

APPEAL

by the participants of the conference with international participation
Challenge without Response: hate crimes against LGBT people in Ukraine
(Kyiv, February 23, 2018)

Addressed to **The President of Ukraine, Prime Minister of Ukraine, Chairman of the Verkhovna Rada of Ukraine, Minister of Internal Affairs of Ukraine**

Fully aware that since the Revolution of Dignity the spread of hate crimes in Ukrainian society has only been growing, we want to draw your attention to the fact that law enforcement agencies are not paying hate crimes enough attention.

Taking into account that these crimes are particularly dangerous to society – because they cause confusion and discord throughout civil life and because impunity following them encourages offenders to commit new illegal actions, we believe that, without decisive reform of the current legislation, policies, and enforcement practices in the hate crimes sphere, processes taking place in Ukraine will lead to escalation of violence and other offenses committed on grounds of prejudice.

Today we witness the rapid spread of aggressive attacks on events associated with the LGBT community – not only upon public actions but also upon private events, organizations, and individual activists. While state bodies do react somewhat to the violence and inciting of hatred against national or religious minorities, reaction is found absent regarding the problems of intolerance manifesting on grounds of sexual orientation or gender identity.

In late 2015, the Ukrainian government approved the Action Plan for the Implementation of the National Strategy on Human Rights until 2020, however, as estimated by Ukrainian human rights organizations, the current level of implementation of this document does not exceed 25%. In particular, measures referred to in paragraph 105 of this document, including the strengthening of criminal responsibility for crimes committed on grounds of homophobia and transphobia, remain unfulfilled.

The failure to implement the Action Plan regarding the necessary changes to the Criminal Code of Ukraine actually leaves the police without the legal basis for combating such crimes, and the Ukrainian LGBT community – without protection from them.

Please note that the failure of the Ukrainian government so far to fulfil its commitments in the field of human rights can negatively affect the outcome of the existing visa-free regime with the EU countries – and the planned steps to achieve the same regime with other developed democratic countries.

We call on the Ministry of Internal Affairs of Ukraine, which is responsible for the execution of the corresponding item of the Action Plan, finally to develop a bill to amend the Criminal Code (concerning punishment for crimes committed under motives of intolerance on grounds such as race, skin colour, religious beliefs, sexual orientation, transsexuality, disability, language), and call on the Cabinet of Ministers – to introduce the bill to Parliament and to achieve its adoption.

Our country has already made its historic choice – now it is time to implement that choice and to live by the standards of the modern free world.