

LGBT Human Rights Nash Mir Center

# ON THE RISE

LGBT SITUATION IN UKRAINE IN 2017



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This publication presents information that reflects the social, legal and political situation of the LGBTI (lesbian, gay, bisexual, and transgender) people in Ukraine in 2017. It contains data and analyses of the issues related to LGBT rights and interests in legislation, public and political life, and public opinion, provides examples of discrimination on ground of sexual orientation or gender identity and more.

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The report (in Ukrainian and English) is available on the website of Nash Mir Center.

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## SUMMARY

In 2017 the position of the Ukrainian LGBT community and the attitude of Ukrainian society and the state towards LGBT issues do not demonstrate any fundamental changes in comparison to the previous year. The central government continues declaring equal rights for LGBT people, while being in no hurry to fulfil its obligations under the Action Plan on Human Rights. The police force, in general, provides rather reliable protection measures against LGBT homophobic aggression under a prior agreement, but reluctantly and inefficiently investigates hate crimes against LGBT people.

Ukrainian society is gradually becoming more aware of the real problems and demands of their LGBT compatriots, and more tolerant to manifestations of homosexuality and transgender identity. Right-wing radical nationalist forces and the churches remain the main adversaries of LGBT people, but while the former do not weaken (on the contrary, they increase their homophobic activity and rhetoric) the latter are trying to avoid evident "hate speech" and direct calls for discrimination against LGBTs.

Ukrainian LGBT community shows a rise in its activity and visibility in society. With varying success, but firmly, it establishes contacts and cooperation with the central and local authorities, police, government agencies and non-governmental organizations across the country. The main obstacles to its activities are the limited material and financial capacities of LGBT organizations and individual activists, as well as the significant increase in homophobic / transphobic aggression by right-wing radical groups.

Nash Mir Center in 2017 documented 226 cases of acts motivated by homophobia / transphobia, discrimination and other violations of LGBT people's rights in Ukraine. Most homophobic / transphobic aggression, discrimination and other violations is suffered by representatives of LGBT communities of big cities, where they are most visible: Kyiv, Kharkiv, Odesa, Dnipro, and Zaporizhzhya.

Because after the annexation of the Crimea by Russia homophobic Russian law actually took effect there, any public activity of the LGBT community

on the peninsula is now impossible. Meanwhile, no laws at all are in place and act in the occupied part of Donbas, thus not only social activity, but also the very lives of LGBT people are at risk in this area.

The main recommendations we make to the Ukrainian authorities on LGBT issues remain strict implementation of the Action Plan on human rights and combatting manifestations of homophobia and transphobia in all areas of life.

## 1. LEGISLATION AND THE JUDICIARY

Since the beginning of 2017, Ukrainian legislation regarding LGBT rights and interests has not changed. Discrimination on grounds of sexual orientation and gender identity (SOGI) is still explicitly prohibited only in employment, and the Family Code and secondary legislation keep their set provisions openly discriminating against LGBT people. The motives of homophobia and transphobia are not considered as aggravating circumstances in the commission of crimes.

Since the end of 2016, realization of the LGBTI components of the Action Plan to Implement the National Strategy on Human Rights for the Period until 2020 has been nearly halted. Inter alia, the following among its items remain unfulfilled (the implementation period of which expired in 2016-2017):

- Para. 60 Measure 8 and identical Para. 62 Measure 1 (working out the medical standards to treat intersex persons);
- Para. 105 Measure 1 (regarding introduction of sexual orientation and gender identity (hereinafter abbreviated as "SOGI") as protected grounds in the Law of Ukraine "On Principles of Prevention and Combating Discrimination in Ukraine") – the Ministry of Justice plainly refuses to implement it;
- Para. 105 Measure 3 (amending the Criminal Code to criminalize offenses on motives of intolerance, particularly on grounds of SOGI, and to decriminalize contagion by HIV and other infectious diseases) – the Ministry of Interior does not want to implement this provision of the Action Plan in its current form, and is waiting for approval of amendments to the Action Plan that would allow it not to implement the current form;
- Para. 105 Measure 6 (development and submission to the Cabinet of Ministers of Ukraine a draft law to legalize registered civil partnerships for both opposite-sex and same-sex couples in Ukraine) – up to now the Ministry of Justice and the Ministry of Social Policy each have shifted the duty to draft this bill upon the other Ministry, and at the end of 2017 the Ministry of Justice decided that, given the numerous objections of homophobic

organizations and politicians to drafting this bill, "sub-item 6 of item 105 of the Action Plan cannot be implemented";<sup>1</sup>

- Para. 7 105 Measure (lifting the ban on adoption of children, particularly by transgender and HIV-positive people) – to our knowledge, the Ministry of Health has developed a corresponding draft order, but it received a negative feedback assessment during a public discussion before a conservative religious audience, and a draft order has not been approved;
- Para. 109 Measure 2 (development and inclusion of a course on effective and proper investigation of hate crimes in the training of law enforcement officers).

The above list is not exhaustive; we mention only the most important (in our view) and still unimplemented LGBTI components of the Action Plan. In an informal conversation, representatives of the Ukrainian government told us that these items currently lack a "political will" behind them – that is, direct approving instructions from the Administration of the President or leadership of the Cabinet of Ministers. It should be noted that the overall level of implementation of the Action Plan according to civil society organizations does not exceed 25% – that is, the Ukrainian authorities sabotage implementation of it as a whole, and not just its LGBTI components. The specificity of the latter components lies in their special importance for the Ukrainian LGBT community existing in a very vulnerable and disadvantaged position.

Also, because of the resistance of churches and religious organizations, ratification of the Istanbul Convention (on prevention of violence against women and domestic violence) was halted. A common demand of the major Ukrainian churches is avoiding the use of the concepts of "sexual orientation", "gender" and their derivatives, in the Ukrainian legislation in general; and many Ukrainian MPs are ready to fulfil any wishes of the All-Ukrainian Council of Churches and Religious Organizations.

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<sup>1</sup> Міністерство юстиції України, *Звіт про виконання плану заходів з реалізації Національної стратегії у сфері прав людини на період до 2020 року*, с. 258, [minjust.gov.ua](http://minjust.gov.ua).



However, despite the opposition of churches and their parliamentary lobbyists, the current version of the anti-discrimination article of the draft Labour Code of Ukraine remains without changes, thus providing a clear prohibition of discrimination in employment on grounds of SOGI. It should also be noted that in late 2016 the Cabinet of Ministers submitted to the Verkhovna Rada Bill 5511, which provides for the introduction of SOGI as specific grounds protected from discrimination in Article 11 of the Law "On Employment". Further, it adds sexual orientation to the list of grounds prohibited in advertisements on employment (Article 241 of the law "On Advertising"). However, against the background of the current problems with already planned legislative initiatives to protect LGBT human rights, the adoption of this bill in its current state seems unlikely.

Ukrainian courts in 2017, as far as we know, did not pronounce obviously illegal judgements to ban LGBT public actions as often happened before. In the only known case when local authorities tried to ban the Equality March in Konotop through their alleged inability to ensure its effective protection by the police, the court refused to satisfy the plaintiff's claim.<sup>2</sup>

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<sup>2</sup> 05447.com.ua, *Суддя Сумського адмінсуду дозволила гей-паради в Конотопі*, 03.06.2017, 05447.com.ua.

## 2. THE STATE AND LOCAL AUTHORITIES, LAW ENFORCEMENT AGENCIES

Official representatives of the Ukrainian government in 2017 mentioned LGBT people rarely and rather indirectly, but, in general, showed a positive or at least neutral attitude to protection of their rights. Vice-Prime Minister for European Integration Ivanna Klympush-Tsyntsadze, like last year, strongly supported the Equality March in Kyiv and the overcoming of negative stereotypes about LGBT people in Ukrainian society.<sup>3</sup> Worth mentioning is the interview of Andriy Mahera, Deputy Head of the Central Election Committee, given to Mir's internet edition, who, inter alia, said: "For example, the issue of LGBT rights – it causes resistance in society, thus a politician thinks so: 'They may call me somebody like this – so I would not raise the issue.' But human rights – either they exist or they don't. Here is the question of principle. There are no exceptions."<sup>4</sup> Also Anastasia Dyeyeva, Deputy Interior Minister for European Integration, clearly stated in support of equal rights for LGBT people in her Facebook comment: "For me, all citizens of Ukraine, including representatives of LGBT and people with disabilities, are absolutely equal and enjoy equal rights. This is the key to a strong and healthy society!"<sup>5</sup>

Very important was the statement of the President of Ukraine Petro Poroshenko on the efforts of religious and conservative MPs to remove an explicit prohibition of discrimination on SOGI grounds from the new draft Labour Code: "I want to warn some MPs on their intention to revise those laws which became the basis for the adoption by our partners the decision to grant visa-free regime. Whether trying to cancel or make non-public electronic declaration, or attempts to dispose of anti-discrimination amendments to the Labour Code, or decrease of authority of the NABU [National Anti-corruption Bureau] or the NACP [National Agency on Corruption Prevention]."<sup>6</sup> There is no doubt that such a consistent and

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<sup>3</sup> Ivanna Klympush-Tsyntsadze, 17.06.2017, facebook.com.

<sup>4</sup> ІА "Мир", Андрій Магера: Можуть запитати: чи має право міністр уряду Азарова балотуватися на наступних виборах президента?, 10.05.2017, iamir.info.

<sup>5</sup> Anastasia Deeva, 31.01.2017, facebook.com.

<sup>6</sup> УНІАН, Порошенко застеріг нардепів від спроби змінити закони, ухвалені для отримання безвізу з ЄС, 07.09.2017, unian.ua.

firm position of the head of state led to the rejection of this amendment at the sitting of the relevant parliamentary committee.

However, a campaign of the public movement "Vsi razom!" (All Together!) – a new project of well-known homophobic journalist and activist Ruslan Kukharchuk – has been recently spread through local councils across Ukraine. This campaign adopts appeals to the leadership of Ukraine to ban "propaganda of homosexuality" and to keep LGBT-discriminating provisions in Ukrainian legislation. Currently, such statements (with almost identical texts, based on the resolution of the festival "All Together – for a Family!" signed by five hundred of the event's participants) have been adopted by Rivne, Ternopil and Poltava oblast councils as well as Khmelnytskyi, Ivano-Frankivsk, Ostroh, Kamyanets-Podilskyi and Fastiv city councils. As it later became known, members of Ivano-Frankivsk City Council, who unanimously voted for the proposed resolution, did not even see its text.<sup>7</sup> However, it is worth noting a very small number of local councils that adopted corresponding appeals to the state leaders: for instance, such initiatives by representatives of Svoboda party were not supported in Kherson city and Zhytomyr oblast councils. Dnipro city Mayor Boris Filatov reacted to the decision of Ivano-Frankivsk deputies in a very emotional manner: "Fags were impeded by gays. ... Colleagues, I am, of course, sorry, but that beats everything. Do you have nothing to do anymore?"<sup>8</sup>

Also noteworthy are some positive trends by local authorities to build a modern democratic society in Ukraine: for example, a statement appearing on the official Facebook page of Uzhhorod City Council strongly condemned the attack of right-wing groups on participants of an action in support of women's rights and for the ratification of the Istanbul Convention.<sup>9</sup> Further, Chernivtsi Mayor Oleksii Kaspruk, who already condemned a similar attack on an LGBT event in the city, this year welcomed in person the participants of the round table on combating hate

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<sup>7</sup> Kurs.if.ua, *Франківська міськрада вимагає заборонити пропаганду гомосексуалізму в Україні*, 15.12.2017, kurs.if.ua.

<sup>8</sup> Borys Filatov, 16.12.2017, facebook.com.

<sup>9</sup> Ужгородська міська рада. Офіційна сторінка, 09.03.2017, facebook.com.

crimes against LGBTs and stressed the importance of this work for the city community. In 2017, the number of local authorities' applications to courts to limit public LGBT events has decreased significantly: even Odesa City Council, which in recent years consistently tried to ban mass public LGBT events in the city, this year did not do so. Meanwhile, Konotop Mayor Artem Semenihih and the City Council still tried to ban the Equality March in their town, but the court rejected their claim (it should be noted that in fact this march was not planned and was not performed).<sup>10</sup>

As in recent years, the office of the Ukrainian Parliamentary Commissioner on Human Rights was the most active public institution in monitoring violations and protecting the rights of the Ukrainian LGBT community. The Ukrainian ombudsman's annual report on the situation of human and citizen's rights in Ukraine, published in early 2017, already traditionally includes a chapter titled "Discrimination on grounds of sexual orientation and gender identity." As stated in this chapter, "In 2016, special attention of the Commissioner was also drawn to the situation of the right to peaceful assembly for LGBTIs. [...] However, it should be noted that in most cases the organizers stated an obstruction in carrying out those events by individual representatives of the authorities. Regarding each such incident, the Commissioner in her appeals to law enforcement agencies emphasized the positive duty of the state to guarantee security during a peaceful assembly in accordance with the European standards."<sup>11</sup> Considering the obvious positive changes in attitudes towards LGBT actions by local authorities and police departments in 2017, we believe that the activities of the Commissioner to protect the legitimate rights of the Ukrainian LGBT community are quite vigorous and effective at this stage.

In 2017, the practice of granting asylum by our country to persons persecuted for their civic activities and belonging to the LGBT community in other countries was totally negative. In particular, the State Migration

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<sup>10</sup> Please see note 1.

<sup>11</sup> Секретаріат Уповноваженого Верховної Ради України з прав людини, *Щорічна доповідь Уповноваженого Верховної Ради України з прав людини про стан дотримання прав і свобод людини і громадянина в Україні, 2017*, с. 116, ombudsman.gov.ua.

Service refused to grant asylum to Belarusian LGBT activists, journalists and showman Edvard Tarletskyi<sup>12</sup> and to Russian trans activist Soldado Kowalisidi.<sup>13</sup>

In 2017 cooperation between the National Police of Ukraine and the LGBT movement has been continuing and expanding – in particular, representatives of the Patrol Police, the Chief Investigation Department, and the Department on Human Rights participated in events organized by Nash Mir Center and other LGBT organizations in various regions of Ukraine. The main issues discussed at these meetings were combating hate crimes stemming from motives of homo- and transphobia, providing security at public LGBT events, and tolerant and professional treatment of LGBT persons by police officers.

This year there were no attempts by the local police to withdraw from protecting public LGBT activities and no recommendations of theirs to local governments for them simply to ban such events, as always happened in previous years. As in 2016, the Kyiv police very professionally and efficiently provided protection to the Equality March from homophobic aggression; protection of this similar event in Odesa was also quite adequate. However, despite a quite sufficient number of police officers at the sites, the police failed to prevent attacks of very aggressively homophobic youth groups on small LGBT actions in Kherson and Kharkiv, which LGBT actions as a result of police negligence were all completely thwarted. Generally, inaction or too passive reaction to the harshly aggressive behaviour of LGBT events' opponents remains quite typical of the Ukrainian police, who in such cases only try to protect the victims of the attack from the aggressors, but hesitate to put an end to the obvious violation of public order and to the civil rights of an action's participants.

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<sup>12</sup> Українські новини, *Україна не дала політичний притулок організатору гей-парадів у Білорусі і травесті-діві Мадам Жужу*, 09.10.2017, [ukranews.com](http://ukranews.com).

<sup>13</sup> Demion Simagrl, *Убежище для транс\* активиста*, 15.11.2017, [Nihilist.li](http://nihilist.li).

The practice of investigating hate crimes based on homo- or transphobia remains very unsatisfactory. Investigators still try in any way to ignore the homophobic motivation of suspects, and often even permitted themselves openly homophobic and unprofessional behaviour towards LGBT victims of crime. In part, the reluctance of investigators and prosecutors properly to classify and investigate such crimes is explained by imperfections in the Ukrainian legislation, which does not consider homophobic motives to be an aggravating circumstance in the commission of crimes. This deficiency ostensibly had to be corrected according to the Action Plan to Implement the National Strategy on Human Rights; but, as already noted, the Ministry of Interior consistently opposes the respective amendments to the Criminal Code provided for in this Action Plan. Despite the fact that the deadline for implementing this provision (Para. 105 Measure 3) expired in the previous year, the Ministry of Interior has not yet developed the required draft law, and instead is waiting for a decision of the Cabinet of Ministers that would change the wording of this paragraph of the Action Plan. Meanwhile, the National Police continues to collect and publish information on "hate crimes" motivated by homophobia or transphobia, which are registered by the police, although their declared number (11 cases)<sup>14</sup> is much lower than data documented by Nash Mir Center and other organizations.

Though not always and not everywhere, nonetheless the Ukrainian police did begin responding to incidents of homophobic behaviour among its employees. In June 2017, police officer Anatoliy Formanyuk from Lutsk posted on the website of the Unified System of Local Petition the petition entitled "To ban holding actions (parades) of sex-minorities in Lutsk". Nash Mir Center lodged complaints against such unacceptable, in our view, behaviour of a police officer with the Head of the Patrol Police Department in Lutsk and the Parliamentary Commissioner for Human Rights. According to the results of consideration of the complaint to the police department, the police command held a prevention-themed conversation with the said officer during which was strongly emphasized the necessity to avoid failure to perform or improperly perform of the

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<sup>14</sup> Національна поліція України, *У 2016 році поліція розпочала 76 проваджень за вчинення злочинів на ґрунті нетерпимості*, 01.02.2017, dn.npu.gov.ua.

current legislation within official activity that may lead to violation of rights and legal interests of citizens. After considering a request from the Secretariat of the Commissioner, the Patrol Police Department in Lutsk reported that A. Formanyuk was dismissed from the police, and the police staff was informed of the need to keep the principle of non-discrimination within the patrol police activity.<sup>15</sup>

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<sup>15</sup> Центр "Наш світ", *Гомофоба звільнено з поліції*, 12.09.2017, [gay.org.ua](http://gay.org.ua).

### 3. POLITICS AND SOCIETY

While in the previous year many Ukrainian politicians and political parties spoke about LGBT issues, especially in relation to the Equality March in Kyiv, this year their interest in such matters was significantly less noticeable. An illustration of this lessening of attention may be the fact that Kyiv Equality March 2016 was attended by seven Ukrainian MPs, while this year – only by Svitlana Zalizhchuk.

Traditionally, much attention and aggressive hostility to LGBT events was demonstrated by the right-wing nationalist politicians and political groups, including Svoboda, the Right Sector, Sokil ("Falcon"), Bratstvo ("Brotherhood") and more. Unlike the other political forces, in recent years the right-wing and the like only strengthened their homophobic rhetoric and aggressiveness throughout the country: it seems the fight against LGBT people is becoming one of the main directions of the right's socio-political activity in general. This year the radical nationalist groups tried again to disrupt all public LGBT events,<sup>16</sup> and also began selective harassment of public figures who openly support LGBT people. Thus, in August they disrupted presentation of the book "A Shooting Calendar" by Olena Herasymyuk on political repression in the Soviet Ukraine at the Bandershtat festival in Lutsk, just because the author declared her support of the Equality March in Kyiv.<sup>17</sup>

Non-aggressive political opposition to LGBTs is represented by the conservative forces that are willing to lobby the interests of churches and religious organizations: MPs from the Opposition Bloc, Popular Front and others. The particular activity should be noted of Pavlo Unhuryan MP, who is the very active main lobbyist for church interests and the author of the vast majority of homophobic legislative initiatives in the current convocation of the Ukrainian parliament. Such initiatives usually are supported by a large number of representatives of almost all factions of Parliament. Unless the party leadership clearly express their position

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<sup>16</sup> For instance, please see Александр Карбачинский, *Нападение на трансгендерную группу в Киеве 09.07.17*, 09.07.17, youtube.com.

<sup>17</sup> Перехрест О., *Форум видавців звернувся до СБУ через погрози з боку ультраправих організацій*, 11.09.2-17, Zaxid.net, zaxid.net.



otherwise, then among those who are willing to vote for homophobic laws and demonstrate corresponding rhetoric one can see even many members of the ruling coalition of the Petro Poroshenko Bloc and Popular Front. Typical is the case of the PPB Sumy organization spokesperson Olha Panfilova: after she went to picket in support of Kyiv Equality March, she was called to account by Marina Nahorna, the Head of the PPB Sumy territorial organization Secretariat. Nahorna in a very rude manner told her that this act of hers disgraced the party and for that she would be dismissed. Then Olha Panfilova left her post herself, not wanting to work in such an organization.<sup>18</sup> It should be noted, however, that when Maxim Savrasov MP, the head of the PPB Secretariat, learned from the press and the Internet about these events, he publicly condemned the behaviour of the Sumy organization leadership, brought an official apology to Olha Panfilova, and stressed that his party "has always defended human rights and strongly condemns any form of discrimination."<sup>19</sup>

Even after many meetings of the stakeholders, the conservative majority of MPs still ignores the arguments for the ratification of the Istanbul Convention without reservations and amendments. The bills, adopted by the Parliament as a part of its implementation, do not contain references to gender and sexual orientation that, according to some liberal MPs, is contrary to the essence of the convention and will not be recognized by the Council of Europe as Ukraine's fulfilment of its obligations under this international instrument.<sup>20</sup>

The positive trend from non-aggressive homophobic social and political forces is this: in the past couple of years they moved from making calls and attempts to ban public LGBT action to holding their own, so to speak, counter-actions that have a peaceful and non-confrontational nature. The above-mentioned public movement "All Together!" specializes in festivals, marches and other activities in support of the "traditional Ukrainian family". Such actions, under the active support and participation of the

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<sup>18</sup> Центр інформації про права людини, *Організаторку сумського пікету рівності змусили звільнитися з роботи*, 20.06.2017, [humanrights.org.ua](http://humanrights.org.ua).

<sup>19</sup> Maxim Savrasov, 20.06.2017, [facebook.com](https://www.facebook.com).

<sup>20</sup> УНІАН, *ВР ухвалила закон про протидію домашньому насильству без визначень щодо гендерних стереотипів*, 07.12.2017, [unian.ua](http://unian.ua).

clergy of various denominations, were held this year in a few cities of Ukraine – particularly, in Kyiv and Odesa – as some kind of planned opposition to the Equality Marches.<sup>21</sup> The slogan of "supporting the traditional family", however, has already been adopted also by right-wing radical groups: particularly, in July about twenty young people under the banners of neo-Nazi Social-National Assembly of Ukraine marched through the centre of Mykolayiv chanting "The traditional family – Great Ukraine!" and "One race, one nation, one motherland – this is Ukraine!"<sup>22</sup>



Figure 1. "March for the traditional values" in Mykolayiv, 07.15.2017.

The contradictory modern Ukrainian attitude towards LGBT issues is well illustrated by the results of a survey among residents of Kyiv that was conducted by the Research and Communication Centre «Active Group» in

<sup>21</sup> Всі разом!, Півтисячі людей підписали Резолюцію учасників фестивалю "Всі разом – за сім'ю!", 08.06.2017, vsirazom.ua.

<sup>22</sup> Inshe.tv, Наш ответ на прайды: в Николаеве прошел Марш за традиционные ценности, 15.07.2017, inshe.tv.

April 2017: 38% of respondents agreed or rather agreed to allow, and 57% wanted or rather wanted to ban a "gay parade" in the capital; at the same time, restrictions on freedom of assembly in Ukraine were supported by only about 26% of the respondents.<sup>23</sup> The sociological survey, conducted in 2017 by the New Europe Center and the Friedrich Ebert Foundation in cooperation with GfK Ukraine among the Ukrainian youth aged 14 to 29 showed that 40% of the respondents did not want to see homosexuals among their neighbours.<sup>24</sup>

Although in Ukraine businesses are gradually emerging that openly position themselves as friendly to LGBT people, as journalist investigation revealed they are mostly limited to small cafes, restaurants, shops or other enterprises in the goods and services sector.<sup>25</sup> The vast majority of Ukrainian enterprises and companies have not and do not follow the policy on promotion of tolerance and equality, and would rather listen to claims of homophobic consumers than to take into account the interests and problems of the LGBT community. For example, the management of the Kyiv Metro responded to complaints on advertising HIV tests, which depicted same-sex couples, with a request to the advertising agency to take "a more careful and cautious approach when choosing advertising topics to place."<sup>26</sup> Journalists of mainstream mass media mostly observe quite professional standards in their publications on LGBT subjects, although openly biased and homophobic publications still happen, especially in internet editions.<sup>27</sup>

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<sup>23</sup> Шедловський В., *Кияни проти обмеження мирних зібрань хоча й не підтримують проведення гей параду*, 18.05.2017, Active Group, [new.activegroup.com.ua](http://new.activegroup.com.ua).

<sup>24</sup> Дзеркало тижня, *Молоді українці найбільше ненавидять наркоманів, колишніх зеків, гомосексуалів та циган*, 27.11.2017, [dt.ua](http://dt.ua).

<sup>25</sup> Горчинская С., *Эффект радуги. Как украинский бизнес поддерживает ЛГБТ*, 30.07.2017, [charitum.com](http://charitum.com).

<sup>26</sup> Гей-альянс Україна, *Адміністрація Київського метрополитена прийняла сторону гомофобов, узревших в рекламе тестов на ВІС "пропаганду гомосексуалізма"*, 06.03.2017, [uropau.org](http://uropau.org).

<sup>27</sup> Please see, for instance, Маннанов А., *НХЛ: атака с черного хода*, 12.08.2017, [sportarena.com](http://sportarena.com).

The monitoring of the press and social networks on the Internet shows that LGBT themes in Ukraine are gradually becoming a routine part of the public discourse, with ever more people becoming aware of the real problems faced by LGBT people in their lives and the need to address them. Events around colouring the Friendship of Peoples Arch in rainbow hues during Eurovision 2017 in Kyiv (radical nationalists stopped the action, and the arch remained painted only in part) clearly demonstrated that LGBT symbols cause significantly less irritation in the vast majority of socially active Ukrainians than ridiculous attempts to combat them. As well-known journalist Pavlo Kazarin noted, "Denial, anger, bargaining, depression, acceptance. In each case, society goes through these four classic stages of adaptation to the new reality. So it was with gender issues, then racial. [...] This is a battle between the past and the future. Between superstitions and knowledge. Between obscurantism and the logic of humanity development. On one side of this barricade is 'the party of the past' and on the other – 'the party of the future.' And we all know which of these two camps is doomed to defeat."<sup>28</sup> The Eurovision 2016 winner, popular Ukrainian singer Jamala, reaffirmed her support for the LGBT community, saying: "We have to appreciate people regardless of [their] ethnicity, religion and sexual orientation."<sup>29</sup>

On the eve of the Eurovision contest, Nash Mir Center placed a dozen billboards in a few Kyiv districts to support the introduction of same-sex partnerships in Ukraine. In our opinion, it is very significant that for a month while these large and visible posters towered without any protection over quite busy highways, only one of them was despoiled, and the Kyiv authorities have received no complaints about their public placement.

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<sup>28</sup> Павел Казарин, 28.04.2017, [www.facebook.com](http://www.facebook.com).

<sup>29</sup> Кацун Ю, *Джамала: Если у тебя есть свое мнение – ты враг. Это очень огорчает*, Комсомольская правда в Украине, 23.02.2017, [kp.ua](http://kp.ua).



*Figure 2. A poster of Nash Mir Center in one of Kyiv's streets in May 2017.*

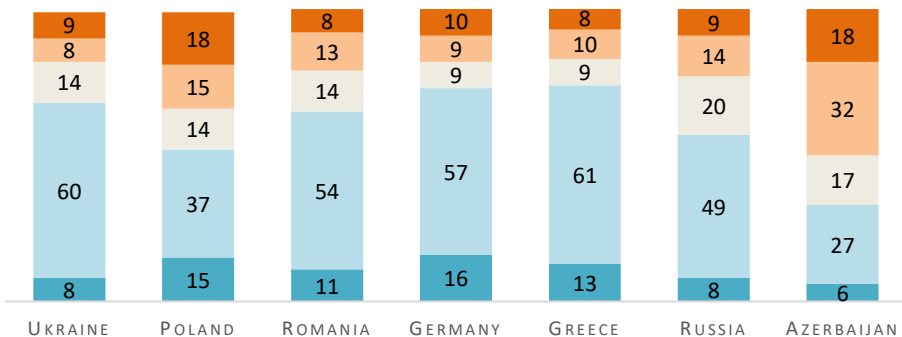
Obviously, LGBT issues are not causing noticeable strong feelings in the vast majority of Ukrainian society, as evidenced by the results of the worldwide public opinion survey on attitudes towards sexual and gender minorities, which was conducted in 2016 by the world's largest LGBT organization ILGA (The International Lesbian, Gay, Bisexual, Trans, and Intersex Association) in cooperation with RIWI Corp.<sup>30</sup> Comparing the results of this research for Ukraine and other European countries, the relative level of public homophobia / transphobia in Ukraine is rather more similar to the EU member states than to the post-Soviet countries such as Russia and Azerbaijan (please see diagrams below).

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<sup>30</sup> ILGA, *Minorities Report 2017: attitudes to sexual and gender minorities around the world*, 2017, [ilga.org](http://ilga.org).

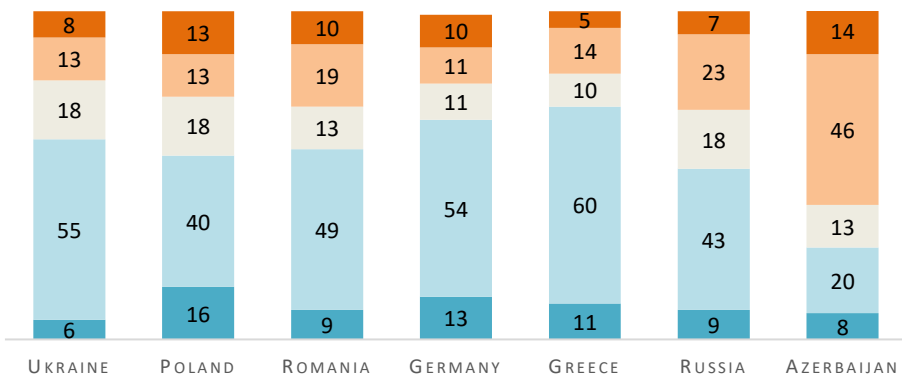
### IF YOU HAD A FEMALE HOMOSEXUAL NEIGHBOR, YOU WOULD

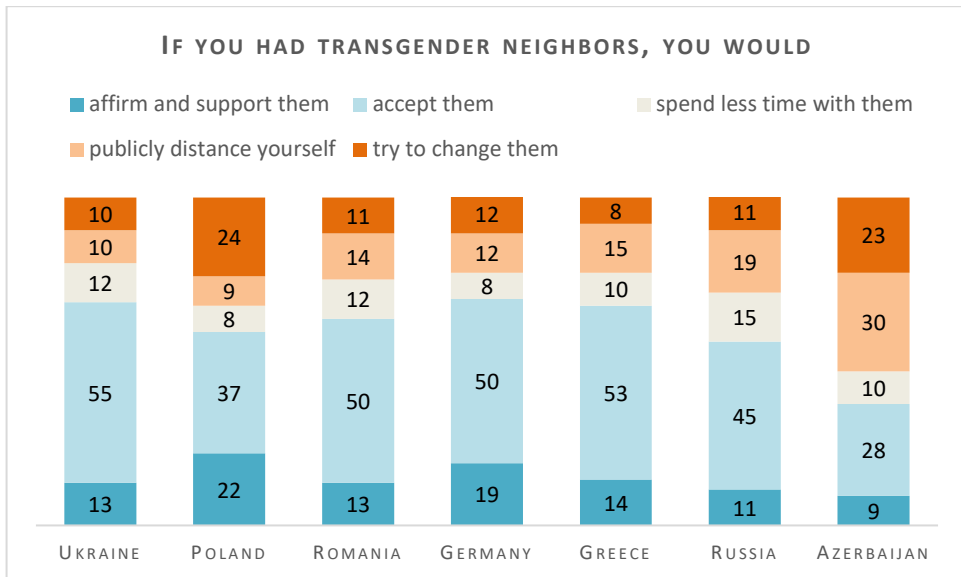
■ affirm and support her    ■ accept her as she is    ■ spend less time with her  
 ■ publicly distance yourself    ■ try to change her



### IF YOU HAD A MALE HOMOSEXUAL NEIGHBOR, YOU WOULD

■ affirm and support him    ■ accept him as he is    ■ spend less time with him  
 ■ publicly distance yourself    ■ try to change him





Support for the LGBT community has been expressed and provided by ever more civil society organizations – for example, Mariupol art platform "TYU!", a project of NGO "Development of Azov Region", in August 2017 held in the city a mass public action in support of the festival "Odesa Pride 2017".<sup>31</sup> Interesting and noteworthy is the confession of Anastasia Serdyuk, who actively publishes articles on ideological themes in editions of far-right organizations Azov Civil Corps, and the National Corps party formed on ACC's basis: "Society is able indeed to tolerate the introduction of 'same-sex partnerships' (without adoption)".<sup>32</sup> Obviously, the Ukrainian society described in her article rather reflects the ideological view of Ukrainian far-right political forces on society rather than an objective picture of the current reliable sociological studies of public opinion – but even this imaginary right-wing conservative Ukrainian society looks to the author as being, in principle, ready to recognize same-sex partnerships. In general, we agree with this opinion.

<sup>31</sup> Платформа ТЮ, 13.08.2017, facebook.com.

<sup>32</sup> Сердюк А., *Протистояння з ліво-лібералами і політичні рейтинги*, 27.11.2017, nationalcorps.org.

#### 4. CHURCHES AND RELIGIOUS ORGANIZATIONS

With the exception of the UOC (MP), in 2017 the central leadership of the Ukrainian churches have refrained from active discussions of LGBT issues, limiting themselves to calls to support "the traditional family" and protests against the introduction of the terms "sexual orientation" and "gender" into the Ukrainian legislation.<sup>33</sup> This campaign also spread in the regions – thus, a call against the ratification of the Istanbul Convention was voiced not only by the All-Ukrainian Council of Churches and Religious Organizations (AUCCRO), but also by the Volyn Council of Churches and Religious Organizations, in this case addressing MPs of Volyn oblast.<sup>34</sup>

In 2017, only Metropolitan Onuphrius, the head of the Ukrainian Orthodox Church of Moscow Patriarchate, addressed the Kyiv city authorities not to allow the Equality March in the capital.<sup>35</sup> The rest of the heads of Ukraine's major religious organizations in their opposition to the March relied on prayer and God's help rather than upon administrative instruments – as, for instance, the Council of Evangelical Protestant Churches of Ukraine that took the respective decision noted above, on June 14.<sup>36</sup>

Equality March in Odesa, however, was traditionally preceded by a press conference of local clergymen of various denominations, where they as always appealed to the city authorities to ban the festival Odesa Pride 2017, which includes the March as one part.<sup>37</sup> In past years, the Odesa City

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<sup>33</sup> Всеукраїнська Рада Церков і релігійних організацій, *Рада Церков пояснила депутатам свої зауваження до Стамбульської Конвенції*, 07.03.2017, [vrciro.org.ua](http://vrciro.org.ua).

<sup>34</sup> Волинська єпархія УПЦ Київського Патріархату, *Звернення ВРЦ щодо ідеології одностатевих відносин*, 16.08.2017, [pravoslavnavolyni.org.ua](http://pravoslavnavolyni.org.ua).

<sup>35</sup> Українська Православна Церква, Синодальний Інформаційно-просвітницький відділ УПЦ, *Звернення Предстоятеля УПЦ до вірних чад та до представників Київської міської влади щодо спроб провести у Києві акції з пропагандою статевого порочення*, 14.06.2017, [news.church.ua](http://news.church.ua).

<sup>36</sup> Рада Євангельських Протестантських Церков України, *Просимо церкви долучитися до посту і молитви*, 14.06.2017, [gercu.org](http://gercu.org).

<sup>37</sup> Таймер, *Священнослужителі проти ЛГБТ-паради в Одесі: це гріх і мерзость перед Богом*, 08.08.2017, [timer-odessa.net](http://timer-odessa.net).



Council always tried to fulfil such a ban demand, but this year it ignored the clergy's appeal, who had to satisfy themselves only with the organization of an alternative march for "the traditional family."

The general mood of the Ukrainian churches' leadership and many religious activists towards the current state policy on LGBT issues was voiced by noted religious scholar Yuri Chernomorets in his Facebook comment: "When this government was the opposition, they gave a guarantee to the All-Ukrainian Council of Churches and Religious Organizations (representing 95% of believers) that here would be as in Poland, in Hungary – we would go to the EU, but at that would have priority for the preservation of family, welfare of children, would not take the western culture of total relativism, with all its ideological broad interpretations of human rights. Yes, politicians merely swindled the Ukrainian churches."<sup>38</sup>

In the Ukrainian Catholic University (UCU) – the main scientific and theological institution of the Ukrainian Greek Catholic Church – scandal lasted for the third consecutive year over too liberal (according to conservative circles within the UGCC) views and actions of some teachers and students of this university. In 2016 the vice-rector of UCU, the famous Soviet dissident Myroslav Marynovych, even wrote a letter in which he appealed to the higher hierarchy of the UGCC regarding the campaign to discredit the university: "Yes, people who work and study in the UCU are far from holiness. Thus one can say in advance that here may, unfortunately, still happen instances of unbelief, aggressive tricks against the Church, which we have always fought and will fight. We may not understand something in the typical identity of the UCU, so look forward to friendly advice and tips. Yet we must not return to the "pretending" past and try just to look and not to be. Hypocrisy is not a virtue."<sup>39</sup> Obviously, the efforts of the University to protect freedom of thought and the right to freedom of expression were not very effective: in particular, journalist and member of the Ukrainian parliament Serhii Leshchenko

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<sup>38</sup> юрий павлович черноморец, 17.06.2017, facebook.com.

<sup>39</sup> Zaxid.net, *Йде брудна й цинічна кампанія з рейдерського захоплення УКУ. Мирослав Маринович про атаку на УКУ*, 09.08.2016, zaxid.net.

stated that he and his colleague Mustafa Nayyem were denied the prolongation of their contracts to teach at UCU: "After we were elected as MPs, I and Mustafa were called to teach a course, and we did it for two years. Now the contract is not prolonged. Because of strange reasons – because we, for example, participated in an LGBT pride. This served as a reason to stop the contract".<sup>40</sup>

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<sup>40</sup> Телеканал Прямий, "Кисельов. Авторське". Гість програми – журналіст Сергій Лещенко, 25.12.2017, youtube.com.

## 5. LGBT COMMUNITY

This year maintained the trend of a rapid increase in the activity and visibility of the Ukrainian LGBT community, a trend which already had become obvious last year. After the very successful previous Equality March in Kyiv, the number of participants doubled at this year's march – from 2.5 thousand (according to the police) to 3.5 thousand (according to the March's organizers) people showed up. Similarly, the Odesa Equality March this year also saw in total about twice the number of participants (above 100) than attended the previous one (50-70). Nash Mir Center and other active LGBT organizations face ever increasing requests and proposals from the LGBT community throughout Ukraine to participate in their activities. The main obstacle to the expansion of LGBT activism is only a lack of commensurate covering funds for maintenance of the necessary increased infrastructure and permanent paid new staff members.



Figure 3. Kyiv Equality March 2017 for the first time included a carnival platform.

The growth of activity and visibility of the LGBT community was demonstrated specifically by increases in the number and size of various activities not only in the capital but also in many regions: in particular, such as public events in support of LGBT people and protection of their rights; round tables and workshops on LGBT topics for various professionals (police, school psychologists, journalists, doctors, etc.); lectures for and meetings with interested members of the public; a spreading movement of LGBT childrens' parents, and so on. More events appeared on LGBT topics which organizers and participants were not LGBT, or at least not only LGBT, people but also from other organizations and civil society activists. For instance, on February 7, 2017, NGO "Gender club Dnipro", in cooperation with the Fund to Support Small Initiatives "Allies in Action", announced a competition for journalistic materials named "LGBTIs and the Media: A Step to Meet".<sup>41</sup> On February 19 the NGO conducted a training for journalists to improve tolerance and awareness of the problems around implementing LGBT people's rights.<sup>42</sup>

All leading LGBT organizations of Ukraine in 2017 successfully continued their activities. In particular, on March 21, Nash Mir Center held in Kyiv the conference "Same-sex Partnership in Ukraine: Today and Tomorrow" which was attended by about a hundred participants: LGBT activists, human rights defenders, members of other Ukrainian and international NGOs, academics, journalists, etc. from all over Ukraine.<sup>43</sup> Nash Mir Center also held a series of roundtables to strengthen dialogue between civil society, local authorities and the National Police on issues of preventing discrimination and hate crimes in cities such as Zaporizhzhya, Chernivtsi, Odesa, Kherson, Dnipro, Kharkiv, and Zhytomyr.

NGO "Insight" in 2017 succeeded in conducting Equality Festivals Zaporizhzhya and Mariupol (very difficult cities for LGBT activism) where there are many radical far-right groups that unhesitatingly resort to violence in attempts to damage any LGBT events. The training for doctors

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<sup>41</sup> Гендерний Клуб Дніпро, 07.02.2017, facebook.com.

<sup>42</sup> Ibid, 19.02.2017.

<sup>43</sup> Центр "Наш світ", Конференція «Одностатеве партнерство в Україні: сьогодні та завтра» (Київ, 21 березня 2017 р.), gay.org.ua/conference2017.

from many regions of Ukraine on health care for trans people that this organization held in Kyiv should be noted as an essential aid for the Ukrainian transgender community.<sup>44</sup>

Mykolayiv LGBT Association LIGA, which remains the most active and prominent regional LGBT organization in Ukraine, in 2017 held the Days of Equality and Pride in Mykolayiv, Odesa and Kherson, that included a number of different cultural, educational, advocacy and other activities.<sup>45</sup> The seminar for specialists of the Department of Education and Science of the Odesa City Council "Peculiarities of working with LGBT teens" may be called very useful to meet the needs of the LGBT community and build relationships with a wide society.<sup>46</sup> The Association also conducted seminars for Ukrainian LGBT families, social workers who work with LGBT families, and physicians of Kherson and Mykolayiv oblasts<sup>47</sup> – generally, a sharp increase of such events where representatives of local LGBT communities meet and establish relationships with various professionals, civil servants, and representatives of civil society, etc. became a characteristic feature of the current state of LGBT activism in Ukraine. Indeed, we are witnessing the process of integration of the LGBT community into the social and political life of Ukraine.

Gay Alliance Ukraine in 2017 supported the activities of their Queer Homes (local LGBT community centres) in Kyiv, Vinnytsya and Zhytomyr, on which base were conducted a wide variety of activities. GAU was one of the main organizers of the Queer Culture Festival "Odesa-pride 2017" that included, inter alia, the Equality March in this city. Also, Gay Alliance Ukraine financed the publication of currently the only periodical LGBT edition in Ukraine of a newspaper (actually a journal) *Stonewall*.<sup>48</sup> Column

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<sup>44</sup> Інсайт, *Рік Інсайту: що ми встигли зробити для вас у 2017*, insight-ukraine.org.

<sup>45</sup> Асоціація ЛГБТ "ЛИГА", *Дни равенства и гордости в Одессе. Взгляд изнутри*, 2017, lgbt.com.ua.

<sup>46</sup> Асоціація ЛГБТ "ЛИГА", *Семинар на тему "Особенности работы с ЛГБТ-подростками"*, 2017, lgbt.com.ua.

<sup>47</sup> Асоціація ЛГБТ "ЛИГА", *Створено першу в Україні мережу лікарів, що допомагають ЛГБТ-сім'ям*, 2017, lgbt.com.ua.

<sup>48</sup> Гей-альянс Україна, *Газета "Stonewall"*, upogau.org/uk/gazeta-stonewall.

of the Equality March in Odesa (comprising about 140 participants) was able to progress only a few hundred meters, then it ran into a border of aggressive homophobic youth. Fearing violence on their part, the police did not allowed the marchers to move on and eventually took them away by buses to a safe place.<sup>49</sup>



Figure 4. The start of Equality March 2017 in Odesa. The banner's translation reads "Glory to Ukraine! Glory to equality!"

High levels of aggression by right-wing nationalist groups, which, as already mentioned, in recent years have moved to tactics of constant intimidation and obstruction of LGBT organizations and individual activists remain a significant problem for the development of Ukrainian LGBT movement. All visible public events and many closed LGBT events in 2017 were accompanied by threats and attacks by groups of this kind, and in such cases the police do not always react smartly adequately and professionally. This year, participants of most public LGBT events,

<sup>49</sup> Корреспондент.net, В Одесі пройшов ЛГБТ-марш, 13.08.2017, korrespondent.net.

including the Kyiv and Odesa Equality Marches, the action for International Day against Homophobia and Transphobia in Kharkiv,<sup>50</sup> the Equality Festival in Zaporizhzhya,<sup>51</sup> the March against Discrimination in Kherson,<sup>52</sup> etc. – all faced very aggressive behaviour from apparently radical nationalist groups. Because, according to statements and documents of many right-wing groups, fighting against LGBT activism is becoming one of their major program goals, we should expect that homophobic aggressive policy on their part will continue in the short-time outlook.



*Figure 5. The Rainbow Flashmob of Gender Zed in Square of Heroes, opposite the Oblast State Administration, 05.06.2017.*

<sup>50</sup> РБК-Україна, Міжнародний день боротьби з гомофобією: В Харкові спалили прапор ЛГБТ та напали на поліцейських, 18.05.2017, [styler.rbc.ua](http://styler.rbc.ua).

<sup>51</sup> 112 Україна, Напад на фестивалі ЛГБТ у Запоріжжі: 17 затриманих, потерпілих шпиталізували, 01.10.2017, [112.ua](http://112.ua).

<sup>52</sup> Факти, Напад на Марш ЛГБТ у Херсоні: учасникам не дали пройти 100 метрів, 17.05.2017, [fakty.ictv.ua](http://fakty.ictv.ua).

In our opinion, among all the leading Ukrainian LGBT organizations, Zaporizhzhya Regional Charitable Foundation "Gender Z" most successfully and dynamically developed its activities in 2017. In addition to several public actions in defence of LGBT rights and promoting tolerance and equality, they had mounted a number of different kinds of trainings and roundtables for journalists, school psychologists, police officers, doctors, trainers on SOGI issues, social workers and others.<sup>53</sup>

After a significant reduction in funding (by foreign and international donors) of projects to prevent and combat HIV and other sexually transmitted infections, NGO ALLIANCE.GLOBAL still remains a leading organization providing services to the gay community in this area. In 2017 they supported a network of express testing points in Kyiv, Chernihiv, Poltava, and Bila Tserkva, and conducted a series of trainings for local LGBT communities in various cities of Ukraine. A representative of the organization, Andrii Chernyshev, was elected to the National Council on TB and HIV/AIDS – an intersectoral coordinating body headed by the Vice Prime Minister of Ukraine for humanitarian affairs. This became possible because in April 2017 the Ukrainian government approved a decree under which the National Council must include a representative of the groups at high risk of HIV infection. Andrii Chernyshev convincingly won the election to be the representative of this group among 38 non-governmental organizations working in this field.

ACO Fulcrum maintained the Ukrainian Corporate Equality Index which is dedicated to monitoring policies of equality and non-discrimination in Ukrainian companies, supported the service "Friendly Doctor" for the LGBT community, and was one of the organizers of the Equality March in Kyiv. Further, it held "The National Research of School Environment" on problems faced by LGBT students in Ukrainian schools, the training "Prevention of stigma and discrimination towards members of the LGBT community among medical workers", and workshops in Kyiv, Lviv, and Poltava for journalists writing on LGBT issues etc.

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<sup>53</sup> ЗОБФ "Гендер Зед", *Новости "Гендер Зед"*, genderz.org.ua.





*Figure 6. Participants of a round table conducted by Tergo, the Institute of Psychology, and the Ukrainian Association of Organizational Psychologists and Labour Psychologists.*

Parents' Initiative Tergo, which brings together parents of LGBT children and which relies on the Fulcrum's resources, developed its activities in 2017 very successfully. This year they extended their activity to a few new regions of Ukraine, held several meetings of LGBT children's parents, and a training for school psychologists. In December 2017, together with the Institute of Psychology of the National Academy of Psychological Sciences of Ukraine, the Ukrainian Association of Organizational Psychologists and Labour Psychologists, Tergo held the round table "Psychology of the LGBT community: research results, problems, perspectives", which was attended by more than sixty scholars, representatives of psychology and sociology departments of all leading Kyiv universities, and representatives of LGBT organizations.<sup>54</sup>

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<sup>54</sup> TERGO, 05.12.2017, facebook.com.

The Kyiv Equality March revealed a new problem that apparently reflects the growth and complexity of the Ukrainian LGBT movement: the beginning of a political and ideological differentiation within it. While the majority of the march's participants shared the display of liberal-democratic and patriotic slogans, nonetheless a small number of demonstrators marched under slogans rather typical for the radical left and anarchists.<sup>55</sup> As an integral part of Ukrainian society, the national LGBT community started to demonstrate a diversity of ideological preferences and approaches to solving their problems; this evolution generally corresponds to similar processes which are taking place now in our country.



Figure 7. One of the controversial posters at Kyiv Equality March in 2017. The banner's translation reads "To hell with your patriotism! Our choice is queer feminism!"

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<sup>55</sup> Українські новини, *Організатори "маршу рівності" відмовилися цензурувати плакати і гасла учасників акції*, 19.06.2017, [ukranews.com](http://ukranews.com).

## 6. VIOLENCE, DISCRIMINATION AND OTHER VIOLATIONS OF LGBT PEOPLE'S RIGHTS<sup>56</sup>

Nash Mir Center in 2017 documented 226 cases of acts motivated by homophobia / transphobia, discrimination and other violations of LGBT people's rights in Ukraine. 20 cases included events that happened in 2016, the rest – 206 cases – occurred in 2017.

*Table 1. The distribution of cases documented in 2017 by regions of Ukraine.*

Region	Number of cases
Kyiv and oblast	57
Kharkiv and oblast	34
Dnipro and oblast	26
Odesa	22
Zaporizhzhya and oblast	13
Zhytomyr and oblast	12
Lviv and oblast	9
Donetsk oblast (controlled by Ukraine)	8
Cherkassy and oblast	8
Kherson	5
Vinnitsya	4
Rivne and oblast	4
Sumy and oblast	4
Poltava and oblast	3
AR Crimea (occupied by Russia)	2
Donetsk region (occupied by Russia)	2
Uzhhorod	2
Ivano-Frankivsk and oblast	2
Luhansk oblast (controlled by Ukraine)	2
Ternopil	2
Chernivtsi	2
Lutsk	1
Mykolayiv	1

<sup>56</sup> In this section, the number of documented violations of LGBT people's rights may exceed the number of cases, because in some cases more than one sphere of rights was affected.

Chernihiv oblast	1
<b>Total</b>	<b>226</b>

Most homophobic / transphobic aggression, discrimination and other violations is suffered by representatives of big city LGBT communities in urban areas where they are most visible: Kyiv, Kharkiv, Odesa, Dnipro, and Zaporizhzhya.

### Acts of hatred towards LGBTs

Actions motivated by homophobia / transphobia and hate speech on the part of persons not vested with official authority were observed in 172 cases. 99 of them (13 in 2016 and 86 in 2017) may be described as *hate crimes*, and 71 (1 in 2016 and 70 in 2017) – as *hate incidents*. In 7 cases manifestations of *hate speech* were recorded. (Italicized terms correspond to the classification of the OSCE / ODIHR).

The following types of violations were noted (please see Table 2):

*Table 2. Number of different types of rights violations of LGBTs in 2017.*

<b>Types of violations</b>	<b>Number of cases</b>
insults, humiliation of human dignity, threats	134
physical violence of varying severity	92
homophobia / transphobia in family	27
illegal collection, disclosure (or the threat of disclosure) of confidential information	25
extortion and blackmail	22
robbery	15
brigandage	7
damage to property	7
homophobic inscriptions / appeals	6
obstruction to peaceful actions	6
threats with weapons and their application	3
fraud	2

attacks on LGBT centres or events	2
sexual violence	1
offensive language	1
attempted robbery	1
attempt to deny parental rights	1
kidnapping	1
torture or inhuman treatment	1

Most of the action motivated by homophobia / transphobia in 2017 can be divided into several groups:

- Attacks of right-wing or other homophobic groups upon peaceful LGBT actions, community centres, or events, as well as individual LGBT activists.
- Crimes of an acquisitive nature when attackers specifically look for LGBT victims; although perpetrators may not hold personal prejudices against this group, they act as if hoping that homosexuals are easy prey.
- Actions motivated by domestic homophobia / transphobia, when traditional social prejudices cause various kinds of manifestations of aggression towards ordinary homosexual or transgender people. Such actions can be perpetrated by neighbours, acquaintances or strangers whose acting-out can be interpreted as stemming from subjective judgemental thoughts that the victim's appearance or behaviour does not meet certain "traditional standards". Often such aggression can lead to a banal robbery that complicates any further relevant qualification of such crimes by the police.

In this regard, homophobia / transphobia in the family should be mentioned separately, because the consequences of such displays of aggression are often much more negative than those caused by strangers: firstly, because the victims (often teenagers or young people who depend on their families) have nowhere to go; secondly, the harassment may be of very long duration, causing some psychological problems even for a strong-willed person; and thirdly, this is coming from the very people from

whom a dependent person is entitled to expect understanding and support.

*Case 1060*

October 22, 2017, around 9 pm, two unknown men who identified themselves as activists of the Radical Party of Ukraine, attacked LGBT activist Oleksandr at his home in Kyiv. They beat the victim and cut his hand with a knife, trying to get from him the names, addresses, telephone numbers of LGBT activists he knew, and the places and dates of the upcoming LGBT events. The victim asked for medical help and put in an application report on the crime to the police. Then he was phoned by unknown persons with threats; also homophobic threats appeared on the walls of his home's entrance in a week after the attack. He was forced to leave Kyiv. As far as we know, the police found no suspects in this crime.



*Figure 8. The knife cut on one forearm of LGBT activist Oleksandr (Case 1060).*

### *Case 1013*

In early September 2017, after the announcement of the Forum of Publishers 2017 in Lviv that included the presentation of the book by Larysa Denysenko *Maya and Her Mums* telling of same-sex families, Illya, an organizer of the event, his colleagues and family members began to receive messages containing threats. In particular, they received a letter in which 17 little-known right-wing organizations opposed the presentation of the book and threatened the breakdown of this event. The forum was forced to cancel the presentation. Now this case is being investigated by the Department of Security Service of Ukraine in Lviv oblast.

### *Case 1022*

In September 2017 the victim with several other men was returning home by a car to Horlivka located in the Russia-occupied part of Donetsk oblast. Nearby the city they were stopped by the so-called "Military Police" of the occupation administration – two men armed with machine guns. They ordered everyone out of the car, checked the documents of passengers and the driver, searched the car and then all persons present. Studying the contents of the victim's smartphone, they found a few photos of homoerotic content, and then began grossly to insult the victim, and to interrogate him where he worked, where his parents lived, ask did his friends know about his homosexual orientation, and so on. Threatening to throw the victim "in the basement" (i.e. to unlawfully imprison him under the inhumane conditions in which Russian occupation authorities hold arrested persons), the attackers seized all the victim's money, and eventually released him, commanding him not to encounter them anymore.

### *Case 1023*

July 1, 2017, the victim was relaxing with her friends in a gay club in Dnipro city. In the morning they went from the club to a supermarket, and noticed that they were followed by two unknown persons. When the victim and friends came out of the supermarket, unknown men approached them and started shouting insults. Eventually, the men took out weapons (a gun and a knife), beat one of the victim's friends, stole the victim's bag, gold objects and telephone. The victims approached the police and submitted a statement about the crime.

*Case 1024*

June 1, 2017, after the Equality March in Odesa, in a street nearby the site of the march, the victim and three friends of his were attacked by four young men shouting "Ah, here they are!" A friend of the victim managed to escape. Then the offenders hit the victim, after which he fell; they struck his friend with two blows. The victim identifies himself as a transgender man but looks very feminine. Therefore, one of the attackers apologized and helped him stand up. Then the attackers fled. The victims did not seek help from the police because they do not believe in the effectiveness of making such an appeal.

*Case 1029*

The injured man aged 29, a resident of Kryvyi Rih, met through the social network VKontakte a guy who called himself Serhii and invited him for an evening stroll on May 1, 2017. During the walk they came upon the five men who asked for a cigarette. Serhii knew them, and gave them a cigarette. However, the next moment an attack took place: two guys held the victim, the third beat him. The others threatened, shouted homophobic insults, and photographed the victim. They seized 400 hryvnia from the victim, then let him go. The victim received severe psychological shock and for more than a year has communicated with almost no one because before this incident he had met friends and partners mainly in social networks and he does not know other ways of socializing.

*Case 1034*

September 30, 2017, at 16:00 in Kyiv at Loft Art Centre, the Equality Festival was to begin when about a hundred masked men blocked the entrance of the art centre building. Natalia and her partner came to the event. Near the main entrance they met a group of youth who began to ask the girls mockingly, "Are you girls or guys?" Once they received answers the young men said that the girls were lucky because they did not beat girls. Nevertheless they did not let them pass to attend the event. The girls turned and went in the opposite direction. A few meters onward they were surrounded by a group of 8-10 aggressive girls who began to shout "Are you lesbians?" Then a group of 5-6 persons attacked Natalia's partner and started to beat her. The girl fell to the ground. At this point



Natalia was held by other attackers. When she began to break loose, she was also beaten, resulting in a head injury and numerous bruises. Natalia's partner also suffered scratches and bruises. Overall and in general, 4 people suffered in the clashes: a pair of the event's attendees and two organizers (all women). The victims filed applications to the police. Currently the case is being investigated under Article 296 part 2 of the Criminal Code "Hooliganism committed by a group of people."



*Figure 9. Victims of homophobic attacks at the Equality Festival in Zaporizhzhya, 30.09.2017.*

### **Relations with the law enforcement authorities**

In 26 cases abuses by law enforcement agencies were reported. Most often the police violated the following rights (please see Table 3):

*Table 3. Violations of LGBT rights in 2017 by the police.*

<b>Violated rights (by what actions)</b>	<b>Number</b>
The right to an effective remedy (failure to protect the rights, improper performance of duties to protect the rights)	18
Freedom from discrimination (insults, threats and	8

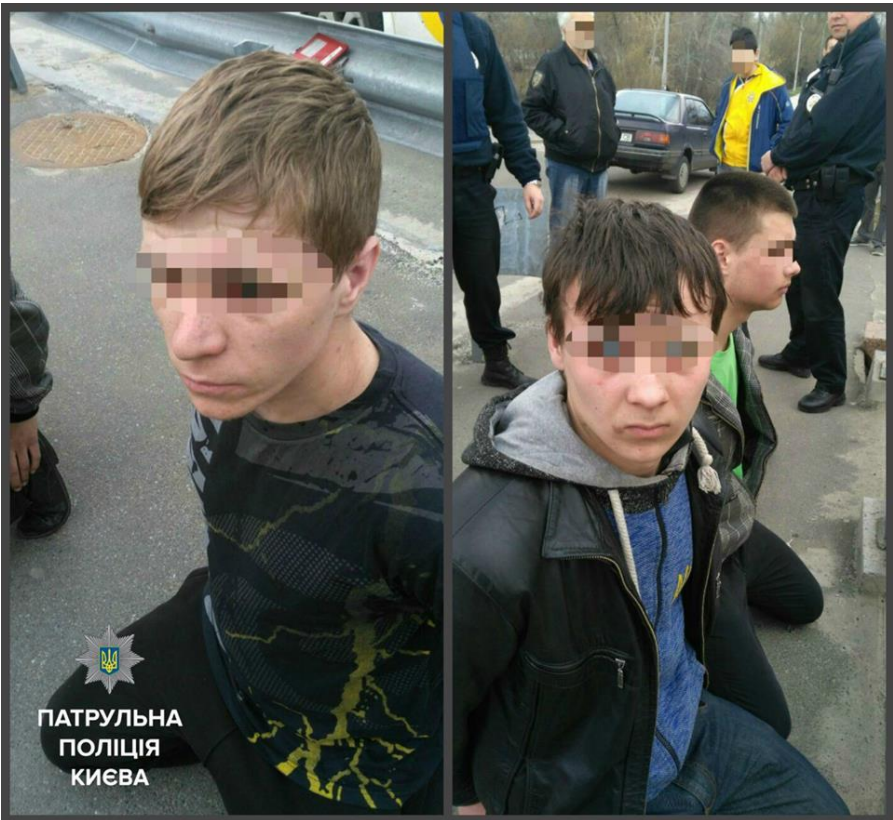
humiliations of human dignity, complicity with offenders)	
The right to respect for private life (blackmail, threats of disclosure and disclosure of confidential information)	4
The right to liberty and personal security (violation of procedural rules, illegal detention, physical violence, extortion of a bribe)	4
Hate speech (homophobic inscriptions / calls)	1

As in previous years, the main police violation category remains their inadequate responses to appeals for protection of LGBT people. Violations include the refusal of the police to accept applications reporting offenses or including in them essential testimonies of victims on homophobic / transphobic motives of the offenders. On the part of investigators, it includes attempts to reduce the investigation of crimes having signs of hate crimes to mere hooliganism cases convenient for them, or to bodily injury etc. – as well as delaying investigations and closing of proceedings because of alleged inability to establish the personal identities of the offenders.

Some police officers still demonstrate dismissive and discriminatory attitudes to LGBT people. Primarily these attitudes are typical of older cadres, especially investigators; among the new patrol police such behaviour occurs much less frequently.

#### *Case 909*

May 29, 2017, about 5 pm, two guys (aged 24 and 26) were kissing in a secluded corner of Hidropark – a traditional river-view gay cruising site in Kyiv – when they were attacked by three men of about their age. The attackers beat and robbed the victims while shouting homophobic insults. One of the attack victims managed to keep his mobile phone, thus he could immediately call the police. The patrol police acted quickly, and arrested the attackers on a bridge over a strait of the Dnieper River.



*Figure 10. The attackers of a gay couple in Hidropark detained by the police, Kyiv, 29.05.2017.*

One of the victims was hospitalized with multiple bruises and suspected broken ribs. On the same evening about 9.30 pm, the victim was visited in the hospital by two investigators from the Dniprovske Police Department in Kyiv to record his testimony. These police officers behaved unacceptably, using homophobic vocabulary and causing disclosure of confidential information about the sexual orientation of the victims in the presence of medical staff and other patients. Further, in violation of the law, the investigators did not include information about this crime in the Unified Register of Pre-trial Investigations. That was done only after the ruling of an investigating judge. Although the offenders did not hide the

homophobic motive of the attack, the investigation refused to take such into account and qualified this crime as ordinary hooliganism. Again, only after the ruling of an investigating judge subsequent to the complaint of the victims' lawyer, was information included into the URPI regarding the possible commission by the suspects of the offense provided for in Article 161 of the Criminal Code of Ukraine.

#### *Case 905*

A resident of Berdyansk aged 44 arranged through the social network VKontakte a meeting with an unknown guy on March 26, 2017. In place of the meeting he was awaited by a group of youth who badly beaten the victim, sprayed tear gas into his eyes, and forced him to confess to paedophilia before a camera. From conversations between the attackers, the victim learned that they have some relation to the police. Some passers-by called the police. The patrol police officers talked to the attackers but did not detain them nor carry out any further action. Upon the request of the victim to call an ambulance, one of the police officers wished him to "Die here, scoundrel." After that the police left the scene. The victim connects the attackers with the movement Naslyedye in Zaporizhzhya which states that it combats paedophilia; and apparently, it has some support within the local police.

#### *Case 960*

June 22, 2017, Vitalii, a resident of Odesa, appealed to NGO Dzherela Prava ("Sources of Law") requesting legal assistance because a group of unknown persons committed crimes against him that are provided for in Part 3 of Article 161, Article 146 and Article 189 of the Criminal Code. Together with the chairman of the organization Oleh Byelov, Vitalii came to Prymorskyi Police Station to file and register a statement about the crimes committed, but the inspector on duty S.I. Osachuk, in violation of the law, initially refused to accept the application. Only after an hour of lengthy disputes (with police officers present who made illegal demands upon the victim and his companion, disclosed confidential information in the presence of strangers, and rebuked Oleh Byelov for representing the interests of the gay victim) the application was eventually registered.

## Employment

21 cases of violations of LGBT human rights were recorded in this sphere (please see Table 4):

*Table 4. Violations of LGBT rights in 2017 in the field of employment.*

<b>Violated rights (by what actions)</b>	<b>Number</b>
Discrimination (inaction of the administration, compulsion to resign, unlawful dismissal, unlawful refusal to hire, insults, humiliations of human dignity, threats, biased attitude, sexual harassment, bullying)	21
Respect for private life (illegal collection, disclosure, or threat of disclosure of confidential information)	3

In a third of cases of labour rights violations the victims were transgender persons; their portion of cases is therefore obviously much higher than their share in the LGBT community.

Unfortunately, even after the adoption of anti-discrimination norms, protection of LGBT rights in this area remains an extremely difficult task because the mechanisms bringing the perpetrators to justice in practice do not work, and victims usually do not see the sense of this process.

### *Case 1093*

October 21, 2016, the victim (a transgender person in transition from male to female gender and subjected to hormonal therapy) got the position of seller in Kyivske LLC (Odesa). Shortly the changes in her appearance became visible to the staff and management of the trading facility, they then started insulting, harassing and demanding that the victim observe the appearance of a "passport sex." Eventually, the victim was forced to resign, ostensibly voluntarily.

### *Case 918*

The victim – a man of 28 – for eight years has worked at a factory in Nikopol in Dnipropetrovsk oblast. He did not hide his homosexual orientation, and his co-workers were quite tolerant. However, a year ago a new group of workers came into the company. After learning about the

orientation of the victim, they began to insult him roughly on this ground, throw soap at him in the bath and so on. The victim repeatedly complained to the authorities, but they did nothing to resolve the conflict and stop the bullying. The victim ponders over whether to apply to the police, but fears that he would then be immediately fired from his job.

#### *Case 949*

The victim – a transgender homosexual woman – since 2013 has worked as a scene mounter in the Mykolayiv Arts Academic Russian Drama Theatre. For long years she suffered from gender dysphoria, and in early 2017 began hormone therapy in order to make a transition to her desired (female) gender. She began to change her appearance and confessed her transsexuality to one of her co-workers. In just a day, the rest of her crew learned about it, and they began to pour ridicule and insults upon her. After a week drunken co-workers tried to set fire to her hair at the workplace. The employee, to whom she had admitted her transsexuality, hit the victim in the face when she reminded him about the performance of his professional duties. According to the victim, the head of the assembly shop where she worked did not offend her excessively, but immediately told that there is no place for gays and similar persons in his shop. On May 16, 2017 she was approached by the head of her shop and the head of all the theatre's workshops with a proposal to resign voluntarily because "it is already difficult to her to perform her duties" and because she "should not disgrace a state institution." Open mockery and insults made the victim do it – she finished off the month and left. The victim applied for violation of her rights to the Parliamentary Commissioner for Human Rights.

### **Education**

Violations in this sphere were recorded in 9 cases (please see Table 5):

*Table 5. Violations of LGBT rights in 2017 in education.*

<b>Violated rights (by what actions)</b>	<b>Number</b>
Discrimination (bullying, threats, inaction of administration)	8
Hate incident (insults, humiliations of human dignity, threats, physical violence)	3

Respect for privacy (invasion of privacy, illegal gathering, disclosure, or threat of disclosure of confidential information)	3
Hate crimes (physical abuse)	1

Discriminatory treatment in this area took place both in the administration of educational institutions (including schools) and by the fellow students. Victims of bullying were not only young people but also homosexuals and children being raised by same-sex parents.

According to the results of the study conducted by NGO Fulcrum in 2017 among Ukrainian LGBT schoolchildren, about half of the respondents (48.7%) felt at risk in their schools because of their sexual orientation, and about one third (31.5%) at risk because of their gender expression (i.e. appearance and behaviour). More than 60% were subjected to verbal harassment because of their sexual orientation and roughly the same percentage because of gender expression, including from teachers and school staff. About a quarter of the respondents were subjected to physical bullying (for example, being pushed), and more than 13% – to physical attacks (for example, beating) for each of those grounds. Almost a half experienced sexual harassment. 65.8% of the victims never sought help from school staff, and 55.3% of those who did in response received an instruction not to pay attention to it.<sup>57</sup>

#### *Case 1090*

In one of the schools in Sumy, in December 2017 at a parents meeting, a class teacher told parents of her pupils that a lesbian was studying in the class, voicing the name of this student. The parents present at the meeting told this to their children. The next day, the children began openly to mock and bully the child. Because of bullying, which was caused by the disclosure of the girl's sexual orientation, her parents had to move the child on to another school.

#### *Case 1075*

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<sup>57</sup> ВБО "Точка опори", *Національне дослідження шкільного середовища в Україні: резюме*, 2018, t-o.org.ua.

15-year-old Yevhen, a transgender boy and a student of one of Odesa's private schools: "In 2016 I graduated from the 10th form at the school. There are wonderful teachers there who supported me, knowing that I am a transgender. However, it also had its own peculiarities. Such as the "mandatory rules of the Lyceum". One of the rules read: "Boys are required to wear classic trousers, girls – a lyceum chequered skirt." It's very difficult for me to wear a skirt, for obvious reasons, so I went in classic pants. After some time and a certain number of comments about the uniform, I was called in to see the director. There we started talking about the reason for my abrupt refusal to wear a skirt. I said that I have felt like a guy since my childhood and it's really insane for me to dress completely like a girl. But I did not behave completely as a guy would, and did not order people to address me in a masculine gender, it was enough for me that the teachers accept the elementary – pants, not the skirt. Well, the headmistress could not stand it and started relating an interesting story about how wonderful it is to be a girl. There were phrases like: "As for me, there are only men and women, the rest is of Satan and the Devil," "you need to be placed in a male society, for example, a military unit, to be screwed like a street cat, and then you will understand: such people have either something broken in the head or something is wrong with their psyche," "your parents seem normal, why are you this." And, ultimately, the phrase: "Either you come in a skirt tomorrow or you take away your documents." Therefore, unfortunately, I had to take the documents and move to another educational institution."

### **Access to Goods and Services**

In this sphere seven cases were documented (please see Table 6):

*Table 6. Violations of LGBT rights in 2017 in the provision of goods and services.*

<b>Violated rights (by what actions)</b>	<b>Number</b>
Discrimination (threats, refusal to rent, biased attitude)	5
Hate incidents (insults, humiliation of human dignity, threats, physical violence)	3
Hate speech (homophobic inscriptions / calls)	2



Typical for this sphere is that almost in all documented cases victims in one way or another tried to protect their consumer rights and to oppose discriminatory attitudes by the service personnel.

Recently, "humorous" signboards of homophobic nature were noticed in some public places (please see Figure 11).



Figure 11. Homophobic "humorous" ads in the fitness centre GOOD ZONE in Severodonetsk and alcoholic drinks shop (Kyiv, 26. Perova Blvd.). The subject of both ads refers to the widespread use of homophobic terms instead of general insults.

Also worth noting is that such cases of homophobic / transphobic treatment were evident not only in public venues but also in specialized ones, targeted for LGBT audience.

#### Case 1092

December 16, 2017, four guards of the gay club Lift in Kyiv beat a transgender woman and made transphobic mockery over her appearance.

#### Case 878

In March 2017 a group of LGBT activists in Zhytomyr decided to organize a party for the local community. To do this, earlier in February they had reached an oral agreement with the administrator of one of the city's cafes over holding the event: she was explained to that clients would be

LGBTs, and she had no objections. But in a few days this administrator phoned the organizers and proposed that they now come back and pick up the previously paid deposit. She said the owners had learned about the nature of the party and did not want to see such customers. The organizers did not agree with such discriminatory treatment and appealed to the representative of the Parliamentary Commissioner for Human Rights in Zhytomyr oblast with a statement alleging discrimination. However, the representative of the Ombudsman did not find sufficient evidence to bring the administrator to justice.

#### *Case 934*

For several months the staff of the shop "Kumushka u doma" in Pecherskyi district of Kyiv, which was often visited by 21-year-old Dmytro and his female friend, indulged in nasty remarks towards the young persons: Dmytro was called "pink", his friend – "slut", and other obscenities. Dmytro telephoned the head of the mini-markets network and accused her staff of homophobia. The head initially denied the fact of homophobia, but nevertheless went to the store to conduct a check-up. The check-up confirmed the facts of homophobia and insults. The shop manager, a guard and a cashier were fined. The guard immediately left the shop, and the rest of the staff now are well informed about the incident and its consequences, and so behave politely. It is worth noting that the head of the chain stores is an IDP from the Russia-occupied part of Donbas. She told Dmytro that she previously "had a huge business in Donbas, and came to Kyiv having lost everything to live in democratic society."

## **Health**

Violations in this sphere were recorded in 5 cases (please see Table 7):

*Table 7. Violations of LGBT rights in 2017 in health services.*

<b>Violated rights (by what actions)</b>	<b>Number</b>
Discrimination (denial of medical care or partial provision of it not in full, compulsory treatment)	3
The right to health care (denial of medical care or partial provision of it not in full)	2
Respect for private life (illegal collection, disclosure, or	1

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 threat of disclosure of confidential information)
 

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In four cases violations by hospital staff were made against transgender persons. Violations were connected with a biased attitude towards them or ignorance of professional duties under the new order of the Ministry of Health which regulates gender reassignment issues.

In one case (case 896) an 18-year-old gay boy reported about his parents' attempts to "cure" him from this "disease" with the help of a homophobic psychologist who, among other things, prescribed heavy tranquilizers to his "patient".

#### *Case 997*

In August 2017 a transgender woman turned to Endocrinology Clinic No. 2 of Solomenskyi district of Kyiv to receive a certificate of conducted hormone therapy. The doctor tried to refuse, redirecting her to another medical facility, but she insisted on his performing his professional duties. In addition, the doctor in the presence of other patients (this happened in the hospital corridor) loudly discussed details of this transgender women's diagnosis with another physician in her presence.

### **Legal proceedings**

In one case (case 875) was recorded the homophobic attitude of a judge of a district court in Sumy oblast towards a lesbian. It happened during the consideration of a civil action regarding this matter: with which of the parents would live the little baby of this lesbian woman – and involving a judgemental attitude that could adversely affect the passing of fair and impartial decision on this matter.

### **The central and local authorities**

In two cases some homophobic rhetoric by local authorities was recorded. Thus, in February 2017 (case 879) Rubizhne Mayor Serhii Hortiv spoke disparagingly about LGBT people during a meeting of a City Council's commission. In June 2017 (case 1032) Vadym Kudiyaarov, a member of Vinnitsa City Council, placed a homophobic post on his page on Facebook page after the Kyiv Equality March: "If, God forbid, an LGBT community

appeared in our hometown of Vinnitsa, then we are the first who will destroy them by the roots."

Another two cases mention transgender persons facing refusals by representatives of government agencies such as the Civil Status Register (Desnyanskyi district of Kyiv, November 2017, case 1065) and the State Migration Service (Prymorskyi district of Odesa, December 2017, case 1096) to fulfil their functions to replace the relevant documents in connection with the official change of sex by the stated persons.

## 7. SITUATION IN THE OCCUPIED TERRITORIES

Because, after the annexation of the Crimea by Russia, homophobic Russian laws actually become in operation there, any public activity of the LGBT community on the peninsula is now impossible. Meanwhile, in the occupied part of Donbas there is no law at all, thus in this area not only social activities, but also the very lives of LGBT people are at risk.

Russian LGBT activist Nikolay Alekseev, known for his support of Putin's regime, extended his activity into the Crimea. As in other cases within the territory of the Russian Federation itself, he, with the help of assistants in the region, submitted to the occupying administrations of Simferopol, Kerch, Dzhankoy, Feodosia, Krasnoperekopsk and Armyansk requests for holding a "gay parade" (Alekseev's own terminology) and pickets in defence of LGBT rights. Like all previous applications of N. Alekseev within the territory of Russia itself, they were rejected by local authorities.<sup>58</sup> It should be noted that all these actions of Alekseev and his assistants are not designed for the actual conduct of any LGBT actions. They are made by him with the sole purpose of gaining further appeals against decisions of the authorities, and eventually to receive money compensations pursuant to decisions possibly to be rendered by the European Court of Human Rights. In fact, the local LGBT communities in the Russia-occupied territory (as well as in the territory of Russia proper excluding the biggest cities) do fear any public disclosure of their very existence.

Nash Mir Center received in 2017 information about two minor homophobic incidents in the Crimea, and two more significant cases that occurred in the occupied part of Donetsk oblast. The first incident concerned the Russian artist Oleg Vasiliev, also known as Masha Shtern and Syeroye Fiolyetovoye, who probably consider her/himself an LGBT or queer activist. Vasiliev tried, in violation of Ukrainian law, to enter the occupied part of Donetsk oblast from the uncontrolled-by-Ukraine part of the Ukrainian-Russian border – further to conduct some art performance. But he was detained, interrogated and deported back to Russia by the

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<sup>58</sup> Nikolay Alekseev, 19.10.2017, vk.com.

occupation authorities.<sup>59</sup> The other case is described in section 6 of this report (case 1022).

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<sup>59</sup> Meduza, "Почему я должно унижаться перед вооруженными людьми?" Интервью Серого Фиолетового, освобожденного из ДНР после попытки провести там акцию в поддержку ЛГБТ, 15.02.2017, meduza.io.

## 8. CONCLUSIONS AND RECOMMENDATIONS

In addition to legislative reforms bringing Ukraine closer to modern European standards protecting the rights and interests of LGBTI people, the problem of homophobic violence needs urgent attention. Law enforcement authorities, within their reformation process, also have to learn experience and attitudes regarding homo-violence from their colleagues in developed Western countries. Thus,

1. **The Verkhovna Rada of Ukraine** is recommended to eliminate all provisions in the Ukrainian legislation that lead to discrimination on grounds of sexual orientation or gender identity – in particular, in Article 74 "The right to property of a woman and a man who live as one family but are not married to each other or are not in another marriage" and Article 91 "The right to maintenance of a woman and a man who are not married to each other" as well as the respective clauses of Article 211 "Persons who can be adoptive parents" of the Family Code of Ukraine. We also recommend that the Ukrainian parliament passes a law on registered partnership for same-sex couples. In the process of reforming the Ukrainian legislation, sexual orientation and gender identity should always be mentioned explicitly as characteristics that are protected from discrimination and incitement to enmity and hatred. Homophobic/transphobic motives for committing a crime should be defined as aggravating circumstances in Articles 161, 121, 122, 126, 127, 129, 293, 296 of the Criminal Code of Ukraine.
2. **The President, the Cabinet of Ministers of Ukraine, and the Commissioner of the Verkhovna Rada of Ukraine on Human Rights** are advised to adopt national policies to combat inequality, discrimination, increase tolerance and mutual respect in society, and always explicitly to mention sexual orientation and gender identity in the policies as protected characteristics, and LGBTIs – as a vulnerable group.
3. **The Ministry of Health of Ukraine** is recommended:
  - to amend the MoH Order 479 from 20.08.2008 "On Approving the List of Diseases Having Which Disables a Person to Be an Adoptive

Parent" by removing from it the code F64 (item 9 "Gender identity disorders");

- to organize a revision of all textbooks and other teaching and learning materials for medical schools to bring them into compliance with the ICD-10 with the purpose to eliminate any mentions of homo- and bisexuality as illnesses, mental disorders, sexual perversions etc. In addition, to ensure that new teaching materials are examined for correct coverage of issues of sexual orientation and gender identity.

4. **The Ministry of Education and Science of Ukraine** is recommended to include topics of sexual orientation and gender identity in the school curricula and programmes of universities and professional training of the teaching staff.

5. **The Ministry of Interior of Ukraine** is recommended:

- regularly to hold educational activities with their staff on the topics of tolerance and inadmissibility of human rights violations regarding LGBTIs, and (together with the prosecutors) thoroughly and impartially to investigate instances of human rights violations of LGBTI people committed by police officers and to bring the guilty persons to liability;
- to include topics of sexual orientation and gender identity in the programmes of juridical and law enforcement higher schools and in the professional training of the law enforcement staff.

6. **State authorities, local self-governments and their representatives** are recommended:

- to take into account and to be governed in their future activities by the principle enshrined in Article 35 of the Constitution of Ukraine, which states that "church and religious organisations in Ukraine are separated from the state, and schools – from the church" and that "no religion shall be recognized by the State as mandatory";



- to prevent and condemn public manifestations of homophobia, adhere to the principles of respect, equality and non-discrimination for all social groups.

## **9. METHODOLOGY AND THE AUTHORS OF THE REPORT**

The monitoring network of Nash Mir Center and publicly accessible mass media, especially electronic ones, were the main sources of information for this report. Our results cannot be considered statistically representative in terms of quantitative sociological data, but we state that they quite adequately reflect the current situation for LGBTI people in Ukraine, at least from the viewpoint of the Ukrainian LGBTI community. State institutions, except for the Parliament Commissioner for Human Rights, practically neither monitor themselves nor collect information on issues related to the observance of the rights and interests of this social group in Ukraine, therefore, more trustworthy statistics and analysis on these issues other than those published by the Ukrainian LGBTI and human rights organisations and individual activists, simply do not exist. Years of experience of our public work with the Ukrainian LGBTI community, cooperation with leading domestic and international human rights organisations and own life experience as ordinary Ukrainian LGBTI citizens are the guarantees of truthfulness and representativeness of our information – we write about what we feel and see around us in everyday life.

Our activities are aimed at both the LGBTI community and Ukrainian society in general. We are now focusing our efforts on:

- Monitoring violations of LGBTI people's rights.
- Legal aid and counselling for victims of discrimination and hate crimes on grounds of sexual orientation or gender identity.
- Legal education for the LGBTI community.
- Advocacy for the protection of equal rights for LGBTIs on legislative and political levels.
- Strategic litigation.
- Supporting local initiative groups, mobilizing LGBTI communities at the local level.

Nash Mir Center is a co-founder of the Council of LGBT Organisations of Ukraine (which currently brings together the vast majority of Ukrainian LGBTI organisations) and the Coalition for Combating Discrimination in

Ukraine – an association of various non-government organisations and individual activists who seek to promote equality and combat discrimination in Ukrainian society.

