





Bureau "We Are!"
Human Rights Bureau — Ukraine

TOPIC 2 · TRAINING SESSION · 2026

Intersectionality and the Rights of LGBTIQ+ Communities

 **2026 · 12:20–13:00**
Lecture + discussion

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KEY PARAMETERS

4

Thematic blocks

2

Legal levels: intl. + national

Audience

Diplomats of the Ministry of Foreign Affairs of Ukraine, already familiar with the basic legal framework.

LOGO

ORGANISERS

Bureau "We Are!" + MFA of Ukraine

lgbt.in.ua · monitor.lgbt.in.ua

AGENDA

Four blocks plus discussion

01 · BLOCK

Intersectionality

What it is, why a single axis of identity is never enough, and how intersecting characteristics multiply risks and protection needs.

~ 12 min

02 · BLOCK

Stereotypes and myths

Common narratives about LGBTQ+ people versus facts, and how myths function in the public sphere.

~ 10 min

03 · BLOCK

Inclusive language and ethics

LGBTIQ+, SOGI, correct terminology, avoiding stigmatising labels, and the principles of ethical communication.

~ 8 min

04 · BLOCK

Legal framework

International standards (ECHR, Yogyakarta Principles) and Ukrainian national legislation on LGBTQ+ rights.

~ 10 min

What is intersectionality?



Intersection, not addition

The experience of discrimination is not a sum of separate traits. The combination of several identities produces qualitatively new risks and barriers that do not exist when each trait is considered alone.

For a diplomat this means: a policy "for women" or "for LGBTIQ+" may miss a lesbian who is an internally displaced person and belongs to both groups at once.

DEFINITION

"Intersectionality is an analytical tool that describes how race, gender, class and other characteristics interact to shape unique experiences of oppression and privilege that cannot be reduced to a single category."

Kimberlé Crenshaw, 1989

ANALYSIS, NOT IDENTITY

A method to reveal structural barriers, not a label for a person.

FOR POLICY

It helps see whom the system overlooks.

Intersecting identities: who falls outside the frame



LGBTIQ+ × disability

Access to inclusive services and support; barriers in medical and social systems.



LGBTIQ+ × IDPs

Loss of documents, rupture with family of support, risks in new communities.



LGBTIQ+ × Armed Forces

AFU service members, partners without legal status, risks where couples are unrecognised.



LGBTIQ+ × minorities

Double stigma, language and cultural barriers to protection.



Women × SOGI

Lesbian and bisexual women: a combination of gender-based and homophobic violence.



Trans- and intersex people

Documents, medical access, legal protection most exposed to gaps.



LGBTIQ+ × labour

Clear protection in the Labour Code, but informal and grey economy remain outside it.



LGBTIQ+ × health

Refusal of care, outing, attempts to "treat" sexual orientation.

Source: analytics and materials of Bureau "We Are!"; intersectionality framework per Crenshaw.

Why this is a policy priority for diplomacy



EU integration and the acquis

Article 21 of the EU Charter of Fundamental Rights and the equality acquis are part of the membership conditions. Anti-discrimination standards are relevant to negotiating chapters.



Armed Forces of Ukraine

LGBTIQ+ service members defend the state, yet their partners hold no "family member" status. Recognising couples is a matter of justice toward those who fight.



IDPs and the humanitarian dimension

Internally displaced LGBTIQ+ people often lose access to their family of support. Humanitarian policy must account for intersectional risks.

Framework: Ukraine is a Council of Europe member and an EU candidate. ECHR standards and the EU acquis are legally relevant.

Myths versus facts

MYTH	FACT
"It is a Western import, new to Ukraine"	LGBTIQ+ people exist in every society. Legal protection in Ukraine predates 2022 (Labour Code, Media Law, ECtHR case-law).
"Propaganda recruits children"	Global medical and psychological associations are unanimous: orientation is not shaped by information. "Propaganda laws" have no evidence base.
"A threat to the traditional family"	No study confirms a link between equal rights and family breakdown. Registered partnerships simply recognise relationships that already exist.
"Orientation can be 'cured'"	WHO and WPA classify attempts to "treat" orientation as harmful practice. Orientation is not an illness and is not treatable.

Sources: WHO, APA, ECtHR case-law, Bureau "We Are!" materials.

How myths become policy: the mechanism



Moral panic

A simplified narrative about a "threat" creates emotional tension that outpaces factual verification of claims.



Scapegoating

In times of crisis, LGBTIQ+ people historically become a convenient target for mobilising an "against".



Transfer into law

A myth is mobilised as a justification for restrictive norms — often contrary to ECHR obligations.

WHAT OUR MONITORING SHOWS

The Bureau's research records recurring patterns of public discourse about LGBTIQ+ people (2022–2025): 107 local council acts of 2016–2019 against "propaganda" and a calibration media corpus (N=35) show how stereotypes become institutionalised rather than reflect reality.

Source: Bureau "We Are!" analytical report "Public Discourse Concerning LGBTIQ+, 2022–2025". Goal: reproducibility of patterns, not prevalence assessment.

Correct language: avoid → use

AVOID	USE
"homosexual", "a homosexual" clinical, stigmatising tone	gay, lesbian (as self-identification) self-identified terms
"non-traditional orientation" implies a "correct" norm	sexual orientation neutral, accurate
"change sex" inaccurate and biased	gender transition, transgender person precise terms
"sexual minorities" (as blanket term) dilutes identity	LGBTIQ+ communities, LGBTIQ+ people inclusive umbrella
"homosexuality propaganda" a constructed narrative with no evidence	visibility, equal rights, access to information rights-based framing

LGBTIQ+ = lesbian, gay, bisexual, transgender, intersex, queer/questioning; "+" = other identities. SOGI = sexual orientation and gender identity.

Ethical principles for communication about LGBTIQ+



No outing

Never disclose a person's orientation or gender identity without their explicit consent — even with the best intentions.



Do-no-harm reporting

Do not reproduce slurs unless necessary and contextualised; do not reduce a person to their identity alone.



Primary sources

Refer to competent authorities, medical associations and court decisions — not rumours or viral claims.



Chosen name

Use the name and pronouns a person has chosen, regardless of the status of legal document change.



Context, not sensationalism

Present facts in legal and social context; avoid headlines that normalise hatred.



Accurate terminology

Distinguish orientation, identity, intersex variations; do not conflate concepts in legal and medical contexts.

International legal framework for LGBTIQ+ rights



Universal instruments

UDHR (1948) and ICCPR (1966): rights and equality without limitation by grounds. The HRC interprets non-discrimination inclusively regarding SOGI.



ECHR (Council of Europe)

Art. 8 (private life), Art. 12 (marriage), Art. 14 (non-discrimination). Ukraine executes ECtHR judgments, including in LGBTIQ+ cases.



Yogyakarta Principles

An authoritative interpretation of applying international human rights law to SOGI and gender expression (2007, 2017).



Council of Europe recommendations

CM/Rec(2010)5 on measures to combat discrimination on grounds of SOGI; CM/Rec(2022)16 and ECRI General Policy Recommendation No. 15 on hate speech.



EU acquis

Art. 21 of the EU Charter of Fundamental Rights; the Equality Directives in employment — binding for candidate countries on the path to membership.



Regional case-law

ECtHR judgments shape minimum standards for recognising couples, freedom of assembly and protection from hate crimes.

European standards and Ukraine: landmark cases



Maymulakhin & Markiv v. Ukraine

ECtHR, June 2023. Found a violation of Art. 8 ECHR due to the absence of legal recognition for same-sex couples. Ukraine has a positive obligation to provide legal recognition.

Diplomatic significance: non-execution creates a systemic legal risk and erodes trust in institutional reform.

POSITIVE OBLIGATIONS OF THE STATE

Protection from violence

Effective investigation of hate-motivated crimes, including during peaceful assemblies.

Recognition of couples

A legal mechanism for same-sex couples — not only civil law, but also access to social guarantees.

Freedom of assembly

Protection of participants in LGBTQ+ events from counter-protests and violence.

Source: ECtHR, Maymulakhin and Markiv v. Ukraine (application no. 7808/16), judgment of June 2023.

National legal framework of Ukraine



Constitution of Ukraine

Art. 24 — equality before the law; the list of grounds is non-exhaustive, so it covers SOGI. Art. 21, 28 — dignity and inviolability.



Labour Code

A direct prohibition of discrimination on grounds of sexual orientation and gender identity — the clearest protection in national law.



Media Law

Direct inclusion of SOGI among the grounds for which discriminatory and hostile content is prohibited. Remedy via the National Council.



Anti-discrimination framework

An open list of grounds: SOGI is treated as "other grounds". Allows challenges but complicates enforcement.



Criminal Code

Intolerance motive is an aggravating circumstance. However, full and clear recognition of the homophobic/transphobic motive remains incomplete.



Martial law and AFU

Restrictions on freedom of assembly must relate to security, not to the theme or identity of participants.

Legal gaps: what exists and what is missing

AREA	WHAT EXISTS	GAP
Recognition of couples	Constitutional possibility of marriage; Draft Law No. 9103 on registered partnerships	Draft Law No. 9103 (March 2023) not adopted as of 2026; same-sex couples hold no status
Hate crimes	Aggravating circumstance "of an intolerant motive" in the Criminal Code	Incomplete and unclear recognition of the homophobic/transphobic motive
Hate speech	Media Law; the National Council as regulator	Draft Law No. 13597 risks blurring the line between sharp expression and incitement, contrary to Art. 10 ECHR
Trans- and intersex people	A procedure for changing documents	Excessive medical barriers; lack of self-determination; protection of intersex children

Sources: Constitution, Criminal Code, Labour Code, Media Law, Draft Law No. 9103, Draft Law No. 13597, Maymulakhin v. Ukraine.

The role of diplomacy: four vectors of action



💡 PRINCIPLE
Diplomatic action is most effective when it relies on evidence rather than stereotypes, and when it is inclusive of intersectional groups.

Recommendations for diplomatic practice



01 · Internal standard

Introduce a guide on correct language and communication ethics for MFA units and foreign missions.



02 · Support for reforms

Publicly support the execution of *Maymulakhin v. Ukraine* and the advancement of Draft Law No. 9103 on registered partnerships.



03 · Proportionality

Ensure that the response to hate speech (Draft Law No. 13597) complies with Art. 10 ECHR and does not create a chilling effect.



04 · Armed Forces of Ukraine

Recognise partners of AFU service members on matters of status and social guarantees.



05 · IDPs and vulnerable groups

Integrate an intersectional perspective into humanitarian and consular policy toward IDPs.



06 · Sustained dialogue

Regular consultations with LGBTIQ+ organisations to track risks and update standards.



THANK YOU · ДЯКУЄМО

Questions & Discussion

Bureau "We Are!" is open to expert cooperation with the diplomatic community on
LGBTIQ+ rights, intersectionality and evidence-based policy.

 Materials

 Dashboard

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CLOSING