



Organization Activity Report 2023

Nash Svit Center was established over 25 years ago with the following goals:

- 1) Protection of rights and freedoms towards LGBT in Ukraine and improvement of their legal protection, combating discrimination on grounds of SOGI (sexual orientation and gender identity).
- 2) Improvement of society's attitudes towards homosexuality and people of homosexual orientation, combating homophobic and transphobic sentiments in the mass consciousness.
- 3) Upbringing of self-consciousness of LGBT as equal and valuable members of society.

In 2023, the organization continued to monitor various aspects of the situation of the LGBTQ community in Ukraine, searching for and documenting cases of rights violations. During the year Nash Svit Center's monitoring network documented 56 cases of actions motivated by homophobia / transphobia, discrimination and other violations of human rights in Ukraine, of which 52 occurred in the territory of Ukraine, and 4 — abroad with Ukrainian LGBTQ refugees.

Based on monitoring information we prepared several reports, including:

War and Civil Partnerships. LGBTQ situation in Ukraine in 2023

<https://gay.org.ua/publications/Situation-of-LGBT-in-Ukraine-2023-ENG.pdf>

The Battle for Freedom. LGBTQ situation in Ukraine in 2022

<https://gay.org.ua/publications/Situation-of-LGBT-in-Ukraine-2022-ENG.pdf>

Our monitoring information has been used in publications by other organizations, including:

U.S. Department of State, 2023 Country Reports on Human Rights Practices: Ukraine

<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/ukraine/>

2023 OSCE/ODIHR Hate Crime report

https://hatecrime.osce.org/incidents?country=UA&year=2023&bias_motivations=9

The most important for the Ukrainian LGBTQ community, as well as the most difficult to implement, is the adoption of a law on registered civil partnerships available to same-sex couples, which would grant them basic marital rights and obligations. This issue has become particularly obvious and urgent against the background of the war and mass mobilization of citizens to the ranks of the Armed Forces of Ukraine. LGBTQ Ukrainians fully participate in the resistance to Russian aggression, but are deprived of the fundamental human right to respect and protect their family life. Without waiting for the end of hostilities, Ukrainian LGBTQ organizations, including Nash Svit, raised the issue of registered partnership at the state level, as a result of which the relevant draft law was registered in the Verkhovna Rada (<https://itd.rada.gov.ua/billInfo/Bills/Card/41497>). In particular, the Center's advocacy expert Andrii Kravchuk took an active part in working meetings on the development of this bill with its author, Inna Sovsun MP.

One of our main achievements was the victory in the case *Maymulakhin and Markiv v. Ukraine* adopted by the European Court of Human Rights on June 1, 2023. The panel of judges unanimously decided that Ukraine violated Article 8 of the European Convention on Human Rights (right to respect for private and family life) in combination with Article 14 (prohibition of discrimination) due to the absence in our country of any form of state registration for same-sex family partners and, as a compensation for moral damage,

ordered to pay them 5,000 euros each as well as to reimburse the costs of lawyers' work. When considering the case, the court took into account Ukraine's application for EU membership, available information on petitions and actions to support same-sex marriages / partnerships in our country, survey data on the attitude of Ukrainian society to these issues, recommendations of international organizations on this matter.

More detailed information: <https://gay.org.ua/en/blog/2023/06/01/the-european-court-of-human-rights-recognized-that-ukraine-violated-the-rights-of-same-sex-family-partners/>

Bulletin of the Supreme Court of Ukraine "Review of the Decisions of the European Court of Human Rights" for June 2023, pp. 77-79
https://supreme.court.gov.ua/userfiles/media/new_folder_for_uploads/supreme/oglyady/Oglyad_ESPL_06_2023.pdf

Nash Svit provided our analytical materials and expert comments to the Ministry of Justice of Ukraine regarding the development of a governmental draft law on registered civil partnerships for the implementation of the current Action Plan within the National Human Rights Strategy
https://gay.org.ua/documents/Policy-brief-on-registered-partnership_eng.pdf

In February 2023, representatives of Nash Svit met with employees of the Department for Combating Crimes Committed in Conditions of Armed Conflict of the Office of the Prosecutor General of Ukraine, in particular, the department that deals with pre-trial support and prosecution support in the courts specifically for cases related to conflict-related sexual violence (CRSV). During the meeting, we agreed that Nash Svit will be able, if desired by victims of CRSV, to contact them directly with the employees of this unit, bypassing all local levels of law enforcement agencies, thereby reducing the risk of secondary discrimination.

In February 2023, the Center's advocacy expert Andrii Kravchuk was included in the Expert Council on Equal Rights and Prevention of Discrimination under Ukrainian Ombudsman's office.

At the request of Nash Svit Center, another sociological survey of the Ukrainian society's attitudes towards LGBT people was conducted.

Results of the poll: <https://gay.org.ua/en/blog/2023/06/15/ukrainians-improved-their-attitude-towards-lgbt-people-during-the-year/>

Our experts and activists of the monitoring network provided 113 primary legal consultations to representatives of the LGBTQ community who faced violations of their rights. In 2023 Nash Svit Center provided secondary support in a number of cases during the investigation stage and in the courts.

In particular, we can note the victory in the case of a homophobic attack that occurred at the end of May 2023. More details: <https://gay.org.ua/en/blog/2023/11/28/important-though-dubious-judgement-on-homophobic-crime-by-ukrainian-court/>

We were also contacted by representatives of the UN Human Rights Monitoring Mission in Ukraine, as well as the Independent International Commission of Inquiry on Ukraine of the UN Human Rights Council, for information about human rights violations against LGBTQ people during the armed conflict.

After the adoption of the law "On Media," the National Council for Television and Radio Broadcasting became the national media regulator, authorized to monitor compliance by all mass media with the principles of non-discrimination and tolerance and to apply sanctions to violators. A representative of Nash Svit Center was invited and participated in the development of criteria for determining information that may be discriminatory against LGBTQ communities.

Our organization continued to carry out information and educational work aimed at promoting the interests of the LGBTQ community by posting information on social networks, on the organization's website, and in the mass media. During 2023, 223 publications were posted on the organization's Facebook

and Instagram pages, and on the organization's website – 24. Thanks to targeted advertising, the reach of our pages in social networks amounted 1,495,596 accounts.

Our information, interview with our experts was used in 241 articles on Ukrainian and foreign Internet resources. Some of them:

<https://zmina.info/news/u-2022-roczni-v-ukrayini-zafiksuvaly-105-vypadkiv-gomofobiyi-transfobiyi-ta-dyskryminaciyi-doslidzhennya/>

<https://glreview.org/andrii-kravchuk-discusses-lgbtq-activism-in-ukraine/>

<https://www.sbs.com.au/language/ukrainian/en/article/the-gay-ukrainians-hunted-by-russian-soldiers-and-the-allies-helping-them-escape/i7rlgwr4b>

<https://www.abc.net.au/news/2023-02-24/how-the-lgbtqia+-community-in-ukraine-has-been/102020780>

<https://www.kyivpost.com/uk/post/16345>

<https://www.washingtonblade.com/2023/12/11/stuck-in-limbo-ukrainian-government-leaving-lgbtq-community-behind/>

<https://telegraf.com.ua/ukr/ukraina/2023-12-15/5822663-u-kokhannya-nemae-stati-yaki-problemi-mae-lgbt-spilnota-v-ukraini-i-yak-ikh-virishiti>

<https://www.businessinsider.com/ukraine-lgbtq-soldiers-fight-acceptance-battlefield-russia-war-2023-12>

The European Commission's report (November 2023) on Ukraine's readiness to join the European Union does not ignore the issue to protect equal rights for LGBTIQ people. Presumably, for the first time the European Commission has directly mentioned to the Ukrainian authorities the need to remove from the Family Code provisions discriminating against same-sex couples, as well as the demand of the European Court of Human Rights to provide them with legal recognition and protection. We are pleased that the data collected by Nash Svit Center and our recommendations were used in the preparation of this report.

More detailed information: <https://gay.org.ua/en/blog/2023/11/09/the-european-commission-pays-attention-to-solving-the-issues-of-protecting-lgbtig-people-s-rights-within-the-process-of-ukraines-accession-to-the-eu/>

Financial report

Income / Expenses of the non-profit organization in 2023 – 4,851,567 Ukrainian Hryvna.

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Contact details and web-recources

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<https://www.instagram.com/nashsvitcenter/>

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