



# Eurasian Coalition on Male Health

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Nursultan Nazarbayev, President of the Republic of Kazakhstan

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Esteemed President of the Republic of Kazakhstan,

In response to the recent news that the Parliament of the Republic of Kazakhstan has approved, in the first reading, a law on “the protection of children from information harmful to their health and development,” (No. 55, 16.01.2015) which includes a provision prohibiting information about “non-traditional sexual orientations” among minors, and a law on “the introduction of amendments and additions to several legislative acts of the Republic of Kazakhstan about the protection of children from information harmful to their health and development” (No. 56, 16.01.2015), the Eurasian Coalition on Male Health writes you with the hope that you will not sign the bill into law.

The laws are being considered with the intention of protecting children. Many articles of the bills are well written and actually help to protect children from information related to violence or pornography. However, the article prohibiting information about “non-traditional sexual relationships” oversteps this goal and actually harms children.

These laws send the message to Kazakh society that it is wrong and unnatural to be homo- or bisexual and that it is harmful to tell children that being gay is okay. Such messages are clearly harmful to children and teenagers who might identify as lesbian, gay or bisexual (LGB) and will negatively affect the mental health of LGB youths. Studies by the US Centers for Disease Control showed that LGB youths are more than four times more likely to attempt suicide than their heterosexual peers,<sup>1</sup> while another study found that LGB teenagers living in supportive environments attempt suicide less often than those living in less accepting environments.<sup>2</sup>

If these bills are signed into law, they will contribute to an increase of societal stigma against LGB. They will lead to growing incidents of violence, abuse, and discrimination against citizens with alternative sexual orientation, as the situation in Russia has shown after the introduction there of an “anti-gay propaganda” law.

The bills will also likely have a negative impact on public health of Kazakhstan, including an increased vulnerability of some of its citizens to HIV infection.

An increasing number of studies show that HIV is a re-emerging problem among men who have sexual relations with other men (MSM) in the countries of Eastern Europe and Central Asia. National surveys and peer-reviewed research consistently point to the fact that MSM in the region increasingly face the burden of the HIV epidemic and prevalence of the disease among them exceeds that of the general population.<sup>3</sup>

Restrictive legislation, such as the article banning information about “non-tradition sexual orientations” complicates health advocacy targeting young MSM, since the distribution of

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<sup>1</sup> CDC. (2011). Sexual Identity, Sex of Sexual Contacts, and Health-Risk Behaviors Among Students in Grades 9-12: Youth Risk Behavior Surveillance. Atlanta, GA: U.S. Department of Health and Human Services.

<sup>2</sup> Hatzenbuehler ML. The Social Environment and Suicide Attempts in Lesbian, Gay, and Bisexual Youth. *Pediatrics*. 2011 May; 127(5):896-903.

<sup>3</sup> UNAIDS (2013) UNAIDS report on the global AIDS epidemic; Baral S, Sifakis F, Cleghorn F, Beyrer C (2007) Elevated Risk for HIV Infection among Men Who Have Sex with Men in Low- and Middle-Income Countries 2000–2006: A Systematic Review

educational materials might be considered “propaganda”. Younger gay and bisexual men who have had no prior sexual health education on the prevention of HIV and other sexually transmitted infections will be put at an increased risk.

The articles of the bills prohibiting information about “non-traditional sexual orientations” also violate Article 14 of the Constitution of the Republic of Kazakhstan, which provides that “No one shall be subject to any discrimination for reasons of origin, social, property status, occupation, sex, race, nationality, language, attitude towards religion, convictions, place of residence or any other circumstances.”

The international community criticized the adoption of similar laws in Russia and elsewhere. Moreover, in early 2014, the UN Committee on the Rights of the Child stated that these laws encourage severe discrimination and abuse towards individuals of non-traditional sexual orientation, including minors, under the guise of “child protection”. In November 2014 г., UNICEF said that further steps should be taken to change attitudes and protect children and families from discrimination based on their sexual orientation and gender identity.<sup>4</sup> Several countries in the EECA region, such as Moldova and Ukraine, considered introducing similar laws, but rejected them, after realizing that such laws pose, among others, tremendous public health threats.

Kazakhstan is signatory to numerous international conventions on non-discrimination and human rights for all citizens. These conventions include the International Covenant on Civil and Political Rights (ICCPR), which specifically prohibits discrimination on the basis of “race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. In a 1994 decision, the UN Human Rights Council ruled that “sex” as defined by Article 26 of ICCPR also includes sexual orientation. Thus discrimination of sexual minorities is in direct violation of the articles of the Covenant.

Together with Declarations of Commitment on HIV/AIDS (2001 and 2011) and Political Declarations on HIV and AIDS (2006 and 2011), these international conventions indicate that the elimination of legal barriers to the equal and adequate provision of educational programs and other services that fight the HIV epidemic is essential.

Thus, the Eurasian Coalition on Male Health kindly asks you to carefully examine these scientific and legal arguments and consider the opinion of the international community and reject the bill, including the ban on “information about non-traditional sexual orientations.”



Vitaly Djuma  
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*The Eurasian Coalition on Male Health (ECOM) is an association of organizations, groups, and activists in Eastern Europe and Central Asia, advocating for improved access of MSM and transgender people to evidence-based and human rights oriented services in the field of sexual and reproductive health, including HIV.*

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<sup>4</sup> UNICEF. Position Paper “Eliminating discrimination against children and parents based on sexual orientation and/or gender identity”.  
[http://www.unicef.org/media/files/Position\\_Paper\\_Sexual\\_Identification\\_and\\_Gender\\_Identity\\_12\\_Nov\\_2014\(2\).pdf](http://www.unicef.org/media/files/Position_Paper_Sexual_Identification_and_Gender_Identity_12_Nov_2014(2).pdf)