

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!



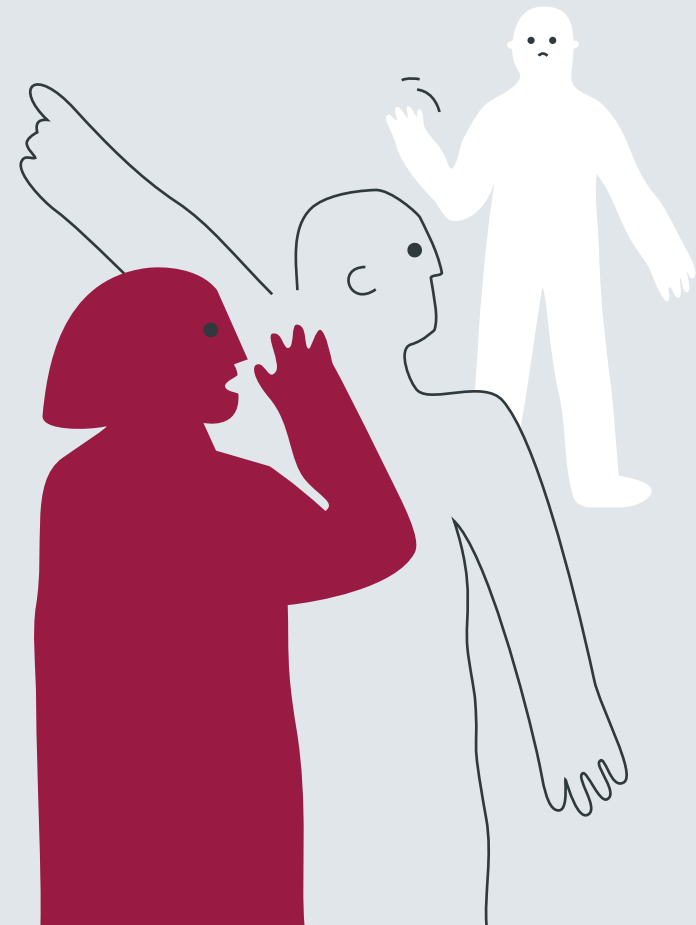
Ukrainian Parliament Commissioner for Human Rights

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Aiding and abetting in discrimination

Protect yourself against discrimination! series



What is abetting in discrimination

Abetting in discrimination means instructing, directing, or urging to discriminate against a person and/or group of persons due to their particular characteristics.

Aiding in discrimination means knowingly assisting in discriminatory action or inaction.

In other words, a person instructing others to discriminate will be abetting in discrimination, and a person following the instruction will be aiding in discrimination.

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 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

A town mayor makes a proposal to the municipal executive committee to temporarily limit the validity period of free public transport passes, which will limit the access of reduced fare users to free public transportation.

– A nurse, at the instruction of a dental office manager, denies appointments to HIV-positive patients (i.e. **discrimination on the grounds of health status**).

– A municipality petitions the President requesting to protect traditional values and ban LGBTI and their peaceful assemblies (i.e. **discrimination on the grounds of sexual orientation and gender identity**).

– A hotel manager orally instructs a doorman not to let Roma people inside the hotel, which consequently prevents access of potential customers to the hotel if they look like Roma people to the security officer (i.e. **discrimination on the grounds of ethnic origin**).

– A Human Resources representative, at the instruction of the Director, selects and interviews only candidates who are men and registered residents of Kyiv (i.e. **discrimination on the grounds of sex**).

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?