

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI index: EUR 50/006/2013  
22 May 2013

## **Amnesty International condemns Kyiv Pride court ban application**

Amnesty International condemns in the strongest terms the decision taken by Kyiv City Council to apply for a ban of all public demonstrations, including Kyiv's first LGBTI pride march, in the city centre on the weekend of 24 May, despite police assurances that the participants of the pride march can be protected.

The organisation is urging the authorities withdraw their application immediately and instead work on ensuring the safety of the pride march participants.

The City Council said they had taken the decision to apply for a ban because the council 'need to maintain a high level of citywide and cultural events on the Day of Kyiv' - an annual celebration of the city. This is the first year that the City Council have decided to apply for a ban of all public events not organized by them on Kyiv Day.

"Banning Ukraine's first Pride March because there is a risk it might detract attention or participation from other celebrations is a clear violation of Ukraine's obligation to guarantee the right to freedom of peaceful assembly without discrimination" said Max Tucker, Amnesty International's Ukraine expert, from Kyiv.

Article 11 of the European Convention on Human Rights, to which Ukraine is party, makes clear that the right to freedom of assembly can only be curtailed in exceptional circumstances, such as in the interests of national security or public safety, preventing disorder or crime.

The Kyiv City Council should not hide behind excuses, such as the expressed desire to ensure citywide cultural events, in order to breach Ukraine's international obligation to guarantee the right to freedom of assembly for all without discrimination.

In its statement the City Council also claimed that the measure was necessary 'to ensure public order and the protection of life and health.' However, Kyiv City Police maintain that they are ready and able to protect the Pride march.

"There will be enough law enforcement officers to prevent the attacks" said the head of the press service of the Kyiv Department of the Ministry of Interior of Ukraine, Igor Mikhalko.

The City Council's argument that a ban is necessary to ensure public safety is therefore groundless.

The City Council have also stated that the large number complaints and the high number of applications for counter demonstrations in the designated march area prompted their decision to apply for a ban. Submitting a large numbers of applications for counter-demonstrations is frequently used as a tactic to get LGBTI events banned in Ukraine.

"Ukraine has an obligation to protect the rights to peaceful assembly and expression of all people, and not only to protect the views of the majority" Tucker said.

As a result of the blanket nature of the ban, the organizers of KyivPride 2013 are not considered a party to the case and will have no opportunity to challenge the council's application for a ban in court.

Organisers would be able to lodge an appeal for their event after judgment, but the council's decision to submit the application for a ban on 21 May means that there will be no opportunity to appeal a judgment granting the ban before 25 May.

“Not only are the council attempting to deprive us of our right to freedom of assembly, they have also denied us the opportunity a fair hearing in court” said Stas Mischenko, KyivPride2013 Communications Officer.

The first notification for the Pride was submitted to the Kyiv authorities on 11 April, announcing the organisers' intention to hold the march down Khreschatyk street.

In response to the 11 April notification, the City Council invited organisers to a meeting at which they said that on 25 May the space would be occupied by music stages for Kyiv Day.

“We discussed a new route with the council, who said they had no events taking place there, so we submitted the new notification with a different route on 19 April” said Stas Mischenko, communications officer for KyivPride2013.

On 7 May the City Council-said they had organised a bike race on the march route, and organisers agreed to change the time, submitting a new notification on 21 May.

“We have done our best to accommodate the Kyiv Day celebrations, but it is clear the council simply do not want the march to take place” Mischenko said.

As a supporting partner of KyivPride 2013, Amnesty International is sending an international delegation to take part in the march, and has so far collected more than 22,000 signatures from across Europe calling for Kyiv Pride to be allowed to [take place](#).

Field Code

The Kyiv Pride march is supported by the European Union, who have called on “local authorities and law enforcement authorities to do everything in their power to avoid a repeat of [last year's cancelled pride] and to provide all individuals the opportunity to exercise the right to freedom of peaceful meetings, without compromising their personal safety.”

The Embassies of Germany, Sweden, Norway, USA, UK, the Netherlands, and Canada have also called on the Ukrainian authorities to allow the Pride to take place safely and securely.