

What other forms of discrimination exist and why I need to know them



Discrimination is a complex phenomenon that takes various forms and manifests itself in many ways. To know when your rights are violated is the first step towards protecting yourself. Read about other forms of discrimination in the series of brochures *Protect yourself against discrimination!*

How to make a discrimination complaint and who to complain to?

You can file a discrimination complaint with a court or make a complaint to the Ukrainian Parliament Commissioner for Human Rights.

- Like any other human rights complaint, no particular form of discrimination complaint is required.
- It is important that you describe all the circumstances, name the violator of your rights, and provide your personal details.
- Bear in mind that anonymous complaints will not be reviewed.
- You can file your complaint online or by mail.

What can the Ukrainian Parliament Commissioner for Human Rights do to help me?

The Commissioner monitors compliance with the Law of Ukraine *On the Principles of Prevention and Combating Discrimination in Ukraine* and has the following functions:

- To review complaints against all forms of discrimination in different spheres of public life, in particular in private sphere;
- To monitor compliance with the non-discrimination principle, maintain records of discrimination cases, consolidate the data, and prepare annual reports;
- Provide expert opinions in discrimination cases at the request of courts.

The functions of the Commissioner go further but the main thing you have to remember is that you should make complaints against discrimination to the Commissioner!



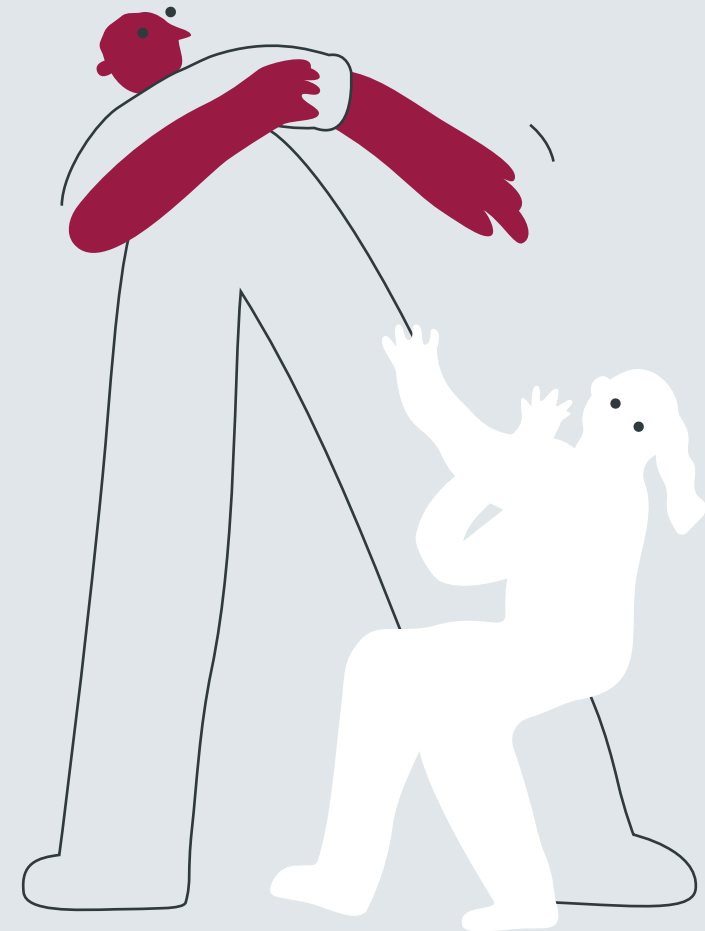
Ukrainian Parliament Commissioner for Human Rights

Address: 21/8 vul. Instytutska, Kyiv 01008
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Harassment

Protect yourself against discrimination! series



Harassment is an unwelcome conduct where somebody treats a person in a contemptuous, insulting, or derogatory manner.

A separate form of harassment is sexual harassment which means conduct of a sexual nature expressed verbally (i.e. threats, bullying, or indecent remarks) or physically (i.e. touching or patting) that is derogatory or insulting to professionally subordinated or financially dependent persons.*

How harassment manifests itself

- Verbal abuse, derogatory remarks or slurs;
- Sexist, anti-Semitic, homophobic, and other jokes;
- Circulating offensive printed or graphic material;
- Derogatory sexist or xenophobic gestures;
- Avoidance, isolation, or segregation;
- Physical abuse.

What are protected characteristics

Protected characteristics are the characteristics upon which it is unlawful to discriminate against a person or treat him/her less favourably than others. The Law contains a detailed, albeit not exhaustive, list of such characteristics including the following: race, skin colour, political, religious, or other beliefs, sex, age, disability, ethnic origin or social background, nationality, family and property status, place of residence, language, or other characteristics.

The expression 'other characteristics' means that the list is open-ended and that persons with other characteristics similar to those specified in the Law

* The Law of Ukraine On Ensuring Equal Rights and Opportunities for Women and Men

also need to be protected against discrimination. Other characteristics include HIV-positive status, IDP status, the Anti-Terrorist Operation veteran status, sexual orientation and gender identity, health status, etc. The majority of these characteristics are specified in other laws of Ukraine.

Examples of unlawful conduct

Sexist, homophobic, Romaphobic or racist statements, jokes, or comments made publicly in mass media or on social networks with regard to certain persons.

– Disrespectful treatment of female coworkers, repeated insinuations that women are to adorn the workplace rather than perform their official duties and therefore should perform tasks such as serving tea or coffee.

– A family doctor is inattentive and superficial when inspecting a patient with disability and uses every excuse not to schedule another appointment.

– A manager makes jokes about 'incomers' and claims that it's better to hire IDPs as they are willing to work for less money.

– Every other time, an employee with hearing impairment is left out of important project meetings despite her playing the lead role in the project.

– A nightclub employee insults two customers because they look gay to him and warns the visitors that the club is for 'real men' and they better go away.

If you recognize yourself or a person you know in these or similar situations, this gives food for thought.

Ask yourself a few questions:



Was I treated less favourably than others in the same situation?



Which of my protected characteristics could have been the reason for less favourable treatment?



Was there a legitimate reason for this different treatment?