

Ukraine: Investigate Brutal Attack on Gay Activist
By: Human Rights Watch
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(Moscow) – Ukrainian authorities should immediately conduct a thorough investigation into a vicious attack on a leading lesbian, gay, bisexual, and transgender (LGBT) rights activist, Human Rights Watch said today. It was the second violent attack on Taras Karasiichuk in the last six weeks, and followed threats of violence from anti-gay protesters that prompted activists to cancel a gay pride parade last month.

At about midnight on June 22, 2012, an unidentified man attacked Karasiichuk, who works for LGBT rights organization Gay Alliance Ukraine and is the head of the Kiev Pride 2012 organizing committee. The attacker appeared to be waiting for Karasiichuk as he walked to his apartment building from the subway, and attacked him near the building entrance. The man approached Karasiichuk, said, “Are you a fag (pidor in Russian)?” and then kicked him in the head and jaw, as Karasiichuk fell to the ground in an attempt to protect himself. The attacker fled when a passerby approached.

“Taras Karasiichuk was clearly targeted by his attacker because he is a gay man who is promoting LGBT rights,” said Rachel Denber, deputy Europe and Central Asia director at Human Rights Watch. “The authorities should immediately investigate this vicious attack and treat it as a hate crime.”

Article 161 of Ukraine’s criminal code provides for prosecution of crimes that violate “citizens’ equality,” which includes protection from discrimination or violence on various grounds, including “race, skin color, political, religious and other convictions, sex, ethnic and social origin.” The article does not specifically name sexual orientation as a protected category, but refers to prohibited acts based on “other characteristics.”

Ukraine is subject to the recommendations of the Council of Europe’s Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, unanimously adopted on March 31, 2010. This includes the requirement that member states “should ensure effective, prompt and impartial investigations into alleged cases of crimes and other incidents, where the sexual orientation or gender identity of the victim is reasonably suspected to have constituted a motive for the perpetrator.”

After he was attacked, Karasiichuk went to his apartment, where his relatives called an ambulance. Doctors diagnosed him with a concussion and a broken jaw in two places, and wired his jaw shut. Karasiichuk also had multiple scrapes and bruises on his knees and elbows from his fall.

The medical center told the police that it had treated a patient who showed injuries consistent with a beating, but the police did not immediately visit Karasiichuk. The Kiev-based gay rights organization, Nash Mir, called the local police on June 22 and urged them to open an investigation, drawing their attention to the possibility of a hate attack. An officer visited Karasiichuk at 11:30 p.m. that day and took a statement from him.

On May 20, unknown assailants had also attacked Karasiichuk and two other members of the Kiev Pride organizing committee, Svyatoslav Sheremet and Maksim Kasyanchuk, following a news conference during Kiev Pride, a festival to raise awareness about LGBT rights. The attackers approached the activists in a similar way, asking them if they were “fags,” and then beating them. One attacker kicked Karasiichuk in the back, but he managed to escape in a taxi.

Karasiichuk and other organizers of the 2012 Kiev Gay Pride held the news conference to announce their decision to cancel the Pride Parade, a central event for the Pride festival scheduled for May 20, after large numbers of anti-gay protesters arrived in the city and threatened to attack parade participants. The Kiev authorities had refused to provide protection for parade participants.

Under the European Convention on Human Rights, countries are obliged to take appropriate measures to enable lawful demonstrations to proceed peacefully, so that participants are able to hold the demonstration without having to fear that they will be subjected to physical violence by their opponents.

Karasiichuk told Human Rights Watch he fears for his safety and that of other LGBT activists.

On June 25, 2012, Human Rights Watch and Amnesty International wrote to the chairman of the Ukrainian parliament, Volodymyr Litvin, to call on parliament to reject two draft laws that would have the effect of discriminating against lesbian, gay, and bisexual individuals in their exercise of several human rights, including the rights to freedom of expression, association, and assembly. One of the laws bans the “promotion” of homosexuality and provides an exhaustive list of activities that are defined as promotion, including: meetings, parades, demonstrations, and other mass gatherings aimed at disseminating positive information about homosexuality.

“The authorities have a duty to investigate this heinous crime and bring the attackers to justice to demonstrate zero tolerance for these kinds of attacks,” Denber said. “They should also ensure protection for Karasiichuk and other activists who are being targeted on the basis of their sexual orientation.”

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