

Re: LGBTQ situation in Ukraine in 2022

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Since the beginning of 2022, there have been no significant changes in Ukrainian legislation regarding the protection of the rights and interests of LGBTQ people. Judging by the experience of previous years and obvious political trends, homo /transphobic bills have no chance of being adopted by the Ukrainian parliament, and the adoption of proposals for the protection of LGBTQ rights depends on their active lobbying by the government and, first of all, by the Office of the President of Ukraine.

The Ukrainian government has included the LGBTQ components of the Action Plan on Human Rights in the draft Ukraine's Recovery Plan, which should be adopted in the near future, confirming its intentions to implement them. Among them, 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 problem 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 protection of their family life.

Ukrainian politicians and society began to discuss the possible introduction of same-sex marriages or registered civil partnerships, while the still influential Ukrainian churches, having condemned in general the inhuman ideology of the "Russian world," continue to share it completely when it comes to the rights of LGBTQ people and protest against any steps to protect them. Ratification of the Istanbul Convention demonstrated, however, that the President and the government are able to overcome churches' lobbying efforts and get the parliament to pass such laws, if this is justified by the needs of Ukraine's European integration.

New sociological studies show that in recent years Ukrainian society has radically improved its attitude towards LGBTQ people, and now opponents of equal rights for them constitute a minority already.

Since the beginning of the full-scale Russian invasion, the LGBTQ community, in general, has experienced the same problems as the rest of Ukrainian society, although there are also certain complications specific to LGBTQ people. In particular, a new problem related to martial law consists in the repeated cases of improper and discriminatory treatment by representatives of the police, Armed Forces, and Territorial Defense when checking the documents and personal belongings of LGBTQ people at checkpoints and other places, which were often accompanied by violence to LGBTQ people and other violations of their rights.

1. Generalized social and political situation

Legislation

Since the beginning of 2022, there have been no significant changes in Ukrainian legislation regarding the protection of the rights and interests of LGBTQ people. At the same time, the ratification of the Istanbul Convention demonstrated the consistency of using the principle of non-discrimination based on sexual orientation and gender identity (SOGI) and the alignment of legislative reforms with modern standards of human rights protection.

After the beginning of the full-scale invasion of the Russian army in Ukraine, the Verkhovna Rada postponed consideration of draft laws introduced in previous years, which offer both protection and

restrictions of LGBTQ rights. Judging by the experience of previous years and obvious political trends, homo /transphobic bills have no chance of being adopted by the Ukrainian parliament, and the adoption of proposals for the protection of LGBTQ rights depends on their active lobbying by the government and, first of all, by the Office of the President of Ukraine.

The draft Ukraine's Recovery Plan developed by the Cabinet of Ministers included the main LGBTQ components of the current Action Plan on Human Rights, namely, amendments to the Criminal Code of Ukraine regarding the criminalization of hate crimes and incitement of enmity on a number of grounds, including SOGI (implementation deadline — June 2023), and the development and adoption of a law on registered civil partnership available to same-sex couples (implementation deadline — December 2023). The draft of this Plan also includes "Amendments to the legislation of Ukraine to introduce a direct ban on discrimination based on sexual orientation and gender identity" (implementation deadline — December 2022).

The petition on the introduction of same-sex marriages, which received sufficient support for consideration by the President of Ukraine, sparked a public debate about the essence of Article 51 of the Constitution of Ukraine. The public, politicians and lawyers have expressed opposing opinions on whether its provision that "Marriage is based on the free consent of a woman and a man" is the definition of marriage and whether such a wording prohibits the legalization of same-sex marriages in Ukraine. The majority were inclined to the opinion that it does. However, the only specialist in constitutional law who took part in the discussion — the Representative of the Verkhovna Rada in the Constitutional Court, a Member of Parliament and doctor of legal sciences Olha Sovhyrya — stated that such an interpretation is very doubtful from her point of view, and she did not see in the idea to legalize same-sex marriages any contradiction to the Constitution of Ukraine. Soon after that, Olha Sovhyrya took the oath of office as a judge of the Constitutional Court of Ukraine, leaving her positions as an MP and the Representative of the Verkhovna Rada in the Constitutional Court. It should be noted that only the Constitutional Court of Ukraine has the right to official interpretation of the Constitution of Ukraine, which is mandatory for application, and that it has not yet interpreted this provision of the Constitution.

On August 30, the Verkhovna Rada adopted in first reading the revised draft Law "On Media," which is planned to be adopted in full at the autumn session of the parliament. The updated draft law retains a ban on calls for discrimination and harassment on SOGI grounds, consistent with the European Union legislation, and also introduces a corresponding provision to the Election Code of Ukraine and the law "On the All-Ukrainian Referendum."

The state and local authorities

As in previous years, the issues of discrimination and violence on SOGI grounds were reflected in the annual report of the Parliament Commissioner on Human Rights for 2021, presented in April 2022. Ombudsperson Lyudmyla Denisova once again drew attention to the fact that SOGI are still not included in the list of protected grounds in the law "On the Principles of Prevention and Counteraction of Discrimination in Ukraine" and in the Criminal Code, "in connection with which representatives of the LGBTQ community remain one of the most unprotected categories of citizens." The report also states that, in addition to protection against discrimination, violence, and incitement to enmity, representatives of the LGBTQ community appealed to the Commissioner in 2021 with complaints about the violation of their "property and non-property rights due to the impossibility of concluding a civil partnership agreement." To remedy the situation, the Ombudsperson recommended to the Ukrainian government to implement the provisions of the Action Plan on Human Rights regarding the criminalization of hate crimes and the introduction of registered civil partnerships.

On May 31, 2022, the Verkhovna Rada dismissed Lyudmyla Denisova from the position of its Commissioner for Human Rights, and on July 1 appointed Dmytro Lubinets, who at that time was a Member of Parliament and the head of the parliament Committee on Human Rights, as the new Ombudsman. The newly appointed Ombudsman began his activities by fundamentally reforming the Commissioner's Secretariat and meeting with representatives of civil society, whom he called for

cooperation and invited to work in his Secretariat. Representatives of LGBTQ and HIV service organizations were also invited to this meeting, and the new Ombudsman promised them to pay due attention to issues of protecting the rights and interests of the Ukrainian LGBTQ community.

The beginning of a new Russian invasion and, accordingly, mass mobilization into the ranks of the Ukrainian army and other military structures drew attention to the problem of protecting the rights of same-sex family partners during the war. On June 3, 2022, a petition regarding the legalization of same-sex marriages appeared on the President of Ukraine's website and then unexpectedly quickly gathered 25,000 signatures that is required for its consideration by the President. This was not the first petition of this kind, but even the most successful of all previous ones (from 2015) was supported by only 456 people.

On August 2, President Zelenskyi published his reply, in which it was noted that "According to the Constitution of Ukraine, marriage is based on the free consent of a woman and a man (Article 51). In the conditions of war or a state of emergency, the Constitution of Ukraine may not be changed (Article 157 of the Constitution of Ukraine)," that indirectly alludes to the alleged constitutional ban on the legalization of same-sex marriages in Ukraine (for more details on this issue, please see the last paragraph of the previous section of this report). At the same time, the President mentioned the government's plans to introduce a civil registered partnership in Ukraine, available to same-sex couples, and asked the Prime Minister "to consider the issue raised in the electronic petition and inform about the relevant results." As already mentioned, the Ukrainian government, represented by the Ministry of Justice, included this and other LGBTQ components of the Action Plan on Human Rights in the draft of the Ukraine's Recovery Plan, which is to be adopted in the near future.

Traditionally, out of all government agencies, the Ministry of Foreign Affairs pays the most attention to LGBTQ issues — obviously, for the sake of forming the international image of Ukraine as a modern liberal and democratic state. Minister of Foreign Affairs of Ukraine Dmytro Kuleba in his article for the German media *Der Spiegel* mentioned Russia's consistent policy of spreading hatred and persecution, particularly against LGBTQ people. Since the beginning of the new Russian invasion stage, the official English-language Instagram page of Ukraine *ukraine.ua*, which belongs to the Ministry of Foreign Affairs, published several materials on the participation of LGBTQ people in resisting Russian aggression, and for the first time an official representative of our country took part in an LGBTQ Pride March (on August 6, the Ambassador of Ukraine to Sweden, Andrii Plakhotnyuk, at Stockholm Pride). As far as we know, the Ministry of Foreign Affairs of Ukraine is even planning to invite a previously well-known Ukrainian LGBTQ activist to work precisely in order to strengthen this direction of their activities.

After the start of a new active phase of the war with Russia, ultra-conservative public movements sharply reduced their activity, and local councils completely stopped adopting the homophobic and anti-gender appeals to the central government.

Politics

Among the leading political forces of Ukraine, the most active and consistent defender of equal rights for LGBTQ people is an MP from Holos ("Voice") party Inna Sovsun. In 2022, she repeatedly expressed her support for bills on protection of LGBTQ rights, in particular, regarding the introduction of registered civil partnerships in Ukraine.

After the petition to the President of Ukraine regarding the legalization of same-sex marriages gathered the necessary votes for its consideration, a discussion broke out among the Verkhovna Rada members on the possibility of their legalization in Ukraine, and in fact, about the need to protect the rights of same-sex couples. It demonstrated that the political parties represented in the Verkhovna Rada do not have a defined positions and policies regarding LGBTQ issues. Members of Parliament from the ruling party Servant of the People demonstrated opposite views on this issue: while Olha Sovhyrya, Dmytro Hurin and Oleksandr Merezhko declared the essential possibility of introducing same-sex marriages, their colleague from the same faction Ihor Fris came out with a categorical, principled objection to such a step. The majority of MPs, however, did not react to this event.

A very notable and significant decision of the Verkhovna Rada was the vote for the ratification of the Istanbul Convention, against which the leading churches of Ukraine and ultra-conservative public and political figures opposed extremely sharply and irreconcilably. Obviously, this vote was successful only thanks to the non-public hard work with the members of the parliament by the Office of the President of Ukraine, as earlier representatives of the Ukrainian government and parliament claimed that there was a lack of votes in the Verkhovna Rada to pass such a decision. Of all the factions and political groups of the Verkhovna Rada, only Batkivshchyna ("Fatherland") faction did not cast a single vote in support of the ratification — however, no one from Yulia Tymoshenko's party voted against it either; its members either abstained or did not participate in the vote. The conservative yet pro-European European Solidarity faction led by its leader, former President Petro Poroshenko, almost unanimously supported the ratification. The necessity to ratify the convention its supporters explained by the need to demonstrate that Ukraine shares modern European values and standards in the field of human rights on the eve of the decision to grant Ukraine the status of a candidate for EU membership.

The ratification of the Istanbul Convention demonstrated that the arguments in favor of the European integration of Ukraine prevail over the generally conservative sentiments among the members of the Ukrainian parliament and are able to overcome the lobbying efforts of the extremely homophobic and still socially influential Ukrainian churches. It is obvious that the persistent position of the European Union governing bodies and/or the governments of its influential member states regarding the most important decisions in the field of LGBTQ rights protection forces the Ukrainian authorities to take the necessary steps in this direction.

According to Nash Svit Center's assessment, the most important issue in this area is the adoption of the law on registered civil partnerships available to same-sex couples, which would provide them with basic marital rights and obligations. The ongoing war with Russia draws the attention of society and the mass media to the problems of same-sex family partners who have and fulfill their duty to protect the motherland, but are deprived of absolutely all the rights that legal spouses and even unregistered heterosexual partners have. After the ratification of the Istanbul Convention, that was a real nightmare for Ukrainian ultra-conservative churches and politicians, the task for the Ukraine's president and government to grant them legal status and related rights and opportunities no longer seems unrealistic.

After that, Yulia Tymoshenko, whose party did not support the ratification of the Istanbul Convention, created a petition on the website of the President of Ukraine with the demand to denounce this international agreement. Obviously, this politician, who is not very popular in Ukraine, will now try to position herself and her political power as the main defenders of the so-called traditional values promoted by Ukrainian churches and ultra-conservative politicians. However, the practice shows that it would hardly bring her public popularity and mass support. It is typical that "the largest in the history of Ukrainian parliamentarism" inter-factional association named "Values. Dignity. Family," which was created in the Ukrainian parliament a few years ago to protect "traditional family values," turned out to be completely powerless both when ratifying the Istanbul Convention and when considering homophobic draft laws actively lobbied by Ukrainian churches. Members of the Verkhovna Rada willingly signed up for this association, but ignored the position of its leaders in the legislative process. From the Servant of the People party, only Svyatoslav Yurash — a co-founder, co-chairman and the most active member of this group — voted against the ratification of the Istanbul Convention.

Far-right Ukrainian politicians kept demonstrating on their consistently and irreconcilably homo / transphobic position, even in the conditions of the war against Russia, whose authorities fully share this attitude. In particular, the Ivano-Frankivsk Mayor Ruslan Martinkiv, a member of Svoboda party, once again confirmed his conviction that "a gay cannot be a patriot of Ukraine" despite the well-known facts about the participation of openly LGBTQ people in defending Ukraine from Russian aggression. Also, in July 2022, an article with similar statements appeared on the official website of the well-known, but marginal and uninfluential, far-right party Right Sector.

Churches and religious organizations

As for LGBTQ issues, in 2022 the main event for the leading Ukrainian churches united in the All-Ukrainian Council of Churches and Religious Organizations (AUCCRO) was the surprisingly quick and successful voting of the Verkhovna Rada to ratify the Istanbul Convention. Since the beginning of this year, with the exception of issues related to the Russian invasion in Ukraine, this has been the main topic of their public statements and non-public lobbying at meetings with representatives of the Ukrainian state authorities.

Ukrainian churches continue to take an absolutely uncompromising stand against what they call "promotion of gender ideology" and "propaganda of homosexuality" — that is, the introduction of modern standards in gender equality and protection of LGBTQ people's rights in Ukraine. After the failure of their efforts against the ratification of the Istanbul Convention, they are trying, so far unsuccessfully, to organize a public campaign for its denunciation. The main voiced reason for their dissatisfaction with the actions of the Ukrainian authorities is the alleged lack of a promised discussion on gender issues — however, they constantly and repeatedly met with representatives of the government, the President's Office and members of the parliament on this issue, conducted public agitation against the ratification of the Istanbul Convention, while at the same time directly refusing the discussion and any communication at all with representatives of the LGBTQ community.

The leaders of Ukrainian churches and conservative religious activists are very concerned about the processes of liberalization among their Western co-religionists. Until recently, this mostly concerned only the Catholic Church, but this year it became obvious that these processes also began in world Orthodoxy, and there is no unity in these issues even among Ukrainian Christians. The leadership of the Ukrainian churches does not know how to respond to these modern challenges, and prefers to simply ignore them and avoid discussion on such topics.

After the start of a new stage of the Russian invasion in Ukraine, the AUCCRO issued a statement "regarding the facts of the genocide of the Ukrainian people committed by Russian troops in Kyiv oblast," in which it called on all the countries of the world to "condemn the ideology of the "Russian World" as justifying the genocide of peoples and the destruction of entire states" — meanwhile, subsequent statements of the AUCCRO and representatives of its individual member churches clearly demonstrate that they still fully share the part of the "Russian World" ideology which concerns gender and LGBTQ issues.

Broad society and mass media

A sociological survey conducted in May 2022 by the Kyiv International Institute of Sociology (KIIS) ordered by Nash Svit Center demonstrated a radical improvement in the attitude of Ukrainian society towards LGBTQ people in recent years. Compared to the results of the previous similar survey in 2016, the number of LGBTQ-friendly responses increased by two to five times. In particular, the number of those who have a negative attitude towards LGBTQs in general decreased by one and a half times (from 60.4% to 38.2%), the number of those who have a positive attitude towards LGBTQs increased fourfold (from 3.3% to 12.8%), those who are indifferent to them — by one and a half times (from 30.7% to 44.8%). Since 2016, the share of those who declaratively support their full equality has doubled (from 33.4% to 63.7%), and the share of those who believe that the rights of LGBTQ people should be limited in some way has almost halved (from 45.2% to 25.9%). Similarly, the number of those who hesitated to answer has halved: from 21.3% to 10.4%. Support for the introduction of registered civil partnerships for same-sex couples increased fivefold, from 4.8% to 23.6%, and the number of those who are indifferent to the issue increased one and a half times, from 18% to 27.1%. Thus, less than half of Ukrainians, namely 41.9%, are against same-sex partnerships, while in 2016 those constituted 69%.

Because of the war, this study was conducted in a different format than the previous one — by telephone interview rather than face-to-face. Considering this, as well as the conditions of the war in which the survey was conducted, sociologists increased the possible statistical error, but concluded that "the obtained results still retain a high degree of representativeness and allow a fairly reliable analysis of the public mood of the population."

Immediately before the resumption of the active phase of the Russian invasion in Ukraine, another survey conducted by the Center for Social Expertise of the Institute of Sociology of the National Academy of Sciences of Ukraine was completed. Its results turned out to be quantitatively different, but they qualitatively confirm the conclusions of the KIIS survey about a significant improvement in the attitude of Ukrainian society towards its LGBTQ fellow citizens. In particular, according to the received data, 53% supported the prohibition of discrimination and incitement of enmity on SOGI grounds; 46% agreed that LGBTQ people should enjoy the same rights as other citizens (41% opposed); 27% definitely supported the right of same-sex couples to state registration of their family relationship, and 26% supported such a right with certain exceptions.

The legalization of same-sex family relationship in the form of regular marriages or registered partnerships, as well as the participation of LGBTQ people in the defense of Ukraine against Russian aggression, were the topics that attracted the most attention of the media and users of social networks on the Internet. Except not numerous ultra-conservative and far-right audience, the posts and comments on the topic were mostly correct and LGBTQ-friendly. It is worth noting the almost unanimous and active support of the same-sex marriages or partnerships introduction on the part of the journalistic community. For example, the well-known and popular Odesa journalist, blogger, and civil activist Zoya Kazanzhy stated on July 4 about this on her Facebook page: "I don't know when it will be the proper time. But I will do everything to make the time proper." A few days after that, the petition regarding the legalization of same-sex marriages in Ukraine gained 25,000 votes, necessary for its consideration by the President of Ukraine.

Religious and far-right websites in 2022 repeatedly republished openly manipulative homo /transphobic materials from the website of the public movement "All Together!" under the leadership of journalist and religious activist Ruslan Kukharchuk, which became the main mouthpiece of the homophobic movement in Ukraine. For example, one of the materials was titled "Provocation: the troops of the Ukrainian Armed Forces spoke out against the "gay parade" of Ukrainians in Warsaw" — however, in fact, it concerned only a very specific army unit "Karpatska Sich", which was formed by the far-right homophobic organization of the same name. LGBTQ people, who are currently serving in the regular units of the Ukrainian Armed Forces, unanimously note the generally correct, respectful, and friendly attitude towards them from the military command and fellow service members.

A loud scandal in the mass media and the Internet was caused by homophobic statements by the singer Iryna Fedyshyn, who was a member of the Ukrainian jury at Eurovision 2022. Most of the audience, as well as Fedyshyn's colleagues in the pop industry, reacted to her statements with irony and condemnation. Ukrainian pop group Kalush Orchestra, who won this year's Eurovision Song Contest, then performed within the cultural program of Stockholm Pride.

LGBTQ community

The main event of 2022 for the Ukrainian LGBTQ community, as well as for the entire Ukrainian nation, was the full-scale invasion of the Russian army. The reaction to this event on the part of the LGBTQ community also did not differ from the nationwide one, except for its additional motivation to resist Russian aggression: Ukrainian LGBTQ people are clearly aware that they merely cannot exist either as Ukrainians or as open LGBTQ persons under the Russian authority. The domestic LGBTQ community, in general, experiences the same problems as the rest of Ukrainian society, although there are also certain complications specific to LGBTQ people.

Common problems are loss of work, housing, property, means of livelihood, threats to health and life for oneself and loved ones, psychological problems related to war and its consequences. Also, even the war with the main provider of homophobia in the world did not put an end to the manifestations of discrimination and violence against LGBTQ people in Ukrainian society, although it significantly reduced their documented number — this is described in more details in the next section of this report. A new problem related to martial law consists in the repeated cases of improper and discriminatory treatment by representatives of the police, Armed Forces, and Territorial Defense when checking the documents

and personal belongings of LGBTQ people at checkpoints and other places, which were often accompanied by violence to LGBTQ people and other violations of their rights.

In fact, the entire Ukrainian LGBTQ movement, from the first days of the Russian aggression renewal, demonstrated a patriotic and responsible attitude to the defense of Ukraine and immediately joined volunteer activities. The main issues of Ukrainian LGBTQ organizations' activities have been the collection of materials and funds to help LGBTQ and other refugees, the distribution of information among them about the possibility of receiving help abroad, assistance to the Ukrainian army and Territorial Defense, service in the military and paramilitary structures, and the fight against Russian disinformation. Few LGBTQ organizations have created temporary shelters for LGBTQ refugees in central and western Ukraine, as well as in neighboring countries. The biggest problems of the Ukrainian LGBTQ movement at this time arise from the fact that members of LGBTQ organizations often become refugees or victims of military operations themselves, some organizations were forced to move their activities to other cities. Their members who remained in the Russian-occupied territory face increased danger from the occupiers as public and LGBTQ activists known for their patriotic pro-Ukrainian stance.

Homosexuality in Ukraine is not considered as a ground for prohibition of or exemption from military service, and many gay, lesbian, and bisexual persons have been mobilized or volunteered to serve in the Armed Forces of Ukraine, the National Guard, and the Territorial Defense forces. We have not documented cases of homophobic treatment of LGBTQ military by fellow service members and commanders since the beginning of the Russian aggression new phase, although they did occur before that.

Diagnoses of transsexualism and gender dysphoria (F64.0 and F64.8 according to the International Classification of Diseases, 10th edition) currently mean a person's complete unfitness for military service if they are "sharply expressed, with a tendency to repeated long-term decompensation or pathological reactions" or unfitness in peacetime and limited fitness in wartime if they are "moderately expressed with unstable compensation or compensated." In practice, the "severity of expression" and "compensation" of these conditions are determined by a specialized medical commission — for instance, at a regional psychiatric hospital. Thus, transgender persons in Ukraine may not be mobilized in the Armed Forces and must be removed from the military register altogether in case of clearly expressed transsexuality, if this is the decision of the medical commission under the military registration and enlistment office, which is based on the conclusion of a specialized medical commission.

This, in particular, allows transgender women to travel abroad, even if according to the documents they are still listed as men (according to *The rules for crossing the state border by citizens of Ukraine* approved by the Resolution of the Cabinet of Ministers of Ukraine dated 27.01.1995 No. 57, currently male citizens of Ukraine aged from 16 to 60 are restricted in leaving the country). It is not easy to get an appropriate diagnosis under the current conditions in Ukraine, but it is quite possible — relevant specialized medical commissions operate at least in oblast centers, and medical commissions under military commissariats refer conscripts to them for examination in case of suspicion of transsexuality.

Without the corresponding conclusion of the medical commission, transgender women whose documents indicate the male gender are subject to military service and are restricted from travelling abroad according to the general rules for men. We know about cases of violations of these rules by transgender persons who travel abroad illegally; at the same time, we also have learned on cases of transgender persons violating the ban on military service. If such persons have already changed their documents to the desired gender and look convincing in the desired gender role, they can enter the service as ordinary woman or man. An alternative could be service in the Territorial Defense that has no formal restrictions for transgender persons, and we are aware of such cases.

The specific problems of transgender people making a gender transition are the lack of the necessary medical drugs or their prohibitively high prices. These problems are being only partially solved with the help of LGBTQ and charitable organizations and volunteers.

Immediately after the renewal of Russian aggression, foreign and international LGBTQ organizations declared their solidarity with the Ukrainian LGBTQ community. They have established and implemented

various assistance programs for Ukrainian LGBTQ refugees and the community. The international pride movement has become a faithful ally of the LGBTQ community and the entire people of Ukraine, and Ukrainian participants, flags, and slogans of solidarity with Ukraine were present at almost all the leading pride marches of 2022 in the countries of the Western world.

The war clearly demonstrated the urgent need of same-sex family partners for legislative protection of their rights. Urgent legalization, in one or another form, of same-sex family unions has become a leading demand and direction of the advocacy work of the Ukrainian LGBTQ movement and its allies.

2. Violence, discrimination and other violations of LGBTQ people's rights¹

Since the beginning of 2022, the monitoring network of Nash Svit Center has documented 64 cases of actions based on homophobia and transphobia, discrimination, and other violations of rights on SOGI grounds, both in Ukraine (62) and abroad — in relation to Ukrainian citizens who left Ukraine in connection with hostilities (2). The distribution of documented cases by regions was as follows (please see Table 1):

Table 1

Region	Number
Kyiv and Kyiv oblast	15
Kherson and oblast	9
Lviv and oblast	7
Donetsk oblast	6
Zhytomyr and oblast	4
Zaporizhzhya	4
Dnipro	2
Mykolaiv and oblast	2
Odesa	2
Kharkiv	2
Kropyvnytskyi and Kirovohrad oblast	2
Vinnytsya	1
Lutsk	1
Uzhhorod	1
Ivano-Frankivsk oblast	1
Rivne	1
Sumy	1

¹ In this section, the number of documented violations of LGBTQ people's rights may exceed the number of cases because in some cases more than one type of rights were infringed.

Chernihiv oblast	1
Abroad (Poland, Hungary)	2
Total	64

In particular, 9 cases of human rights violations on SOGI grounds by the Russian invaders were documented in the temporarily occupied territories (Donetsk and Kherson regions), most of which may be characterized as war crimes.

Case 2180

In April, two men aged 48 and 17, together with other traders (about 50 persons), were captured by Russian soldiers at the wholesale vegetable market in the village of Velyki Kopani (Kherson oblast). For several days, they were kept in an outbuilding near the town of Oleshky. All detainees were constantly subjected to abuse and torture, and the mentioned two men were threatened to be raped by the Russian occupiers because of their overly neat appearance, that, according to the occupiers, indicated their homosexual orientation.

Case 2205

In March, a man aged 31 was detained at a filtration checkpoint of the occupiers near Mariupol while trying to leave the destroyed city. During examination of his personal belongings, the occupiers found in his phone information that testified to his homosexuality. Because of this, he was sent for a month to the notorious prison in Olenivka, Donetsk oblast, allegedly for terrorism. The administration of the prison disclosed his homosexuality to all two hundred prisoners who were in the same barrack with him, because of which he was subjected to repeated sexual violence every day.

During the martial law, we also documented an increase in manifestations of homophobia and transphobia on the part of the Ukrainian security forces:

- police — 16 cases;
- Armed Forces — 8;
- Territorial defense — 6.

Case 2206

At the end of July, at Hidropark in Kyiv, members of the Territorial Defense stopped a man and found in his phone intimate information that indicated his homosexual orientation. The victim was then subjected to homophobic insults, extortion of money, and threats to forward this information to all the addresses found in his phone.

When the victim came to the Dniprovskyi Department of the Metropolitan Police the next day, he was ridiculed by the police officers who forced him not to submit a written statement and to say on camera that he had no complaints.

Case 2184

A transgender girl, who serves as a paramedic in one of the front-line units of the Armed Forces, was sexually assaulted by a fellow serviceman in May. She refused to file a complaint due to the rapid death of the rapist at the battlefield.

Acts of hate towards LGBTQs

As in previous years, the largest number of cases (60) relates to actions based on homophobia and transphobia. 37 of them may be characterized as hate crimes, 23 as hate incidents, and 1 as hate speech. In these cases, the following types of violations were noted (please see Table 2):

Table 2

Types of violations	Number
insults, threats, humiliation of human dignity	50
physical violence of various degrees of severity	32
homophobia / transphobia in the family	9
robbery, brigandage	8
sexual violence	7
attacks on LGBTQ centers / events or activists	5
threats or use of weapons	5
intentional destruction or damage to property	5
illegal collection and disclosure of confidential information	4
torture or inhuman treatment	4
extortion, blackmail	2
death threat	2
homophobic inscriptions / appeals	1
kidnapping	1

Relations with law enforcement agencies

19 cases were documented that testify to the facts of violating LGBTQ persons' rights by law enforcement agencies (please see Table 3):

Table 3

Violated rights (by what actions)	Number
equality and non-discrimination (prejudiced treatment due to sexual orientation or gender identity)	16
freedom and personal integrity (violation of procedural norms, excess of power, insults, humiliation of human dignity, threats)	9
effective means of legal protection (improper performance of rights protection functions, refusal to protect rights)	8

respect for private life (interference in personal life, illegal collection and disclosure of confidential information)	6
freedom from torture and inhuman treatment (torture or inhuman treatment)	3

In **employment and education**, 1 case of discrimination on SOGI grounds was recorded in each sphere — leading to voluntary dismissal and bullying by fellow students.

In **provision of goods and services**, 5 cases of LGBTQ persons' rights violations were documented.

One case contained elements of a hate crime (physical violence, insults, humiliation of human dignity, threats, intentional destruction or damage to property).

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