

Proposed law envisages a year in jail for anyone deemed to be promoting a "positive attitude" to homosexuality.

Draft legislation that threatens to ban "gay propaganda" is causing concern among human rights defenders in Kyrgyzstan.

The proposed law, which would make the distribution of information about same-sex relationships a criminal offence, passed its first reading in the Kyrgyz parliament on October 15 with the support of 79 out of 86 members present.

Inspired by similar legislation passed in Russia in 2013, the bill still has to go through two more readings and will then require President Almazbek Atambayev's sign-off to become law.

The wording of the bill is vague, mandating a one-year prison sentence for "forming a positive attitude to non-traditional sexual relationships" among minors or in the media.

Activists say this means that any information relating to the lesbian, gay, bisexual and transgender (LGBT) community could be classed as propaganda.

Nika Yurieva is a legal coordinator with the NGO Labris, which defends the rights of sexual minorities. She argues that the entire bill is nonsensical and based the false premise that spreading information about homosexuality makes people gay.

Yurieva warned that the punitive measures could extend far beyond the LGBT community, and make doctors, journalists and bloggers who discuss sexual minorities liable to criminal prosecution. Worse, it could create "difficult social repercussions against the backdrop of an increasing level of homophobia and transphobia", she said.

"In passing the bill, members of parliament will breach not only... the constitution but also international obligations, and this would have a negative impact on Kyrgyzstan's image," Yurieva continued.

Such a law would also make it easier for police to abuse and demand protection money from members of the LGBT community, she said.

"This problem is very acute even now. The police extort money from LGBT people and subject them to physical and sexual violence, threatening that they will make their sexual orientation public if they complain," Yurieva said.

The legislation has been widely condemned by international bodies. Ahead of the first reading, the United States embassy in Bishkek made it clear that people should not be silenced or jailed because of who they are or who they love.

Human rights NGO Frontline Defenders, based in Dublin, said it was "gravely concerned" that the bill sought to criminalise LGBT rights advocacy and was "effectively establishing impunity for any violent actions against LGBT rights groups". And on October 24, Ravina Shamdasani, spokesperson for the United Nations High Commissioner for Human Rights, called on the Kyrgyz government to refrain from pursuing legislation that "would embed in law discrimination against people who are lesbian, gay, bisexual or transgender".

Shamdasani noted that the UN had previously expressed concerns about discrimination and violence against LGBT people in Kyrgyzstan. "The draft law adds to those concerns and may lead to further violations," she said, adding that it would also harm public health responses, in particular among those with HIV and people most at risk of catching the virus.

Tensions have risen over the issue of LGBT rights in recent weeks.

On October 28, one of the members of parliament behind the bill, Tursunbay Bakir-Uulu, accused the LGBT community of setting up two fake websites in his name and "declaring war" on him. The identical websites feature a rainbow flag with text saying they were created to draw attention to "discriminatory and aggressive behaviour" towards the LGBT community. It also contains a link to the Facebook page of Labris.

Bakir-Uulu told reporters that he was going to take those who had created the website to court for defamation, adding, "Just for the information of the LGBT [community], I was not

the only initiator of the bill; there are other 23 members of parliament.”

Labris made it clear in a statement on October 27 that neither the organisation nor any other LGBT group in Kyrgyzstan had anything to do with the two websites.

“These domains contain information that was provocative in nature as well as giving a link to our own organisation’s accounts on social networking sites,” the statement said, noting that the group would be reporting this to the police.

Earlier in October, protesters disrupted a Bishkek performance by Kazaky, an all-male dance group from Ukraine. Set up four years ago, Kazaky attracted attention for its first video which showed four dancers performing in men’s clothes before transitioning to a more androgynous look with provocative outfits and stiletto heels.

According to Danil Mishin, art director of the Guns’n’Roses club which organised the tour, the protesters were “young people [who] were aggressive, many of them drunk”.

“There were between 200 and 300 of them with wooden sticks in their hands, and we decided not to risk the safety of our guests,” Mishin said, noting that the protestors lingered outside the club even after security guards helped the guests, mostly young women, to leave.

“I am more than convinced that this was paid for by someone and organised in advance,” Mishin said, stressing that the club had done nothing wrong. The management had received permission from the city authorities to host the show.

Yurieva said she believed the demonstration was staged to inflame tensions.

“The event was planned by a certain group of people with the aim of provoking a wave of homophobia and transphobia in society,” she said.

These allegations were denied by Jenish Moldokmatov, who represents a group called Kalys

which took part in the demonstration. He argued that other, more extreme groups were also present and that Kalys should be praised for preventing things turning violent.

"I myself had to act as a peacemaker during the protest," he said. "It was due to the presence of our organisation that a major crisis was avoided, because there were some men with radical views towards homosexuals present there. One of the main slogans was 'There never have been and never will be any gay people in our country'."

Moldokmatov said that he himself was an arts fan and a European-educated university graduate, but that the Guns'n'Roses club should have shown cultural sensitivity. The show, he said, was "an invisible mechanism for propagating homosexuality".

"I have stressed many times that the dance art presented by Kazaky is not compatible with the traditions and customs of our culture," Moldakmatov said. "Through their art they are... teaching values that make wearing tights and dancing wearing high heels normal."

Anna Verbenko is the pseudonym for a journalist in Kyrgyzstan.



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