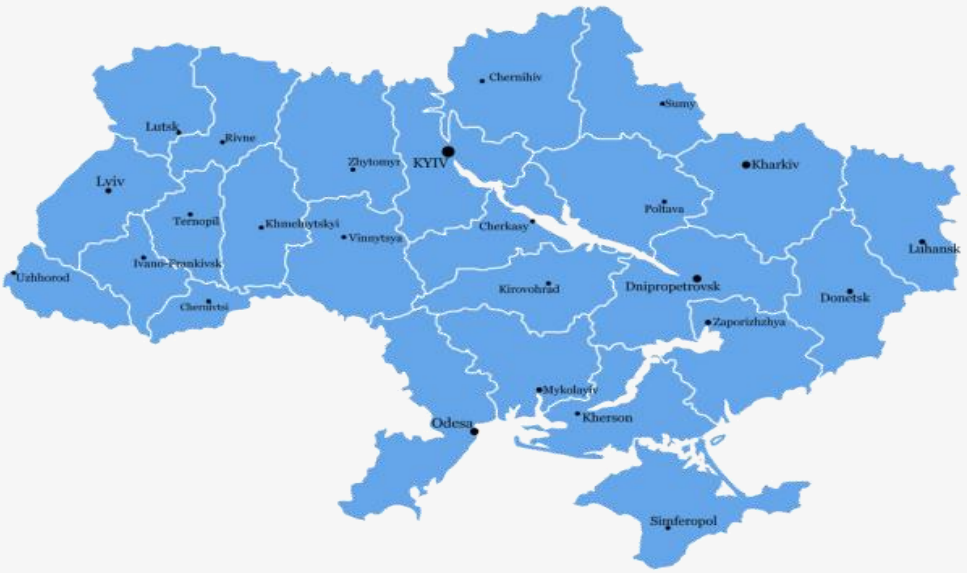
Украинский Институт политики
Український Інститут політики
Ukrainian Institute of Politics

Xenophobia and human rights violations (especially of minorities)

in Ukraine in 2020.



Kiev, 2021

Introduction.

In 2020, Ukraine, like the rest of the world, faced the consequences of the coronavirus pandemic. The quarantine restriction measures that were applied in the country can be classified as one of the strictest in the world. It should be noted that their application has largely proved economically destructive and socially extremely unpopular in society. Forcing society to comply with quarantine restrictions in many cases can also be regarded as a violation of human rights, because they were often imposed in violation of legal procedures (regimes of "state of emergency", "quarantine restrictions" and so on). In addition, quarantine measures have affected access to justice and the implementation of guarantees of public trial. Some courts prohibited access to observers and journalists to the premises; there were many obstacles to equal access in the digitalization of justice.

In addition to the fact that COVID-19 caused a serious socio-economic crisis throughout the world, in Ukraine, as in many other countries, the existing deficiencies in health and social protection, increased inequality, exclusion and discrimination, various forms of social exclusion, which are primarily associated with the use of some form of quarantine restrictions, have become fully manifest.

The coronavirus pandemic has exacerbated the difficulties that conflict-affected populations in eastern Ukraine have consistently faced, particularly due to the restriction of freedom of movement, and its impact on the realization of social and economic rights.

We have to admit that on most key issues, including in the humanitarian sphere, the situation under the new Ukrainian leadership has not only remained the same as it was under the previous government, but has even aggravated. The policy of forcing national minority languages out of all spheres of life continues in the country. The right to liberty and security of person is regularly violated, and persecution of political opponents, independent journalists and media companies, and members of public organizations is intensifying.

Right-wing groups often feel complete impunity with the connivance of the authorities. They actively use violence and methods of intimidation against political opponents, civil activists, human rights defenders, and journalists. Since radicals retain control over street protests, which the authorities fear greatly, they organize actions against legislative initiatives they do not like and against court rulings against their supporters. Often law enforcement officers do not suppress the unlawful actions of the violators and do not bring them to justice, their actions are classified as hooliganism in most cases.

Changes in the law (positive and negative) that affected minority interests during the monitored period.

1.1 Negative legislative changes.

The issue of language regulation remains an acute problem in Ukraine. The policy of ousting the Russian language and other languages of national minorities from all spheres of life continues in the country. No real steps aimed at solving the language issue have been taken.

- On January 16, 2020. The Verkhovna Rada passed in the second reading and in general the law "On Complete General Secondary Education"[1] , in March the law was signed by President V. Zelensky. The document introduces three models of education depending on the linguistic affiliation of students. For the "indigenous peoples" of Ukraine (in July 2021, at the initiative of President Vladimir Zelensky, a bill on indigenous peoples was adopted), to which the Ukrainian legislation includes the Crimean Tatars, Crimean Tartars, and Karaites, education in their native language is provided for the entire period of study. Members of national minorities whose languages are official languages of the European Union have the opportunity to study in them for the first four years, after which the number of subjects taught in Ukrainian will gradually increase from 20% to 60% by the ninth grade. For all other students, including Russian-speakers, the share of instruction in the state language should reach 80-100% already in the fifth grade. Thus, Ukrainian citizens who are native speakers of Russian in the Ukrainian state find themselves in a limited position both in relation to native speakers of Ukrainian and in relation to - the official languages of the EU and the languages of indigenous peoples.

- The Prosecutor General's Office of Ukraine methodically cancels the decisions of local authorities on the regional status of the Russian language adopted on the basis of the law "On the Fundamentals of State Language Policy," the so-called "Kolesnichenko-Kivalov Law. In February 2018, this law was finally declared unconstitutional due to violations of the procedure for its adoption, the content of the law itself was not considered by the CCU[2] .

- During the reporting period, the Constitutional Court of Ukraine examined the constitutionality of the Law "On Ensuring the Functioning of the Ukrainian Language as the State Language", which entered into force on July 16, 2019. Law "On ensuring the functioning of the Ukrainian language as the state language"[3] . It was adopted **in violation of the voting procedure**, and directly violates: **article 10 of the Constitution of Ukraine[4]** , which guarantees the free development, use and protection of Russian and other languages of national minorities of Ukraine; **article 24 of the Constitution of Ukraine**,[5] , which prohibits privileges or restrictions, including those based on language; **the European Charter of Regional Languages[6]** .

Despite this, on July 14, 2021, the CCU subsequently recognized the law as compliant with the Constitution of Ukraine[7] . Such a decision of the CCU can rather be considered political or adopted under pressure. It contradicts not only the Constitution of Ukraine, conclusions of international organizations, in particular, the conclusion of the Venice Commission, but also the very decision of the CCU of December 13, 2011 #17-rp/2011.

[1] https://hromadske.ua/ru/posts/rada-prinyala-zakon-o-polnom-obshem-srednem-obrazovanii
[2] https://www.pravda.com.ua/rus/news/2018/02/28/7173208/
[3] https://ips.ligazakon.net/document/view/T192704?an=5
[4] https://meget.kiev.ua/zakon/konstitutsia-ukraini/
[5] Ibid.
[6] https://www.coe.int/ru/web/european-charter-regional-or-minority-languages/tekst-hartii
[7] https://jurliga.ligazakon.net/ru/news/204944_yazykovoy-zakon-konstitutsionnyy-argumenty-ksu

On January 16, 2020 the norms of Article 32 of the provision **of the Law "On ensuring the functioning of the Ukrainian language as the state language" came into force,** according to which all advertising on television, radio, as well as in printed publications, starting from this date, must be only in the Ukrainian language. On January 16, 2021 , certain provisions of this law came into force**,** which finally switched service spheres to the state language.

Despite the conclusions of the Venice Commission[8] , regarding the Law "On Ensuring the Functioning of the Ukrainian Language as the State Language" **Parliament has not yet developed a draft law on the implementation of the rights of national minorities** and indigenous peoples[9] .

- On January 1, 2020 the law (#7203), which was adopted in September 2019, came into force. **On amendments to Article 80 of the Constitution of Ukraine, which provides for cancellation of full immunity of people's deputies.** On January 31, 2020, the Constitutional Court received a constitutional submission from 50 people's deputies of Ukraine regarding the compliance of the law with the Constitution of Ukraine[10] . The authors of the submission noted that the challenged law is unconstitutional, because the Verkhovna Rada adopted it with violations of the established procedure of consideration, and the parliament, "having adopted the law, violated the principles of the rule of law and acted in a way not provided for by the Constitution and laws of Ukraine. The CCU drew attention to the fact that when deciding on the abolition of parliamentary immunity, it is necessary to take into account the state of the political and legal system in the country and its ability to ensure the unimpeded exercise of deputies' powers[11] .

The -influence of parties on local councils is expected to increase after the adoption of **amendments to the Law of Ukraine "On the Status of Deputies of Local Councils"**[12] on **July 17, 2020**, which gave political parties the right to apply the mechanism of imperative mandate for deputies of local councils. Thus, the parties that nominate candidates can initiate the recall of the elected deputy by collecting signatures, in particular, for his improper performance of the party program.

This practice is contrary to international standards: Article 3 of Protocol No. 1 to the European Convention on Human Rights of 1950[13] , the Venice Commission Report on the Mandatory Mandate and Similar Practices of 2009[14] . In particular, Paragraph 7.9 of the 1990 OSCE Copenhagen Document[15] . states that OSCE participating States "shall ensure that candidates who obtain the necessary number of votes as determined by law are duly installed in office and are permitted to remain in office until their term expires or is otherwise brought

[8] https://search.coe.int/directorate_of_communications/Pages/result_details.aspx?ObjectId=09000016809933ef
[9] https://www.ohchr.org/Documents/Countries/UA/30thReportUkraine_RU.pdf
[10] https://ccu.gov.ua/sites/default/files/3_39.pdf
[11] https://www.ukrinform.ru/rubric-polytics/2867099-zakon-ob-otmene-deputatskoj-neprikosnovennosti-obzalovali-v-ksu.html
[12] https://zakon.rada.gov.ua/laws/show/93-15#Text
[13] https://www.echr.coe.int/documents/convention_eng.pdf
[14] https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2009)027-e
[15] https://www.osce.org/files/f/documents/d/0/14305.pdf

to an end in a manner that is regulated by law in conformity with democratic parliamentary and constitutional procedures.

- In October 2020. **The Constitutional Court declared unconstitutional several articles of the Law on the Prevention of Corruption[16] , which gave the National Agency for the Prevention of Corruption supervisory functions, and Article 366-1 of the Criminal Code, which provided for liability for false declarations.** In August 2020. 47 people's deputies (the whole faction of the "Opposition Platform - For Life", two deputies from the group "Party "For Future" and one - unaffiliated) appealed to the Constitutional Court of Ukraine[17] . They asked the court to assess the constitutionality of some articles of the Civil and Criminal Codes, the laws "On Prevention of Corruption", "On Prosecutor's Office", "On National Anti-Corruption Bureau", "On State Bureau of Investigation", "On National Agency of Ukraine on detection, search and management of assets obtained from corruption and other crimes", which refer to false declaration and punishment for this crime.

The decision of the CCU caused discontent of President Zelenskyy, who introduced in the Verkhovna Rada a bill on termination of powers of the current composition of the Constitutional Court[18] . In response to the actions of the head of state, the judge of the Constitutional Court I.Slidenko stated about the attempts of usurpation of power by the president and warned about the tragic consequences of such a scenario. The president was forced to withdraw his draft when he realized that his demand to dissolve the court would not be met. Experts believe that Zelenskyy's concession was due to pressure on him from oligarchs. It should also be noted that the Venice Commission of the Council of Europe expressed the opinion that the decision of the Constitutional Court of Ukraine on the powers of the NAPC "lacks clearly defined arguments, that it does not have a solid international legal basis and that it was probably accompanied by a serious procedural flaw - the unresolved issue of conflicts of interest of some judges. This event marked the beginning of a constitutional crisis and open confrontation between the president and the judiciary of the CCU .[19]

- In March 2020, the Cabinet of Ministers of Ukraine adopted Resolution No. 211 "On Prevention of Acute Respiratory Disease COVID-19 Caused by SARS-CoV-2 Coronavirus in Ukraine"[20] and introduced a number of restrictive measures to help in the fight against coronavirus. However, the restrictions were introduced rather inconsistently and ad hoc, sometimes they lacked legal certainty and made no sense at all (for example, the ban on visits to parks and forest-park zones).

- Ukraine has not developed a state policy of legal protection and redress for victims of the conflict in Donbass. The hardships and deprivations of such persons have been

[16] https://www.pravda.com.ua/rus/news/2020/10/27/7271451/
[17] https://ccu.gov.ua/sites/default/files/3_393_2020.pdf
[18] https://www.pravda.com.ua/rus/news/2020/10/30/7271740/
[19] https://www.svoboda.org/a/31183739.html
[20] https://www.kmu.gov.ua/npas/pro-zapobigannya-poshim110320rennyu-na-teritoriyi-ukrayini-koronavirusu-covid-19

further exacerbated by COVID-19-related restrictions on freedom of movement, as well as the overall impact of the pandemic on the realization of their economic and social rights.

- The government (Ministry of Justice) has not introduced an administrative procedure for registering children born in the non-controlled territories of Donetsk and Luhansk regions, despite the relevant legal provision. Currently, such certificates can only be obtained through a court procedure. In 2020, according to the Office of the High Commissioner for Human Rights (OHCHR)[21] , 8,524 children (4,446 boys and 4,078 girls) were born in the territory controlled by the "Donetsk people's republic" and 5,444 children were born in the territory controlled by the "Luhansk people's republic". In 2020, state authorities only issued birth certificates to 2,220 children born in the territory controlled by the "Donetsk People's Republic" and to 1,429 children born in the territory controlled by the "Luhansk People's Republic" in compliance with court decisions. This puts an additional financial burden on the families who have to cross the contact line and file a lawsuit. As a result, up to 65,27 thousand children do not have birth certificates issued by the Ukrainian state, which may prevent them from accessing a number of rights, primarily socio-economic ones, as they will not be eligible to receive government services.

Positive legislative changes.

- On June 11, 2020, the Constitutional Court of Ukraine declared Article 375 of the Criminal Code of Ukraine, which provided for the punishment of judges for rendering a "knowingly unjust" decision, to be inconsistent with the Constitution of Ukraine[22] .

The decision of the Constitutional Court of Ukraine states[23] that the authors of the petition believe that the combination of the words "knowingly unjust" is evaluative, its content is not legally defined, does not provide predictability of application of Article 375 of the CC of Ukraine. According to MPs of Ukraine, Article 375 of the CC of Ukraine contradicts the principle of the rule of law, namely such of its elements as legal certainty and legitimate expectations, which violates the requirements of a number of articles of the Constitution of Ukraine.

- On September 17, 2020 draft law **No. 2689 "On Amendments to Certain Legislative Acts of Ukraine concerning the implementation of international criminal and humanitarian law" was** adopted in the first reading[24] **.** This law significantly expands the definitions of international crimes in accordance with the Rome Statute. It also contains important

[21] https://www.ohchr.org/ru/Countries/ENACARegion/Pages/UAReports.aspx

[22] https://babel.ua/ru/news/45187-ksu-priznal-nekonstitucionnoy-statyu-ugolovnogo-kodeksa-po-kotoroy-mogli-nakazat-sudey-za-zavedomo-nepravosudnoe-reshenie

[23] https://zhovanniknp.com/ru/konstitucionnyj-sud-ukrainy-priznal-statyu-375-ugolovnogo-kodeksa-ukrainy-ne-sootvetstvuyushhej-konstitucii-ukrainy/

[24] https://www.legalalliance.com.ua/rus/publikacii/zakonoproekt-o-voennyh-prestupleniah-o-glavnyh-novovvedeniah-i-rol-dla-gosudarstva/

provisions on the responsibility of commanders, the non-applicability of statutes of limitations to international crimes, as well as universal jurisdiction for the prosecution of international crimes. The inclusion of such norms in the draft law, which criminalizes genocide, crimes against humanity, war crimes and the crime of aggression, would ensure its compliance not only with the Rome Statute but also with general principles of international criminal law and best international practice. The adoption of the aforementioned draft law would be a positive step towards ensuring accountability for international crimes.

- In September 2020, President Zelensky signed an executive order[25] designed to create a network to counter domestic violence, citing a spike in domestic violence in the first half of the year as a result of a nationwide heightened quarantine.

- In July 2020. The Verkhovna Rada adopted the Law "On Amendments to Some Laws of Ukraine on the Improvement of Electoral Legislation"[26] **.** Certain provisions make it easier for IDPs and economic migrants to vote in subsequent local elections. At the same time, the parliament's adoption of changes to the Electoral Code less than 100 days before the local elections leaves little time for the authorities and voters to adjust to the new rules.

Electoral Code, No. 396-IX, which amended the Law on the State Voter Register (No. 698-V of February 22, 2007), according to which voters have the possibility to change their voting address, generally linked to their registered place of residence, by submitting to the local registry body the relevant documents, i.e. the certificate of registration as an IDP or the rental agreement. The Electoral Code confirms the prohibition of any direct or indirect restrictions in the exercise of voting rights based on race, color, political, religious and other beliefs, gender, ethnic and social origin, property status, disability, health status, language or other characteristics.

2. Enforcement practices affecting minorities during the monitored period.

2.1 Introduction of quarantine restrictions in the country.

Since the beginning of the pandemic during March 2020, **the Ukrainian government imposed strict quarantine restrictions:** schools and universities were closed, public transport was stopped, borders were closed, a ban on air and rail transport was imposed. Transportation, closing most of the checkpoints - 49 out of 219 will remain[27] .
On March 25, 2020, **the Cabinet of Ministers decided to introduce a state of emergency** throughout Ukraine for 30 days[28] .
At the beginning of April the quarantine was not cancelled; it was alternately postponed several times.

[25] https://www.president.gov.ua/ru/news/prezident-ukrayini-pidpisav-ukaz-pro-nevidkladni-zahodi-iz-z-63829
[26] https://www.ukrinform.ru/rubric-polytics/3064259-rada-vnesla-izmenenia-v-izbiratelnoe-zakonodatelstvo.html
[27] https://www.ohchr.org/Documents/Countries/UA/Ukraine_COVID-19_HR_impact_RU.pdf
[28] https://www.pravda.com.ua/rus/news/2020/03/25/7245055/

The process of exiting the quarantine in Ukraine began on May 11. During the first stage a significant part of the restrictions were lifted, in particular *for small and medium-sized businesses.* Parks, squares, beach areas were opened, beauty salons and hairdressing salons were opened; summer sites of cafes and restaurants were opened; notaries and lawyers resumed their work; institutions of consumer services for citizens were opened; museums and libraries were opened; training for professional teams at closed bases; dental offices; services for household appliances; and businesses that do not provide for receiving visitors resumed their activities.
On May 22, the second stage of the relaxation of the quarantine began. hotels and kindergartens started working and public transport was launched. In particular, the subway and kindergartens in Kiev started working on May 25.
On June 1, gyms and fitness centers were opened; swimming pools were opened; inter-regional communication by all modes of transport was allowed.

from *June 10, opened cultural institutions*; conduct concerts, exhibitions, etc.; restore the work of recreation centers and resorts; work hotels.
Adaptive quarantine was introduced in the country on August 1,[29] , and it will remain in effect at least until the end of 2020. Under this regime, regions are divided into green, yellow, orange and red zones depending on the incidence of Covid-19. The mildest restrictions, like compulsory masks indoors and on public transport in "green" areas, but in "red" areas, measures akin to a spring lockdown are introduced.
Over the past month, the coronavirus has been spreading rapidly in Ukraine. Against the background of the growth of the disease, the authorities are taking measures in the form of quarantine restrictions, one of which is the **weekend quarantine**[30] **.** Its essence is that only food stores, pharmacies and veterinary drugstores should be open on weekends in the country. But representatives of small and medium-sized businesses categorically criticized this decision.

The imposition of strict quarantine restrictions due to the negative economic consequences of the first lockdown (falling levels of GDP, job closures, rising unemployment, etc.) becomes extremely undesirable for both society and government.

There is also the human rights factor, according to which forcing society to comply with quarantine restrictions can be regarded as a violation of human rights. In this regard, the need for a new quarantine becomes economically and socially extremely unpopular in society. And announcements of various quarantine measures are sometimes accompanied by civil protests.

At the same time, the authorities in most cases still try to avoid a total public shutdown, as was the case in the spring. Coronavirus policy varies considerably depending on the rate of illness and deaths. Each state tries to find its own balance between the new quarantine and the need to mitigate its effects on the economy and society.

[29] https://www.pravda.com.ua/rus/news/2020/07/23/7260382/
[30] https://www.kmu.gov.ua/news/uryad-zaprovadiv-karantin-vihidnogo-dnya-onovleno

In November 2020, Ukraine was setting records for morbidity. The average number of those infected ranged from 10,000 to 15,000 cases per day, and the average mortality rate was over 200 cases per day. That's a lot, not even in the spring, since the "first wave" of the pandemic. According to Worldometer[31] , Ukraine in November 2020 was the 17th country in the world in terms of the total number of infected people - 677 thousand, and there were over 11 thousand deaths. The total number of deaths per 1 million population in Ukraine is (243,6). The total number of diseases per 1 million population is on average (more than 13 thousand). At the same time, **the quarantine restrictions that were applied in the country can be classified as one of the strictest in the world**. In turn, they had a negative impact on the economy of Ukraine as a whole. In the second quarter of 2020, the drop in GDP was - 11.4%[32] and only after the easing of quarantine measures, the level of GDP drop decreased and in the 3rd quarter compared to 2019 was - 3.5%.

The COVID-19 pandemic has further exacerbated the difficulties faced by conflict-affected populations in eastern Ukraine, particularly due to the restriction of freedom of movement, and its impact on the realization of social and economic rights.

The pandemic also created vulnerability for **health care workers** who were directly involved in the COVID-19 pandemic. In the early phase of the pandemic in May 2020, health care workers accounted for nearly 20% of all confirmed COVID-19 cases in Ukraine. By mid-November, this figure had decreased to 5.6%, which may be due in part to improved access to personal protective equipment[33] . At the same time, 83% of confirmed cases of COVID-19 infection among medical workers were women.

On March 30, 2020, the Parliament amended the legislation to allow for the resumption of procedural deadlines during the COVID-19 quarantine and to allow participation in civil, administrative and economic cases via videoconference to reduce the physical presence of parties to proceedings in the courts. The first bylaws that were adopted for the technical implementation of the legislative amendments allowed only persons with an electronic digital signature to participate remotely in court proceedings, but following joint advocacy by (OHCHR), people's deputies and civil society representatives, the bylaws were revised to increase access for persons who could not obtain a digital signature. According to OHCHR, citing data from the State Judicial Administration of Ukraine, between April 1 and November 30, 2020, courts held **37860 court hearings online**, with virtual participation of the parties[34] .

After the government partially lifted restrictions in May 2020, many courts continued to apply strict restrictions on observers' access to court sessions, including journalists, even where the

[31] https://www.worldometers.info/coronavirus/

[32] https://finance.liga.net/ekonomika/novosti/gosstat-obnovil-dannye-po-vvp-padenie-za-god-na-114-rezkiy-spad-v-selskom-hozyaystve

[33] https://ukraine.un.org/sites/default/files/2020-12/Ukraine_COVID-19_HR_impact_RU.pdf

[34] Ibid.

premises allowed for safe distance. Courts have applied this practice in a variety of ways without adhering to clear rules[35] .

As a result, we can say that **the implementation of strict quarantine measures, in particular in Ukraine, has demonstrated its low efficiency.** At the same time, in India, where strict quarantine was also introduced, the indicators of the total number of deaths and diseases per 1 million people are several times better than in Ukraine. It is indicative that the average daily number of infected in Ukraine and the EU is now increasing and much higher than in Belarus. The total number of deaths and illnesses per 1 million population in Ukraine is better than in Sweden, but is almost on a par with Belarus, which has effectively abandoned any quarantine measures except the mask regime. But Ukraine's economy has suffered much more.

2.2 Conducting local elections.

During the reporting period, on October 25, 2020, **local elections were held in Ukraine**. Regional and district councils, as well as councils and heads of all territorial communities of Ukraine will be elected. The estimated number of voters is 27.2 million people, the number of voters in the voter lists at the polling stations is estimated at 28.1 million people, the number of polling stations is over 29 thousand. According to the CEC[36] , the total number of local councils, the composition of which was elected in the relevant local elections was -1577. The total number of elected deputies of local councils was 42493.

On the eve of the Central Election Commission approved the procedure for determining the electoral address of a voter who does not have a registered place of residence, allows citizens without a residence permit to vote, the corresponding decree entered into force on July 1, 2020[37] . The Central Election Commission estimates that previously more than a million people could not vote because they did not have a propiska.

But, in addition, the CEC approved territorial communities in Donetsk and Luhansk oblasts, on the territory of which local elections will not be held[38] . These are 10 rural, township, city territorial communities of Bakhmut, Volnovakha, Mariupol and Pokrovsk districts of Donetsk region and 8 of Severodonetsk and Shchastia districts of Luhansk region. Subsequently, on May 11, 2021, the Sixth Administrative Court of Appeal found illegal and cancelled the decision of the Central Election Commission No. 161 "On the impossibility of holding the first elections of deputies of certain village, settlement and city councils of Donetsk and Luhansk regions and relevant village, settlement and city chairmen" of August 8, 2020[39] .

[35] https://ukraine.un.org/sites/default/files/2020-12/Ukraine_COVID-19_HR_impact_RU.pdf
[36] https://www.cvk.gov.ua/pls/vm2020/pvm002pt001f01=695pt00_t001f01=695.html#
[37] https://hromadske.ua/posts/cvk-dozvolila-golosuvati-na-viborah-bez-propiski
[38] https://hromadske.ua/ru/posts/cik-opredelila-gromady-gde-v-oktyabre-ne-budut-provodit-mestnye-vybory-oni-vozle-linii-soprikosnoveniya
[39] https://sud.ua/ru/news/publication/202493-sud-otmenil-postanovlenie-tsik-o-nevozmozhnosti-provedeniya-mestnykh-vyborov-na-donbasse-stala-izvestna-prichina

Local elections were conducted in accordance with a legal framework that underwent significant changes; it includes the Constitution of Ukraine, the new Electoral Code of Ukraine, the Law of Ukraine "On the Central Election Commission" and the Law of Ukraine "On the State Voter Register" and is supplemented by CEC resolutions.

Simultaneously with the election, a nationwide poll was conducted by President Vladimir Zelensky[40] . Volunteers stood near polling stations and asked voters to answer "yes" or "no" to 5 questions. The 5 questions concerned: life imprisonment for corruption, the creation of a free economic zone in the occupied part of Donbas, reducing the number of people's deputies to 300, the legalization of cannabis for medical purposes, the use of the Budapest memorandum to restore the territorial integrity of Ukraine.

The poll was conducted among the respondents who took part in the elections at the exit from the polling stations. According to the research of the Sociological group "Rating" 31% of voters reported that the presidential poll was not conducted at the polling station. According to sociologists, only every second voter took part in the poll[41] .

More than 5 thousand reports of violations have been received across Ukraine[42] . Law enforcers launched 159 criminal proceedings and drafted 324 administrative protocols for election violations.

In particular, it was recorded[43] :

violation of campaigning on Election Day - 1800;
violation of the secrecy of the vote - 274;
bribery of voters - 209;
illegal destruction of electoral documents - 181;
violation of the procedure for maintaining voter or election commission registers or voter lists - 178;
Illegal use of a ballot (attempt or removal of a ballot) - 102.

The OHCHR report notes that in the run-up to the local elections in October 2020, there was a wave of attacks on political party members and staff, mainly targeting two opposition parties that are considered by many to be "pro-Russian"[44] . Law enforcement authorities often failed to effectively protect victims and prevent violence, and most perpetrators were not brought to justice. In several of these incidents, members of extreme right-wing groups were identified among the perpetrators of the attacks.

[40] https://www.pravda.com.ua/news/2020/10/13/7269741/
[41] https://www.pravda.com.ua/rus/news/2020/10/25/7271168/
[42] https://vybory.24tv.ua/ru/vybory-2020-daty-cifry-kandidaty-karantin-2020_n1440599
[43] https://vybory.24tv.ua/ru/mestnye-vybory-ukraina-2020-narushenija-falsifikacii_n1436923
[44] https://www.ohchr.org/Documents/Countries/UA/31stReportUkraine-ru.pdf

The OSCE Office for Democratic Institutions and Human Rights has published a report[45] on the conduct of local elections in Ukraine on October 25, where more than 15 serious problems were recorded.

In particular, the report points out that the **polling** conducted **during election day**, **initiated by President Zelensky**, **partially created an improper political advantage** for participants in the election process from the ruling party.

The following can also be noted among the above: the absence of voting in Donbas, politicized work of territorial election commissions, politicized refusals to register candidates, high concentration of politically controlled media, abuse of state resources and official powers, non-compliance with legal requirements of delimitation of territorial districts, etc.

1. The Central Election Commission administered the electoral process in a generally professional and efficient manner, but **the work of the territorial commissions was often politicized** and adversely affected by the frequent replacement of their members.
2. Elections were not held in the Crimean peninsula and parts of Donetsk and Luhansk oblasts, as well as in 18 territorial communities controlled by the Ukrainian government. The legal framework for decisions not to hold elections in these territories lacked transparent criteria and did not provide sufficient guarantees for the exercise of electoral rights, which affected public confidence.
3. Contestants were able to campaign freely, but cases of abuse of state resources and office, as well as widespread allegations of vote-buying are of concern. **Cases of abuse of state resources and office by regional and city state administrations** have been documented, and there were many reports of possible vote-buying.
4. Local elections were held in accordance with the provisions of the legal framework, which was significantly changed. But **making significant changes on the eve of elections, including changes to the electoral system, is contrary to good international practice.** The new Election Code does not take into account a number of long-term priority recommendations of ODIHR, and the legislation does not ensure the integrity of key elements of the electoral process.
5. **The order of delimitation of electoral districts did not meet legal requirements and international standards**, and did not always ensure equal suffrage.
6. The lower-level commissions followed most procedures properly and within the deadlines, but **often lacked professionalism and their decisions were at times politically motivated.** A significant number of replacements of commission members at the nomination of parties negatively affected the independence, impartiality and work of Territorial Election Commissions (TECs).
7. Not all commissions received sufficient funds to implement anti-epidemic measures.
8. Citizens found by a court to be mentally or mentally incompetent were not entitled to vote, contrary to international obligations.

[45] https://www.osce.org/files/f/documents/2/c/468252.pdf

9. Candidate registration was inclusive, but TECs did not have a uniform approach to registration documents, and **some refusals were politically motivated, contrary to OSCE recommendations and international standards.**
10. On election day, President Vladimir Zelensky conducted polling from polling stations; it was financed by his party and belonged to the initiatives of the presidential administration, which gave **the impression of providing an unfair political advantage on election day and blurred the distinction between state and party.**
11. The legal framework for **campaign** finance **contained no requirements for accurate reporting, timely disclosure of information, meaningful oversight, or accountability for violations**. Campaign materials often lacked required information, which hindered the tracking of relevant expenditures. The use of charitable foundations and NGOs affiliated with candidates for campaign purposes was observed, despite the fact that campaigning through such organizations is prohibited by law.
12. **Not all TECs and local organizations of political parties published interim reports**, as required by law, reducing transparency.
13. The oversight authority of the National Agency for the Prevention of Corruption (NAPC) has been limited through a general lack of capacity and a lack of regional offices, which has limited meaningful oversight.
14. Private media failed to consistently provide impartial and balanced coverage of the electoral contestants, depriving voters of the opportunity to make a fully informed choice. The national media environment is largely diverse, but **is characterized by a high concentration of politically controlled media** in private ownership, both nationally and regionally. **This contributes to the political polarization of news as well as** undermines overall public trust in the media.
15. Mechanisms for resolving electoral disputes exist, but a general lack of transparency and ambiguity in the application of the law reduce their effectiveness**. Strict formal requirements for complaints led to rejection of most complaints by the Central Election Commission, limiting the effectiveness of legal redress**. Police opened many criminal proceedings for alleged vote-buying, bribery by candidates, and obstruction of voting rights, most of which did not proceed to trial until election day.
16. The Electoral Code provides for observation of the electoral process by international and domestic observers from domestic public organizations. Apart from the well-known public observer organizations, **the vast majority of registered domestic organizations turned out to be affiliated with political parties or candidates,** which contradicts the principles of non-partisan election observation by domestic observers. The legislation prohibits citizens of states recognized by the Supreme Council of Ukraine as an aggressor state or an occupant state from registering as international observers, **which contradicts the OSCE commitments.**
17. The counting process, observed by the mission, was often delayed, but for the most part orderly and transparent; procedures were generally followed.

In general, it is noted that constitutional guarantees of suffrage, participation in political processes and political associations remain limited.

The electoral reform was implemented simultaneously with constitutional and administrative reforms, which affected the system of local self-governance and related electoral processes. The reforms were criticized by many ODIHR LEOM interlocutors for contributing to the centralization of political authority and the demotivation of local political activity due to restrictions on the nomination of independent candidates and the dilution of local government powers at the district level. Interlocutors also noted a top-down approach to the very organization of reforms that failed to reflect the true will of local communities.

2.3 Agreement on Measures to Strengthen the Ceasefire, effective July 27, 2020.

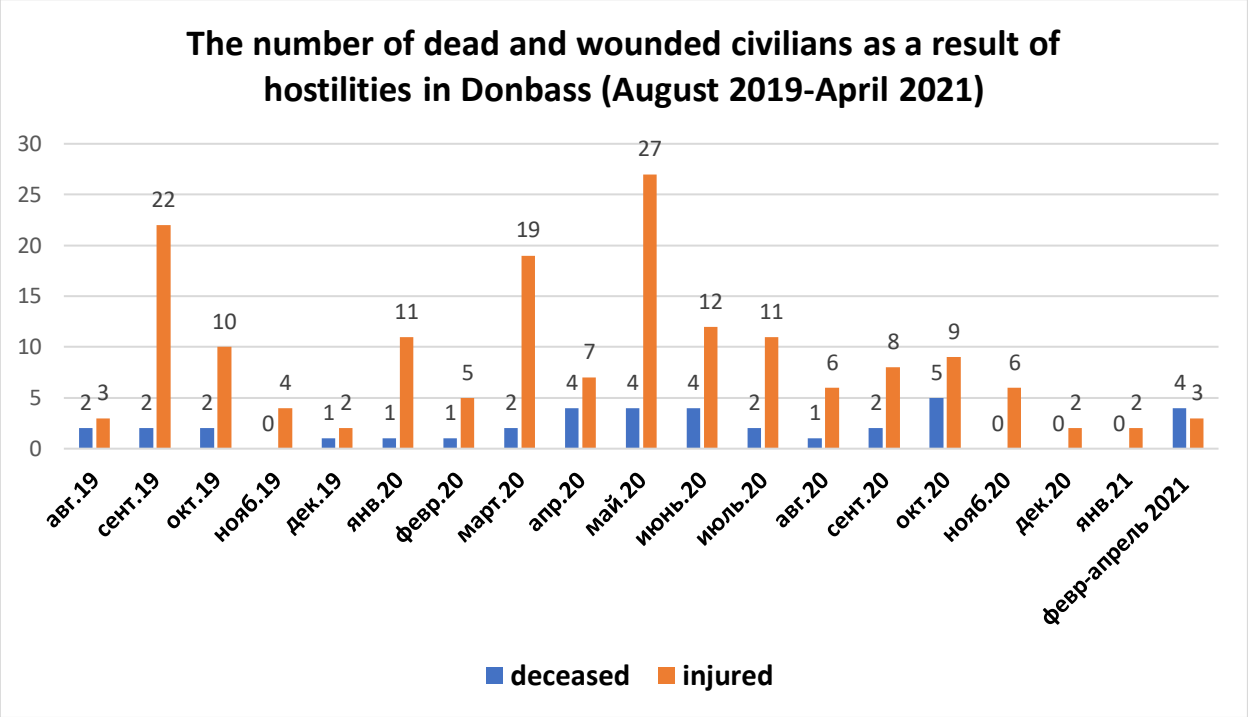
On July 27, 2020, the agreement on measures to strengthen the ceasefire in Donbas came into force[46] . Since then, the security situation has significantly improved compared to the previous reporting period. Nevertheless, as a result of systematic violations of the silence regime, both sides continue to suffer human losses. At the same time, the war has not entered an active phase with shelling only along the line of contact.

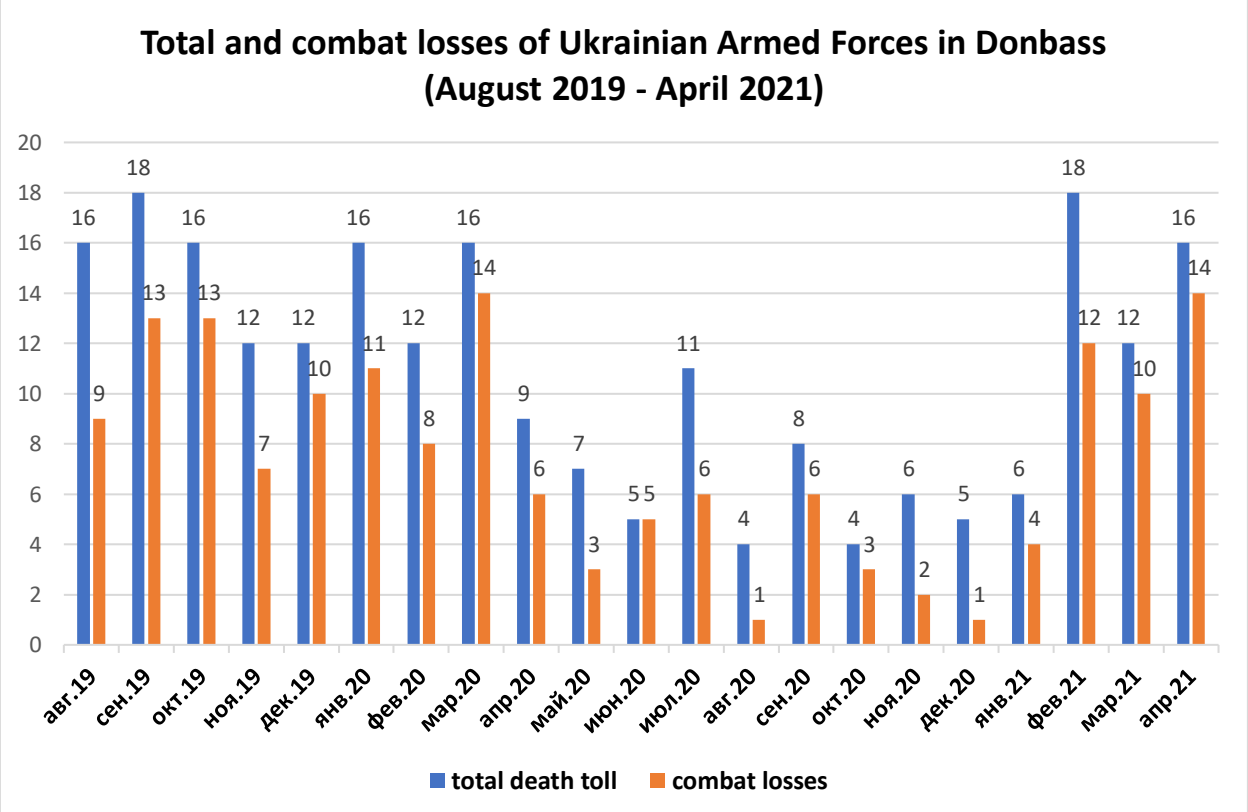
Between August 1, 2020 and January 31, 2021, according to the Office of the UN High Commissioner for Human Rights, OHCHR recorded 41 civilian casualties*: 8 dead and 33 wounded*, a 58.2% decrease from the previous half year (17 dead and 81 wounded) .[47]

The OHCHR Office of the United Nations High Commissioner for Human Rights estimates the total number of human casualties related to the conflict in Ukraine (from 14 April 2014 to 31 January 2021)[48] **is 42000-44000:** *13100-13300 dead* (at least 3375 civilians, presumably 4150 Ukrainian military and approximately 5700 members of armed groups); *and 29500-33500 wounded* (7000-9000 civilians, 9700-10700 Ukrainian military and 12700-13700 members of armed groups). At the same time **between April 14, 2014 and June 30, 2021, human losses ranged from 42, 5 to 44, 5 thousand[49] .people. Among them:** 13.2 -13.4 thousand . dead (at least 3901 civilians, about 4.2 thousand Ukrainian military and about 5.8 thousand members of armed groups). 29, 6-33, 6 thousand wounded (7-9 thousand civilians, 9, 8-10, 8 thousand Ukrainian military and 12, 8-13, 8 thousand members of armed groups).

Looking at the dynamics, military losses on the part of Ukraine are not yet beyond the general statistics of the sluggish hostilities of last year[50] .

[46] https://www.pravda.com.ua/rus/news/2020/07/27/7260779/
[47] https://www.ohchr.org/Documents/Countries/UA/31stReportUkraine-ru.pdf
[48] https://www.radiosvoboda.org/a/news-oon-kst-gertv-boyovyh-donbas/31110937.html
[49] https://kanaldom. tv/do-445-tys-chelovek-pogibshih-i-postradavshih-na-donbasse-podschitali-v-oon/
[50] https://uiamp.org.ua/kolichestvo-obshchih-voennyh-poter-ukrainy-na-donbasse-vozroslo-na-24





It is worth noting that after a six-month cease-fire, the situation in Donbass became tense. And *since February 2021, military losses on the part of Ukraine* began to increase. The number of total military losses of Ukraine ***in February-April 2021 exceeds*** the same period in 2020 ***by 24%***, and combat losses *by 28%.* Separately, we can add that the total number of deaths *in the 20 days of April 2021 is almost 2 times higher than the* number of deaths in April 2020.

Earlier attempts to negotiate a full cease-fire on the line of contact have also failed to produce sustainable results. The main factors influencing the aggravation of the situation are the impasse of the Minsk and Normandy negotiation processes. The parties to the conflict have completely different views on the final establishment of peace. In particular, the Russian side insists on the implementation of the Minsk agreements of 2014-2015, while Ukraine advocates the revision of the agreements. And since neither side is able to resolve the conflict by suppressing the enemy by force, the current escalation on the line of contact is unlikely to escalate into a full-scale armed conflict. But against the background that neither the Russian nor the Ukrainian side agrees to make any concessions and conditions to the enemy, demonstrating a willingness to respond with military force, further local escalations of the situation with periodic casualties and destruction on both sides are quite likely. However, no political solution to the conflict is in sight, and hostilities may resume at any moment.

2.4 The practice of pressure on the media in Ukraine in 2020.

The systemic impunity for crimes against media workers, as well as the atmosphere of hostility periodically fomented by public figures, makes the profession of journalism in Ukraine dangerous.

According to the statistics of ***the General Prosecutor's Office***[51] , a total of 249 offenses against journalists were registered in 2020, **of which 104 offenses were registered.** This is 4% and 33% less than last year, respectively. In 2019, 259 offenses were registered, of which 157 were registered.

In 16 of the 104 criminal offenses, proceedings were sent to court (2 more cases than in 2019) against 17 suspects. No action was taken on 87 of the 104 offenses. This is a 40% decrease from last year, when no action was taken on 143 offenses.

- Accordingly, 64 offenses were registered under Art. 171 Obstructing the lawful professional activities of journalists. In 10 cases proceedings were sent to court against 11 suspects.
- 37 offenses were registered under Article 345-1 threatening or violent actions against a journalist. In 5 cases proceedings were sent to court against 5 suspects.
- Three offenses were registered under Art. 347-1 deliberately damaging the property of a journalist. 1 proceeding was sent to court against 2 suspects.
- Not a single offense under Article 348-1 trespassing on a journalist's life was on the books.

In none of these cases was detention taken as a precautionary measure.

[51] Response of the Office of the Attorney General on 06.09.2021 No. 27/3 - 2817 Vih. 21 to No. 468 of 30.08.2020.

Despite some positive dynamics, we cannot say that the situation with freedom of speech in Ukraine has significantly improved compared to 2019. **The percentage of offenses against journalists that are not investigated in Ukraine remains quite high - 83%.** This is probably why freedom of speech in Ukraine is a constant concern for international organizations. This problem is made even worse by impunity for crimes.

According to the data of ***the State Judicial Administration***[52] , in 2020, 29 cases concerning offenses against journalists were brought to court. During 2020 there were 67 cases against 96 persons. A total of 19 proceedings were considered, 8 with a verdict. In 2 cases there was a reconciliation of the parties. In 3 cases the proceedings were closed. Eight cases were returned to the prosecutor. All in all for 2020 one person was acquitted, six persons were convicted, 7 cases were closed, 12 cases were returned to prosecutor. Thus, **only 6 people were convicted of crimes against journalists in 2020.**

It is worth noting that there are dozens of times more journalists who suffer as a result of unlawful actions. According to **the National Society of Journalists of Ukraine**[53] **, 77 cases of violence against journalists were recorded in 2020** as part of the "Index of Physical Safety of Journalists of Ukraine. At the same time, the total number **of injured media workers is even higher - 101 people**, because camera crews or groups of journalists are often recorded.

According to the monthly monitoring of the "Institute of Mass Information"[54] . In 2020. - IMI recorded 229 cases of violations of freedom of speech. Of these, 171 (74%) cases involved physical aggression against journalists. In 2019. - 243 cases of violations of freedom of speech. Of these, 172 (75%) involved physical aggression against journalists.

The main categories of violations of freedom of speech in Ukraine in 2020 were:

- Obstruction of lawful journalistic activities - 125 cases (99 in 2019)
- Restrictions on access to public information - 22 (in 2019 - 21 violations)
- Beatings - 20 (in 2019 - 23 cases)
- Threats - 19 (37 cases in 2019)
- Legal pressure - 19 (18 cases in 2019).

From January 2021 to August 2021. The IMI[55] recorded 126 and violations of freedom of speech. At the same time, a significant part of them - 92 (73%) concerned physical aggression against journalists.

The journalistic community reacted this year with statements about: the bills "On Disinformation" and "On the Media"; the murder cases of Pavel Sheremet and Georgiy Gongadze; searches in the offices of the projects "Secret Materials", "Money" and in the

[52] Response of the State Judicial Administration 14.09.2021 № inf./B 961-21- 914/21

[53] Response of the National Society of Journalists of Ukraine № 233 of 06.09.2021 to n/a of 30.08.2021

[54] https://imi. org. ua/monitorings/229-vypadkiv-porushen-svobody-slova-imi-zafiksuv-vu-krayini-u-2020-rotsi-i36905

[55] Ibid.

homes of journalists 1 + 1; not allowing a war correspondent to the frontline in Donbas[56] and others.

Another problem in terms of ensuring freedom of speech is the work **of the "Peacemaker" website[57]** in Ukraine**,** which publishes illegally collected personal data on people whose authors consider "separatists" or "enemies of Ukraine," including reporters, politicians and cultural figures who speak with an alternative official point of view.

At present, this Internet resource is actively used by the Ukrainian special services, as well as by radical nationalist structures to exert psychological pressure on individuals whom they accuse of "separatism and treason against the fatherland.

During the reporting period, the Verkhovna Rada Committee on Humanitarian and Information Policy was developing a new version **of the law "On the Media"[58] .** The draft law "On the Media" essentially consists of two parts. The first is the regulation of audiovisual services. Europe has long insisted that Ukrainian media legislation must comply with the provisions of the EU Audiovisual Media Services Directive in accordance with the EU-Ukraine Association Agreement. The second part of the bill deals directly with the regulation of the media in Ukraine, with a system of high fines that will be imposed by the National Council for Television and Radio Broadcasting and the ability to block online media in a matter of hours. It is this block that international experts harshly criticize. In essence, the Media Law violates the right to freedom of speech, which is guaranteed **by the Constitution of Ukraine and the Convention for the Protection of Human Rights and Fundamental Freedoms.** Since the law has also faced much criticism and lack of support from the monopole majority. The initiative was not introduced in the session hall at that time.

On January 17, 2020, a presentation **of the draft law on counteracting disinformation was held** at Kyiv's Osvitoria Hub[59] . It is proposed to introduce the position of an information commissioner, who will identify misinformation and fight against it. offer to assign an index of trust to the media that adhere to the standards of journalism. It is envisaged that an organization of journalistic self-government will be created. This organization will issue professional journalist credentials. All other journalists will be considered "ordinary". Professionals with certificates from this organization will receive enhanced protection from the state. In addition to monetary fines for misinformation, there will be a real term of 2-5 years.

The spread of a new coronavirus infection contributed to the further deterioration of the freedom of speech situation. Many cases of violations of journalists' rights were related to their coverage of self-isolation and quarantine, as well as compliance with other anti-epidemiological measures. In addition, there were incidents when the fight against COVID-

[56] https://kherson-news.info/politics/hersonshhina-voshla-v-trojku-liderov-po-chislu-narushenij-svobody-slova-v-ukraine/
[57] https://myrotvorets.center/
[58] why the draft law on the media has sparked controversy in Ukraine among politicians and lawyers/a-52120371
[59] https://newsmir.info/1956401

19 was used by local governments to hold separate sessions in a closed format without the participation of press and television representatives.

Individual examples of pressure on the media can be highlighted:

- In January 2020. The National Television and Radio Broadcasting Council of Ukraine took restrictive measures against a number of media outlets suspected of violating the laws "On Television and Radio Broadcasting" and "On Information". In particular, the television channel "Nash"[60] was fined, and inspections of the television channels "ZIK" and "112-Ukraine" were scheduled.

- In May 2020, Ukrainian President Viktor Zelensky signed a decree extending for three years the 2017 ban on access to 468 Russian social networking sites and platforms on Ukrainian territory, including Yandex, Mail.ru and Vkontakte[61] . At the same time, in September 2020, the Secretary of the National Security and Defense Council of Ukraine A.Danilov said that the Ukrainian security services intend to monitor and register the users of these social networks[62] .

- On November 13, 2020, the Verkhovna Rada Committee on Humanitarian and Information Policy proposed to pass a bill **to punish media outlets which "deny Russia's military aggression against Ukraine".** According to "Televin Novin 24"[63] , violation of this rule could lead to the fact that the media will be deprived of their license. According to the channel, according to the draft law, if the fact of Russian aggression is denied by any of the guests on live TV, the media will not be held liable for it only if the journalists "do everything to stop this violation".

- Nationalists attack the offices of media outlets that take a different position on the most sensitive issues. For example, the buildings and offices of the Inter, Nash, 112, and NewsOne TV channels have been threatened and aggressed by radicals on numerous occasions.

Konstantin Nikitenko, a former "Donbass" battalion fighter, was given a suspended sentence for his involvement in the shelling of "112 Ukraine" in July 2019[64] , the Shevchenko district court of Kyiv passed a sentence. No one was injured during the shelling of Channel 112, the building and the channel's signage were damaged. K. Nikitenko was named a member of the so-called Semenchenko PMC and was found guilty of participating in an illegal armed formation and carrying out an act of terrorism. The court sentenced him to five years in prison, but released him from serving his sentence and set him on probation for three years.

- On May 18, 2020, radicals in Kyiv painted obscene words and threw chicken eggs at journalist D. Gordon's office[65] . The building was caused by interviews that Gordon had

[60] https://biz.liga.net/all/all/novosti/natssovet-oshtrafuet-telekanal-muraeva-iz-za-intervyu-s-azarovym
[61] ukraine-extended-for-three-years-blocking of russian social networks/a-53445829
[62] kiev-postavit-na-uchet-polzovatelej-socseti-vkontakte/a-55053245
[63] https://24tv.ua/ru/ukrainskie-smi-mogut-nakazyvat-za-otricanie-agressii-so-storony_n1458319
[64] https://www.pravda.com.ua/news/2021/10/19/7310941/
[65] https://hromadske.ua/ru/posts/pod-ofisom-gordona-ustroili-akciyu-iz-za-intervyu-girkina-brosali-yajca

conducted with I. Girkin, the former leader of armed formations in Donbass, and N. Poklonskaya, a member of the Russian State Duma.

- On May 26, 2020, a journalist from the TV channel Pryamiy ("Directly") was injured during the storming of the Ivan Gonchar Museum in Kyiv by officers of the State Bureau of Investigation[66] .

- On August 17, 2020, in Brovary, unknown persons set fire to a car belonging to the crew of the "Schemes" program[67] .

- In September 2020, the head of the news agency "Anti-corruption Human Rights Rada" A. Snisar[68] was hospitalized in a serious condition after an attack in Dnepropetrovsk. The victim's colleagues suggest that the attack may be specifically related to the journalist's professional activities, as he investigates corruption schemes of officials.

- On September 5, during a meeting of the Chernomorsk City TEC, at the request of the chairman of the commission Dmitry Sokolov (from the PP "People's Servant"), Andrey Smirnov, a journalist of the newspaper "Vecherniy Chernomorsk", who usually conducted live broadcasts of all TEC meetings on facebook[69] , was removed from the premises.

- On October 17, 2020, in the Odessa region, Roman Varshanidze, editor-in-chief of Alternativa, was beaten by three unknown men while filming[70] .

- On October 21, 2020, the editorial office of[71] was set on fire. In September 2020. R.Varshanidze reported about threats coming to him and to other journalists from representatives of the former chairman of the local council T.Khasayev.

- In Lutsk and Lviv[72] journalists could not get to the party conferences of the "Servant of the People" and "Opposition Platform - For Life" parties to nominate candidates for local councils. Despite having accreditation, they were denied access to the premises, arguing the denial, including by quarantine restrictions.

- On the day of local elections, October 25, in Dnipropetrovsk region, the incumbent deputy of Ternovsky city council showed physical aggression against a journalist[73] , who noticed suspicious persons with the credentials of "freelance correspondents" of Pavlograd

[66] https://prm.ua/ru/gbr-shturmovalo-muzey-gonchara-postradala-zhurnalistka-pryamogo/
[67] https://www.svoboda.org/a/30787741.html
[68] https://www.youtube.com/watch?v=tsNCuQYJ1kY
[69] https://chernomorsk.news/novosti/vygnali-za-pravdu-ili-chto-skryvaet-predsedatel-izbiratelnoj-komissii-v-chernomorske
[70] https://ukranews.com/news/733468-v-noch-na-21-oktyabrya-sovershen-podzhog-redaktsii-izdaniya-alternativa-org-v-ovidiopole-odesskoj
[71] https://ukranews.com/news/733468-v-noch-na-21-oktyabrya-sovershen-podzhog-redaktsii-izdaniya-alternativa-org-v-ovidiopole-odesskoj
[72] https://telekritika.ua/imi-zafiksiroval-v-sentyabre-15-narushenij-svobody-slova/
[73] https://hubs.ua/news/v-ukraine-s-nachala-goda-zafiksirovano-74-sluchaya-napadeniya-na-zhurnalistov-natssoyuz-zhurnalistov-212091.html

newspaper "Behemoth" at the polling station. According to the victim, they grabbed her by the arms, pushed her and tried to knock her cell phone with which she was taking pictures.

2.5 Forcing national minority languages out of education and all spheres of public life.

The Prosecutor General's Office of Ukraine methodically cancels the decisions of local authorities on the functioning of regional languages adopted on the basis of the so-called "Kolesnichenko-Kivalov Law. In December 2020, after the Ombudsman for the Protection of the State Language T. Kremin appealed to the Prosecutor General of Ukraine, all decisions of the Beregovo and Vinogradiv District Councils were cancelled as unlawful[74] . Education in minority languages has been steadily supplanted in the country.

Throughout the period, OHCHR **noted instances of threats and hatred against people who openly criticize the State language law or express positive opinions about the Russian language. The** authorities have not publicly condemned these incidents and in some cases no investigation has been opened, despite the fact that the threats have been covered in the media and not removed from online platforms[75] .

In September 2017, the law "On Education" was passed, which provided for education in Ukrainian educational institutions to be conducted only in the state language starting in 2020.

In 2019, the law "On Ensuring the Functioning of the Ukrainian Language as the State Language" was adopted and entered into force, approving the Ukrainian language as the only state language. In essence, the law is aimed at forcing national languages out of all spheres of public life.

After the language law went into effect, as of **the 2020/2021 school year** in Ukraine there were 672 schools with Russian (up to grade 5), 100 with Hungarian, 88 with Romanian, 17 with Moldovan, 6 with Polish, 2 with Crimean Tatar and 1 each with English, Bulgarian, German and Slovak[76] .

From 2014 to 2020, the number of students studying in the Ukrainian language increased from 3.28 million to 3.72 million, an increase of 13.4%. Given the negative demographic dynamics, this was possible due to the transfer of national minority schools to Ukrainian language instruction. Despite the increase in the number of children studying in the Ukrainian language, the number of schools is decreasing, which is explained by the educational reform and apparently compensated by an increase in the number of students in classes, which may have a negative impact on the quality of education. For the academic year 2020/2021, there

[74] https://ukranews.com/news/750808-vse-resheniya-o-regionalnyh-yazykah-na-zakarpate-otmenili
[75] https://www.ohchr.org/Documents/Countries/UA/31stReportUkraine-ru.pdf
[76] Response of the Ministry of Education and Science on November 25, 2020 # 04-13/25 to # b/n on November 16, 2020.

were 14,400 schools in Ukraine, of which 13,600 were Ukrainian-language schools (95 per cent of the total number of schools).

The number of students studying in Hungarian has been decreasing since 2004 and began to grow in 2014 - after the Euromaidan, and this growth was not affected by the adoption of the language and education law. Also, since 2013 the number of Hungarian language schools began to grow from 66 to 73 in 2020-2021.

The number of schools with Romanian language instruction (81 in 2014) was decreasing in proportion to the reduction in the number of students in 2020.

As the number of students studying in Moldovan decreased, the number of Moldovan-language schools in Ukraine also decreased: from 2010, when there were 10 in the country, by 2020 only 2 schools remained.

After the annexation of Crimea, not a single school remained in Ukraine (there were 15 in 2014) that taught exclusively in the Crimean Tatar language. Due to the small number of students, children in the controlled territory of Ukraine were taught in the Crimean Tatar language in 2017. As of 2020, there were already two educational institutions in Ukraine that teach in the Crimean Tatar language.

From 2014 to 2020, the number of schools with Russian as the language of instruction decreased tenfold, to 125 for the 2019/2020 school year; in 2014 there were 1,275. Considering the provisions of the language law, only 55 Russian-language schools remain in Ukraine for the 2020/2021 school year, which can rather be considered an exception, since, according to the law, there should not be any at all. At the same time social demand for education in Russian language remains significant: on the average there are 2250 students per one Russian-speaking school in 2020, while there are 276 students per one Ukrainian school. The average workload of Russian-language schools is 8 times higher.

Thus, the Russian language in the Ukrainian state is in a discriminatory position both in relation to the Ukrainian language and in relation to the official languages of the EU and the languages of indigenous peoples.

The data of sociological interrogation conducted by Kiev international institute of sociology (KIIS) in February 2020 showed that **33 % of respondents consider that the state should provide Russian-speaking citizens of**[77] Ukraine with the right to get school education in Russian on the whole territory of the country.

Moreover, according to the results of another KMIS poll[78] , conducted in April 2020, in the opinion **of 48.8% of respondents the Russian language is a historical treasure of Ukraine**, which is worth developing.

[77] https://interfax.com.ua/news/general/643738.html

[78] https://www.kiis.com.ua/materials/pr/20200406_pressconf/politics_april%202020.pdf

An MP of the Verkhovna Rada from the "Servant of the People" party, M. Buzhansky, introduced several bills that were supposed to remedy the situation in the sphere of language regulation. One of the drafts he introduced suggested postponing the transition to the Ukrainian language of instruction for Russian-speaking classes until 2023.[79] In this connection, in mid-July 2020, nationalists organized protests[80] in Kyiv and such major cities as Dnipropetrovsk, Kharkiv, Chernivtsi, Lviv, Ivano-Frankivsk, Khmelnytsky, and Lutsk. As a result, these initiatives were rejected by parliament.

A number of international human rights structures, including the OSCE High Commissioner on National Minorities Lamberto Zannier and OHCHR, have commented on discriminatory legislative steps by the Ukrainian authorities. We should also mention separately the opinion of the Venice Commission of the Council of Europe regarding the Law "On Education" (December 2017), which confirmed the presence of discriminatory provisions in the document, and regarding the Law "On ensuring the functioning of the Ukrainian language as the state language" (December 2019), which noted the contradiction between the content of the act and Ukraine's international obligations. The Commission's assessments and recommendations were supported by the OHCHR. .[81]

Increased pressure on the rights of Ukrainian citizens of Hungarian and Romanian origin.

Relations between Ukraine and Hungary are not straightforward. Conflicts arise from time to time between the countries, which tend to focus on Zakarpattya, a region where many Ukrainians of Hungarian origin live. The innovations associated with the adoption in 2017 of the law on education have angered both the local population and the Hungarian authorities. Language is a sensitive issue for many Transcarpathians, as there is little knowledge of the Ukrainian language in local villages.

In addition, the ongoing administrative transformations in the country pose a threat to the interests of ethnic minorities. Thus, **the decision of the Verkhovna Rada on July 17, 2020, enlarged the Beregovsky district[82] , in which Hungarians accounted for 76% of the population**. As the deputy head of the Transcarpathian Regional Council, an MP of the Party of Hungarians of Ukraine I. Borto states, after the expansion of its territory due to the annexation of the Vinogradov district, **the percentage weight of the Hungarian minority decreased to 43%.** A similar situation is observed in all districts of Zakarpattya, where representatives of this nationality were compactly living. Thus, in the enlarged Uzhgorod district, instead of 33%, they now constitute only 13% of the total population, and in Mukachevo district.

[79] https://www.pravda.com.ua/rus/news/2020/07/15/7259391/

[80] https://hromadske.ua/ru/posts/pod-radoj-sobralis-na-protest-protiv-zakona-buzhanskogo-proizoshli-stolknoveniya-s-policiej-pryamoj-efir

[81] https://www.ohchr.org/Documents/Countries/UA/30thReportUkraine_RU.pdf

[82] https://gordonua.com/news/politics/rada-vmesto-490-sozdala-v-ukraine-136-rajonov-polnyj-spisok-1509766.html

The conflict over the Hungarian cultural society in Transcarpathia is not the only problem in the relationship between Ukraine and Hungary. One of the most notorious was the "passport scandal," which broke out in late 2018. Then Kiev declared the Hungarian consul in Transcarpathia persona non grata: the reason was the video that appeared on the Internet, where the consul issued Hungarian passports to Ukrainian citizens, advising to hide this fact from the Ukrainian authorities. Budapest responded by expelling the first secretary of the Ukrainian embassy and threatened to hinder attempts to integrate the country with the European Union and rapprochement with NATO. [83]

In November 2020. The Security Service of Ukraine conducted searches in one of the charitable foundations in Transcarpathia in order to verify information about its involvement in "activities aimed at violating the state sovereignty of Ukraine"[84] . Budapest reacted sharply to the actions of the SBU. Hungarian Foreign Minister Peter Szijjártó accused Ukraine of destabilizing relations, promised to complain to NATO about the actions of the Ukrainian authorities and called on the OSCE to send an observation mission to Zakarpattia.

Representatives of the Romanian community also claim their rights have been violated as a result of the Ukrainian authorities' language and administrative reforms. **Romanians in Ukraine believe that they are subjected to "a systematized process of forced Ukrainianization". In Bukovina 12.5% of the population call themselves ethnic Romanians.** The National Council of Romanians in Ukraine has appealed to the Romanian authorities because of violations of their rights to education in their native language and projects of administrative reform[85] . **The Romanian community compactly lives in four of 11 districts of Chernivtsi region, but if after the administrative reform the region is divided into 3 - 4 macro-regions, the Romanians in them will make up almost 10% of the total population.** For them it means loss of representation in the parliament of the country and its reduction in local councils, as well as forced assimilation in violation of international obligations of Ukraine.

2.6 Discrimination against believers of the Ukrainian Orthodox Church.

In 2020 one could observe some decrease in the intensity of violations of the rights of believers of the UOC. However, there are no signs that the general trend of negative government policy toward the UOC has changed.

In fact, mass seizures of churches have ceased, but those buildings that were seized in 2015-2020 have not been returned. In addition, illegal re-registration of UOC congregations in the PCU, as well as other offenses, continue even today.

[83] https://minprom.ua/opinion/247698.html

[84] https://ssu.gov.ua/novyny/na-zakarpatti-sbu-pereviriaie-blahodiinyi-fond-cherez-mozhlyve-vtruchannia-u-vnutrishnopolitychnu-sytuatsiiu-v-kraini

[85] https://24tv.ua/ru/rumyny-ukraine-pozhalovalis-buharestu-prinuditelnuju-ukrainizaciju_n1378923

The problem of the discriminatory Law No. 5309 (the "renaming" law) remains **unresolved**, according to which all UOC communities must change their names and include affiliation to the governing center, which is located in the aggressor country, i.e. the Russian Federation. It will be recalled that the bills № 5309 (already in effect), № 4128 and № 4511 (was withdrawn and withdrawn from consideration on 29.08.2019) - are interrelated, went in one package and were aimed at discrimination of the UOC activity by raiding through its renaming (№ 5309), seizing its property (№ 4128) and interference in the management bodies (№ 4511)[86] . In contrast to the first version of bill #4128 - law #4128-d, which was passed, does not provide for the so-called "right of self-identification," when any person could vote on changing the subordination of the community (on the issue of "transition")[87] .

It is now blocked by an interim court decision on a lawsuit filed by the Kyiv Metropolitan Church of the Ukrainian Orthodox Church against the Ministry of Culture of Ukraine, and a number of parliamentarians have also filed an application with the Constitutional Court of Ukraine to declare this law unconstitutional; the trial has been going on since February 2020. This law contradicts the norms of international law and remains a valid regulatory act.

For more than two years the charters of 13 dioceses and monasteries of the UOC have not been registered, and today it is impossible to make changes to the already existing charters. Virtually all diocesan offices, as well as many communities, cannot conduct normal economic activities due to the fact that the law on renaming invalidates the provisions of the statutes, if they are not amended regarding renaming. As a result, in fact the state does not provide new monasteries and dioceses with the status of a legal entity, and in some regions UOC structures cannot make changes in documents in connection with the death of heads of monasteries and dioceses and the appointment of new ones in their place - so for a long time already dead people are heads of a number of legal entities of UOC, and new cathedral bishops take office, but have no legal rights to manage funds and property of dioceses.

Statements about violations of the rights of believers of Ukraine's largest denomination, the Ukrainian Orthodox Church, voiced at the UN and OSCE by human rights activists and the representation of the Ukrainian Orthodox Church to European international organizations[88] , caused a resonance in the world media. The situation in Ukraine and in global Orthodoxy, which emerged as a result of the creation of the "PCU"[89] was described by a number of German media. In October-November 2020, Rubikon[90] , NachDenkSeiten[91] and IMI-online.de[92] published materials describing the difficult church situation in Ukraine and the continuing discrimination against the UOC under both the old and new government. In particular, they note that the decision to establish a new church structure (UOC) from two schismatic Ukrainian Orthodox churches in December 2018 opened a Pandora's box of

[86] https://news.church.ua/2019/01/16/zakonoproekti-5309-4128-i-4511-vzajemopovyazani-i-spryamovani-na-likvidaciyu-upc-komentar-golovi-yuridichnogo-viddilu-upc/
[87] https://rus.lb.ua/news/2019/01/17/417358_rada_prinyala_zakon_podchinennosti.html
[88] https://www.protiktor.com/articles/interview-regarding-activity/
[89] http://www.patriarchia.ru/db/text/5744731.html
[90] https://www.rubikon.news/artikel/der-kirchenkonflikt
[91] https://www.nachdenkseiten.de/?p=65501
[92] http://www.imi-online.de/2020/11/27/nation-nato-krieg/

church separatism and a divided worldview[93] . Constant media propaganda and the associated ideological framework of church conflict in Ukraine also contribute to this process.

NachDenkSeiten notes that since 2014 violent attacks on priests and believers, arson, vandalism, and hostile takeovers of churches by radical forces have become commonplace, especially in western and central Ukraine. In total, **there are up to 140 documented cases of violence or state arbitrariness against the UOC[94] .**

Public Advocacy lawyers[95] , who defend the rights of Christians in international organizations such as the UN or the OSCE, say that President Vladimir Zelensky has not continued the policy of open persecution of the UOC of his predecessor. But the structure of the UOC has already been established and the pendulum of discrimination has swung, so even though violations of the rights of UOC believers have decreased in number, the systemic problems remain unresolved. In fact, mass seizures of churches have stopped, but no one is going to return those buildings that were seized in 2015-2020. In addition, illegal re-registrations of UOC congregations in the PCU, as well as other offenses, continue even today.

Unfortunately, modern Orthodox churches, as well as Christian civil society, do not yet have effective structures to protect their interests at the international level.

Individual cases of discrimination and illegal actions against the UOC.	
April 12, 2020.	unknown persons set fire to the buildings of the Holy Dormition Monastery of the Ukrainian Orthodox Church in the village of Lipki, Goshchansk district, Rivne region .[96]
April 15, 2020.	An old wooden church in honor of Saint Paraskeva Srpska in the Chernivtsi and Bukovyna diocese of the Ukrainian Orthodox Church burned. A version of arson has been confirmed, the culprit has been detained[97] .
April 21, 2020.	There was a fire on the territory of Gamaleyevsky nunnery in Sumy region[98] .
April 24, 2020.	The Holy Dormition Monastery in Odessa, owned by the UOC, was set on fire[99] .
May 4, 2020.	In the village of Zadubrovka, Chernivtsi region, supporters of the PCU attempted to seize a church belonging to the UOC[100] with violence.
From July 2020.	The UOC priest was subjected to pressure and threats from local radicals and the mayor of the city of Zolochev, Lviv region I. Hrynkiv[101] .
December 12, 2020.	The supporters of the PCU attempted to seize the UOC church in the village of Mikhalcha, Storozhynets district, Chernivtsi region.[102]

[93] https://www.rubikon.news/artikel/der-kirchenkonflikt
[94] https://www.nachdenkseiten.de/?p=65501
[95] https://www.protiktor.com/articles/interview-regarding-activity/
[96] https://spzh.news/ru/news/70399-v-rovenskoj-jeparkhii-gorit-lipenskij-monastyry
[97] https://interaffairs.ru/news/show/26229
[98] Ibid.
[99] Ibid.
[100] http://www.patriarchia.ru/db/text/5633420.html
[101] https://spzh.news/ru/news/73035-gorsovet-zolocheva-v-gorode-net-i-ne-budet-moskovskoj-cerkvi
[102] http://pravoslavye.org.ua/2020/12/%D1%87%D0%B5%D1%80%D0%BD%D0%BE%D0%B2%D1%86%D1%8B-%D0%BF%D0%BE%D1%81%D0%BB%D0%B5-%D1%88%D1%82%D1%83%D1%80%D0%BC%D0%B0-%D1%85%D1%80%D0%B0%D0%BC%D0%B0-%D1%83%D0%BF%D1%86-%D0%B2-%D0%BC%D0%B8%D1%85%D0%B0/

In general, we can say that there **is a high political component to the violation of the rights of the UOC with incitement of hatred and enmity toward its believers**. This situation undoubtedly arose under President Poroshenko, but under the new government of Viktor Zelensky, nothing has been done to actually resolve the problem. The purposeful policy of the state to systematically and comprehensively diminish the rights of this confession has continued. This is confirmed by the new wave of seizures of UOC churches in 2021.

3. Manifestations of xenophobia and hatred in the executive and legislative branches.

It is worth noting that during the reporting period of 2020 there were cases when Ukrainian officials were involved in the persecution of national minorities.

- In March 2020, then-Ukrainian Infrastructure Minister V. Krikliy[103] Vladyslav Krikliy, an MP from Sluha Naroda Roman Hryshchuk, and members of the right-wing organization S14, led by leader Yevhen Karas, organized a joint raid at a train station in the capital, targeting Roma. After the "inspection," the nationalists posted posters at the station that read "You May Be Robbed by Gypsies," translated into English.

- April 21, 2020 Ivano-Frankivsk Mayor Ruslan Martsinkiv, a member of the Svoboda Party, ordered the removal of people of Roma nationality from the city to the Transcarpathian region.[104] Criminal proceedings were initiated against R. Martsinkiv on the fact of calling for the forced displacement of people.

- On August 24, 2020, it became known that B. Yatsikovsky, deputy head of the State Commission of Ukraine for Mineral Reserves and deputy of the Ternopil regional council, publicly sang an author's song with anti-Semitic content[105] . In connection with this, MP R. Kuzmin sent an appeal to the National Police to bring him to criminal liability.

- August 27, 2020 I. Bakanov, head of the SBU[106] called for a ban on the inclusion in electoral lists of persons who cooperate with the Russian Federation, as well as those with the citizenship of other states.

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[103] https://zikua.tv/ru/news/crime/krikliy_nardep_iz_slugi_naroda_i_pravoradikaly_iz_s14_ustroili_sovmestnyy_reyd_na_stolichnom_vokzale_protiv_cyganskih_band_961766

[104] https://focus.ua/ukraine/454174-pochemu_ne_zapakovali_mer_ivano-frankovska_rasporiadilsia_vyvezti_romov_na_zakarpate

[105] https://ukranews.com/news/728320-kuzmin-soobshhil-o-zhalobah-deputata-antisemita-na-davlenie-na-nego

[106] https://for-ua.com/article/1205377

4. The situation of immigrants in the country during the monitored period.

4.1 The main problems concerning labor immigrants, refugees and illegal migrants in Ukraine.

Countries such as Ukraine are more often used by illegals to enter EU countries. Ukraine attracts transit migrants with its loyal legislation. If they fall into the hands of law enforcement, they face nothing but a fine. In contrast to some EU countries, where, under certain circumstances, illegals end up behind bars. Thus, by coming to Ukraine, they minimize the risks. Sometimes, after deportation, they try to carry out their plan again.

In the reporting year of 2020, due to the spread of the coronavirus pandemic in Ukraine, as in most countries of the world, certain restrictions were introduced on visits to the country by foreign persons. In March 2020, public transport was suspended, borders were closed, and a ban was imposed on air and rail transport. Subsequently, an adaptive quarantine replaced the severe restrictions and it became possible for foreigners to visit the country again.

Current rules for crossing the Ukrainian border are regulated by the Decree of the Cabinet of Ministers of Ukraine from December 9, 2020 № 1236, with recent amendments on September 13, 2021 Resolution of the Cabinet of Ministers of Ukraine № 954[107]

All foreign citizens and holders of temporary residence permits regardless of the country of arrival to enter Ukraine must have a policy (certificate, certificate) of insurance issued by an insurance company registered in Ukraine, covering the costs of treatment and observation, and valid for the entire period of stay in Ukraine.

All foreign nationals, holders of temporary residence permits, and stateless persons must have one of these documents:
- Documentation of receipt of one or more doses of COVID-19 vaccine that are listed by WHO as approved for use in emergencies; or
- A foreign COVID certificate confirming vaccination against COVID-19 with vaccines that are on the WHO list of approved for emergency use, a negative PCR test result for COVID-19, or recovery of the individual from COVID-19; or
- Negative result of PCR test or SARS-CoV-2 coronavirus antigen rapid test made not more than 72 hours before entry.

Tests for entry into Ukraine are not required for vaccinated persons and children under 12 years of age.

107

https://visitukraine.today/ru?gclid=CjwKCAjw5c6LBhBdEiwAP9ejGxi1eVmSHlL3iBjZmlaEH3ggtp3ptYwXiN4NnVZjh7MuRW5UP4WqFhoCP1AQAvD_BwE

Foreign tourists from 18 years old who have not been vaccinated against coronavirus and cross the state border for entry are required to have a negative test result and install a mobile app to monitor the self-isolation Vdoma regardless of the period of stay in Ukraine.
Self-exclusion does not apply if a PCR test or a rapid antigen test is performed within 72 hours of entry and a negative result is obtained.
Due to the fact that entry into the country was mostly restricted in 2020, the number of foreigners visiting Ukraine decreased significantly.

According to the State Agency for Tourism Development of Ukraine (GART)[108] **the number of foreign citizens visiting Ukraine in 2020 decreased four times compared to 2019.**

A total of 3,382,097 foreigners visited the territory of Ukraine in 2020[109] . If we compare with 2019 - 13,709,562 people, there was a fourfold decrease.

Most came to Ukraine from **Moldova** - more than 930 thousand people, this figure is four times less than a year earlier**; Belarus** - about 464 thousand, which is five times less than in 2019; **Russia** - more than 390 thousand, their number fell in 5.4 times; **Romania** - 229 thousand, which is three times less than a year earlier; **Turkey** - 149 thousand, the number of visitors decreased by half.

According to the Head **of the State Border Service Serhiy Deineko[110]** , **since the beginning of 2020 more than 19.5 thousand foreigners were not allowed into Ukraine for various reasons**. In most cases, these are those who could not confirm the purpose of their trip, had entry restrictions or visited the occupied territories illegally, exceeded the terms of stay or traveled with invalid documents. Most of the foreigners are citizens **of Russia, Moldova and Turkey.**

According to **State Migration Service[111]** , **a total of 3,946 illegal migrants were detected in Ukraine in 2020.** This is **three times less** than in 2019 - 12,864 people. The largest number of illegal migrants in 2020 was from the following countries: Azerbaijan (682), Russia (633), Uzbekistan (397), Moldova (311), Armenia (238), Georgia (281), Tajikistan (150), Turkey (144), Vietnam (104).

According to **the State Statistics Service**[112] in 2020 the migration growth of the population **decreased more than twice** (by 60%) and amounted to 7,240 people. In 2019 this indicator was 18,222 people. Mainly the migration increase in 2020 was observed from Asian countries - 3979 people (most of them from Azerbaijan, Georgia, India); European countries - 2153

[108] https://www.facebook.com/104941707799365/posts/262837545343113/?d=n
[109] https://www.ukrinform.ru/rubric-tourism/3200687-ukrainu-v-proslom-godu-posetili-v-cetyre-raza-mense-inostrancev-cem-v-2019m-gosturizm.html
[110] https://ru.slovoidilo.ua/2020/12/15/novost/obshhestvo/ukrainu-god-ne-pustili-pochti-20-tysyach-inostrancev-gpsu
[111] Response from the State Migration Service, ref. ZPI-ORG-315-21 from 01.09.2021 to № 470 of 30.08.2021
[112] http://www.ukrstat.gov.ua/

(Russia, Belarus and Moldova are leading here); as well as African countries - 1600 (mainly Maroco and Nigeria).

For many countries of the world, as well as for Ukraine, the problem of refugees is becoming increasingly urgent. This is due to the existence of "hot spots" in a number of states, military actions, instability of political regimes, famine, natural disasters, etc. The country is a transit and destination country for asylum seekers and refugees, mainly from Afghanistan, the Russian Federation, Bangladesh, Syria and Iraq.

In Ukraine the legal status of refugees is regulated **by the Law of Ukraine of July 8, 2011 No. 3671-VI "On refugees and persons in need of complementary or temporary protection"**[113] . It defines the procedure for regulation of social relations in the sphere of recognition of a person as a refugee, a person in need of complementary or temporary protection, loss and deprivation of this status, as well as establishment of the legal status of refugees and persons in need of complementary protection and who have been granted temporary protection in Ukraine. A refugee is a person who is not a citizen of Ukraine and due to a well-founded fear may become a victim of persecution on the grounds of race, faith, nationality, citizenship (nationality), affiliation with a particular social group or political beliefs.

Article 15 of the aforementioned law notes that a person recognized as a refugee has the same rights as citizens of Ukraine. According to the State Migration Service, the number of refugees and asylum seekers has decreased. So according to the State Migration Service of Ukraine (SMS) **for 2020** to the migration service authorities with an application for refugee status or the status of persons who require additional protection **applied - 597 people,** which is **almost twice less** than in 2019 (1036 people). At the same time, 39 people were recognized as refugees by the SMS, and another 84 people were granted the status of persons who require complementary protection. The largest number of applicants were from Afghanistan (134), Nigeria (78) and Russia (49).

According to the State Migration Service, **a total of 49,781 foreigners were registered in 2020**. The leaders among the countries whose citizens are employed in Ukraine are: Turkey (10,894). The leaders among the countries whose citizens are employed in Ukraine are: Turkey (10894), Russia (4306), Belarus (3285), India (2914), Uzbekistan (2454), China (2420), USA (1850), Israel (1627), Azerbaijan (1416), Moldova (1202), Poland (1198), Thailand (1130), UK (1113).

4.1 Internally Displaced Persons.

The issue of payment of social benefits and pensions to residents of uncontrolled territories remains acute. The restrictions imposed by the authorities are related to the

[113] http://base.spinform.ru/show_doc.fwx?rgn=46089

requirement for residents of these territories to regularly confirm their status. The restrictions imposed by the authorities are related to the requirement for residents of these territories to regularly confirm their status in territory under the control of the Kyiv authorities. To do so, they are required to regularly cross the "line of control. Crossing routes are complicated by long lines of people waiting, and there is also a danger of a possible escalation of hostilities in these areas.

The closure for the quarantine period from late March to mid-June 2020 of all five checkpoints on the line of contact reduced the number **of crossings from 1.3 million to several hundred per month[114] .** As a consequence, thousands of people lost access to quality medical care, pensions and jobs. From mid-June 2020, when crossings were partially resumed through two crossing points, until late July 2020, **the total number of crossings in Donetsk and Luhansk oblasts was 43,000, which was significantly lower than in the pre-pandemic period[115] .**

IDPs also find themselves in a vulnerable position, as they also experience significant difficulties in receiving social benefits. According to the Ministry of Social Policy of Ukraine[116] as of 28.12.2020, 1 million 459 thousand 131 IDPs were officially registered in Ukraine.

The number of IDPs in Ukraine changed as follows:

Date	Number of people.
29.12.2014	824 730
30.12.2015	1 678 587
29.12.2016	1 652 512
28.12.2017	1 493 536
27.12.2018	1 512 435
27.12.2019	1 433 256
28.12.2020	1 459 131
06.07.2021	1 473 650

According to a study by the International Organization for Migration (IOM)[117] at the end of 2020, the employment rate of IDPs was still lower than the general population in the 20 to 64 age group (65%) at 60%.

(87%) percent of IDPs reported that food items were the priority expense for their households when allocating monthly income, 78% cited utilities, and 57% cited housing rent.

The percentage of IDPs who reported an intention to return to their place of residence after the conflict ended was 18%. At the same time, 39% of IDPs expressed their intention not to return even after the conflict ended. The percentage of IDPs who chose the option "Difficult to answer" was 28%. The main reasons for returning to the place of residence that was before the displacement among the IDPs intending to return are the availability of their own premises at TNC (84%), family circumstances (23%), and family or friends who live nearby (17%). The results of the analysis showed that IDPs who assessed their financial situation as "forced to save even on food" were more likely to report the intention to return to their place of residence at (41%) than those who chose the option "enough money for food and basic needs" (26%).

[114] https://www.ohchr.org/Documents/Countries/UA/30thReportUkraine_RU.pdf
[115] Ibid.
[116] https://www.msp.gov.ua/ru/
[117] https://iom.org.ua/sites/default/files/nms_round_18_19_ukr.pdf

IDPs may not register at their place of residence for the following reasons:

-unwillingness to be drafted into the army;

When applying for a job, an IDP certificate is not always needed (in Ukraine, not including IDPs, 12% of the population live outside the place of registration[118]);

-Registering as an IDP may prevent certain citizens from receiving pensions or social benefits at the same time both in the ORDLO and in the controlled territories of Ukraine.

Due to the displacement of so many Ukrainian citizens within the country, Ukraine has faced a number of challenges:

-Providing the basic needs of IDPs at the level of state standards;

-development and implementation of a program for the integration of IDPs into territorial communities, as well as issues related to the difficulties of integration;

-employment;

-discrimination;

-low wages.

The emergence of these challenges has resulted in many IDPs not even having basic needs.

Income of IDPs remains extremely low: in June 2019 the average income per IDP was 3.039 thousand UAH. In September 2020, the average monthly income per IDP household member was 3,666 UAH. In March 2021, the average monthly income per member of an IDP household was 3,651 UAH. While at the end of 2020 the average monthly income for the entire population was 6,267 UAH[119] . Now the minimum wage in Ukraine is 6000 UAH[120] ., the living wage - 2 379 UAH.[121]

5. Public attitudes toward immigrants, foreign nationals, and various ethnic minorities.

Ukraine is a multinational state with dozens of nationalities living on its territory. The largest minorities are Russians, as well as Poles, Romanians, Hungarians, and Jews. Interethnic problems often cause conflicts.

Most people belonging to ethnic or national minorities in Ukraine are at risk of discrimination and stigmatization. Radical right-wing organizations, such as Right Sector, Azov Civil Corps, and the Social National Assembly, promote incitement to racial hatred and disseminate racist ideology. Numerous cases of propaganda of intolerance are recorded on the Internet. Publications of racist and anti-Semitic nature are posted on specific nationalist information resources. Stereotypes and prejudice against Roma persist. Members of this community are often the victims of aggression.

[118] And that's without migrants: in Ukraine every tenth lives not according to the registration https://delo.ua/econonomyandpoliticsinukraine/i-eto-bez-pereselencev-v-ukraine-kazhdyj-desjaty-351435/

[119] https://iom.org.ua/sites/default/files/nms_round_18_19_ukr.pdf

[120] https://www.epravda.com.ua/rus/news/2021/07/19/676034/

[121] https://finance.liga.net/all/novosti/projitochnyy-minimum-vyros-kakie-vyplaty-vozrastut

In April 2020, **the Committee on Economic, Social, and Cultural Rights (CESCR),** in its concluding observations following consideration of **Ukraine's** seventh periodic report[122] , noted with concern that the relative level of impoverishment that remains relatively stable in the country is having a negative impact on marginalized populations, including Roma, Crimean Tatars, and migrant families.

The Office of the United Nations High Commissioner for Refugees estimates **that there are more than 35,000 stateless persons in the country**[123] . Stateless persons or at risk of statelessness include Roma, homeless persons, and current and former prisoners. The law allows authorities to reject many asylum applications without a thorough assessment of the case. In other cases, government officials have refused to accept initial asylum applications without legal grounds, leaving asylum seekers undocumented and vulnerable to frequent police stops, fines, detention, and exploitation. Asylum seekers in detention centers have sometimes been unable to apply for refugee status in a timely manner and have had limited access to legal and other assistance. Asylum seekers have five days to appeal a detention or deportation order. protection of refugees and asylum seekers was inadequate because of gaps in the law and its enforcement system.

The situation of the Roma in the country.

The level of aggression against Roma has become systemic and widespread. There are many reasons for this: the non-integration of Roma into Ukrainian society and the structural discrimination of the ethnic minority, the activities of far-right groups and their links with local government, general aggression and public fatigue with armed conflict, and other profound causes and preconditions. During the past four years, pogroms and attacks on Roma have occurred regularly in Ukraine.

- In April 2020, there were two cases of racial discrimination and violations of Roma rights. At the end of April, the mayor of Ivano-Frankivsk gave instructions to remove Roma from the city and criticized the police for failing to do so. The next day, he explained that he was referring to a specific group of Roma who were begging in the center of Ivano-Frankivsk, violating quarantine and living in a square, and said he did not consider his statement to be discrimination[124] . A few days later, unknown perpetrators attacked the Roma in Kyiv, burning the tent in which they lived. Criminal proceedings were initiated against R. Martsinkiv for calling for the forced displacement of people.

- In the village of Kholmok, Uzhgorod District (Zakarpattia Oblast), a public organization "Community of Roma of Zakarpattia" was formed. Its representatives appealed to the Ivano-Frankivsk city court, claiming compensation for moral damages for the use of racist and ethnic

122 https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E/C.12/UKR/CO/7&Lang=Ru

123 https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/ukraine/

124 https://strana.today/news/263096-mer-ivano-frankovska-opolchilsja-na-tsyhan-politsija-zavela-delo-chto-proizoshlo.html

hate speech against a national minority. The amount of the claim against the official was 250 thousand hryvnias.

- In May 2020, a group of thirty people attacked the home of a Roma family **in the city of** Izmail, Odessa Province[125] . The attack was preceded by a conflict between the Roma and two pogrom participants.

- In the Goloseevsky District of Kyiv, unknown persons burned a Roma tent and beat its inhabitants[126] .

- On April 8, 2020, International Roma Day, the head of the Kiev Municipal Guard published a video on his Facebook page in which he aggressively interrogates and assaults a woman in Kiev, citing her probable affiliation with the Roma community[127] .

6. Incitement to ethnic and religious hatred.

- On January 29, 2020, it was reported on social networks that Irina Koshkina, executive director of the Svoi charitable foundation, had called for a boycott of the children's Robotics School in Kiev simply because its teachers presented technical subjects in the "language of the aggressor.[128]

- On March 7, 2020, local nationalists in Lviv began harassing Lyceum No. 45 for using the Russian language in the educational process[129] . In particular, they accused lyceum No. 45 of refusing to completely switch to the Ukrainian language. The lyceum announced the enrollment of first-graders in Russian-language classes, after which the teachers began receiving threats and harassment on the Internet.

- Sofia Semchyshyn, chief specialist of the Lviv City Council coverage department and daughter of Svoboda member Irina Farion, commented insultingly on the statement by Israeli Ambassador Joel Lyon and Polish Ambassador Bartosz Zychocki about honoring nationalists in Ukraine. "Jews and Poles, f...blow far away," Semchyshyn wrote on her Facebook page[130] . In early January 2020, the ambassadors of Israel and Poland issued a joint statement condemning the honoring of supporters of ethnic cleansing in Ukraine. The diplomats were also alarmed that representatives of the authorities, in particular the Kyiv City State Administration and the Lviv Regional Council, took part in the commemoration.

[125] https://regnum.ru/news/accidents/2944056.html
[126] https://goloskarpat.info/rus/criminal/5eafcafbb6561/
[127] https://www.ohchr.org/Documents/Countries/UA/30thReportUkraine_RU.pdf
[128] https://peremogi.livejournal.com/49616681.html
[129] https://nikvesti.com/articles/182050
[130] https://www.unian.net/society/10818851-p-duyte-daleko-doch-farion-opozorilas-oskorbitelnymi-vyskazyvaniyami-v-otnoshenii-polyakov-i-evreev.html

- In February 2020 Ukrainian writer Larisa Nitsoy[131] insulted the jury of the Ukrainian national selection for the Eurovision 2020 contest. The writer believes that the use of the Russian language is "someone's special decision" made in order to weaken the influence of the Ukrainian language. In her opinion, STB specifically decides who will speak Russian in the programs of the TV channel.

- The head of the Organization of Ukrainian Nationalists, Bohdan Chervak, commended the fact that the Kyiv City Council approved the 130th anniversary of the birth of OUN leader Andriy Melnyk among the memorable dates and anniversaries that will be celebrated in Kyiv in 2020. He wrote this on his Facebook page on February 28, 2020. "The right, symmetrical answer to the ambassadors of Poland and the state of Israel, as well as the Russian Federation, who believe they have the right to revile the memory of our heroes. Moscow, Warsaw, Jerusalem, any other capital dare not interfere in the internal affairs of Ukraine," said B. Chervak.

7. Radical nationalist groups and parties.

In the reporting period of 2020, **right-wing nationalist groups continue to be an active minority in Ukrainian society** and exert significant influence on the formation of domestic and foreign policy in the country.

Nationalist forces with weapons, a certain ideology, and experience from the Maidan events and the war in the east of the country may well act as a radical fighting force. This is often exploited by the country's ruling elites. Right-wing radicals are actively involved in the formation of volunteer battalions to participate in combat operations in Donbass.

Major Nationalist Parties and Groups[132] :

1) **All-Ukrainian Association "Svoboda".** The largest far-right party in Ukraine, established in 1995 under the name of the Social National Party of Ukraine (SNPU). In 2004, the party changed its name to the All-Ukrainian Association "Freedom".
2) **"Right Sector"** Originally an informal association of activists from a number of Ukrainian nationalist ("nationally oriented") far-right organizations. They made themselves known during the Euromaidan, taking responsibility for the clash with law enforcement after the adoption of the so-called "dictatorial laws" by the parliament on January 16[133] .
3) **The Azov Movement (Azovskiy Ruch). An** extreme right-wing group. It consists of three main structures: the **Azov** Regiment **of the National Guard of Ukraine (military wing), the National Corp. (political wing) and "National Druzhiny" (power street wing)[134]** .
4) **C14 .** A radical far-right organization with its main base in Kiev, it has many regional subdivisions.

[131] https://www.gazeta.ru/culture/2020/02/11/a_12954613.shtml
[132] https://www.ru.civic-nation.org/ukraina/obshchestvo/pravoradikalnye_gruppirovki_i_politicheskie_partii/
[133] https://ru.krymr.com/a/25306754.html
[134] https://www.bbc.com/russian/news-37632975

5) **"OUN Volunteer Movement**. It is an ultra-right-wing public organization that was founded in August 2015. It was initiated by one of the activists of the Organization of Ukrainian Nationalists, Nikolai Kokhanivsky, a former commander of the so-called "OUN Volunteer Battalion," a nationalist paramilitary formation that took part in military actions on the territory of Donbass.
6) **Ukrainian Nationalists Organization (OUN)** A right-wing radical social organization claiming continuity with the OUN, founded in 1929. It espouses the ideology of Ukrainian nationalism, which it interprets as "the thought, will and action of a nation aimed at the development of an independent state on its ethnic territory.
7) **"Brotherhood"** A small but active Kiev-based organization that mainly arranges provocations against opposition politicians and journalists.
8) **All-Ukrainian Lustration (All-Ukrainian Lustration).** A right-wing non-governmental organization, closely affiliated with the far-right Svoboda party.
9) **All-Ukrainian organization "Trident" named after Stepan Bandera[135] .** It was founded in 1993 as the power wing of the KUN (Congress of Ukrainian Nationalists), a subdivision of the OUN(r) (Organization of Ukrainian Nationalists Revolutionary).

The most influential of these remain **Svoboda, Right Sector, Azov and the National Corps formed on its basis, and S14.**

Nationalist and far-right parties in Ukraine have weak electoral positions. At the national level, the Ukrainian extreme right has generally underperformed in all presidential and almost all parliamentary elections. But at the same time, using a tool of serious street pressure, these organizations manage to influence some decisions of the courts and the authorities.

Basically, Svoboda remains the only nationalist party that has representatives in the government. The other nationalist groups enjoy a very low level of electoral support[136] .

On March 16, 2017, Ukrainian nationalist forces in their struggle for power attempted to consolidate and signed the "National Manifesto"[137] . The National Corps, Svoboda Party, Right Sector, OUN, KUN, and S14 joined in the signing. The main political demands were put forward: a ban on trade in agricultural land, the Ukrainian language as the only state language, the return of nuclear status, the consolidation of the right to free ownership of weapons, the recognition of the Russian Federation as an aggressor country, the severing of all diplomatic ties with it, the liquidation of the oligarchy, the creation of a single Ukrainian local church, etc.

Despite the fact that after 2014 a part of the electorate disloyal to ultranationalist ideas in Donetsk and Luhansk oblasts, as well as in annexed Crimea, did not have the opportunity to vote in elections, no special breakthrough in the electoral process has occurred.

[135] http://politbyro.in.ua/part/746-trizub-imeni-stepana-bandery-patrioty-terroristy.html
[136] https://www.ideopol.org/wp-content/uploads/2021/04/2.3.-ENG.-Umland-Abstract-1.pdf
[137] https://www.pravda.com.ua/rus/news/2017/03/16/7138320/

The results of local elections in 2020 showed that, overall, "Freedom" was supported by 2.6% of voters nationwide[138] . It is possible that due to the fact that the central government systematically demonstrates an inability to implement consistent policies and overcome the socio-economic crisis, the overall nationalist rating in 2020 compared to 2019. (3.2%) rose slightly to -4.4%. But it still remains quite low. This is mainly explained by the fact that part of the nationalist electorate voted for other right-wing parties - "European Solidarity", Oleg Lyashko's Radical Party, "Golos", which widely used nationalist and anti-Russian rhetoric during the election campaign.

Ruslan Koshulinsky, deputy head of the "Liberty" party, was the only nationalist candidate[139] in the presidential election with 1.63% of the votes. The "National Corps" then refused to support R. Koshulinsky . July 21, 2019. "Svoboda", having received 2.15% of the votes, did not pass the five percent barrier and did not get into the Verkhovna Rada. Only one candidate from this party was elected to parliament in a single-mandate constituency in Ivano-Frankivsk region.

Despite the fact that Ukrainian right-wing nationalists appeal to the same political and ideological tradition, **they remain divided on a number of issues.**

In the sphere of ideas about the desired political and socio-economic structure of the Ukrainian state, there are certain discrepancies between radical nationalists. The degree of radicality varies. Some of them are closer to integral nationalism.[140] D. Dontsova, to others - the social nationalism of Y. Stetsko[141] . Some radical nationalists exhibit elements of racism, others, on the contrary, do not openly display such tendencies. There are forces that are more focused on the protection of traditional religious and family values, and there are forces that are ideologically close to fascism. Ultranationalist groups are unlikely to be able to enter, as such, the central power structures in the foreseeable future.

The liberal-patriotic alliance acted as the main driving force on Ukraine's path to European values during the Revolution of Dignity[142] . Recently, however, "Liberals" and "Patriots" have become increasingly opposed to each other. "Liberals" argue that the radicalization of the discourse of patriotism, security and identity is beneficial for Russia. And it gives reason for the Russian leadership to present Ukraine as a "fascist state"[143] .

It is important to note that although the vast majority of Euromaidan participants were in favor of European integration of Ukraine, radical nationalists feared that it would lead to the imposition of Western liberal values and standards (which, according to the extreme right, are alien to Ukrainians) and the dilution of the Ukrainian national and cultural identity. The only

[138] https://thepage.ua/news/mestnye-vybory-2020-cik-rezultaty-partij-po-vsej-ukraine
[139] https://interfax.com.ua/news/election/546022.html
[140] https://www1.ku.de/ZIMOS/forum/docs/forumruss22/13ZajcevdoktrinaDontsova.pdf
[141] https://blogs.pravda.com.ua/authors/tiahnybok/4f180ec29411f/
[142] https://www.eurozine.com/do-european-values-still-matter-in-ukraine/
[143] https://www.eurozine.com/do-european-values-still-matter-in-ukraine/

advantage of European integration, according to the far right, was that it would alienate Ukraine from Russia.

Radical nationalists went to Maidan not so much to fight for European integration as to make a "national revolution. The nationalism of Right Sector, Svoboda, and similar far-right organizations is fundamentally different from the nationalism of Ukrainian pro-Western national-democratic parties such as European Solidarity, Fatherland, Golos, Samopomich, and others.

Despite the fact that most "street nationalism" organizations based on radical national-patriotic parties and associations (National Corps-Azov, Svoboda, Right Sector, Patriot of Ukraine, C14, and others) do not have high levels of public support, they **remain visible and actively involved in public life due to their high level of organization and activity.** Azov fighters and members of the National Corps are periodically used to exert forceful pressure on political opponents, in particular supporters of a peaceful end to the conflict in Donbass. As former President Poroshenko's party strengthens its electoral positions, Eurosolidarity claims to be the leading national-patriotic force in this wing.

8. Public actions of extremists and radical nationalists.

With the unofficial support of the authorities and feeling impunity, **right-wing radicals actively use violence and methods of intimidation against journalists, civil activists and political opponents**. They exert various forms of pressure on the courts in order to make decisions that benefit them. Radicals often turn to direct violence. This aspect carries the risk of both new tensions in Ukraine's international relations and destabilization within the state. At the same time, the police often react to incidents in a low-key manner, and in many cases avoid direct confrontations with radicals altogether. In some cases, the pressure of radical groups has an impact on the entourage of Ukrainian President V. Zelensky.

Selected facts of discrimination and attacks by nationalists in Ukraine in 2020.

- On December 24, 2019, near the building of the Kiev Court of Appeal, where a hearing on the murder of P. Sheremet was also held, nationalists beat a correspondent of the newspaper "Shariy.net", threatened a journalist of "Strana.UA" Y. Korzun, and hit a ZIK TV channel employee A. Zhiznevska when she was filming what was happening on her phone camera[144] . **On January 8, 2020,** at the Kiev Court of Appeal, where two hearings were held in the murder case of Pavel Sheremet, journalists had to ask law enforcement officials to ensure their safe exit from the courtroom.

- On January 27, 2020, nationalists in Kharkiv disrupted a rally in defense of the Russian language and Russian-language schools in front of the regional state administration

[144] https://timer-odessa.net/news/v_sude_po_delu_ob_ubiystve_sheremeta_izbili_jurnalistov_shariy_net_435.html

building[145] , organized by the chairman of the Kharkiv city organization Opposition Platform - For Life, Andrei Lesyk. As the few rally participants approached, the nationalists began chanting slogans, after which an unknown person sprayed gas and clashes broke out. One policeman, a correspondent, and a cameraman from the Ukrainian STB TV channel Maria Malevskaya and Alexander Brinza received eye burns at the time.

- In February[146] - March 2020, there were crowded pickets outside the presidential administration of Ukraine, organized by national-radicals from Svoboda, Demsokira, and the National Corpus, demanding a tougher government policy on Donbass.

- On March 12, 2020, representatives of the National Corps and Azov attacked participants in the presentation of the National Platform for Unity and Reconciliation, initiated by Sergei Sivokho[147] , at the time an advisor to the president in the National Security and Defense Council. In the same month, he was dismissed from his position at the request of the nationalists and 20 deputies of the "Servant of the People" faction[148] . Thus, in fact a second attempt to organize a platform for direct dialogue with Donbass was thwarted. In February, the event had to be postponed due to the intensification of military actions in the east of the country.

- On May 9, 2020, on the 75th anniversary of the victory over Nazi Germany, activists of the nationalist organizations Freikor, the ATO Veterans Union, Right Sector, and the Veterans Association for Assistance to the Defense of Ukraine put up banners on three bridges with the provocative inscription: "Dyady Did for Squashing the Moscow Nest. "[149]

- On June 11, 2020, supporters of radical S. Sternenko, who is accused of committing a murder in May 2018. In Odessa, they chased journalists working for Sharya's resources away from the SBU building, where investigations were taking place.

<u>Acts of vandalism, destruction and desecration of memorial graves.</u>

- On February 4, 2020, in Odessa, activists of several nationalist organizations ("National Druzhiny," "Automaidan Odessa," etc.) removed the city's last bas-relief of Marshal G. Zhukov from a building on Novoselsky Street, 64[150] .

- On the night of February 10, 2020, a monument to the Soviet commander, General Nikolay Vatutin, was doused with green paint in Kiev[151] . On February 12, 2020, the Pechersky District Court of Kiev held a session on the selection of a preventive measure for the suspect. The prosecutor demanded that the suspect be taken into custody for the duration of the

[145] https://www.interfax.ru/world/692863
[146] https://www.youtube.com/watch?v=q68x0QWTnxs
[147] https://golos.ua/news/nikakogo-razgovora-s-donbassom-veterany-azova-izbili-sovetnika-prezidenta-sivoho-za-popytku-prezentovat-platformu-primireniya-i-edinstva
[148] https://www.interfax.ru/world/701579
[149] https://druzi.biz.ua/editor8/37448/
[150] https://gordonua.com/news/society/v-odesse-aktivisty-demontirovali-posledniy-barelef-zhukova-1485737.html
[151] http://eadaily.com:8080/ru/news/2020/02/13/v-kieve-sud-otdal-na-poruki-vandala-kotoryy-oskvernil-mogilu-vatutina

investigation. Radicals Yevhen Karas (leader of the far-right organization S14) and representatives of Dmitry Korchinsky's Brotherhood were present in the courtroom. As a result, the suspect, 19-year-old Ivan Khomenko, was transferred to the bail of deputy Mikhail Bondar (Petro Poroshenko's European Solidarity Party), who was also present in the hall.

9. Hate crimes (statistics and brief descriptions), law enforcement actions, criminal cases, attacks motivated by racism, violence and terror (data from government agencies and NGOs);

When we consider crimes under Article *161 of the Criminal Code "Violation of equality of citizens on the basis of their race, nationality or attitude to religion", we can* state that **in 90% of cases no decisions were made regarding criminal offenses under this article.** The law defines it as intentional acts aimed at inciting national, racial or religious enmity and hatred, humiliation of national honor and dignity or insulting the feelings of citizens in connection with their religious beliefs.

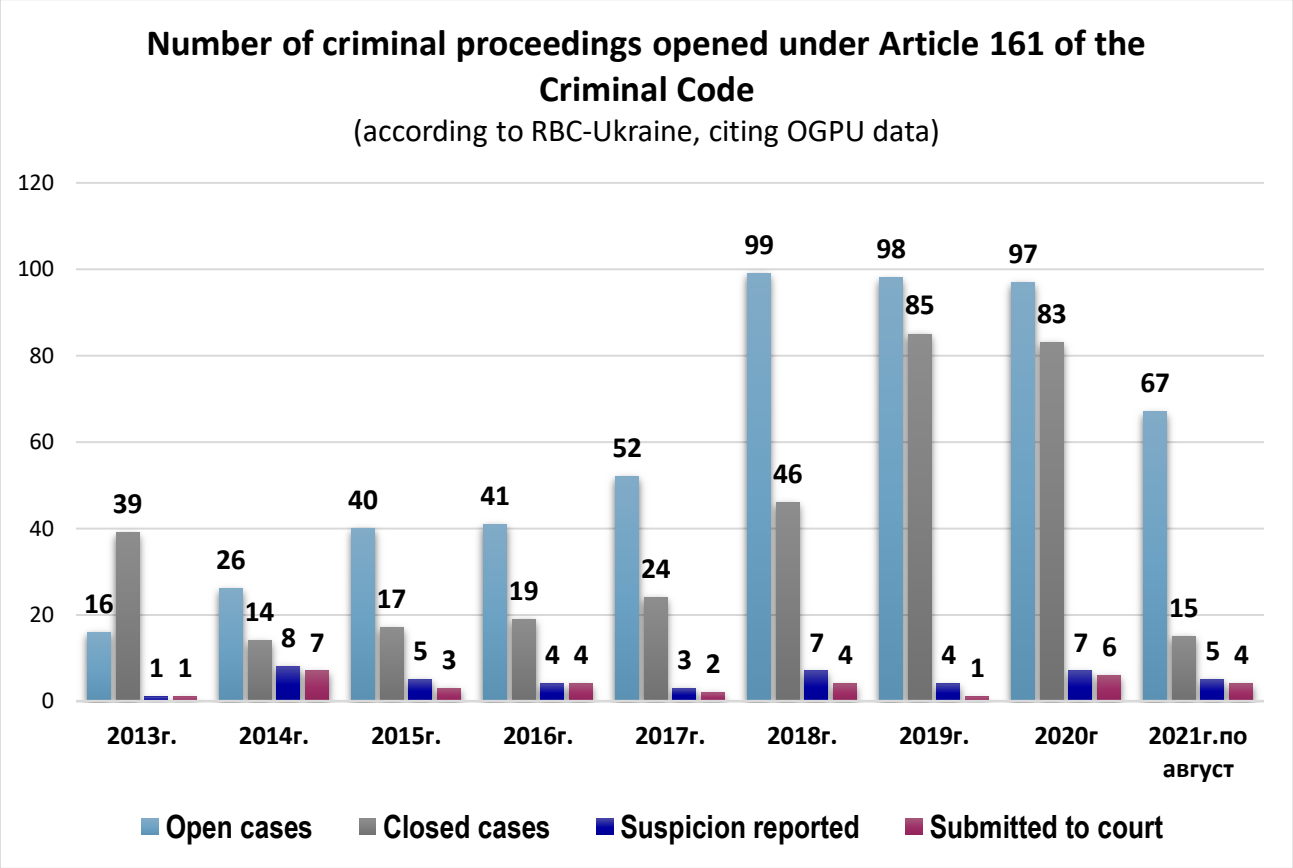
In 2020, the General Prosecutor's Office registered 178 offenses[152] under *article 161 of the Criminal Code of Ukraine "Violation of equality of citizens on the basis of their race, nationality or attitude toward religion."*

According to statistics, the number of crimes under this article decreased slightly compared to last year (182 crimes were registered in 2019). Of these, **97 criminal offenses remained on the records (in 2019 - 98 remained on the records),** and 81 were closed. A total of 7 individuals were declared suspicious. **In 6 of the 97 criminal offenses, proceedings were sent to court** against **6 suspects**.

RBC-Ukraine[153] , referring to the statistics provided by the Prosecutor General's Office, from 2013 to 2021 the following dynamics of criminal proceedings under Article 161 of the Criminal Code of Ukraine *"Violation of equality of citizens on the basis of their race, nationality or attitude towards religion".* In the dynamics we can see that throughout the time the number of cases that went to court remained quite low; maximum - 7 in 2014, 6 in 2020. The number of cases that were brought to court remained quite low throughout time, with a maximum of seven in 2014 and six in 2020.

[152] Response from the Office of the Attorney General 27/3 - 2819 vh. 21

[153] https://daily.rbc.ua/rus/show/strah-chuzhogo-ukraine-problema-rasizmom-1631182082.html



According to **the State Judicial Administration**[154] **, there were 14 cases pending against 15 people in 2020.**

Of these, **seven proceedings were** heard by the court, **five** of which resulted in **a verdict.** In **one case there was an acquittal**, and in **four** cases **there was a guilty verdict**. It is noted that **one person was acquitted**, with regard to **three persons the proceedings were closed**, and only **one person was sent for compulsory treatment.**

At the end of the reporting period, seven proceedings against seven persons remained pending in court. As a result, no **decisions were made on 91 criminal offenses.** And during the reporting period, one person received a real punishment. In fact, we can state that **in more than 90% of cases** with respect to criminal offenses under *Article 161 of the Criminal Code of Ukraine "Violation of equality of citizens on the basis of their race, ethnicity or attitude to religion"* no decisions were made. In this respect, we can say that there has been no positive change compared to last year. **The same dynamics, about 90%, was observed in the previous year of 2019.**

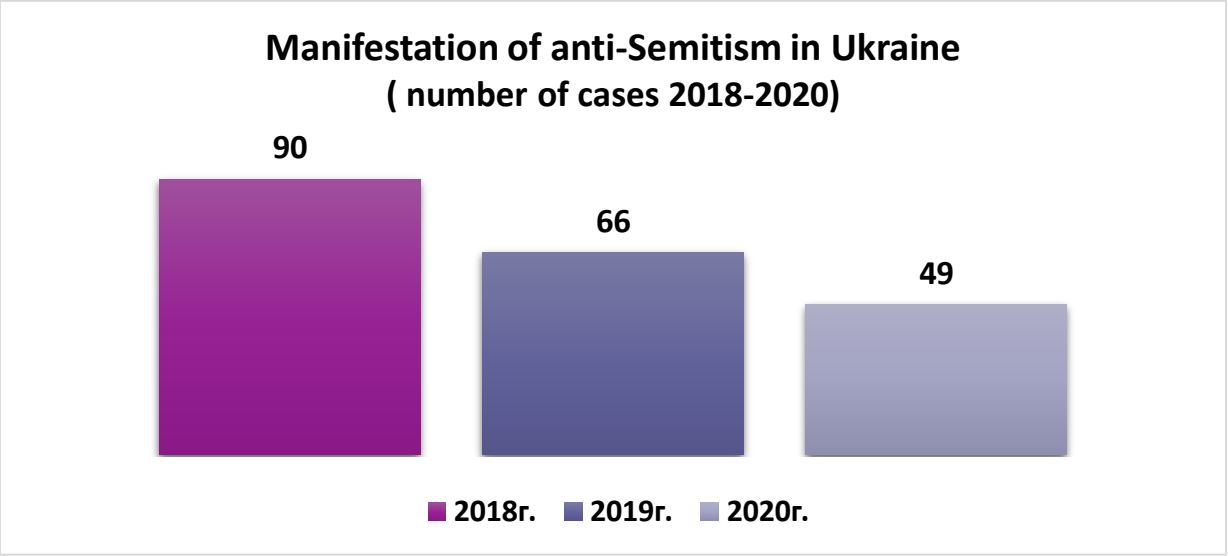
Anti-Semitism in Ukraine.

[154] Response of the State Judicial Administration 14.09.2021 № inf./B 961-21- 914/21

The United Jewish Community of Ukraine (UJCU) released its report "Antisemitism in Ukraine - 2020"[155] , in which it published the results of monitoring cases of antisemitism in Ukraine over the past year.

According to the report**, 49 cases of direct anti-Semitism were recorded in 2020**. This number does not include anti-Semitism on social media. This is a 12 percent decrease compared to 2019. According to the OEOU findings, the level of anti-Semitism in Ukraine remained unchanged, as such a change is at the level of error.

But we looked at the overall trend **from 2018 to 2020, during which time the total number of anti-Semitic incidents decreased by 41(45%)**.



According to the report on antisemitism for 2019[156] from OEOU, 66 cases of direct antisemitism occurred in Ukraine, while in 2018 there were 90 cases (according to the methodology of counting, which was applied in 2019). That is, in 2019 compared to 2018, the level of anti-Semitism decreased by - 27%. Thus, we can say that we can see a downward trend in the level of antisemitism in Ukraine. But compared to last year, this trend has slowed down by 15%.

The OEOU notes an improvement in the actions of law enforcement agencies, which are more willing to register criminal offenses based on anti-Semitism. At the same time, the situation with illegal refusals to initiate criminal cases and termination of investigations without objective reasons persists.

[155] https://lechaim.ru/news/obedinennaya-evrejskaya-obshhina-ukrainy-obnarodovala-otchet-o-situatsii-s-antisemitizmom-v-strane/
[156] https://jewishnews.com.ua/society/otchet-po-antisemitizmu-v-ukraine-za-2019-god

But at the same time, according to the Anti-Defamation League **in 2019. Ukraine ranked second in the ranking of anti-Semitic attitudes in Europe[157] .** The first place was taken by Poland. At the same time, the level of anti-Semitism in Ukraine is increasing in dynamics: in 2016 it was 32%, and already in 2019 it rose to 46%. At the same time, 72% of Ukrainians agreed that Jews have too much power, influencing business.

Individual cases of anti-Semitism in Ukraine.

- On January 10, 2020, a group of 30 people attacked a group of pilgrims near Rabbi Nachman's grave in the city of Uman, Cherkasy region[158] .

- In January 2020, vandals desecrated a memorial to the 15,000 local Jews murdered during the Holocaust in Kryvyi Rih[159] .

- In May 2020, a scandal erupted after a photo of the order of the National Police of the city of Kolomyia on the obligatory census of the Jewish population was published online. The head of the Kolomyia Jewish community, J. Zalitsker, received a letter on behalf of the National Police Department in Ivano-Frankivsk region, demanding that a complete list of all residents of this nationality, including students, their addresses and contacts be provided to the department. This demand was justified by the fight against organized crime[160] .

- On the night of **April 20, 2020,** an unknown person threw a bottle with a flammable mixture under the door of the Kherson Jewish Community[161] . By happy coincidence, there was no explosion: the contents of the bottle did not ignite.

- On June 26, 2020, unknown persons desecrated a synagogue in Ivano-Frankovsk[162] . I. Perelman, head of the city's Jewish community, said that insulting graffiti had been painted on both sides of the religious building. The United Jewish Community of Ukraine filed a criminal complaint with the police for vandalism and intentional destruction and damage to property.

- On July 28, 2020, a synagogue in Mariupol was attacked[163] . After the morning prayer, he broke into the synagogue building with an axe and attacked the guard, striking him several times.

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157 https://zikua.tv/ru/news/2020/01/20/uroven_antisemitizma_v_ukraine_odin_iz_naivysshih_v_evrope_opros_955678

158 https://www.dialog.ua/crime/198816_1

159 https://www.interfax.ru/world/691865

160 https://news.ru/world/v-seti-zametili-prikaz-nacpolicii-ukrainy-o-perepisi-evreev/

161 https://www.dsnews.ua/society/v-hersone-popytalis-szhech-zdanie-iudeyskoy-obshchiny-foto--20042020145800

162 https://jewishnews.com.ua/society/v-ivano-frankovske-vandalyi-razrisovali-fasad-drevnej-sinagogi

163 https://www.pravda.com.ua/rus/news/2020/07/30/7261249/

10. The glorification of German National Socialism and the collaborators of Nazi Germany.

Despite the fact that Ukraine has undergone a change of power, the **policy of glorification of Nazis and their collaborators,** which began under the previous president**, continued in 2020.** In addition to neo-Nazi marches and desecration of monuments, the equality of WWII collaborators and war-winning veterans was legally enshrined.

In 2015, a number of legal acts within the framework of "decommunization" were developed and adopted, which also conferred the status of "fighters for Ukrainian independence" on members of various Ukrainian nationalist organizations and paramilitary formations, including those that cooperated with Nazi Germany before and during World War II - the Organization of Ukrainian Nationalists (OUN) and the Ukrainian Insurgent Army (UPA), as well as their leaders - OUN leaders S.Bandera and the commander of the Nachtigal battalion and the UPA R. Shukhevich.

Many researchers, in particular the Canadian historian of Ukrainian origin Jonah-Paul Himka[164] and Lund University history professor Per Anders Rudling[165] believe that both wings of the OUN - led by Stepan Bandera and Andrei Melnik - supported the mass murder of Jews, Poles, Russians and were involved in the Holocaust. The "decommunization" package of laws initiated numerous actions to demolish monuments. As a rule, the exception in the law for monuments to World War II heroes was ignored in practice by representatives of right-wing groups.

In 2018, the list of persons who are entitled **to benefits in accordance with the status of "fighters for the independence of Ukraine" was expanded with the adoption of amendments to the law "On the status of war veterans and guarantees of their social protection. In particular,** it was noted that the status of a combat veteran was granted to representatives of armed units of the Organization of Ukrainian Nationalists (OUN), the Ukrainian Insurgent Army (UPA), which included soldiers of the Ukrainian Military Organization (UVO), the Ukrainian Insurgent Army of Ataman Taras Borovets (Bulba) "Polesskaya Sich", the Ukrainian People's Revolutionary Army (UNRA)[166] .

In December 2019, a law "On Recognition of Plast Movement and Specifics of State Support of Plast, Scout Movement" was passed, which provides support for the organization "Plast", which openly claims the continuity of the structure of the Bandera organization[167] . Bellingcat investigation[168] showed that some projects, for which state grants are allocated for "national-patriotic education" of NPA, are organized by ultra-right organizations, which allows these groups to grow and attract new members to their ranks.

[164] https://www.svoboda.org/a/ne-v-ugodu-rossii-spory-ob-oun-upa-i-ih-uchastii-v-holokoste/31332288.html
[165] https://www.lrt.lt/ru/novosti/17/224521/slava-ukraine-v-armii-chto-smutilo-zapadnykh-istorikov
[166] https://iportal.rada.gov.ua/ru/news/Novosty/Soobshchenyya/165590.html
[167] https://zakon.rada.gov.ua/laws/show/385-IX#Text
[168] https://ru.bellingcat.com/novosti/ukraine/2019/08/09/ukrainian-patriotic-education/

Other bills aimed at glorifying Nazism are also being introduced in the Ukrainian parliament. Thus, on September 21, 2020, representatives of the parliamentary factions "Golos" and "Servant of the People" as well as a member of the party "Svoboda" O. Savchuk came forward with an initiative to submit a draft resolution to the parliament to celebrate the 80th anniversary of the proclamation in Lviv "Act of the Recovery of the Ukrainian State"[169] , adopted on June 30, 1941, during the Nazi occupation of Western Ukraine.

Traditionally, **on January 1, 2020**, radical nationalist groups such as S14, Right Sector, Svoboda, OUN, and others hold torchlit processions in honor of Bandera's birthday in Ukraine.

The next day, **on January 2, 2020,** Polish and Israeli ambassadors Bartosz Zychocki and Joel Lyon in a joint statement called the honoring of supporters of ethnic cleansing in Ukraine offensive[170] . An additional cause for indignation was the fact that on January 1, the Kiev city council put up a banner with an image of OUN leader Stepan Bandera. Along with this, it became known that on December 24, the Lviv regional council adopted a resolution aimed at allocating public funds in 2020 to honor the memory of Andrei Melnik, Ivan and Yuri Lipa.

On January 3, 2020, the chairman of the Verkhovna Rada group on interparliamentary relations with Poland, an MP from the European Solidarity Party, Nikolai Knyazhitsky stated that the Israeli and Polish ambassadors to Ukraine made false claims when they said that nationalists were being honored in Ukraine. He wrote about it on his page in Facebook. Knyazhytskyy stressed that "we treat different actions of Ukrainian historical figures differently, but we will always respect the fighters for freedom of Ukraine. At the same time, he said that the level of anti-Semitism in Ukraine is much lower than in Poland.

January 8, 2020. The Ukrainian Foreign Ministry invited Polish Ambassador Bortosz Cichocki to discuss his joint statement with his Israeli counterpart in connection with the January 1 commemoration of the OUN-UPA figures. According to the press service of the Foreign Ministry, during the conversation with the diplomat and in the context of the discussion of the joint statement of the ambassadors of Poland and Israel 21 of January 2, the attention of the Polish official was drawn to the "counterproductivity of the public discussion on internal issues of Ukrainian politics.

On January 9, 2020, Ambassador of Ukraine to Israel Gennadiy Nadolenko informed the Israeli side about the counterproductive nature of the public discussion held by Ambassador of Israel to Ukraine Joel Lyon on domestic issues of Ukrainian politics.[171]

On September 23, 2020. The Sixth Administrative Court of Appeal in Kiev upheld the complaint of the Institute of National Memory, reversing the decision of the District

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169 https://www.ukrrudprom.com/digest/Dedi_zigovali_Zachem_deputati_Radi_predlagayut_otprazdnovat_v_20.html

170 https://www.pravda.com.ua/rus/news/2020/01/2/7236440/

171 https://stmegi.com/posts/76852/posol-ukrainy-otvetil-na-kritiku-izrailem-chestvovaniya-bandery/

Administrative Court, which equated the symbols of the SS division "Galicia" with the Nazi[172] . On May 27, 2020. The District Administrative Court of Kyiv found the actions of the Ukrainian Institute of National Memory and its former chairman Volodymyr Vyatrovych in providing the conclusion that the symbols of the division "Galicia" (golden lion with three crowns on a blue background) are not Nazi illegal[173] . The court also obliged the Institute of National Memory "to refrain from disseminating such conclusions".

On February 27, 2020. The Kiev City Council passed a resolution "On the Celebration of Commemorative Dates and Anniversaries in Kiev in 2020. This document turned out to contain many controversial historical personalities who were associated with Nazism in Ukraine[174] . Among them are V. Kubijovich, I. Poltavets-Ostryanitsa, V. Levkovich, U. Samchuk, V. Sidor, Y. Lipe, V. Galas, A. Melnik.

In March 2021. The district administrative court of Kyiv ruled to satisfy the application for securing the lawsuit filed by the former deputy head of President Yanukovych's administration Andriy Portnov. Yanukovych Andriy Portnov, and suspended the decision of the Kyiv City Council .[175]

On March 7, 2020, a large-scale torch march "Remember the Heroes" took place in Lviv. It was dedicated to UPA commander-in-chief R. Shukhevich[176] .

In April 2020 in Kalush (Ivano-Frankivsk region) a ceremony was held to present an award established by the Brotherhood of Warriors of the SS Division "Galicia" to Vasily Nakonechny, a veteran of this unit. At the moment of the awarding, Nakonechnyi reflexively raised his hand in a Nazi salute[177] .

On April 28, 2020, the official website of the Lviv Regional State Administration published a congratulation on the 77th anniversary of the creation of the "first Ukrainian division "Galicia"[178] . The text, published on behalf of the Department of Internal and Information Policy and the press service of the Regional State Administration, speaks positively about the division, while its affiliation with the SS is hushed up.

[172] https://www.radiosvoboda.org/a/news-uinp-sud-dyvizia-galychyna/30854361.html
[173] https://www.radiosvoboda.org/a/news-uinp-sud-symvolika-dyvizii-halychyna/30637665.html
[174] https://ukranews.com/news/694157-27-fevralya-2020-kievskij-gorsovet-bolshinstvom-golosov-prinyal-postanovlenie-o-prazdnovanii-v
[175] https://interfax.com.ua/news/general/646524.html
[176] https://day.kyiv.ua/ru/news/080320-vo-lvove-proshel-fakelnyy-marsh-v-chest-pamyati-romana-shuhevicha
[177] https://debaty.sumy.ua/ukraine-and-world-news/v-kalushe-nagradili-veterana-divizii-ss-galichina-on-raschuvstvovalsya-i-ziganul
[178] https://loda.gov.ua/news?id=51143&fbclid=IwAR2v5yHyvBt3Sh0JUYugms6VCwKiQgPVLDGskHR5FddO1ELY8DJiMiUa3A4

On May 23, 2020, on the occasion of "Heroes' Day," a one-time cash benefit from the regional budget was paid to UPA veterans and their widows living in the Lviv region. A total of 989 people received the payment[179] .

On November 12, 2020, the Lviv History Museum, with the support of the city authorities, awarded relatives of OUN-UPA fighters with medals "For Combat Merit" and "For Special Contribution to the Development of the Armed Underground of the OUN".

In the international arena, **Ukraine is still one of the few states that does not publicly support documents related to the condemnation of Nazism and its allies. On** November 18, 2020, the UN General Assembly Committee on Social and Humanitarian Affairs[180] adopted by a majority vote a draft resolution on combating the glorification of Nazism. The document is entitled "Combating glorification of Nazism, neo-Nazism and other practices that contribute to the escalation of contemporary forms of racism, racial discrimination, xenophobia and related intolerance. 121 states voted in favor of it, 55 countries abstained, and two countries were against it - the United States and Ukraine. The resolution against the glorification of Nazism is voted for in the UN every year, the U.S. has voted against it for over a decade, and Ukraine has voted against it since 2005.

11. Harassment of human rights defenders.

The introduction of a legal emergency regime, as well as the gradual implementation of government and local government decisions to deal with the pandemic coronavirus led to restrictions on the work of community organizations and individual activists during the reporting period.

At the same time, quarantine restrictions have not reduced the number of cases of harassment of activists and human rights defenders.

Despite the quarantine, peaceful assemblies occurred throughout the country in 2020, sometimes in large numbers. In July and September 2020, quarantine restrictions in the country were significantly relaxed, allowing activists and civil society organizations to return to their previous form of activity. Human rights organizations recorded a number of cases of excessive or illegal use of force by law enforcement agencies. Also, during the period of the strictest quarantine restrictions in the spring of 2020, there was abuse of attempts to bring to administrative responsibility for holding peaceful assemblies, which in most cases were later overturned by courts of various instances.

The Association of Ukrainian Law Enforcement Human Rights Monitors (UMDPL)[181] together with the Center for Civil Liberties from April 4 to April 15, 2020 documented 41 incidents of violations involving representatives of law enforcement agencies. Between April 15 and May 20, 2020, there were 71 incidents documented involving law enforcement monitoring of

[179]https://tvoemisto.tv/news/veteranam_upa_do_dnya_geroya_na_lvivshchyni_vyplatyly_po_2_tysyachi_gryven_109711.html

[180] https://vesti.ua/strana/v-pomoshh-ssha-pochemu-ukraina-ne-progolosovala-protiv-geroizatsii-natsizma

[181] http://umdpl.info/library/

quarantine restrictions. The incidents were recorded in almost all regions of Ukraine, with the city of Kiev and the Kherson region being the leaders in terms of the number of identified violations. Human rights activists have noted that certain negative processes have been revived, in particular the activity of ultra-right groups, both offline, when they try to disrupt events or carry out attacks, and online.

A total of **101 cases of harassment of** civic activists and human rights defenders **were recorded** in 2020, according to the annual report of the Human Rights Center ZMINA[182] on harassment of **civic** activists and human rights defenders. Compared to 2019, the total number of documented cases increased by 21%, at that time there were 83 incidents.

The leaders in the number of incidents in 2020 remain Kiev (44) and Odessa region (10). Next are Kyiv and Dnipropetrovsk regions (8 each) and Kharkiv region (6).

The most dangerous types of activism in 2020 were: anti-corruption (20), protection of LGBTIQ rights (19), and environmental protection (9).

There have been some changes in the trend.

Last year, 2019: *LGBTIQ activists (22), anti-corruption activists (15), and anti-illegal construction activists (14) were prosecuted the most.*

The most common documented incidents in 2020 were attempts to intimidate activists (22), physical attacks (21) and destruction or damage to their property (18). In addition, there were 10 cases of legal harassment and nine attempts to discredit human rights defenders.



[182] https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf

At the same time, we can talk about some changes in the trend of pressure on activists and human rights defenders in comparison with 2019, when 25 cases of physical assault and one murder were recorded. At the same time, more cases of property damage were documented in 2020 (there were 11 such incidents in 2019).

Among the 21 physical attacks on activists in 2020, only four cases were reported to the perpetrators as suspicious.

In the first half of 2021 there were 53 cases of harassment of activists. Human rights defenders recorded attempts to destroy or damage property (14 cases), attempts to intimidate (10 cases), and attacks (8 cases).

According to the report of the Association of Ukrainian monitors of human rights in the activities of law enforcement agencies (UMDPL) during the period from June 2020 to July 2021 107 cases of pressure on representatives of civil society were recorded. At the same time in 15 cases (14%) pressure was exerted by the police, and in 92 cases - by other persons.

Journalists are the main victims most often - 44 cases.

LGBTQ activists (18), anti-corruption activists (11), eco-activists (7), feminists (3), and other groups (7) are under comparatively less pressure.



As you can see, a fifth of all incidents, or 20% of cases, are court or police pressure.

However, investigations into attacks tend to be ineffective and extremely slow. It is noted that police representatives are often unwilling to register incidents as a crime. In cases where law enforcement officers were involved, investigations were either delayed or not initiated at all.

Injured activists noted that they did not receive adequate protection from the state after the incident. The vast majority of victims indicated that they became more anxious and began to fear for their health and lives.

Individual cases of persecution of human rights defenders and social activists.	
January 10, 2020.	In Krivoy Rog, Dnipropetrovsk region, two unknown men with a knife and brass knuckles attacked the chairman of the union of miners at Sukhaya Balka CJSC, Sergey Barabashuka[183] .
January 14, 2020.	in Kiev, there was a clash between those who accompanied the construction equipment to the site, in respect of which the day before, on January 10, the Department of Cultural Heritage Protection of the Kiev City State Administration (KCPA) adopted an order to suspend construction work, and activists of the public organization "Nikolskaya Slobodka", who were on duty there[184] .
January 18, 2020.	In the town of Varash, Rivne region, an unidentified man broke into the apartment of activist Olga Kravchuk, who was protesting against corruption in the local hospital and administering a thematic viber group, strangled her and threatened her[185] .
January 19, 2020.	a protest against far-right violence took place on Mikhailovskaya Square in Kyiv on the anniversary of the murder of Russian lawyer Stanislav Markelov and journalist Anastasia Baburova, organized by the anti-fascist initiative Committee of January 19. Nearby there was also a counter-rally "in memory of the victims of leftist terror" organized by the ultra-right, who first tried to throw eggs at their opponents, and after the rally was over - with firecrackers[186] .
January 30, 2020.	in Zaporozhye, unknown persons burned the car of blogger and social activist Andrei Lukin[187] .
February 11, 2020.	an activist of the Labor Solidarity trade union, Ali Saledinov, was attacked in Dnepr[188] .
February 28, 2020.	in Kiev, Alexei Svinarenko, head of the far-right organization National Resistance, photographed Maxim Butkevich, coordinator of the "No Borders" refugee and asylum seeker assistance project, for posting on the "Voler" telegram channel, where the far-right identify their "enemies"[189] .
February 29, 2020.	The shooting occurred near Pervomaisk in Zhytomyr Region on the bank of the Khomora River, where environmental activists had come to monitor the possible dumping of industrial waste from the Poninkovsky paper mill[190] .

[183] https://www.ukrinform.ua/rubric-regions/2853494-u-krivomu-rozi-napali-na-lidera-profspilki-girnikiv.html
[184] https://rus.lb.ua/society/2020/01/14/447106_kieve_mezhdu_aktivistami.html
[185] https://zmina.ua/content/uploads/sites/2/2020/04/aktyvizm2020_monitoryngova-dopovid.pdf
[186] https://www.unn.com.ua/ru/news/1847280-u-tsentri-kiyeva-nevidomi-zakidali-petardami-uchasnikiv-aktsiyi-scho-vidomo
[187] https://novynarnia.com/2020/01/30/u-zaporizhzhi-spalili-avto-mistsevogo-aktivista/
[188] https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf
[189] Ibid.
[190] https://www.unn.com.ua/ru/news/1855469-aktivisti-zayavili-pro-strilyaninu-pid-chas-fiksatsiyi-nimi-zabrudnennya-richki-khomora-politsiya

March 8, 2020.	in Kiev, after the end of the Women's March, two participants were beaten in the underpass on Naberezhno-Kreshchatitskaya Street[191] .
March 29, 2020.	In Kamenskoye, Dnipropetrovsk region, the chairman of the public organization S.T.A.R.T. Konstantin Filatov was beaten up[192] .
April 6, 2020.	police drew up nine administrative protocols against participants of the open-ended action "Spring on Granite", which was held in Kiev in front of the Office of the President of Ukraine (OP), accusing them of violating the quarantine[193] .
May 1, 2020.	near the Nauchnaya subway station in Kharkiv, unknown assailants attacked journalist and social activist Nikita Knysh when he was filming violators of quarantine conditions[194] .
May 11, 2020.	an unknown person set fire to the car of blogger and social activist Alexander Stepanenko in Izmail, Odessa region[195] .
June 17, 2020.	in Kiev, unknown persons set fire to the car of Boris Probok, a resident of a house on Bulvarno-Kudryavskaya Street, who was negotiating with the Bersenev Medical Center, located in a neighboring building, to install a barrier at the entrance to their yard as part of the condominium activities[196]
July 9, 2020.	at about 4 p.m. in Odessa, an unknown assailant attacked Vladimir Savchenko, chairman of the public organization Common Purpose, which opposes illegal construction and engages in anti-corruption activities[197] .
August 30, 2020.	In Odessa, right-wing radicals attacked participants of the "OdesaPraidu" rally in support of LGBT people. According to the organizers, at least 16 people were injured[198] .
September 5, 2020.	The chairman of the organization "Anti-Corruption Human Rights Council" Alexander Snisar was attacked near his home in Dnepr[199] .
October 16, 2020.	In the Obolonsky district of Kiev, the chairman of the condominium "Favorit" Igor Duganets was attacked by an unknown man right in the premises of the board of directors[200] .
November 8, 2020.	In Dnipropetrovsk region, public activist Yulia Bond was attacked in Marganets during an action against the land works, when she videotaped the conflict that took place there[201] .
December 4, 2020.	Natalia Voronkova, freelance advisor to the Deputy Minister of Defense, reported a lawsuit brought against her by the AFU Medical Forces Command for a Facebook post criticizing the medical support of military units in the context of the coronavirus pandemic[202] .

[191] https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf
[192] https://www.kamennews.com.ua/v-kamenskom-titushki-zverski-izbili-grazhdanskogo-aktivista-zakazchik-mer-goroda-video/
[193] https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf
[194] https://crime.fakty.ua/ru/342518-v-harkove-napali-na-zhurnalista-snimavshego-narushitelej-karantina-na-video
[195] https://dumskaya.net/news/na-yyge-odesskoy-oblasti-sozhgli-avtomobil-aktiv-115188/
[196] https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf
[197] https://news.liga.net/region_news/news/v-odesse-napali-na-aktivista-kotoryy-boretsya-s-nezakonnoy-zastroykoy-poberejya
[198] https://www.pravda.com.ua/rus/news/2020/08/30/7264660/
[199] https://nashemisto.dp.ua/2020/09/07/v-dnepre-zverski-izbit-aktivist-rassledovavshij-korrupciju-v-oblastnoj-medicine/
[200] https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf
[201] Ibid.
[202] https://24tv.ua/ru/medsily-vsu-podali-sud-volonterku-voronkovu-za-kritiku_n1477404

December 23, 2020.	In the village of Lavochnoye, Lviv region, a local public activist Vasily Vasilitin, who opposes tree felling, was attacked when he tried to block the way for timber trucks[203] .

Regarding the effectiveness of the investigation of attacks on activists, both positive and negative trends can be identified.

Regarding positive factors, it should be noted that the police began to take an active interest in investigating attacks on civic activists. Despite the absence of a corresponding article in the Criminal Code of Ukraine, regional departments of the National Police have identified people responsible for collecting and summarizing information regarding attacks on activists.

Among the negatives, it is worth noting that the effectiveness and speed of the investigation is significantly affected by the resonance of the case - the media is interested in how the crime is investigated, whether the victim has a lawyer, etc. Also, there remain systemic problems on the speed of response to the crime, procedures for ensuring the personal safety of community activists, the prevention of crimes, as well as the prevention of repeated attacks.

12. Conclusions for the period.

- In 2020, pandemic restrictions related to the spread of COVID-19 led to restrictions on the work of journalists, civil society organizations and individual activists, impacted access to justice and guarantees of public trial. During the quarantine, many services were provided only remotely, making it difficult for residents of rural or conflict-affected areas to access such services. In addition, government regulations restricting the holding of public events during the quarantine period were selectively applied in a number of cases. In this regard, additional human rights issues can be expected to arise.

-The COVID-19 pandemic has further exacerbated the difficulties faced by conflict-affected populations in eastern Ukraine, in particular due to restrictions on freedom of movement, and its impact on the realization of social and economic rights. The pandemic has also created vulnerability for health care workers.

- Constitutional guarantees of suffrage and participation in political processes and political associations remain limited. A significant proportion of Ukrainian citizens did not have the opportunity to participate in the October 25, 2020 local elections. Did not provide sufficient guarantees for the exercise of electoral rights, which affected public confidence in the process.

- The systemic impunity for crimes against media workers, as well as the atmosphere of hostility periodically fomented by public figures, makes the profession of journalism in Ukraine dangerous. The percentage of offenses against journalists that are not investigated remains quite high in Ukraine - 83%. Only in 16 cases out of 104 criminal offenses were sent to court.

[203] https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf

Only six people were convicted of crimes against journalists in 2020. The work of the website "Peacemaker" in Ukraine remains a significant problem in terms of ensuring freedom of speech. At the same time, quarantine restrictions have not reduced the number of cases of persecution of activists and human rights defenders. At the same time, one fifth of all incidents, or 20% of cases, are court or police pressure.

- In more than 90% of cases, no decisions were made regarding criminal offenses under Article 161 of the Criminal Code of Ukraine "Violation of equality of citizens on the basis of their race, nationality or attitude to religion. In 2020, only 1 person was sent to compulsory treatment under this article.

- The issue of language regulation remains an acute problem in Ukraine. The policy of forcing ethnic minority languages out of all spheres of life continues in the country. The General Prosecutor's Office of Ukraine methodically cancels the decisions of local authorities on the functioning of regional languages adopted on the basis of the so-called "Kolesnichenko-Kivalov Law.

- In 2020, it was possible to observe a slight decrease in the intensity of violations of the rights of UOC believers. Mass seizures of churches actually stopped, but those buildings that were seized in 2015-2020 were not returned. In fact, the purposeful course of part of the state apparatus toward a comprehensive and systematic reduction of the volume of rights of this confession has remained. A new wave of seizures of UOC churches in 2021 confirmed this in the aftermath. During the reporting period, there were cases when Ukrainian officials also joined in the persecution of national minorities.

- Right-wing nationalist groups continue to be an active minority in Ukrainian society and have a significant influence on domestic and foreign policy. Unofficially supported by the government and feeling impunity, right-wing radicals actively use violence and intimidation against journalists, civic activists and political opponents. They exert various forms of pressure on the courts in order to make decisions that benefit them. Often the police react to incidents in a low-key manner and often avoid direct confrontations with radicals altogether. In some cases, the pressure of radical groups has an impact on the entourage of the President of Ukraine V. Zelenski.

- In late October 2020, a ruling of the CCU declared unconstitutional certain provisions of the legislation concerning financial declarations of officials and reflecting the requirement of anti-corruption legislation, which effectively blocked anti-corruption reform and initiated a conflict between Ukrainian President Volodymyr Zelensky and some of the Constitutional Court judges, led by Oleksandr Tupitsky. The actions of both sides in this case could have a negative impact on the rule of law in Ukraine, such as the alleged disregard by CCU judges of legal norms on self-recusal and the potential violation of legislation to remove the CCU President. It is important and necessary to investigate alleged abuses and misconduct by judicial officials, but OHCHR emphasizes that this should be done in full compliance with constitutional and criminal procedural norms, as well as with international norms and

standards on judicial independence, so as not to jeopardize the independence of Constitutional Court judges.

- In the run-up to the local elections held in October 2020, OHCHR observed a wave of attacks on political party members and staff, directed primarily at two opposition parties that are considered by many to be "pro-Russian.

- Law enforcement often failed to effectively protect victims and prevent violence, and most perpetrators were not brought to justice. In several of these incidents, members of extreme right-wing groups were identified among the perpetrators of attacks.

Recommendations.

- Develop a draft law to protect the rights of national minorities, especially with regard to the use of their native language in public spheres.

- In order to protect the linguistic rights of national minorities, amend the laws "On the State Language," "On Education," and "On General Secondary Education," as required by international human rights standards and as recommended by the European Commission for Democracy through Law (Venice Commission).

- Improve the scheduling of court hearings and ensure the due process of the parties in order to minimize delays in court proceedings caused by the COVID19 pandemic. Restrictive government measures should exclude any form of discrimination on any grounds. Improve the work standards of all health care personnel by providing, decent wages, safe and healthy working conditions, and access to social security, including recognizing COVID-19 as an occupational disease and providing appropriate compensation for it and insurance for vaccinations. The government should provide social protection for those at risk, especially during quarantine.

- At the legislative level to develop a mechanism of legal protection and compensation for victims of the conflict in Donbass.

- Introduce an administrative procedure for registering children born in the non-controlled territories of Donetsk and Luhansk regions

- Strengthen legal liability for hate crimes as crimes against the foundations of the state, excluding the possibility for "reconciliation of the parties" and fines.

- It is more effective to seek criminal liability for human rights violations, incitement of national, linguistic, racial, religious hatred or enmity, and various acts of vandalism. There should be no exceptions in prosecution for offenses, including for persons belonging to right-wing radical groups.

UIP, 2021