



ПРАВОЗАХИСНИЙ ЛГБТ ЦЕНТР «НАШ СВІТ»

LGBT HUMAN RIGHTS NASH MIR CENTER

May 31, 2021

Foreign embassies,
Delegation of the European Union,
European Parliament's LGBTI Intergroup
OSCE Special Monitoring Mission to Ukraine
Council of Europe Office in Ukraine,

Re: Governmental Bill 5488 to criminalize hate crimes including on grounds of sexual orientation and gender identity

Dear Madam / Sir,

I am pleased to inform you that the Ukrainian government has eventually worked out the amendments to the Criminal Code of Ukraine which would criminalize hate crimes on various grounds including sexual orientation and gender identity (currently the CCU recognizes only hate crimes motivated by racial, national or religious intolerance). On May 13, 2021, the Cabinet of Ministers of Ukraine introduced Bill 5488 developed by the Ministry of Internal Affairs for consideration by the Verkhovna Rada of Ukraine (http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=71891).

This document completely conforms to the corresponding provision of the Action Plan on Human Rights until 2020 (Para. 108, Action 3). Moreover, it goes even further and also criminalizes incitement to hatred on various grounds including sexual orientation and gender identity thus completely unifying approaches to investigation of crimes motivated by intolerance on any grounds and punishments for them. This is a really progressive and necessary legislative proposal that may substantially improve legal and practical situation with hate crimes in Ukraine.

Unfortunately, we have no doubts that this proposal, like any proposal aimed at improving the situation of LGBT people in Ukraine, will face fierce opposition from the biggest Ukrainian churches and the homophobic religious lobby in the Ukrainian parliament. It cannot be overcome without active advocacy efforts by the Ukrainian government, Office of the President, and the leadership of the ruling Servant of the People Party as well as pro-European opposition European Solidarity and Holos parties.

We ask you to use all possible mechanisms to exert influence on the Ukrainian authorities and politicians with the purpose to advocate adoption of this bill. If necessary, we can provide you with more detailed information on the subject.

The above-mentioned bill was submitted to the parliament quite recently, and there are very few chances that it may be considered earlier than the autumn of this year.

Sincerely,

Andriy Maimulakhin,
Coordinator of Nash Mir Center

