

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

AI Index: **EUR 50/9436/2018**

22 November 2018

Ukraine: Authorities fail to protect participants of Transgender Day of Remembrance rally from far-right attacks

The Ukrainian authorities failed to ensure the right to freedom of peaceful assembly when far-right groups disrupted and attacked participants of the Transgender Day of Remembrance rally planned in the capital Kyiv ahead of the International Transgender Day of Remembrance. The authorities must ensure that all those responsible for the violence are identified and brought to justice in fair trial proceedings, and also put an end to the persistent issue of impunity for members of political groups who advocate hatred and discrimination and perpetrate violence against vulnerable minorities in Ukraine.

On 18 November, violent far-right counter-protesters targeted and disrupted a peaceful rally in support of transgender people in Kyiv, in particular by throwing smoke grenades, shouting homophobic abuse and threats, and in some instances resorting to direct physical violence against participants and at least one journalist. The police forces, which were deployed in the vicinity of the event, did not intervene to stop the attackers. Two activists were pepper-sprayed by masked men, and had to be taken away by an ambulance and treated for their injuries. An assailant also attacked a Canadian journalist who was covering the event, punching him in the face and breaking his glasses.

The organisers of the peaceful rally notified the local police in writing on 25 October. The groups who disrupted the event had made their intention to do so known, including in the form of open threats on the social media. Nonetheless, the police had failed to make sufficient provisions to investigate the threats, prevent violence, facilitate the rally and ensure safety of its participants.

Amnesty International members were eyewitnesses to the event, and to our knowledge the authorities did not apprehend any perpetrators in connection with the attacks. The National Police of Ukraine has announced an investigation into a case of “hooliganism” regarding the assault on the journalist. The head of the National Police in Kyiv also told Hromadske TV that they are searching for the people who attacked the rally. At the time of writing, Amnesty International is not aware of any other reaction to the violence on 18 November or the social media threats preceding the march.

The Ukrainian authorities must ensure the right of every person in Ukraine to freedom of expression and peaceful assembly, in accordance with Ukraine’s international human rights obligations. They must address the issue of persistent impunity for those who advocate discrimination and perpetrate violence against vulnerable minorities, including lesbian, gay, bisexual, transgender and intersex (LGBTI) people, ethnic minorities and other groups.¹

Background

Insight NGO organisers of the rally on 18 November originally planned to march through central Kyiv, starting at Mikhaylyvska Square at 12:00 (noon), of which they notified the

¹ For further details on this persistent issue, please see Amnesty International, “Ukraine: The Authorities’ Inaction Emboldens Rising Violence by the Far-Right”, Public Statement, 16 May 2018, available at <https://www.amnesty.org/en/documents/eur50/8434/2018/en/>.

authorities in advance. The organisers told Amnesty International that had been in regular communication with the city police regarding their plans prior to the event.

The organisers informed their supporters of the planned event and the venue on Facebook. In response, several far-right groups who are known for their advocacy of discrimination and for targeting the LGBTI community, publicly promised to disrupt the event and invited their supporters to join them. Their open threat of violence forced the organisers to move the original location of the rally from Mikhaylyvska Square to Taras Shevchenko Park.

At around 10:30 am on 18 November 2018, Amnesty International members witnessed dozens of individuals, some masked and many wearing insignia of the far-right groups that had issued the threats, assemble in Taras Shevchenko Park. They were carrying transphobic placards and holding public prayers. At about 11:30 am, thirty minutes before the rally, the police told the organisers that they would not be able to guarantee safety of the event and insisted that the rally be moved to the Universytet metro station nearby.

At 12:00 (noon), when some 30 transgender rights activists assembled in front of the Universytet metro station, they were encircled by police in riot gear. Shortly after, far-right counter-protesters began throwing smoke grenades towards the rally from the opposite side of the street. The police did not stop them from throwing the smoke grenades, detain any of them, or stop the traffic on the street despite poor visibility caused by the smoke.

Several minutes later, a group of about a dozen counter-protesters aggressively approached the rally/march and positioned themselves around the transgender rights activists. Following which the police stopped the peaceful assembly and surrounded and herded its participants into the metro station, effectively putting an end to the rally. The counter-protesters then took their place in front of the station, unfurled their banners and flags, and made transphobic speeches. The police did not make any effort to stop the counter protest after the transgender rights activists were made to leave the area.

Later the same day, the press service of the National Police of Kyiv announced that the police had prevented a “provocation” from the far-right groups against the transgender rights activists, but made no mention of whether anyone had been detained in connection with the incident. Amnesty International has repeatedly attempted to contact the Ministry’s press service, unsuccessfully, for comments and further information regarding its response to the incident.

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