

**Mr Thomas Bach
President
International Olympic Committee**

30 November 2013

Written communication submitted at the meeting between President Bach and representatives of LGBT organizations on November 30, 2013 in Paris

Dear President Bach:

As human rights organizations that are working extensively for LGBT equality in Russia, in continuation of communications that we and our international partners have had with the International Olympic Committee about the incompatibility of the Russian discriminatory practices and policies targeting LGBT persons with the Olympic values and principles, we now reaffirm our grave concern regarding the absence of a clear statement and action by the IOC to uphold the values of non-discrimination and respect of human dignity.

The recently adopted 'anti-propaganda' legislation, as well as the public debate it has evoked, has already created an extremely hostile climate for LGBT persons in Russia. The 'propaganda' law is degrading in its nature, ascribing explicitly, in the national legislation, a fundamentally different status to LGBT persons, affirming their social inequality. This highly discriminatory regime triggered an increase of organized violence against LGBT persons and their allies, which has been extensively covered in the media throughout the past several months.

We believe that this legislation and the environment infringe and debase the Olympic values, and the IOC is in the unique position of both power and responsibility to ensure that the Winter Olympics 2014 do not embrace discrimination and violence against LGBT persons.

We reiterate the calls by numerous organizations and national officials for the IOC to publicly express support for those in the Olympic movement who speak up for basic human rights of LGBT persons; to condemn discriminatory laws and policies in the host country; to create a safe space for LGBT athletes and allies at the Games through establishment of a 'Pride House'; and to leave a legacy of explicit inclusion of sexual orientation in the non-discrimination policies.

We are aware of and are gravely concerned with the fact that the IOC does not acknowledge the urgency and necessity of this action, reiterating and endorsing vague assurances by the Russian government of non-discrimination at the Sochi Games.

While we appreciate your assurance that the IOC is committed to non-discrimination, we believe that everyone in the Olympic Movement should have a clear and well-informed understanding of the legal implications that exist in Russia in relation to the basic rights of LGBT individuals.

We ask the IOC to accompany these assurances with a clear commentary about the impact of the 'anti-propaganda' legislation on the Olympic movement and the 2014 Winter Games with respect to the following questions:

- Should two individuals of the same sex either hold hands or kiss in public, would that be seen as contravening the law? As a legal matter, would the public dissemination of such same-sex attraction by television, newspaper or internet impact the legal response of Russian authorities?
- Would a person be sanctioned or arrested for wearing "Gay Pride" or similarly themed clothing or accessories, or clothing items/accessories containing an LGBT-related insignia? Again, does it matter whether these LGBT insignia are captured and disseminated by the media or on the internet?
- What would happen should a person speak in favor of the equal treatment of LGBT persons – whether publicly or in what was intended to be a private conversation?
- Can athletes, spectators, or citizens speak affirmatively and positively about their family/ partnership if their family/ partnership is same-sex? Can they do so in communications with the media?
- Would a reporter asking questions related to the law be accused of violating the law?
- Would a reporter interviewing spectators under 18 years old who identify themselves as homosexual about their life experiences related to this identity be accused of violating the law?
- Would positive media presentation of same-sex families/ partnerships/ relationships, or LGBT identities of athletes, spectators, or citizens be considered a violation of the law? If so, who would be accused – interviewees? Media companies?
- Can Olympic athletes or spectators sport LGBT-themed apparel or pins, including officially-licensed London2012 rainbow pins or any other similar products out there from London2012? Can Russian citizens do so?
- Can athletes, spectators or citizens carry Gay Pride flags?
- Can athletes, spectators, or citizens distribute pamphlets concerning the human rights of all individuals, including those in "non-traditional sexual relationships," as a reflection of both their beliefs and their rights to freedoms of opinion, speech and expression?
- Would a child be taken from a couple if that couple either was or appeared to be gay or lesbian?
- Would children who have been adopted by lesbian or gay individuals or couples be allowed to enter the country?
- Can an LGBT athlete speak affirmatively and positively about their sexual orientation in pre- or post-competition interviews?
- Can a parent of an LGBT athlete – Russian or foreign – speak affirmatively of his/her child, including with reference to that athlete's sexual orientation or gender identity, in pre- or post-competition interviews?
- Can media coverage of the Games include examination of Russia's discriminatory legal climate directed against LGBT people? Are foreign and Russian media companies/ reporters treated differently?

- Are private sector companies not free to include same-sex couples in their advertising related to sponsorship of the Games? Are they permitted to include pro-LGBT messages of solidarity in their advertising? Are they allowed to have Pride-themed designs for their products?
- Is there a distinction in how any of these scenarios would be handled (a) within the Olympic Village, (b) in the broader Olympic security zones in and around Sochi, or (c) outside of those zones?
- Would the response to any of these questions differ depending on the citizenship of the individual(s)? Would foreign nationals be treated differently, inasmuch as the law specifies different penalties for foreigners?

With respect to the mission and role of the International Olympic Committee ‘to cooperate with the competent public or private organisations and authorities in the endeavour to place sport at the service of humanity’, ‘to act against any form of discrimination affecting the Olympic Movement’, and ‘to promote a positive legacy from the Olympic Games to the host cities and host countries’, we ask you to obtain from the Russian authorities clear and detailed commentary to each of the above questions before the Sochi Olympics, and as soon as possible, as the present lack of clarity is conducive to the games failing to respect the Olympic Charter. In vein of the mission of the IOC, it is crucial that these questions are answered with respect to both foreign and Russian citizens, and both the Olympic games period and the future.

Only such investigation and communication of its results to the public will allow athletes, spectators, reporters, and everyone else involved in the Olympic movement to understand how their involvement will be influenced by the national legislation in the host country and how the Olympic principles of non-discrimination and respect of human dignity are upheld in Russia.

Sincerely,

Anastasia Smirnova,
representing a coalition of LGBT organizations:

Russian LGBT Network
St Petersburg LGBT organization ‘Coming Out’
Side by Side LGBT Film Festival
Russian LGBT Sport Federation
Arkhangelsk LGBT organization ‘Rakurs’
Out Loud project