probably the children are not accepted very well, especially from poor Roma families. The attitude to them is completely different. People have returned home. Even if it's bad, but they are already at home. It is clear that in Germany people receive at least some money, they have social security, but apparently they leave because of school.

Lilia, Kryvy Rih

Resettlement within Ukraine or emigration has become a very big challenge for the education of Roma children. Even before the war, experts noted that the forced transition to online education during the pandemic led to the fact that many children dropped out of school. They did not have the necessary equipment and Internet access, or conditions for studying at home. The war has aggravated this problem: Roma children still lack technical means of education, parents cannot

help them and create the necessary conditions, and sometimes they are simply afraid to let their children go to school because of constant shelling. Relocation and other hardships of the war force families to take care primarily of survival. Thus, children's education fades into the background, and even in those families where the older and middle generation received education, today's children find themselves on the verge of falling out of the school environment and do not have alternative ways of school integration.

We have constantly an educational space for children at the Roma center. A teacher works with children preparing them for the first grade or pulling them up according to the program of the respective class. Currently, 10 children are attending our educational center, who are supposed to go to the first grade in September. There should be a lot more of them.

In the small villages where the Roma have left, there are no more such centers, and there is no one there to prepare the children for school. As for kindergartens, among the newly arrived Roma, only a few sent their children there. That means that parents most likely do not plan to prepare their children for school.

Unfortunately, many Roma parents do not understand the importance of education for children, and there are already a certain number of children who, due to their age, missed the opportunity to go to first grade – they are already 12-13 years old, and then they will be shy to go to school. The government does not organize anything specifically for them, because a certain number of such children should gather. We try to convince parents that the world has changed and it will not be the same as before, that children need education and without it it will be very difficult for them to support their future families. If children are taught, then everything will be fine for them, they are capable.

By September, the number of future students may change dramatically, because the situation in Zaporizhzhya is very precarious. If the situation worsens, they will leave; if the situation improves, we will be able to see an influx of new families from Western Ukraine, from Europe, who want to be closer to their homes, to their relatives.

Oleksiy Kirin from the Zaporizhzhya
Roma Centre “Lacho Drom”

There are schools that work 2-3 times a week. Here, where Roma live compactly, there is a mainstream school,

but there is no equipped shelter in it, so it is closed and children study online. For distance learning, you need to have gadgets, and not everyone has them. It started with Covid, and now the children in general are very far behind the program. In the region they study totally online, children in the region do not go to school. We asked the foundations for gadgets for 80 children in our entire region, but for now, silence. Earlier, I know that there was help and gadgets were distributed, but not a single Roma family received them.

If the father or mother is literate, then they can teach the child something, but if not, what will they teach? That's why we opened this center to train first-graders. And our center is open for both children and parents who want to learn to read and develop.

A lot of people are afraid to let their children go to school. I have two grandchildren who go to a school with a shelter, but we are still afraid to let them go. And there are those who do not let children go at all.

Children stay at home all day, where should they go? It's dangerous, you won't walk like you used to. There's an alarm every half hour, it's impossible.

Olga Mykhailenko,
NGO “Manusha”, Sumy

As a conclusion of the review, here are words of Alexey Kirin from the Zaporizhzhya Roma Centre “Lacho Drom”:

“Today, the word “hope” has got a completely different meaning, not the same as it was before the full-scale invasion in 2022. This word has a very great meaning and weight. When a family still has hope for a bright future and tries to find it for itself, these are very serious and important things in our community.”

We are grateful for the help and support in creating the material of the expert and colleague on the Roma rights protection Janush Panchenko, as well as Olga Mykhailenko from the NGO “MANUSHA” and Oleksiy Kirin from the Zaporizhzhya Roma Centre “Lacho Drom”.

Vira GRUZOVA

MAY 17 – THE INTERNATIONAL DAY AGAINST HOMOPHOBIA, TRANSPHOBIA AND BIPHOBIA

In 2024, the motto of the day is 'No one left behind: equality, freedom and justice for all'

The leader of the initiative, an international coalition of LGBTQIA+ organizations, writes:

“The world has just celebrated the 75th anniversary of the Universal Declaration of Human Rights – a document that is much more than a cornerstone of international law: it is a guide to navigating a deeply divided world, a set of values that everyone can live by, and ultimately a force for good. And yet, we know that “All human beings are born free and equal in dignity and rights” represents a promise not yet fulfilled – for LGBTQIA+ people across the world, and for everyone experiencing the suffocating impact of multiple layers of inequality on their lives. This year’s #IDAHOBIT theme is a call for unity: only through solidarity with each other will we create a world without injustice, where no one is left behind”.

The situation of LGBTIQ people in Eastern Europe and Central Asia remains difficult. Repression against LGBTIQ people in Russia has become total: the complete ban of so-called “LGBT propaganda” led to the total exclusion of the topic of LGBTI issues from public space, media, culture, and art. The designation of the so-called “LGBT movement” as an “extremist organization” in fact outlawed LGBTIQ+ people and criminalized the very state of belonging to this group. Homophobic rhetoric and the proclamation of the protection of “traditional values” has become part of Russia’s military propaganda – the fight against LGBT people was declared one of the goals of the invasion of Ukraine and the full-scale war.

Russia is spreading its negative influence, directly or indirectly, to almost the entire region: homophobic laws are de facto in force in the occupied territories of Ukraine, and a number of countries are adopting or trying to adopt repressive legislation based on Russian models (the law on “propaganda” and “foreign representatives” in Kyrgyzstan, on “transparency of foreign influence” in Georgia, etc.).

We have prepared an overview of the state of LGBTIQ rights in the region: in Russia, the main source of homophobic ideology; in countries that have succumbed to Russian influence, to a greater or lesser extent, and to the opinions of



the conservative part of their society; in Ukraine, which is fighting Russian military aggression and defending its commitment to European integration. In conclusion, we briefly describe the consistently difficult situation in a number of Central Asian countries.

RUSSIA



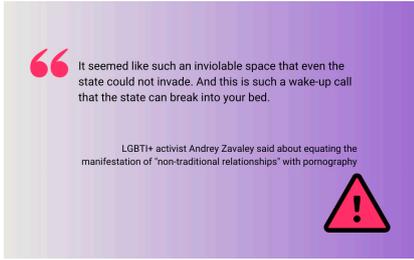
The adoption in June 2013 of a law prohibiting “LGBT propaganda” among minors targeted, first and foremost, LGBTIQ teenagers and the activists who helped them (conducting educational and informational work, organizing support groups and psychological assistance, etc.). Over the past decade, homophobic legislation and practices have been strengthened to such an extent that they extend to almost every sphere of life. After the expansion of the ban on “LGBT propaganda and gender reassignment” to people of all ages in December 2022, due to censorship (and self-censorship), it became impossible to mention LGBTIQ topics in a positive way in the media and in literature, cinema, music, and visual arts. Since the

adoption of the law, Roskomnadzor has blocked more than 46.4 thousand pages containing “LGBT propaganda.” LGBTIQ organizations have ceased their public activities and been liquidated; their employees and activists were forced to leave Russia. Foreign citizens and stateless people are subject to expulsion from Russia for violating the ban on “LGBT propaganda”.

In July 2023, a new law was adopted banning trans*transition, which completely banned medical support and the changing of gender markers in passports and deprived trans*people of the right to adoption/guardianship of children. People diagnosed with “transsexuality” have lost access to medical care and vital medications.

At the end of 2023, the Supreme Court, in a lawsuit of the Ministry of Justice, recognized the non-existent “International LGBT Movement” as an extremist organization. Participation in an extremist organization is criminalized, with punishment that can include imprisonment. This caused a wave of even greater censorship – books are being recalled from sale in bookstores, films are being withdrawn from distribution, and entire episodes from film series are being cut. Despite all its absurdity (the image of a rainbow can be regarded as a demonstration of the symbols of an “extremist organization”), this law is already being applied: for example, three employees of the Pose LGBTIQ bar have been arrested and have been in jail since March 2024 on charges of organizing the activities of an “extremist organization”.

BELARUS



In the course of total repression after large-scale protests in 2020, opposition media, human rights organizations, and environmental and social NGOs were liquidated in Belarus; tens of thousands of people were arrested; and about 5,000 people were convicted on politically motivated criminal articles, 1,386 of whom have been deprived of liberty. Most LGBTI human rights defenders were forced to leave the country. Freedom of speech, assembly, and association is extremely limited, and organizations, initiatives, blogs, and social media accounts are declared “extremist.”

After the adoption of the law on the complete prohibition of “LGBT propaganda” in Russia in December 2022, similar bans began to be proposed in Belarus. Parni PLUS quotes Natalia Kachanova, Chairman of the Council of Ministers of the Republic of Belarus: “There is such an opinion, and maybe we will need to come up with a legislative initiative on the inadmissibility of the spread of LGBT people. When I was on an official visit to Moscow, just that day the State Duma passed the law banning LGBT propaganda. We’ll probably have to accept it, too. And it will be the right thing to do.”

On September 12, 2023, Roman Sidorenko, senior prosecutor of the Department for Supervision of the Enforcement of Legislation on Minors and Youth, announced that the Prosecutor General’s Office of Belarus would begin drafting a bill banning “LGBT propaganda” in order to “protect children from possible criminal acts and neutralize the efforts of certain Western countries to harmfully promote non-traditional sexual relations, gender reassignment and childfree ideology”. According to this draft, three new articles will be added to the Code of Administrative Offenses – “on the prohibition of propaganda of LGBT, pedophilia, and gender reassignment.” According to the prosecutor, “propaganda” will be understood as “any communication [of such information] to society on the internet, in public speeches, in publications.”

In early January, the Secretary of State of the Security Council of the Republic of Belarus, Alexander Volfovich, announced in the media a future discussion

of the concept of national security that would include the need for additional protection of the institution of the traditional family as a union between a woman and a man by birth, as well as the need to identify the source of the threat to the family and ways to neutralize it. This was included in the final concept of national security in the form of standard phrases about supporting traditional national values.

On February 9, Prosecutor General Andrei Shved reported that “At the initiative of the prosecutor’s office, a bill has been prepared that will establish administrative responsibility for promoting abnormal relationships, pedophilia, and voluntary refusal to have children. This project is currently undergoing the approval procedure.”

On April 12, 2024, a decree of the Ministry of Culture came into force that expanded the concept of pornography. It includes “non-traditional sexual relations and (or) non-traditional sexual behavior (homosexuality, lesbian love, sadism, masochism, pedophilia and others).” Decisions on banning the distribution of such material will be made by the Republican Expert Commission for the Prevention of Propaganda of Pornography, Violence and Cruelty. According to the Code of Administrative Offences, “[p]ossession and distribution of pornographic materials or objects of a pornographic nature” is punishable by a fine, and repeated violation within a year leads to criminal responsibility.

The suppression of LGBTI+ rights also occurs under existing repressive practices. “We have certain tools. Russian colleagues who have such a law confirm that we work even more effectively without the law than they do,” said Belarusian Information Minister Vladimir Pertsov (quoted by BelTA). In a speech to the media, Deputy Minister of Information Igor Buzovsky suggested written denunciations in the case of the printing and sale by Russian publishers in Belarus of literature, banned in Russia, that positively mentions LGBTIQ topics.

KYRGYZSTAN



Over the past six months, Kyrgyzstan has adopted two laws that copy similar Russian ones: the law banning

“LGBT propaganda” among minors and the law on NGOs as “foreign agents”.

In August 2023, the Law “On Measures to prevent harm to the health of children, their physical, intellectual, mental, spiritual and moral development in the Kyrgyz Republic” was amended to include information that harms the health or development of children and is prohibited for dissemination to children: information that denies familial and traditional social values, that promotes non-traditional sexual relationships, and that creates disrespect for parents or other family members. The dissemination of such information is punishable by a fine.

On April 12, 2024, another analogue of the Russian law came into force – the law on the registration of NGOs, or “foreign agents”. The law strengthens state control over NGOs (including surprise inspections) and obliges them to submit additional reports and to accompany their publications with a label, similar to the stipulations mentioned in the Russian law.

In August 2023, the draft law “On ensuring the right to equality and protection from discrimination” was published for public discussion. On December 25, the draft law was considered in the Committee of the Jogorku Kenesh. During the discussion, the parliamentarians demanded that an exhaustive list of persons who may suffer from discrimination be included in the draft law in order to exclude the possibility of using the law for protection of LGBTI+ people.

Legislation in Kyrgyzstan does not provide the possibility to make changes to the birth certificates of people who want to change their gender marker. In each specific case, the issue is resolved individually in court.

The Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM) notes in a country report that law enforcement officials systematically violate the rights of LGBTI+ people: they threaten to out them and extort them for financial resources in exchange for silence. The victims consider seeking justice and appealing to higher authorities to be a futile pursuit and are even afraid of negative consequences if they take steps to protect their rights.

KAZAKHSTAN

“ We ask you to support the LGBTIQ community in Kazakhstan before it is too late. The LGBTIQ community is not protected by law or in everyday life in Kazakhstan and is in a vulnerable position. Bans on LGBTIQ people are an attempt to narrow the space for all civic activism. Before our eyes, human rights are being violated and attempts are being made to introduce discriminatory norms into the laws of Kazakhstan, following the example of Russia. Copying articles or laws without taking into account nuances, context, local voices is a colonial practice. ”

Queer activists from Kazakhstan



Since 2014, attempts have been made in Kazakhstan to ban the dissemination of information about LGBTIQ+ topics among minors. After the complete ban on public information about LGBTIQ+ topics in Russia among people of all ages in December 2022, some deputies of the Mejlis began actively lobbying for the adoption of a similar law in Kazakhstan. In their speeches, conservative politicians and public figures often associate “LGBT propaganda” with women’s struggle against domestic violence, the expansion of women’s political and labor rights, and the fight against gender discrimination. On March 8, 2024, feminists were denied permission to hold street rallies because, according to the mayor’s office, they promote “non-traditional values, same-sex relationships and LGBT symbols.”

So far, the proposal of the deputies of the Mejlis from the Amanat party to amend the law “On Mass Media” and to ban any publications about LGBTIQ+ topics in the media has not been included in the final bill, nor has the initiative to include “propaganda for non-traditional sexual relations” in the list of reasons to refuse permission for peaceful assemblies and actions.

At the same time, LGBTIQ+ activists are often refused permission to hold peaceful street actions under various pretexts, and the courts do not find violations in the exercise of the right to freedom of assembly.

“Before our eyes, human rights are being violated and attempts are being made to introduce discriminatory norms in the laws of Kazakhstan, following Russia’s example. Copying articles or laws without taking into account nuances, context, and local voices is a colonial practice,” according to Kazakh queer activists.

A number of strictures relate to children’s rights. In January 2024, an educational website, Selftanu.kz, was opened for queer teenagers and for their friends and families. A month later, it was blocked for “posting information harmful to the health, moral and spiritual development of children.”

“The authorized body for the Protection of Children’s Rights considers it necessary to restrict access to internet resources that disseminate the ideas of the LGBT movement among the Kazakh population, taking into account the psychological age of children, their vulnerability to the negative influence of the information environment, historical and other traditions, the cultural values of Kazakh society and the state, as well as the proper upbringing and full-fledged development of children”, the Ministry reported.

On February 23, 2024, the President signed the law “On education, mentoring and child safety”. According to this law, “a person who adheres to non-traditional sexual orientation” in Kazakhstan will not be able to be a mentor for orphans and children left without parental care. First Vice Minister of Education Natalia Zhumadildaeva told reporters that the sexual orientation of mentors will be determined using a “special psychological test.”

Trans*people are in a very vulnerable position. According to Kazakhstan’s laws, “surgical sex reassignment” is an obligatory prerequisite for the legal recognition of a gender marker change. In June 2023, the UN Committee against Torture, in its recommendations after reviewing the state report of Kazakhstan, called on the government to abolish the requirement for mandatory surgical sex reassignment, as it makes the legal procedure invasive and humiliating. In the 2020 study “We live until we are seen”, the vast majority of transgender respondents report that they have faced discrimination or violence of various kinds based on their gender identity; almost half of them have been bullied at work or school. The main reasons are the inconsistency of documents with a person’s gender identity due to the complex procedure for changing documents and the inability to protect oneself due to the lack of anti-discrimination legislation, including recognition of SOGI as a basis for possible discrimination.

The Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM) has compiled a country report on violations of the rights of LGBT people and MSM in Kazakhstan: in 2023, 83 cases of violations of LGBT rights were documented. In most cases, gay men and other MSM became victims; 16 cases relate to trans*women. The most common crimes are blackmail, extortion, threats, beatings, outing, and disclosure of the HIV status of LGBT people. This happens due to the inaction of the police, since violators know that LGBT people are poorly protected and are highly likely not to contact the police, fearing discrimination and the disclosure of personal information.

The Constitution of Kazakhstan enshrines the principle of equality and non-discrimination, including on the basis of sex and other circumstances. So far, there are no guarantees in Kazakh legislation Kazakhstan of protection against discrimination based on sexual orientation or gender identity. Nevertheless, on December 8, 2023, the President of the Republic of Kazakhstan signed a Decree “On an action plan in the field of human rights and the rule of law”, according to which a permanent working group on anti-discrimination legislation should be established in 2024.

In 2022, the Kazakhstan authorities amended the tax code and established a register of persons receiving foreign financing. Information is provided for persons whose activities are aimed, in particular, at providing legal assistance; protecting and representing the interests of citizens and organizations; conducting public opinion polls; and collecting, analyzing, and distributing information. In the autumn of 2023, the “register of persons receiving money and (or) other property from foreign states, international and foreign organizations, foreigners, and stateless persons” was published. Svetlana Ushakova, Director and co-founder of INMIR, believes that this provision of the tax code is a de facto analogue of the law on NGOs as “foreign agents”: the inclusion of NGOs in a public register, the requirement to label informational material (“prepared with foreign financing”), and the exemption from such reporting for state and pro-state NGOs and deputies. The expert sees this as a “trend towards limiting the activities of public organizations and civil society activists.”

AZERBAIJAN

“ Despite the fact that strategic ties with Russia are an important security factor, Azerbaijan is cautious in adopting some legislative measures, such as the law on ‘LGBT propaganda’. The absence of legal restrictions does not prevent the (Azerbaijani) regime from carrying out repression in other ways. ”

QueerRadar, a program to monitor LGBTIQ phobias in Azerbaijani media



In Azerbaijan, LGBTIQ+ activists are persecuted, their attempts to enter the open public space are suppressed, and human rights defenders are subjected to repression.

In 2022, the high-profile homophobic murder of Azerbaijani journalist and LGBTIQ+ activist Avaz Hafizli took place. The murder was preceded by a video post on Instagram by Azerbaijani influencer Sevinj Huseynova, who called for the

physical destruction of “sexual minorities” and transsexuals. At the sentencing, the fact that this crime was committed on the basis of hate (the so-called “honor killing” was committed by the victim’s cousin) was not taken into account.

Azerbaijan ignores the recommendations of international institutions on the need to adopt an anti-discrimination law, which, among other things, should include guarantees for the protection of LGBTIQ rights (for example, the recommendations of the UN CEDAW [2022], which take into account other reports of ADC Memorial and its partners). After the expansion of the law on the complete prohibition of “LGBT propaganda” in Russia in 2022, some politicians said that a similar law is necessary for Azerbaijan.

GEORGIA

“ The goals of such an inhumane strategy are clear: the government is trying to hide the real important problems of society, including queer communities – poverty, unemployment, emigration, child hunger, corruption, environmental problems that have become a source of natural disasters, cronyism of judicial proceedings, Russian influence, opposition to European integration, etc.

Tbilisi Pride on the initiative to introduce a law against “LGBT propaganda” in Georgia

In recent years, there has been significant polarization in Georgia regarding the topic of LGBTIQ+ rights. On the one hand, in 2014 Georgia adopted a law on combating all forms of discrimination, including discrimination based on sexual orientation and gender identity. At the same time, the enforcement of the law is difficult due to the homophobia of the police; the aggression of the conservative, patriarchal part of society; and the lack of a state strategy to combat discrimination. The homophobic position of the Georgian Orthodox Church has a significant impact: contrasting the International Day against Homophobia and Transphobia with traditional values, the Church has been celebrating May 17th as “Family Holiness Day” since 2014. On this day, marches with thousands of participants are held in the cities around the country.

Georgian Ombudsman Levan Ioseliani, in the 9th Report for 2023, noted that the state is not taking effective measures to prevent violence and threats from far-right organizations against LGBTIQ+ people and their activities, and that the National Human Rights Protection Strategy for 2022-2030 again fails to include the protection LGBTIQ+ rights, similar to the previous strategy. Due to constant threats and attacks by far-right homophobes, the events of Tbilisi Pride Week in 2023 were held in a closed for-

mat, while the final LGBTIQ+ festival on June 8, held on private land, was attacked. Instead of preventing a pogrom and limiting the crowd, the police simply evacuated the pride organizers, who were forced to cancel the event.

While a year ago, in March 2023, after mass protests, the Georgian Parliament rejected the bill on “foreign agents” at the second reading, this year, the bill, despite even greater public resistance, passed the third reading.

The attack on LGBTIQ+ rights has also intensified. In May 2023, the pro-Russian homophobic Conservative Movement party, together with the far-right Alt-Info television company, tried to initiate a package of amendments, one of which was an amendment to the law “On Assemblies and Demonstrations” banning demonstrations or propaganda at meetings of “non-traditional sexual orientation.” At this time, the amendments were rejected.

A year later, on April 3, 2024, the ruling party initiated constitutional amendments against “LGBT propaganda”: a ban on adoption for LGBT people; a ban on any medical intervention related to gender reassignment; and a ban on meetings and the distribution of programs or materials “promoting” same-sex unions or medical interventions related to gender reassignment. The Georgian Parliament has approved a commission for public discussion of the draft LGBT-phobic amendments to the Constitution. LGBT activists fear that these amendments may go unnoticed amid large protests against the bill on foreign agents.

In preparing for the parliamentary elections to be held in autumn 2024, the ruling Georgian Dream party is increasingly using homophobic populism. At the same time as the law on non-governmental organizations, discriminatory amendments to the constitution against “LGBT propaganda” are being proposed. The arguments used to promote them are the need to combat pseudo-liberal values and their inevitable, harmful consequences for the “traditions of the people”.

Many experts say that Russia has a significant negative impact on legislative and public processes in Georgia. Supporters of Georgia’s European integration who attended the mass protest demonstrations call the Georgian law on foreign agents and amendments to the constitution “Russian laws.”

On April 25, 2024, the European Parliament adopted a resolution condemning the bills proposed in Georgia on “foreign agents” and against LGBTIQ+:

“The constitutional amendments restrict the rights of the LGBTIQ+ community and are an attack not only on the LGBTIQ+ community, but also on freedom of speech and a free civil society.”

Council of Europe Commissioner for Human Rights Dunja Mijatovic called on the Georgian authorities to comply with their human rights obligations, including with regard to the protection of LGBTIQ+ rights, and on Georgian politicians to condemn the use of LGBTIQ+ phobia or any other discriminatory rhetoric in election campaigns.

ARMENIA

“ In the Republic of Armenia, there is still no law prohibiting discrimination based on sexual orientation and gender identity, the legislation on legal recognition of gender is not regulated, there are no trans-specific health care opportunities, there are no separate statistics on cases of hate speech, hate crimes and discrimination against trans people, and issues related to trans people are addressed only within the framework of internal political speculation, and spreading of hate speech.

From the statement of the “Right Side” NGO on The International Transgender Day of Visibility

The struggle between progressive and homophobic conservative tendencies is also on display in Armenia.

In September 2023, the Government of the Republic of Armenia published a draft action plan for 2023-2025, reflecting the National Strategy for the Protection of Human Rights. According to the plan, a law on combating discrimination should be adopted in 2024. Since 2012, Armenian civil society, including the public organization Pink Armenia, has been promoting the adoption of an anti-discrimination law, but the demands of the LGBTIQ+ community and human rights defenders to include SOGI as one of the grounds for discrimination are being resisted by the legislative authorities and church leaders.

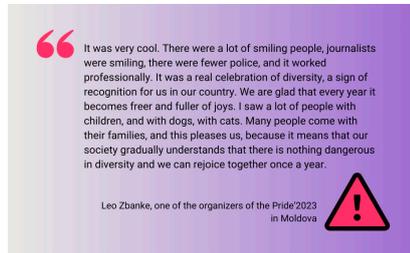
On April 12, 2024, the Armenian Parliament adopted a package of amendments and additions to the law “On the prevention of domestic violence, protection of persons subjected to domestic violence and restoration of solidarity in the family” to increase the protection of citizens from domestic violence and overcome its consequences for cohabiting partners. The Armenian Apostolic Church opposed the concept of “partner” as “a person with whom there is a relationship, which is characterized by a love affair, regardless of cohabitation or sexual relations,” insisting on defining the family only as “the union of a man and a woman blessed by God.”

Armenian legislation does not regulate the legal recognition of gender: changes to the gender marker in passports and medical interventions for trans* transition are not legally provided in the country.

In 2023, the Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM) registered 67 cases of offenses against LGBTIQ+ people in Armenia, among them the murders of two trans* women. According to ECOM, the criminals clearly understood that people from this group were deprived of the opportunity to defend their rights. Despite the recommendations of the Council of Europe and the OSCE, hate crimes are not registered as such, since the motive of prejudice is not considered an aggravating circumstance.

At the same time, court decisions in favor of LGBTIQ+ people have been noted in Armenia: for example, Armenia granted asylum to Salman Mukaev, a Chechen who escaped from torture. His extradition was refused, since the court recognized that it was dangerous for LGBTIQ+ people to be in Chechnya, and that in Russia their rights could be violated due to homophobic laws.

MOLDOVA



In 2022, amendments to the anti-discrimination Law were adopted adding SOGI to the grounds of discrimination. At the same time, the level of domestic homophobia remains high, and politicians and public figures use homophobic rhetoric in political debates and as a tool of manipulation.

The Office for the Reintegration of Moldova has intensified discussions on a law that will provide “legal protection” to Transnistrian refugees from human rights violations in their region, including those based on SOGI. This was a reaction to the plans of the de facto authorities of the unrecognized Transnistria to impose penalties for “propaganda of non-traditional sexual relations” which are in place in Russia.

Six Russian citizens from the LGBTI community were denied asylum in Moldova in February 2024. According

to GENDERDOK-M, four young people applied for refugee status because of the risk of being mobilized for war, as well as because they are homosexuals. The same response was received by a transgender woman who stated that she was afraid for her safety and life, and was also afraid to be mobilised in the army, as an opponent of the Russian war of aggression in Ukraine. The General Inspectorate for Migration replied that “individuals have certain obligations to protect their country, and their evasion of military service in the Russian Federation does not pose a risk of persecution.”

UKRAINE



Three years of full-scale war and the need to defend against Russian aggression, fueled by reactionary homophobic ideology, has had a huge impact on LGBTIQ+ people and their acceptance in Ukrainian society.

We present short excerpts and summaries from detailed reports on the situation of LGBTIQ+ people prepared by Insight “LGBT+ people of Ukraine during a full-scale war. The year 2023. The current situation and dynamics of changes” (in Ukrainian); and by the LGBT Human Rights NASH SVIT Center, “War and Civil Partnerships. The situation of LGBTQ people in Ukraine in 2023” (in Ukrainian and English).

“In 2023, the main issue for Ukrainian society in general and the LGBTQ community in particular has remained the protection of Ukraine from Russian aggression. The number of openly LGBTQ military personnel has increased significantly – in particular, openly transgender people have appeared, despite the fact that current legislation still formally restricts their service in the Armed Forces. According to the testimonies of LGBTQ members of the military, the attitude towards them from colleagues and commanders is generally tolerant, although there are rare cases of homo/transphobic discrimination and violence.”

The full-scale war has actualized the need to protect the rights of same-sex family partners. In the summer of 2022, a petition to legalize same-sex marriage

quickly gained the 25,000 votes needed for consideration. The decision of the European Court of Human Rights on 06/01/2023 in the case “Maymulakhin and Markiv v. Ukraine” recognized that Ukraine was in violation of Article 8 of the European Convention on Human Rights (the right to respect for personal and family life) and Article 14 (prohibition of discrimination) due to the absence of any form of state registration of same-sex family partners. People’s Deputy Inna Sovsun, supported by a number of colleagues from the ruling party and the pro-European opposition, submitted bill No. 9103 “On the Institute of Registered Partnerships” to the Verkhovna Rada on March 13, 2023. It contains a detailed regulation of partnerships, which should be equally accessible to both same-sex and male-female couples and are equated to a family, with some restrictions. The law also provides recognition of all partnerships, including same-sex ones, registered abroad. Advocacy for the adoption of this bill has become the most important political issue for the Ukrainian LGBTIQ+ movement and has been actively supported by the media.

The total number of cases of discrimination, hate crimes and other violations of LGBTIQ+ rights has been decreasing since 2020. LGBTIQ+ activists note that LGBTIQ+ Pride Month in 2023 has found massive symbolic support from large and medium-sized businesses.

Back in May 2021, the Cabinet of Ministers submitted to the Verkhovna Rada a draft of Law No. 5488, developed by the Ministry of Internal Affairs, which criminalizes hate crimes and hate speech, as well as establishing a clear ban on discrimination on the grounds of SOGI. In May 2023, it was finally considered by the relevant Committee on Law Enforcement of the Verkhovna Rada, which recommended the adoption of the draft in the first reading. Now it can be submitted to the plenary session of the Parliament. On April 11, 2024, the ECHR issued a decision in the case of “Karter v. Ukraine”, recognizing the improper investigation of homophobic attacks and the violation of Article 3, “Prohibition of Torture” in combination with Article 14, “Prohibition of discrimination”. Presumably, the ECHR’s decision would accelerate the adoption of Law No. 5488.

In 2023, a new clinical protocol ICD-11 was in progress. Its implementation will provide a less painful, faster, and more transparent procedure for transgender transition.

The main opponent of legal equality for LGBTIQ+ people remains the leading Ukrainian churches, which are members of the All-Ukrainian Council

of Churches, and ultraconservative and radical nationalist socio-political forces, such as the National Corps, Right Sector, Svoboda and other parties. They are not influential at the national level, but their representatives are on local councils, especially in western Ukraine, where they consistently promote a homophobic agenda together with religious activists.

In February 2023, the Verkhovna Rada withdrew from consideration bill No. 3916, authored by an MP, Grigory Mazurash (Servant of the People party), who is well known for his homophobic initiatives. He proposed to ban “propaganda of homosexuality and transgenderism,” following Russia’s example.

TAJIKISTAN

“ I was born in the 1980s and I have never seen such strong homophobia as nowadays here in Tajikistan. People became more religious and more traditional, plus they’re influenced by Russian anti-LGBT propaganda.

From the introduction to the report “Rights for all? LGBTIQ persons in Tajikistan systematically denied human rights” by International Partnership for Human Rights (IPHHR)

In 2022, the Law on Equality and the Elimination of All Forms of Discrimination came into force in Tajikistan, but SOGI and the concept of gender are not included, which reduces the protective potential of the law for such a vulnerable and discriminated group in Tajikistan as LGBTIQ+ people.

In Tajikistan, it is impossible to discuss the rights of LGBTIQ+ people publicly, to register relevant organizations and fight discrimination on the basis of SOGI, and to talk openly about sexual orientation and identity. The state and society reject LGBTIQ+ people; various “traditional treatments” for homosexuality are practiced.

According to the Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM), 25 cases of violations of the rights of LGBTIQ+ people were registered in Tajikistan in 2023. In 15 cases, the perpetrators were law enforcement officers: by organizing fake dates, they blackmail people by threatening to disclose that they belong to the LGBT community, force them to take HIV tests, and confiscate their phones and view their photos. Most often, LGBT people are threatened with persecution under two articles of the Criminal Code of the Republic of Tajikistan: under Article 241, “Illegal producing and trafficking of pornographic materials or objects,” for any intimate photos found on their phones, and under article 125, “Infection with the human

immunodeficiency virus,” for “knowingly exposing another person to the risk of infection with HIV” if HIV is detected in one of the partners, which can be punishable by imprisonment for up to 2 years.

UZBEKISTAN

“ Article 120 “Besozqolbozlik” (Homosexual Intercourse or sodomy) of the Criminal Code of Uzbekistan, criminalizing consensual same-sex sexual relations between adult men in the form of imprisonment for up to three years, serves as a justification for violence against LGBTIQ people.

Article 120 of the Criminal Code, which penalizes consensual same-sex sexual relations between adult men with imprisonment for up to three years, is used as a justification in cases of violence against LGBTI people. Because of this, LGBTI people in Uzbekistan regularly face numerous violations of their rights, homophobia, and discrimination in all spheres of life. NGOs defending LGBTI rights cannot register and work openly. Participation in unregistered organizations or inducement to participate in the activities of such an organization carries the threat of criminal prosecution and imprisonment for up to 5 years.

Human rights organizations and international institutions have repeatedly called for the decriminalization of voluntary same-sex sexual relations between adult men. In response, representatives of government agencies of Uzbekistan have stated that the decriminalization of same-sex relations may cause public discontent, is incompatible with the concept of “widespread traditional family values” and will spoil the country’s image in the Muslim world. In November 2023, in the state report within the framework of the UN Universal Periodic Review, Deputy Interior Minister Yahejon Abdulkhakov announced that 27 people had been involved in criminal cases under Article 120 of the Criminal Code since the beginning of 2023.

The report of the Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM) on the violation of LGBTI rights in Uzbekistan for 2023 recorded 191 cases of human rights violations on the grounds of SOGI. The total number of victims is 209 people, including 193 gay men and other MSM, 10 trans* women, 4 lesbians, 1 heterosexual man and 1 heterosexual woman, who faced rights violations due to their association with the LGBT community and accusations of LGBT propaganda. Half of the violations were committed by representatives of government agencies, primarily law en-

forcement: threats/intimidation, insults, illegal searches, and blackmail/extortion. ECOM pays special attention to the use of anal examinations under Article 120 of the Criminal Code to establish the homosexuality of the accused people, which amount to torture and are condemned by the international medical community.

TURKMENISTAN

“ Consensual same-sex sexual relations between adult men are criminalised. Article 133 “Sodomy” of the Criminal Code of Turkmenistan presumes a punishment of up to 2 years in prison.

In Turkmenistan, the criminal prosecution of consensual same-sex sexual relations between adult men continues. Article 133, “Sodomy,” of the Criminal Code provides for punishment of up to 2 years in prison. After the new version of the Criminal Code came into force on January 1, 2023, the age of criminal liability under Part 4 of Article 133, “Sodomy with the use of physical violence, threats of its use, and the use of the helpless state of the victim” resulting in death, serious harm to health, or infection with HIV, was lowered to 14 years.

From the moment of detention to the end of imprisonment, men are subjected to derogatory treatment, torture, and violence, including sexualized violence. Those who have served their sentence under the article “sodomy” have no chance at finding a good job and arranging their lives — they are forced to live in constant fear, awaiting renewed persecution.

The situation of transgender people in Turkmenistan is extremely difficult. The law does not say anything about the possibilities, grounds and procedures for gender reassignment of transgender people, while the law allows intersex people to change their last name and arrange first name “in connection with a sex change.” Transgender people must undergo surgical correction abroad, but it is impossible to change their documents. Due to the impossibility of professional success, they often find themselves involved in prostitution and become victims of police raids. Transphobic police violence and harassment against transgender people is particularly violent and includes physical, psychological, and sexualized violence, threats, and harassment. Transgender women are in a more difficult position than men, both because of their visibility and the associated public condemnation, and because of gender discrimination.

#ALLJOBS4ALLWOMEN: HOW ADC MEMORIAL AND ITS PARTNERS SUCCESSFULLY ADVOCATE FOR THE ABOLITION OF WOMEN'S LABOR RESTRICTIONS IN EASTERN EUROPE AND CENTRAL ASIA

Press release of FIDH, ADC Memorial and the Human Rights Movement Bir Duino Kyrgyzstan with the support of the Coalition for Equality (Kyrgyzstan)



*Paris, Brussels, Bishkek,
7 March 2024*

Until recently, labor laws in many Eastern European and Central Asian States banned women from hundreds of professions. Since 2017, a number of States have abolished these lists of prohibited occupations; in Russia, Belarus and Tajikistan, these lists remain in force, but were significantly shortened. Only in Kyrgyzstan, however, no legislative changes have been introduced so far. On the occasion of International Women's Day, the International Federation for Human Rights (FIDH) wishes to highlight the #AllJobs4AllWomen campaign of its member organization, ADC Memorial, which led to this groundbreaking success and is aimed at the complete abolition of all professional bans for women in Eastern Europe and Central Asia. Together with the Human Rights Movement Bir Duino Kyrgyzstan and the Coalition for Equality (Kyrgyzstan), the organizations call on the Kyrgyzstani authorities to lift the professional bans for women in Kyrgyzstan.

The #AllJobsforAllWomen campaign, launched 7 years ago in March 2017, is based on the fact that lists of professions prohibited for women, a legacy from the Soviet era, openly discriminate against women in the field of work. The campaign, carried out in ten States of the Eastern Europe and Central Asia region where lists of banned jobs have existed for decades, led to a change of legislation and practices for the better in nine of them.

Some countries demonstrate the best practice, namely removing discriminatory articles from their labor codes and strengthening guarantees for pregnant women and mothers (Moldova, 2017; Kazakhstan, 2021). Other countries have abolished only the lists of prohibited professions as such, while a reference to them still exists in the labor codes (Ukraine, 2017; Uzbekistan, 2019). A number of countries decided to apply professional prohibitions only for pregnant or women who recently gave birth (Azerbaijan, 2023). Some countries chose to gradually reduce the lists without changing their labor codes (Russia, Belarus, Tajikistan).

Even in the one year passed since last March, a big step forward has been made in promoting the goals and objectives of the campaign.

- In 2023, the legislation of Azerbaijan changed, after a list of 678 banned professions (the largest in the region) had been in force in Azerbaijan since 1999. The bans now apply not to all, but only to pregnant women and mothers of children under the age of one year.
- At the very end of 2023, the list of prohibited professions was almost halved in Tajikistan.
- Uzbekistan, where the list of prohibited professions was first abolished (2019), but soon replaced with almost the same "recommendatory" list, in early 2024 took a number of practical steps to bring relevant by-laws in line with the governmental decision to cancel the list. The rules for driver training and licensing have been changed, with women gaining de facto access to work as drivers of trucks or buses.

The UN Committee on the Elimination of Discrimination against Women (UN CEDAW) plays an important role in improving legislation and practices related to gender equality in employment. Considering the state reports of the countries of the Eastern Europe/Central Asia region, the UN CEDAW does not miss the opportunity to recommend the abolition of discriminatory bans, meaning not only legislative changes, but also any effective measures to ensure women's access to previously prohibited professions and fields of work.

For example, Turkmenistan formally abolished the discriminatory article of the Labor Code on prohibited professions back in 2019, however, no practical steps had been taken to guarantee women's right to work. This became the subject of criticism by the UN CEDAW during the consideration of the state report of Turkmenistan at the 87th session of the Committee in early 2024.

In some countries, women are already successfully working in jobs that were absolutely inaccessible for them a couple of years ago (for example, in Moscow and Saint Petersburg, women can now drive metro trains). This raises the prestige of women's work in previously purely "male" areas of employment.

In Eastern Europe and Central Asia, only Kyrgyzstan has not yet undergone any legislative or practical changes to overcome discriminatory professional prohibitions, despite the fact that civil society, including trade unions, and government agencies, such as the Ministry of Labor, Social Security and Migration, have been conducting a constructive dialogue in recent years and have prepared proposals to improve the situation. Kyrgyzstan has just recently ratified ILO Convention No. 190 concerning the elimination of violence and harassment in the world of work; a draft anti-discrimination law is being discussed with the participation of the Coalition for Equality. Against this background, the recommendations of the UN CEDAW to revise the list and to amend the Labor Code (the 80th session, 2021) remain unfulfilled.

The International Federation for Human Rights (FIDH), ADC Memorial, and the Human Rights Movement Bir Duino Kyrgyzstan, with the support of the Coalition for Equality (Kyrgyzstan), call on the Kyrgyzstani authorities to bring its legislation in line with international law, to lift professional bans and to give women a real opportunity to work wherever they want and can.

We also call on all countries in the region to continue fighting discrimination against women in employment, not to allow job refusals or dismissals due to gender characteristics of a person, not to limit the right to vocational education of women, their choice of employment, the type of work or profession, and their career path.

Recommendations of the UN CEDAW to Tajikistan: to stop persecution of women – human rights defenders and journalists, to ensure the women's right to work without discrimination

After reviewing the state report of Tajikistan at the 87th session, the UN Committee on the Elimination of Discrimination against Women published recommendations to the country's authorities.

The Committee is concerned about the obstacles that the authorities of Tajikistan are putting up to civil society, human rights violations and restrictions on the legitimate activities of female human rights defenders, journalists, activists, including representatives of ethnic and religious minorities. During the dialogue with the delegation of Tajikistan at the session, the Committee's experts asked particular questions about the persecution of Pamiri activist Ulfathonim Mamadshoeva, who was sentenced to a long term.

In its Concluding Observations, the Committee points out such negative facts as the closure of a large number of NGOs, including those headed by women; arrests of women activists and their sentences to long prison terms without due legal procedure; forced emigration of women human rights defenders due to the risk of reprisals by security agencies; reports of torture and ill-treatment, intimidation, harassment and violence against women human rights defenders, journalists and bloggers and their families.

It also urges the State party to:

- (a) Without impunity, investigate, prosecute and appropriately punish all acts of human rights violations against women human rights defenders, journalists, and online activists, and their families including when committed by police officers and other public officials, and provide victims with effective remedies;
- (b) Prohibit and punish the arbitrary and extra judicial arrest, detention, prosecution and unfair trial of women human rights defenders, journalists and other political dissenters, nor or employ other means of dissuading or discouraging them from exercising their rights to dissent;
- (c) Ensure the right to free speech and information and freedom of expression by news agencies and non-governmental organizations, especially those headed by women."

The UN CEDAW has paid serious attention to the right of women to work without discrimination.

ADC Memorial, conducting its #AllJobs4AllWomen campaign, calls for the abolition of the so-called "lists of prohibited professions" that prevent women from employment in well-paid sectors recognized as "harmful" to their reproductive health.

The Committee considers the "protective" provisions in Tajikistan legislation excessive and rooted in gender stereotypes (meaning Article 35 of the Constitution – prohibition of women working underground and "in harmful conditions"; the "list of prohibited professions", now shortened).

The Committee recommended that Tajikistan bring labor legislation in line with the new law on equality and non-discrimination and immediately cancel the list where about 150 professions remain banned. The experts recommend reviewing this ban in the light of technological progress and taking measures to improve working conditions for both women and men.

The Committee also recommended improving the employment of women in the formal economy and reducing the gender pay gap through the following measures:

ensuring continuous education for women, including online, educating employers about gender equality, taking temporary special measures for women's equal participation in the labor market; extend social protection to women who perform domestic and other unpaid work; increase access to employment for women with disabilities; ensure flexible working hours, promote equal distribution of household and family responsibilities between women and men, introduce mandatory family leave and parental leave, increase the number of affordable quality childcare facilities; strictly observe the principle of equal pay for work of equal value; ensure quotas for women in an innovative economy.

FREEDOM TO HUMAN RIGHTS DEFENDER MAXIM BUTKEVICH!

Max has always fought for unconditional respect for human dignity by all state institutions. He consulted, supported, and defended people from the most vulnerable and discriminated groups – refugees, people with migration experience. Since 2008, he has become one of the founders and active employees of the “No Borders Project”, aimed at helping asylum seekers and migrants, realizing the right to asylum in Ukraine, combating racism and xenophobia, countering hate speech in Ukraine, and helping victims of hate crimes. Maxim drew attention to the terrible conditions of detention in the Pavshino deportation camp in western Ukraine, fought to keep asylum seekers out of detention centers, in order to save people persecuted in their countries of origin from deportation.

ADC Memorial has been cooperating with Maxim Butkevich for many years. Back in the 1990s, his articles were published in the anti-fascist magazine *Tumbalalaika*. In 2014, when Russia began a military invasion in Eastern Ukraine, we contacted Max for help in the evacuation of Roma from a settlement near Mariupol; one family could not leave the dangerous area because they had problems with documents. Then Max went there himself and evacuated this family to a safe place. In March 2022, when it was difficult to find transport to evacuate civilians from Kyiv, it was Max who, at our request, helped Yevgenia Lutsenko, a member of the ADC Memorial’s Council, to leave for a safe place.

Since 2014, with the outbreak of the Russian war in eastern Ukraine, Max Butkevich’s field of activity has expanded to the protection of the rights of internally displaced persons from Luhansk and Donetsk regions and from Crimea – housing search, paperwork, benefits, humanitarian assistance. He became the coordinator of the Resource Center for Assistance to Internally Displaced Persons. After the annexation of Crimea and the occupation of Eastern Ukraine, Russia began political repressions in these territories. Butkevich became an active participant in the Committee of Solidarity with the Kremlin Hostages, which fought for the release of Crimean political prisoners, in particular Alexander Kolchenko and Oleg Sentsov.

During the pandemic of 2020-2021, when the borders were closed, Butkevich again, upon appeals from Russian human rights activists, helped the speedy release and return to Ukraine of hundreds of Ukrainian citizens who found themselves in Russian migration prisons for small violations of migration rules.

The head of the Civil Assistance Committee Svetlana Gannushkina says:

“I deal with refugees, while Max was led the work on refugees in Ukraine.



We demand the release of our friend and colleague, Ukrainian Human Rights defender Maxim Butkevich, who fought in the Armed Forces of Ukraine, was captured, and illegally convicted by the occupation authorities!

When we couldn’t help people get asylum in Russia and save them from trouble, for example, there was a risk of deportation, we sent them to Ukraine, and they were accepted by Max, who did incredible things... Even when Max was already drafted into the army and was in the Armed Forces, he coordinated the rescue of a woman – Russian citizen who needed shelter and support. She ended up in the territory where the fighting was going on, and from there she was taken away and transported to another European country. And there are a lot of such cases. In short, he just often did miracles...”

On October 19, 2023, Maxim Butkevich received the Anne Frank Special Recognition Award “for his work in upholding human rights and fighting against wrongs such as xenophobia and racism.”

After the outbreak of a full-scale war in February 2022, Maxim came to the point of the Armed Forces of Ukraine, and before being sent to the front, he volunteered in Kyiv. He explained the change in his fundamentally pacifist position by the fact that Russia by its armed attack violates all basic Human Rights – to life, to freedom, and personal integrity, and as a Human Rights defender he cannot resist this:

“Unfortunately, I have to put my refugee assistance, humanitarian and Human Rights activities on pause. [...] There are times when you have to be ready to defend the things that are important – I firmly believe in this. And all the rest will be after the victory. Fatherland and Freedom”.

Maxim Butkevich was captured on June 21-24, 2022. The “LPR Court” sentenced him to 13 years in a high-security colony. Maxim Butkevich via video link from the colony during the «appeal court session»:

“I would like to express my gratitude to all those who care about me – and about all Ukrainian prisoners of war, who are in a difficult situation right now.

Those who are in the status of prisoners of war, and those who are in the status of prisoners of war -convicts – we really hope that they do not forget about us. And we are constantly thinking about those who remained free, not only about our loved ones, but also about everyone who is now in Ukraine.”

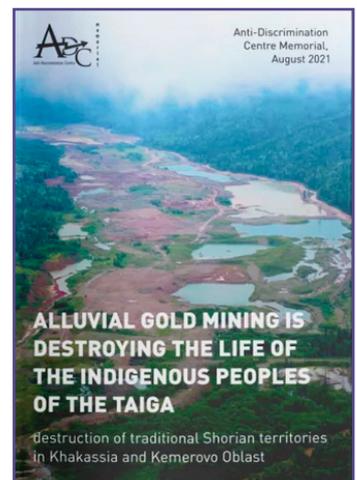
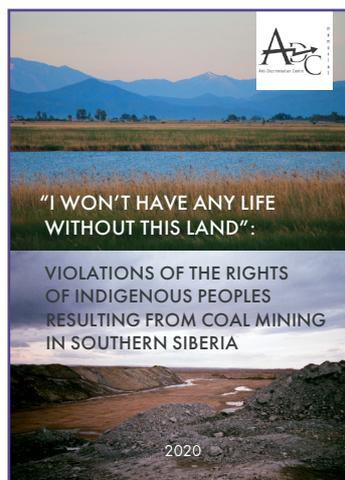
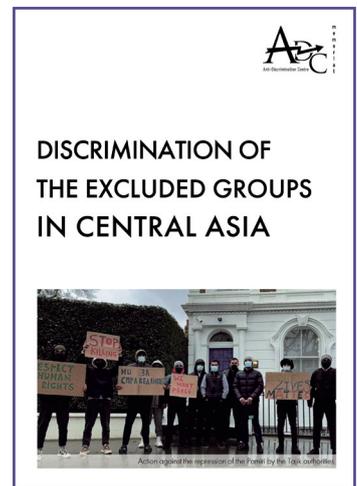
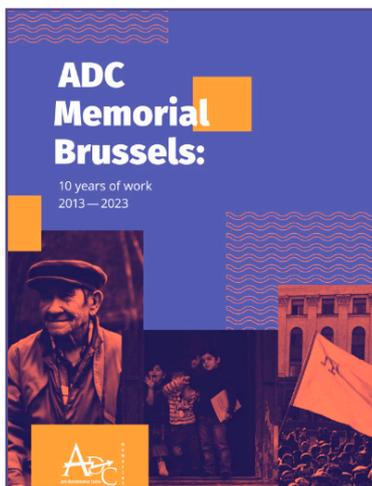
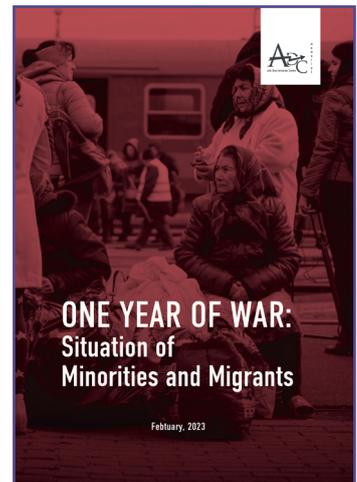
We call for special attention to Russia’s crimes against Maxim Butkevich during his captivity: torture, violence after his capture, illegal criminal and judicial prosecution, non-observance of his rights as a convict. Maxim Butkevich is a Human Rights activist and a prisoner of war; for a year and a half of captivity, information about him was still obtained, but there are thousands of prisoners of war, abducted, illegally convicted citizens of Ukraine, whose fate is unknown.

Russia must provide information about prisoners of war and allow representatives of international organizations to their places of detention, release the abducted civil people, and stop political persecution in the occupied territories.

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HUMAN RIGHTS REPORTS BY ADC MEMORIAL



ALL REPORTS HAVE RUSSIAN VERSION AND AVAILABLE ON THE ADCMEMORIAL.ORG