

**OSCE Human Dimension Implementation Meeting 2015**  
**Statement under Working Session 12 – Combatting Hate Crimes**  
**and Ensuring Effective Protection against Discrimination, as delivered 29-09-2015**

Thank you, Madam Chairperson,

This statement is made on behalf of COC Netherlands, LGBT Association 'LIGA', Ukraine, and Alma-TQ (Kazakhstan Feminist Initiative).

I would like to draw your attention to scapegoating of LGBT people and violent acts committed with a bias motivation towards people based on their actual or perceived sexual orientation and gender identity.

Of great concern are openly stated threats and acts committed by nationalist and far-right groups in 2015 and earlier. They have attacked or threatened to attack LGBT public and other events in Ukraine as well as attacked and tortured representatives of LGBT community in Kazakhstan.

In Ukraine, during KyivPride 2015, a radical group attacked members of LGBT community and human rights defenders who participated in the public march. Participants and police workers were injured. Guests and participants of the OdesaPride 2015 have suffered from smoke bombs and explosive devices at a closed event. Also, in Mykolaiv, the right nationalist organization Right Sector has threatened LGBT Association 'LIGA' before a public action. When it was held, they blocked people in the building where LIGA held activities of the Equality and Pride Days human rights event.

The situation in Kazakhstan is even more disturbing. The Kazakhstani parliament plans to adopt a so-called "prohibition of homosexuality propaganda" law based on similar one adopted in the Russian Federation. If passed, it will make human right and HIV/STI prevention work among LGBT impossible.

Hate crimes against LGBT people are still committed in both Ukraine and Kazakhstan. Both of the countries don't have hate crimes legislation. Thus, in Ust-Kamenogorsk, Kazakhstan, Neo-Nazi group Occupy Pedophiliay attacks and tortures gay men covering their activity with so to speak "punishing pedophiles". In 2013, a couple of homosexual women have been unofficially married in Kazakhstan, and they widely publicized the event. A year later, one of the women was murdered. Ultimately, the victim's partner and two other women were found guilty of her murder. In 2015 two men killed a gay man because he drank alcohol with them from the same glass. Actions of Occupy Pedophiliay and the murder of the gay man were considered as hooliganism, not hate crimes.

LGBT people are still afraid to report such crimes and incidents to police because of their prejudiced behavior and previous cases of blackmailing and extortion by police workers.

We call upon the OSCE Participating States to use their influence and recommend the governments of Ukraine and Kazakhstan to:

1. Ensure protection of citizens from discrimination based on sexual orientation and gender identity by including these grounds in the legal framework;
2. Ensure prohibition of discrimination of LGBT people by including sexual orientation and gender identity into the Constitution of Ukraine;
3. Ensure exhaustive list of grounds for protection from and investigating hate crimes including those committed with the homophobic or transphobic motives;
4. Include civil society organizations working for human rights protection of LGBT people into the law-making processes.

Thank you for your attention.