



January 16, 2014

Via email: john.baird@international.gc.ca; Bal.Gosal@parl.gc.ca

The Honourable John Baird, P.C., M.P.
Minister of Foreign Affairs
Foreign Affairs
125 Sussex Drive
Ottawa, ON K1A 0G2

The Honourable Bal Gosal, P.C., M.P.
Minister of State (Sport)
Canadian Heritage
House of Commons
Ottawa, ON K1A 0M5

Dear Minister Baird and Minister of State Gosal:

Re: SOCHI Olympics and Russia's Anti-Gay Law

I write to express the Canadian Bar Association's profound concerns about the rights of lesbian, gay, bisexual and transgender (LGBT) people and their allies in Russia as the 2014 Winter Olympics and Paralympics in Sochi quickly approach. These concerns and recommended actions are articulated in the attached resolution adopted by the CBA's governing council. The CBA asks the Canadian government to denounce the Russian anti-gay law, and to seek clarification and confirmation from the Russian government that no Russian agency will enforce the anti-gay law during Sochi 2014.

Canada's LGBT athletes, spectators and supporters deserve assurances of their safety while in Russia. In addition to the work of the Canadian Olympic Committee, the Canadian government can provide important leadership to other countries in the Olympic movement by demonstrating Canada's commitment to the Olympic Charter principle of non-discrimination.

The anti-gay law that became law in June 2013 targets not only LGBT Russians, but their friends, families, neighbours, and anyone perceived to promote homosexuality or be sympathetic to homosexuals, both inside and outside of Russia. Since the debate and passage of the law, freedom of expression and association have been curtailed, along with increased hostility and violence toward LGBT Russians.

Russian President Vladimir Putin recently stated that Russia will make athletes, fans and guests at Sochi 2014 feel "comfortable", regardless of their sexual orientation. However, Russia's Interior Ministry, which controls the country's police force, states that the anti-gay law will be enforced during Sochi 2014. Accordingly, status of enforcement of the anti-gay law during Sochi 2014 is uncertain. IOC assurances, to the best of our knowledge, do not fully address the CBA concerns or put the LGBT community and its allies at ease. We are concerned that local authorities may enforce the anti-gay strictly, even against activities short of what Canadians would see as political protest.

Canada has the resources to meaningfully advance the Olympic Charter's core principles of human dignity and non-discrimination. I therefore urge you to publicly denounce Russia's anti-gay law and seek confirmation that, at very least, the anti-gay law will not be enforced by the Interior Ministry during Sochi 2014. I also ask you to urge Russia to repeal or not to enforce this legislation. These meaningful steps will help to ensure that LGBT athletes and supporters are safe, and that they experience Sochi 2014 as full and equal participants. These steps will allow our athletes to focus on their sports in the discrimination-free environment which Olympic Movement is committed to providing as part of its goal of building a peaceful and better world, without the threat of penalty under the anti-gay law.

Yours truly,

(original signed by Fred Headon)

Fred Headon

encl.

Denunciation of Anti-Homosexuality Bill in Russia

WHEREAS legislation has been proposed in the Russian State Duma (Parliament) that would target lesbian, gay, bisexual and transgender (LGBT) Russians, their friends, families and neighbours and anyone else perceived to be promoting homosexuality or otherwise sympathetic to homosexuals, whether they are inside or outside of Russia;

WHEREAS individuals in St. Petersburg have been arrested under municipal legislation similar in substance to the proposal before the State Duma;

WHEREAS the international community, including the Government of Canada, human rights groups and others have expressed concern about potential violations of the human rights of LGBT individuals and the right to free expression of other Russians resulting from this proposed law;

WHEREAS human rights activists have also cautioned about the impact of the proposed legislation on the political process and the rule of law in Russia, as it will potentially create a political climate of fear where allegations of

Dénonciation d'un projet de loi contre l'homosexualité en Russie

ATTENDU QU'un projet de loi a été déposé auprès du parlement russe (la Douma) qui vise les individus russes qui sont lesbiennes, gays, bisexuels et transgenres (LGBT), ainsi que leurs familles, amis, voisins, et toute personne perçue comme faisant la promotion de l'homosexualité ou faisant preuve de sympathie à l'égard des homosexuels, en Russie et ailleurs;

ATTENDU QUE des individus ont été arrêtés à Saint-Pétersbourg en vertu d'une loi municipale dont la teneur est semblable au projet de loi devant la Douma;

ATTENDU QUE la communauté internationale, y compris le gouvernement du Canada, des groupes de défense des droits de la personne et d'autres ont exprimé leur inquiétude envers la violation potentielle des droits de la personne des individus LGBT et de la liberté d'expression d'autres individus russes qui découlerait de ce projet de loi;

ATTENDU QUE les défenseurs des droits de la personne ont également mis en garde contre les répercussions du projet de loi sur le processus politique et la primauté du droit en Russie, qui engendrerait possiblement un

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accepting or promoting homosexuality are used to extort or silence criticism or dissent;

WHEREAS the United Nations adopted a resolution recognizing LGBT rights in 2011, and documented violations of the rights of LGBT people, including hate crimes, criminalization of homosexuality, and discrimination;

BE IT RESOLVED THAT the Canadian Bar Association join the Government of Canada and the international community to:

- denounce Russia's proposed anti-homosexual propaganda bill of 2012 and similar laws in Russia or elsewhere that criminalize or otherwise make unlawful talking or distributing information about homosexuality;
- urge Russia to comply with its international human rights obligations and not enact this proposed legislation;

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climat politique marqué par la peur dans lequel on utilise les allégations de tolérance et de promotion de l'homosexualité à des fins d'extorsion ou pour faire taire toute critique ou dissidence;

ATTENDU QUE les Nations Unies ont adopté une résolution qui reconnaît les droits des personnes LGBT en 2011 et a documenté les violations des droits de ces dernières, notamment les crimes haineux, la criminalisation de l'homosexualité et la discrimination;

QU'IL SOIT RÉSOLU QUE l'Association du Barreau canadien se joigne au gouvernement canadien et à la communauté internationale afin :

- de dénoncer le projet de loi russe de 2012 contre la « propagande homosexuelle » et toute loi semblable, en Russie ou ailleurs, qui a comme objet de criminaliser ou de rendre illégal le fait de parler ou de distribuer de l'information à propos de l'homosexualité;
- d'exhorter la Russie à respecter ses obligations internationales en matière des droits de la personne et de ne pas adopter ce projet de loi;

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- urge other members of the international community to comply with their international human rights obligations toward LGBT people, by repealing laws that criminalize or otherwise make unlawful homosexuality and the public expression of LGBT people and their reality.

Certified true copy of a resolution carried by the Council of the Canadian Bar Association at the Annual Meeting held in Vancouver, BC August 11-12, 2012

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- d'exhorter les autres membres de la communauté internationale à respecter leurs obligations internationales en matière des droits de la personne à l'égard des personnes LGBT en abrogeant les lois qui criminalisent ou qui rendent illégales l'homosexualité et l'expression publique des personnes LGBT et de leur réalité.

Copie certifiée d'une résolution adoptée, par le Conseil de l'Association du Barreau canadien, lors de son Assemblée annuelle, à Vancouver, C-B les 11 et 12 août 2012.

**John D.V. Hoyles
Chief Executive Officer/Chef de la direction**