

烏克蘭檢察總長
伊琳娜·維那迪托娃
01011
基輔，烏克蘭
里茲尼卡亞街 13/15

親愛的檢察總長：

女性權利與 LGBTI 權利捍衛者維塔莉娜·科瓦爾 (Vitalina Koval) 於 2018 年 3 月遭到恐同攻擊，我此次來信表達我對此案調查進度的擔憂。

2018 年 3 月 8 日，維塔莉娜及其他倡議人士在一場慶祝國際婦女節的公開活動中，遭到反同團體「喀爾巴阡山」(Karpatska Sich) 的六名成員大喊反同標語後潑漆。該活動舉行於烏日格羅德 (Uzhgorod) 的劇場廣場 (Teatralna Square)，遭潑漆的維塔莉娜雙眼都遭到化學灼傷。

維塔莉娜·科瓦爾是國際特赦組織 2018 年寫信馬拉松的重要個案之一，其他個案還包含來自五大洲的重要女性人權捍衛者。倡議期間，全球發起超過 38 萬起行動，支持維塔莉娜捍衛烏克蘭女權和 LGBTI 權利的作為，並為她在 2018 年受到的攻擊行為挺身而出，要求正義。

攻擊案在 2018 年 12 月根據刑法第 161 條「違反公民平等權」啟動調查，但在之後便了無聲息。我注意到調查截止日並未在 7 月 31 日後進一步展延，屆時維塔莉娜獲得正義的權利將無法實踐，恐同攻擊行為也將逍遙法外，更將為類似的攻擊行為開下先例。

有鑑於此，我在此呼籲您：

- 確保調查日期延長至 7 月 31 日後，並迅速、全面、有效地進行調查，同時確保維塔莉娜·科瓦爾的人權受到保護；
- 刑事程序應將攻擊行為的歧視動機全程納入考量；
- 以公平審判程序對攻擊行為究責。

敬此

Iryna Venediktova
Prosecutor General of Ukraine
Vul. Riznytska 13/15
01011
Kyiv, Ukraine

Dear Prosecutor General,

I am writing to you to express concern regarding the investigation into the homophobic attack suffered by Vitalina Koval, a human rights defender of women's and LGBTI rights, in March 2018.

On 8 March 2018, six members of the anti-LGBTI group Karpatska Sich shouted homophobic slogans and doused Vitalina Koval and other activists with paint during a public action marking International Women's Day at Teatralna Square in Uzhgorod. As a result, Vitalina Koval received chemical burns to both her eyes.

Vitalina Koval featured in the 2018 edition of Amnesty International's Write for Rights campaign alongside other prominent women human rights defenders from five continents. During Write for Rights, more than 380,000 actions were taken around the world expressing support for Vitalina Koval's work in defence of women's and LGBTI rights in Ukraine, calling for justice in connection with the violent attack she suffered in 2018.

The investigation into this attack under Article 161 ("Violation of the equality of citizens") was opened in December 2018 but has been protracted ever since. I am aware of the risk that the investigation is not extended beyond the deadline of 31 July, which would deny Vitalina Koval's right to equal access to justice, entrench impunity for homophobic attacks and set an extremely negative precedent for those seeking justice in similar situations.

In the light of the above, I am urging you to:

Ensure the investigation is extended beyond 31 July and that it is swift, thorough and effective in ensuring the protection of Vitalina Koval's human rights;

The discriminatory motive of the attack is taken into consideration throughout the criminal process;

All those responsible for the attack are held accountable in fair trial proceedings.

Yours sincerely,