

ANALYSIS OF UKRAINE’S ROADMAP ON EQUALITY, NON-DISCRIMINATION, AND COMBATING HATE CRIMES (CHAPTER 23): EXECUTIVE SUMMARY

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BACKGROUND

In 2024, Ukraine formally began EU accession negotiations¹, starting with the screening of the fundamentals cluster. The initial focus was on Chapter 23, which covers the implementation of the EU acquis in areas such as the judiciary, the fight against corruption, and fundamental rights, including the rights of EU citizens. In this context, the Cabinet of Ministers appointed a working (negotiating) group to develop a Roadmap on the Rule of Law, outlining essential legislative and institutional reforms through 2027. The Roadmap was officially adopted on 14 May 2025².

This summary outlines key insights and recommendations from an expert policy brief developed by the NGO “Social Action Centre”³. The brief⁴ critically assesses the Roadmap and outlines the minimum standards and additional measures needed to ensure meaningful implementation of the Roadmap, especially in light of Ukraine’s obligations under EU law and the EU acquis. The present summary intends to bring its key aspects to the attention of EU institutions, international organizations, and national and international stakeholders involved in Ukraine’s EU integration process, particularly those focused on human rights, equality, and anti-discrimination frameworks.

A positive feature of the Roadmap is the inclusion of clear deadlines and the designation of responsible institutions for each measure. Promising initiatives include the proposed introduction of registered partnerships for same-sex couples, the strengthening of anti-discrimination legislation, the criminalization of bias-motivated crimes through aggravating circumstances, and some overlap with the National Barrier-Free Strategy. Yet, there are critical

¹ <https://data.consilium.europa.eu/doc/document/ST-16983-2024-INIT/en/pdf>

² <https://eu-ua.kmu.gov.ua/news/ukrayina-zavershyla-vnutrishnoderzhavni-protsedury-dlya-vidkryttya-peremovyn-z-yes-za-pershym-klasterom/>

³ Social Action Centre is a Ukrainian non-governmental organization specializing in anti-discrimination, human rights advocacy, and legal reform. The organization works closely with civil society, law enforcement, and policymakers to improve the legal framework and institutional capacity for combating hate crimes and discrimination. Website: <https://socialaction.org.ua/en>

⁴ Please see the full brief in [Ukrainian](#) and English.

aspects of the Roadmap and its perspective implementation that need to be addressed at this point, while there is a window of opportunity to ensure adherence to relevant EU acquis.

SUMMARY OF THE SHORTCOMINGS IN THE CURRENT ROADMAP

Below is a summary of the shortcomings of current legislation and policy that are left unaddressed in the current version of the Roadmap.

LACK OF A COMPREHENSIVE POLICY:

The Roadmap omits the development of a comprehensive national anti-discrimination policy or strategy. This contradicts recommendations from the European Commission against Racism and Intolerance (ECRI) and diverges from the best practices of EU Member States. A holistic approach is essential to ensure the effective protection of rights across all sectors. Its absence results in fragmented and inconsistent interventions that undermine the efficiency of anti-discrimination efforts.

FRAGMENTED ANTI-DISCRIMINATION LEGISLATION:

Ukrainian anti-discrimination laws remain inconsistent and fail to cover critical aspects such as “reasonable accommodation” and “victimisation”. Additionally, there is no unified list of protected characteristics, which creates legal uncertainty and weakens the legal framework for victims seeking redress.

PARTIAL COMPLIANCE WITH EU FRAMEWORK DECISION 2008/913/JHA:

The Roadmap does not fully align with the EU Framework Decision on combating racism and xenophobia. Key gaps include the lack of provisions criminalising incitement to hatred and violence. This undermines Ukraine’s ability to tackle the most severe forms of hate crime and to meet EU legal obligations.

INSUFFICIENT DATA COLLECTION AND ANALYSIS:

A systemic, comprehensive data collection and analysis mechanism is absent. Current data is fragmented, limited, and lacks disaggregation, which impairs evidence-based policymaking. While the Roadmap references some improvements in individual agencies, there is no centralised strategy. The EU Agency for Fundamental Rights (FRA) emphasizes the need for consistent national data on hate crimes and discrimination, a requirement Ukraine has yet to meet.

WEAK INTEGRATION OF GENDER EQUALITY AND LGBTIQ+ INCLUSION STANDARDS:

The Roadmap falls short of meeting the obligations of the Istanbul Convention and other Council of Europe standards regarding gender mainstreaming in the defence sector. It also fails to outline measures for ensuring the inclusion of LGBTIQ+ persons in military structures, further entrenching exclusion and discrimination.

ABSENCE OF VICTIM SUPPORT STANDARDS AND SYSTEMS:

There is no legislative framework or strategic plan to implement the standards of Directive 2012/29/EU on victims' rights. This may lead to a restrictive interpretation of victims' rights and perpetuate gaps in victim protection. The lack of an integrated support system increases risks of secondary victimisation and reduces state capacity to assist vulnerable communities effectively.

MISSING INSTITUTIONAL AND POLICY FRAMEWORKS TO ADDRESS HATE CRIME:

The Roadmap does not propose the creation of specialised roles for prosecutors or investigators, nor does it mandate the adoption of standard operating procedures (SOPs) or investigative guidelines. This impedes the justice system's ability to deliver timely and fair outcomes for hate crime victims.

RECOMMENDATIONS

To address these shortcomings, the government should take the following steps:

1. Develop a comprehensive national anti-discrimination strategy aligned with EU acquis and Council of Europe standards. This strategy should be developed in consultation with civil society and align with ECRI recommendations and EU best practices. It should establish a coherent national vision, define key priorities, and provide implementation frameworks across sectors.
2. Amend and harmonize legislation with key EU Directives pertaining to equality and protection from discrimination, incorporating, inter alia, all necessary definitions of discrimination forms, defining standards for reasonable accommodation across legislation, as well as ensuring access to remedies through enforcement mechanisms via means of criminal, administrative and civil law.
3. Create a comprehensive system for collecting and analysing data on incidents of intolerance and discrimination in line with FRA standards, with effective data exchange tools, regular publication of relevant reports, as well as analysis of policy implications.
4. Integrate gender equality standards and LGBTIQ+ inclusion into military structures.

5. Fully implement EU Framework Decision 2008/913/JHA, including criminalisation of all prohibited forms of conduct outlined in the Decision, its scope of application, among others.
6. Develop and adopt comprehensive victim support legislation in line with Directive 2012/29/EU along with a strategy for the development of support system (specialist services, INAs, referral mechanisms etc.) necessary for implementation of the Directive's standards into practice at the level of individuals and communities
7. Introduce national architectural accessibility standards.
8. Develop specialized hate crime response mechanisms, including investigative protocols, victim-centred approaches, and mandatory reporting standards.
9. Institutionalize equality mainstreaming across EU integration policies, with structured participation of civil society and affected communities.

The Roadmap to Chapter 23 possesses substantial potential for improvement. The Ukrainian government should take into account the measures proposed and adhere to minimum standards set out in the policy brief to ensure compliance with obligations under the EU acquis. It should also establish transparent mechanisms for reviewing progress and ensure meaningful engagement of civil society throughout the implementation process.

In this process, it is crucial that EU institutions and international partners promote technical cooperation, funding instruments, and conditionality frameworks that support alignment with EU equality law.