



Autonomous Non-Commercial Organization for Social and Legal Services
"LGBT Organization Coming Out"

The Situation of LGBT Children and Children of LGBT Families in St. Petersburg, Russia

*Alternative submission for the Committee on the Rights of the Child
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The present submission is prepared by the Autonomous Non-Commercial Organization for Social and Legal Services "LGBT Organization Coming Out" (hereinafter – "LGBT Organization "Coming Out") for the consideration of the UN Committee on the Rights of the Child as an additional source of information to the Combined 4th and 5th periodic report of the Russian Federation CRC/C/RUS/4-5.

The submission covers two main problems, namely: **(1) regional law prohibiting so-called "propaganda of homosexuality among minors", as well as its official and non-official consequences, and (2) lack of any legal recognition of same-sex families with children, including specific areas where child-parent relations receive no legal significance in every day life.**

Data presented in the this submission were gathered by the LGBT Organization "Coming Out" in course of implementation of the Legal Assistance Program (including delivering legal consultations for LGBT individuals and couples, and a research of legal awareness and legal needs of the LGBT community in St. Petersburg), as well as the LGBT Parenthood Program. Besides, specific measures aimed at collecting cases of discrimination in LGBT families (through interview of parents from such families) were organized specifically for this submission in 2013.

"Coming Out" is a regional nonprofit St. Petersburg organization founded in 2008. We work for universal recognition of human dignity and equal rights of all regardless of sexual orientation or gender identity by lobbying and advocacy, educational and cultural events, and providing psychological and legal services to LGBT. We base our work on the principles of openness, visibility and nonviolence.

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A. LGBT children and children of LGBT families and the Convention on the Rights of the Child

According to the provisions of the Convention on the Rights of the Child, “States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status” (art. 2). The list of the protected grounds, therefore, is not closed, and according to a number of the Committee on the Rights of the Child's general comments, discrimination on grounds of sexual orientation and gender identity should not be allowed by the States Parties in relation to the rights of the child.¹

Besides, the Committee on the Rights of the Child has already recommended that the States Parties ensure full protection against discrimination on any grounds, including by: strengthening its awareness-raising and other preventive activities against discrimination and, if necessary, taking affirmative action for the benefit of children in vulnerable situations, such as (...) lesbian, bisexual, gay and transgender children and children living with persons from these groups; and taking all necessary measures to ensure that cases of discrimination against children in all sectors of society are addressed effectively, including with disciplinary, administrative or – if necessary – penal sanctions.²

As we will show in the present submission, discrimination of LGBT children and children raised in LGBT families, i.e. discrimination of children on grounds of their own or their parents' sexual orientation and gender identity, remains problematic in Russia and, specifically, in St. Petersburg.

B. St. Petersburg regional law prohibiting the so-called “propaganda of homosexuality among minors”

The Committee on the Rights of the Child has already emphasized importance of the child's access to adequate information about sexuality. Thus, it noted that “effective HIV/AIDS prevention requires States to refrain from censoring, withholding or intentionally misrepresenting health-related information, including sexual education and information, and that, consistent with their obligations to ensure the right to life, survival and development of the child (art. 6), States parties must ensure that children have the ability to acquire the knowledge and skills to protect themselves and others as they begin to express their sexuality.”³

It should be specifically emphasized that **the Committee has already called the State Party, the UK, to repeal a law restricting the so-called “promotion of homosexuality”** in schools.⁴ In 2002, after considering the periodic report of the UK, the Committee expressed its special concern that “homosexual and transsexual young people do not have access to the appropriate information, support and necessary protection to enable them to live their sexual orientation” and recommended that the UK “provide adequate information and support to homosexual and transsexual young people, and encourages the State party, further to the statement of intent made by its delegation to repeal section 28 of the Local Government Act 1988, where it applies.”⁵

In 2012, a law prohibiting the so-called “propaganda of sodomy, lesbianism, bisexualism, transgenderism among minors” was passed in St. Petersburg.⁶ According to the law, such propaganda is penalized by an administrative fine imposed on individuals in the sum of 5,000 RUR; on public officials –50,000 RUR; on legal entities – 250,000 RUR to 500,000 RUR.

A definition of the prohibited propaganda was also formulated by the legislator following the wording of the 2010 decision of the Constitutional Court of the Russian Federation.⁷ The propaganda is defined as “the activities aimed at targeted and uncontrolled dissemination of generally accessible information capable of damaging the health, moral and spiritual development of minors, including by inducing them to form warped perceptions that traditional and non-traditional married relations are equally socially acceptable.”⁸ In 2012, the Supreme Court of the Russian Federation found no violations of the Russian federal legislation by the St. Petersburg law, and stated in its decision that “propaganda of non-traditional sexual relations is an active public activity [...] related to the formation of an attractive image of non-traditional sexual orientation.”⁹

The lack of a clear definition of what exactly is prohibited under the law, noted by many researchers and lawyers, lead to a very vulnerable position of the LGBT families in the region. Same-sex parents raising their children in St. Petersburg, are afraid of application of the law towards them. In 2012-13, several lesbian couples with families contacted the Legal Assistance Program of the LGBT Organization “Coming Out” expressing such concerns (they were afraid of fines that could be imposed on them just because of the raising children in their families), and this risk was discussed at the events organized under the LGBT Parenthood Program.

While no incidents of direct application of the law towards LGBT families in St. Petersburg were reported, the law creates also an atmosphere of intolerance around LGBT families, and even if law enforcement bodies would not apply the law towards LGBT families, people around could infringe into the LGBT families every-day life by reporting about them to the social services, local police or guardianship agencies. Thus, according to the public poll conducted by the Levada Analytical Center in 2013 (hereinafter – “2013 Public Opinion Poll”), 50 % of the respondents definitely consider raising children in a same-sex family as “propaganda of homosexuality,” and other 28 % rather agree with this. At the same time, 30 % of the respondents said that they are very afraid that their children or grandchildren “will fall the victim of homosexual propaganda,” and other 31 % are rather afraid of this.¹⁰

The respondents in the online survey research conducted by the LGBT Organization “Coming Out” in 2012-13 (hereinafter – “the Online Survey 2012-13”), also mentioned that the law affected their lives as they raise children in same-sex families. For example, one of the respondents mentioned that “since there are children and we have to explain them that they should not tell anybody that they have two mothers, in order to avoid bullying at school or kindergarten from children and adults.”

Apart from that, the law could stop all the attempts to explain an importance of tolerance and non-discrimination of LGBT people in school, and could harm LGBT adolescents as they could lose any professional support and objective information related to their sexual orientation or gender identity.

According to the Online Survey 2012-13, of 337 LGBT respondents from St. Petersburg and Leningradskaya Oblast, 247 (73 %) considered the St. Petersburg law prohibiting the so-called “propaganda of homosexuality” negatively because it “deteriorate lives of LGBT adolescents,” and 266 (79 %) – because “it is discriminatory on itself.” One of the respondents said, “I am a school teacher. Now I cannot say to the pupils that non-traditional sexual orientation is normal.”

C. Lack of legal recognition of same-sex families with children

While the Russian legislation, regulating child-parent relations or relations between a child, a parent and a state official or institution, does not mention specifically sexual orientation or transsexuality, LGBT families face problems when the laws are applied in practice. Such problems are related to adoption of a child or foster family creation, lack of any legal recognition of relations between a child

and her/his second (usually non-biological) parent, as well as perception of the child's LGBT family by people around.

Representatives of LGBT community admit that the lack of legal recognition of children in same-sex families is one of the biggest problems for LGBT families. According to the Online Survey 2012-13, out of 338 respondents 225 (67 %) individuals consider legal barriers as the barrier for raising children in same-sex families in Russia, 304 (90 %) individuals pointed on the unwillingness of the society to accept such types of family.

- **Problems related to the child coming into the family**

Formally homosexuality in Russian Federation is not the reason to refuse in adoption/custody. However, as told by one of the individuals of the focus-group held by LGBT organization "Coming out" several years ago – an openly gay man: on the initial interview with a psychologist in the corresponding bodies he was told that being openly gay reduces his chances in adoption/custody. Other LGBT parents who started the process of adoption/custody told they had to hide their homosexuality and real content of the family (second homosexual partner), or actual family income (because income of the second partner was not considered)¹¹ from the bodies of trusteeship and guardianship. The same evidences we see in the cases we collected for the present submission.

"In the process of custody one had to obtain a psychological summary approving the family for a child. In reality, this summary was given to one individual who was considered as single. Bodies of trusteeship and guardianship do not even have specific forms for such cases (however, it has a special form for "de facto union", for a man and a woman living as one family without official marriage registration)¹².

In September 2012, Dariya (f) made a serious decision to adopt a child and started taking classes at the "School of adopters". On the question of psychologist about her status Dariya replied that she had a family with Sveta (f). Psychologist made a comment that in this case it was not recommended for Dariya to adopt a child because this family would not be happy for a child.

It was clear that such adopters were not welcome. The psychologist said also that if inspectors understood that Dariya was not a single woman but was living in a homosexual family, they would not approve her adoption process. Dariya realized that if she wanted to continue adoption process, she would have to change the adopters' school and hide her life in the new one.¹³

At the same time, to create obstacles for the adoption for the reason of sexual orientation and same-sex family relations of the potential adopter is the violation of the right for respect for private life and discrimination in accordance with the international human rights obligations of the Russian Federation. Thus, the European Court of Human Rights in the case of **E.B. v. France**,¹⁴ considering a refusal of a request by a single woman in a stable relationship with another woman for prior authorization to adopt a child, found a violation of Article 14 of the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms, taken in conjunction with Article 8.

Public opinion about the possibility for LGBT people to bring up children remains very negative. 2013 Public Opinion Poll showed that 62 % of respondents disagree with the statement that same-sex couples should have a right to adoption, 18 % of respondents replied, "I'd rather disagree". At the same time, 2 % and 3 % of respondents respectively replied, "I agree" or "I'd rather agree" with the statement that "same-sex couples should have a right to adoption".

- **Problems related to legal status of non-biological (non-legal) parent**

Russian legislation does not provide for any instruments that would allow a child in the same-sex family to have official legal relations with the second parent – partner of the legal parent.

At the same time, the Russian family legislation allows second parent adoption for heterosexual couples – even if they are not married.¹⁵ In our opinion, this position is discrimination – including the

discrimination of a child based on the sexual orientation of her/his parents. Such interpretation was already given by the European Court of Human Rights in its judgment in the case of **X and Others v. Austria**¹⁶ when it ruled that Austria's Civil Code discriminates against a partner in a same-sex relationship by making it legally impossible to adopt the biological child of the other partner while permitting second parent adoptions for unmarried heterosexual couples.

Lack of legal recognition of relations between a child and her/his second parent causes many difficulties in every day life.

Medical institutions

The Russian legislation¹⁷ does not endow individuals who are not relatives or legal representatives (i.e. foster parents legally recognized by the official order of bodies of trusteeship) with the rights to visit a child in medical institution, to make decisions on her/his health, to obtain information or documentation on her/his health. Examples of the St. Petersburg families proves that de facto parent may have no access to the child, and legal parent is forced to take all care in medical institution.¹⁸

"In 2010, the child was at the infectious department of the hospital only with his one mother (official guardian). Second de facto parent was not allowed to visit them. She could only bring clothes and leave it on the reception desk. She was not allowed to go to the ward, nor could she stay and relieve the first parent".¹⁹

In 2013, a child was sick and Nataliya, his legal mother, was sent to the hospital. They had to pack very fast and did not take all stuff. When Olga, a non-biological mother, brought stuff to the hospital, security did not let her in explaining there was a quarantine (at the same time, there were two more ladies in the Nataliya's ward who were visited by their husbands easily). Nataliya told that she had an agreement with the hospital and Olga was her close relative, but security kept on insisting and did not allow Olga to go to the ward without permission of the department head. Ladies turned to the department head, but she noted that the agreement had a mistake (she did not explain the mistake itself) and refused Olga in the right of visiting medical institution and meeting with her child and partner. In order to meet Olga, Nataliya had to leave a child in the ward (medical staff did not allow to bring the child out of the ward) and go to the security checkpoint.²⁰

A non-biological mother faced problems every time she visited hospital with a child. Doctors told her that mother should bring a child herself and should not send strangers. They also said that next time they would not allow attendance.²¹

Passport check-points, registration at the place of residence, citizenship

Since a child in LGBT family is not recognized as legally connected to the second de facto parent, s/he does not have a right to registration on the place of residency, obtaining citizenship or approval for residency under the simplified scheme. De facto parent could not represent the child's interests. All this is represented by cases from of the St. Petersburg LGBT parents' lives.

In November 2012, a couple (Olga and Nataliya) along with a child and Nataliya's mother went to Egypt for vacation. On the border check Nataliya was the first in line, and the child stayed with the second mother, Olga. Border check staff did not want to allow Olga with a child to pass the border explaining that she was a stranger for the child. After this, Nataliya had to shout through the entire corridor that Olga had a right to be with the child and pass the border. Border check staff made a remark to Nataliya and told she did not have a right to leave the child with a stranger.²²

"When we go on vacation and cross the border, we need to keep in mind that a child should pass the border only with the official parent, and the second one should keep the distance and pass separately."²³

In June 2012, Lyudmila, Olga and their three little children who could not toddle yet by that time, went abroad on vacation. On the passport check point, Lyudmila was not even allowed to help Olga to hold children or simply stay close to them or hold a child's hand.²⁴

Parents of Nataliya, whom she visits regularly, live in the closed city, and the entry is allowed only for residents or their families, and with special pass-cards. Since Nataliya is the biological mother of a child, she and her child are allowed to go into the city, but Olga does not have this right. Due to this fact, security staff does not allow Olga to enter the city territory. This deprives her the right to be with the child who has been raised by her from the birth. Ladies requested a single use pass-card, but received a refusal. Presently, the couple plan to have another child whose biological mother will be Olga, and they are afraid of deterioration of the situation. In this case, not only Olga, but also the younger child will not be able to enter the city.²⁵

Dariya and Sveta have problems with registration of Sveta in the apartment of Dariya. Since their relations are not legally recognized, registration process goes according to the lease contract. It has to be prolonged every time (while for relatives or spouses, registration would be termless). The couple's child is registered on the place of residence of the legal parent – Sveta, therefore he has the same problems.²⁶

Zhanna and Marina are from Ukraine and they raise a child together (legal parent is Marina). Zhanna goes to St. Petersburg for business reasons quite often and stays there for a long time. The couple plan to move to St. Petersburg. Zhanna was born in Russia, and therefore she can obtain citizenship and residence approval quite easy. Marina and the child visit Zhanna, but they cannot use a simple scheme available for Zhanna, since legally they are not Zhanna's family members. They have to obtain short-term visas and every 90 days leave the country and enter it again. After the move this will become more complicated, and without registration and citizenship the child will have problems with kindergarten, school and medical care.²⁷

Dariya and Sveta plan to move to Germany permanently. Dariya has relatives there. In order to move, Sveta and their child must provide for relatives sponsorship documents (since presently she is staying at home with the small child and her official income is very low). According to the Russian legislation, this family is not recognized, and Dariya is a stranger for Sveta and the child; therefore her sponsorship letter is useless.²⁸

Relations with employers

De facto but not legal parent is not allowed to have a sick leave if a child is sick. All responsibility for a child is put to the legal parent with no alternatives.

“A second parent works officially on the labour contract. On her job, she is openly gay and everybody knows she has a child in her same-sex family. She asked the employer if she could have a sick leave, but received refusal with explanation that unless she provides foster parent confirmation documents, she will not be given a right for a sick leave.”²⁹

Social rights and benefits

If a same-sex family raises children, whose legal parents are different partners (i.e., the family has 2 and more children), they do not have a right for the benefits and funds available for heterosexual families in the same case. This is mostly related to the child's preference right to be enrolled into the kindergarten or school of the child's brother or sister, the right to the financial benefits, etc.

Nataliya and Olga already have a child, whose biological mother is Nataliya. Presently, they plan to have a second child, whose biological mother will be Olga. Ladies rent an apartment, and they want to have the right for federal subsidies for multiple-child families and other privileges and benefits available for heterosexual families in the same situation. This would help them, but legally this opportunity is not available for them. Furthermore, they have already consulted with staff of kindergarten which the first child attends, if it will be possible for children to attend the kindergarten together (heterosexual families has a privilege to have both children in the same kindergarten). But the couple received a refusal. With the second child, the couple will have to put themselves in the long waiting list for another kindergarten since legally their children will not be considered as relatives.³⁰

- **Problems related to raising children born in previous heterosexual relations**

The Russian family legislation does not provide for any advantages for heterosexual parents over bisexual or homosexual ones. However, we recorded a lot of cases when after finishing heterosexual relations from which a child was born, one of the parents starts new same-sex relations, and this fact itself becomes the reason for manipulation, abuse and blackmail with a child by the heterosexual parent.

Elena has two children (5 and 7 y.o.) from her previous heterosexual relations. Officially marriage with her ex-husband has not been dissolved yet. Elena is in relations with Anna now. Anna spent a lot of time with children, took them to museums and for a walk. Elena is planning to divorce, but her ex-husband threatens her and claims that in the court he will tell that he is against raising his children in a same-sex family. He forbade Anna to visit children despite the fact that they miss her. Relatives of Elena do not support her.³¹

- **Problems regarding raise of a child in the “substitute family” (custody, foster family, adoption)**

Even if LGBT families succeed in adoption or custody (in this case, legal representative of a child becomes only one individual, mentioned as a single foster parent or adopter), they are forced to hide relations of the child with second de facto parent and act as this parents doesn't exist in the life of a child.

“Custodianship agencies control the process of upbringing of a child and her/his wellbeing – once a year reports must be submitted, once per 6 months they visit the house, and in other time they may contact parent and ask how things are going. We tried to submit the report through the second parent – it is all impossible, custodianship agency inspectors receive reports only through the official foster parent. We have to hide everything. When inspectors come to our house, the second parent has to leave it and walk around. When we describe in reports what does the child do, the second parents is not mentioned at all.”³²

- **Problems with relatives**

Negative perception of homosexuality in the Russian society automatically projected to LGBT families. Relatives of LGBT parents often blackmail them with children, create conflicts between a child and her/his parents, threaten with initiating difficulties or simply reject a child.

“Parents forbid me to tell about my family to other relatives; they intimidate and blackmail me saying they will create conflict between all other relatives and me, will create problems with registration or deprive me property. They told me I cripple the child's life and lie everyone.”³³

- **Pedagogic and educational institutions**

Pedagogic and educational institutions' staff might have negative attitude towards same-sex families with children. And children's actual relations with non-legal parents can be ignored.

“In the kindergarten, only a psychologist knew about our family. And when there were children's parties in the kindergarten, for instance, when children gave presents to their mothers on March 8th, or the concerts for family members were organized – psychologist recommended us to “keep head down” and do not attract attention. In fact, we had to exclude the second parent totally from all interactions with kindergarten. At the same time, our child calls both of us “moms”, but kindergarten staff did not repeat this word towards the second partner – they said “somebody came for you” or “your friend came for you.”³⁴

Kindergarten staff did not give a child to the non-biological parent in the situation when legal mother did not have a chance to arrive.”³⁵

- **Problems related to dissolution of same-sex couples with children**

One important problem that LGBT parents have to deal with on their own, due to the lack of legal framework, is the issue of relations of a child with second parent in case of same-sex couple break-up. This situation does not usually develop in the interest of a child: first, they have no legal possibility to receive financial maintenance (alimony); second, there is a high risk that further interactions of a child and her/his second parent will be terminated by the initiative of biological parent. Lack of social protection considered by many parents as imminence that gay people must put up with. This causes the opinion that is spread among lesbian parent that biological mother takes full responsibility for a child and does not have any right to count on the support of a social parent in case of divorce.³⁶

After the disruption of the previous relations, a partner kicked Katya with her child out to the street without any means of subsistence. Katya with her child had no financial support and were forced to seek help of friends in other city.³⁷

D. Recommendations to the Russian Federation:

- repeal the St. Petersburg law prohibiting the so-called “propaganda of sodomy, lesbianism, bisexualism and transgenderism among minors”;
- provide awareness-raising campaigns for tolerance and respect for different families, including same-sex families with children;
- introduce the components of equality of different families, including same-sex families with children, to the training programs for specialists working with children (social workers, psychologists, teachers, family law lawyers), and promote modern socio-psychological researches proving the absence of damage for a child in case of upbringing her/him in a same-sex family;
- prohibit and bringing to responsibility, if necessary, for public speeches promoting social intolerance towards LGBT children or children from LGBT families, and their parents;
- develop and introduce in legislation mechanisms that allow to recognize and protect relations between a child in same-sex family and her/his second parent, in specific every-day life situations.

References

¹ **The right to non-discrimination (art. 2):** Of concern also is discrimination based on *sexual orientation* [italics added]. In the design of HIV/AIDS-related strategies, and in keeping with their obligations under the Convention, States parties must give careful consideration to prescribed gender norms within their societies with a view to eliminating gender-based discrimination as these norms impact on the vulnerability of both girls and boys to HIV/AIDS. (*Convention on the Rights of the Child: General Comment No. 3: HIV/AIDS and the rights of the child / Committee on the Rights of the Child, 17 March 2003, CRC/GC/2003/3, ¶ 8*).

The right to non-discrimination: States parties have the obligation to ensure that all human beings below 18 enjoy all the rights set forth in the Convention without discrimination (art. 2), including with regard to “race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status”. These grounds also cover *adolescents’ sexual orientation* and health status (...). Adolescents who are subject to discrimination are more vulnerable to abuse, other types of violence and exploitation, and their health and development are put at greater risk. *They are therefore entitled to special attention and protection from all segments of society* [italics added]. (*Convention on the Rights of the Child: General Comment No. 4: Adolescent health and development in the context of the Convention on the Rights of the Child / Committee on the Rights of the Child, 1 July 2003, CRC/GC/2003/4, ¶ 6*).

Elements to be mainstreamed into national coordinating frameworks: The following elements need to be mainstreamed across the measures (legislative, administrative, social and educational) and stages of intervention (from prevention through to recovery and reintegration): (...) (g) Children in potentially vulnerable situations. Groups of children which are likely to be exposed to violence include, but are not limited to, children: (...) who are *lesbian, gay, transgender or transsexual* [italics added]. (*Convention on the Rights of the Child: General Comment No. 13: The right of the child to freedom from all forms of violence / Committee on the Rights of the Child, 18 April 2011, CRC/C/GC/13, ¶ 72*).

The right to non-discrimination: In order to fully realize the right to health for all children, States parties have an obligation to ensure that children’s health is not undermined as a result of discrimination, which is an important factor in creating vulnerability. A number of grounds on which discrimination is proscribed are outlined in Article 2 of the Convention, including the child’s, parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. These also include *sexual orientation, gender identity* and health status, for example HIV status and mental health [italics added]. (*Convention on the Rights of the Child: General Comment No. 15: The right of the child to the enjoyment of the highest attainable standard of health (Article. 24) / Committee on the Rights of the Child, 14 March 2013, CRC/C/GC/15, ¶ 8*).

² See: *United Kingdom of Great Britain and Northern Ireland*, ¶ 25 CRC/C/GBR/CO/4 (2008); *New Zealand*, ¶ 25 CRC/C/NZL/CO/3-4 (2011).

³ Convention on the Rights of the Child: General Comment No. 3, ¶ 16.

⁴ Section 28 of the Local Government Act 1988. “Prohibition on promoting homosexuality by teaching or by publishing material. A local authority shall not – (a) intentionally promote homosexuality or publish material with the intention of promoting homosexuality; (b) promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship.” See: <http://www.legislation.gov.uk/ukpga/1988/9/section/28>.

⁵ See: *United Kingdom of Great Britain and Northern Ireland*, ¶ 43-44 CRC/C/15/Add.188 (2002).

⁶ On Changing the Law of St. Petersburg on Administrative Offences in St. Petersburg: Law of St. Petersburg No. 238 of 29 February 2012. Available in Russian at: <http://www.rg.ru/2012/02/29/zak-piter-admin-pravonarush-reg-dok.html>.

⁷ On refusal to consider the complaint of citizens Alekseyev Nikolay Aleksandrovich, Baev Nikolay Viktorovich and Fedotova Irina Borisovna regarding the violation of their constitutional rights by Article 4 of the Law of Ryazan Region on the Protection of Morality and Health of Children in Ryazan Region: Decision of the Constitutional Court of the Russian Federation of 19 January 2010.

⁸ On Changing the Law of St. Petersburg on Administrative Offences in St. Petersburg: Law of St. Petersburg No. 238 of 29 February 2012. Available in Russian at: <http://www.rg.ru/2012/02/29/zak-piter-admin-pravonarush-reg-dok.html>.

⁹ Decision of the Supreme Court of the Russian Federation of 3 October 2012: Case No. 78-A1112-16. Available in Russian at: http://www.supcourt.ru/stor_pdf.php?id=508846.

¹⁰ Available in Russian at: <http://www.levada.ru/12-03-2013/strakh-drugogo-problema-gomofobii-v-rossii>.

¹¹ Sozaev V., Semenova S., Gudzovskaya N. LGBT parenting: problems, needs, perspectives / Edited by V. Sozaev – SPb ANO “LGBT Organization ComingOut”, 2010. P. 14 Available in Russian at: <http://www.comingoutspb.ru/assets/files/lgbt-parentshood.pdf>.

¹² Anna (29 y.o.) and Zlata (30 y.o.). Raise a child for 4 years under foster care.

¹³ Dariya (35 y.o.) and Sveta (38 y.o.), raise a child together (2 years 8 mnths). Legal mother – Sveta.

¹⁴ Application 43546/02, judgment of 22 January 2008.

¹⁵ See, in more detail: Kirichenko K.A. Study on Homophobia, Transphobia and Discrimination on Grounds of Sexual Orientation and Gender Identity: Legal Report: Russian Federation. P. 30. http://www.coe.int/t/Commissioner/Source/LGBT/RussiaLegal_E.pdf.

¹⁶ Application 19010/07, judgment of 19 February 2013.

¹⁷ On Foundation of Health Care in the Russian Federation: Federal Law No. 323-FZ of 21 November 2011. Available in Russian at: <http://www.rg.ru/2011/11/23/zdorovie-dok.html>.

¹⁸ Several cases collected by us show the lack of legal recognition of relations between partners. However, it could be supposed that the same principle would be implemented for relations between child and non-legal parent. *When Sveta was in a hospital for the maintenance of pregnancy, Dariya was not allowed to visit her without document proving their relations status (of course, lady did not have such documents).* (Dariya (35 y.o.) and Sveta (38 y.o.), raise a child together (2 years 8 months). Legal mother – Sveta.) *In 2012, Zhanna got to hospital, then spent some time at home recovering. It was difficult for her to visit the doctor at the hospital. When Marina, her partner, came to the hospital to obtain medical documentation, she was refused to get it and was explained that only Zhanna or her relatives could have an access to the documentation.* (Marina (34 y.o.) and Zhanna (37 y.o.) planned and raised a child together (4 years), biological and legal mother – Marina)

¹⁹ Anna (29 y.o.) and Zlata (30 y.o.). Raise a child for 4 years under foster care.

²⁰ Olga (27 y.o.) and Nataliya (27 y.o.). Together for 5 years, raise a child (1.5 y.o.), Nataliya is a biological mother. Plan to have a second child.

²¹ Katya (28 y.o.) and Zhenya (26 y.o.). Raise a daughter (9 y.o.), biological mother – Katya. The child has come from previous heterosexual relations.

²² Olga (27 y.o.) and Nataliya. Together for 5 years, raise a child (1.5 y.o.), Nataliya is a biological mother. Plan to have a second child.

²³ Anna (29 y.o.) and Zlata (30 y.o.). Raise a child for 4 years under foster care.

²⁴ Lyudmila (27 y.o.) and Olga (30 y.o.). Together planned and raise 3 children (2 y.o. each). Biological and legal mother is Olga.

²⁵ Olga (27 y.o.) and Nataliya. Together for 5 years, raise a child (1.5 y.o.), Nataliya is biological mother. Plan to have second child.

²⁶ Dariya (35 y.o.) and Sveta (38 y.o.), raise a child together (2 years 8 months). Legal mother – Sveta.

²⁷ Marina (34 y.o.) and Zhanna (34 y.o.), together planned and now raise a child (4 y.o.), biological and legal mother is Marina.

²⁸ Dariya (35 y.o.) and Sveta (38 y.o.), raise a child together (2 years 8 months). Legal mother – Sveta.

²⁹ Anna (29 y.o.) and Zlata (30 y.o.). Raise a child for 4 years under foster care.

³⁰ Olga (27 y.o.) and Nataliya. Together for 5 years, raise a child (1.5 y.o.), Nataliya is biological mother. Plan to have second child.

³¹ Obtaining legal consultancy at the LGBT organization “ComingOut, 2013.

³² Anna (29 y.o.) and Zlata (30 y.o.). Raise a child for 4 years under foster care.

³³ Anna (29 y.o.) and Zlata (30 y.o.). Raise a child for 4 years under foster care.

³⁴ Anna (29 y.o.) and Zlata (30 y.o.). Raise a child for 4 years under foster care

³⁵ Katya (28 y.o.) and Zhenya (26 y.o.). Raise a daughter (9 y.o.), biological mother – Katya. The child has come from previous heterosexual relations.

³⁶ Sozaev V., Semenova S., Gudzovskaya N. LGBT parenting: problems, needs, perspectives / Edited by V. Sozaev – SPb ANO “LGBT Organization ComingOut”, 2010. P. 14 Available in Russian at: <http://www.comingoutspb.ru/assets/files/lgbt-parentshood.pdf>.

³⁷ Katya (28 y.o.), biological mother of a child.