



Activism 2020: A MONITORING REPORT ON PERSECUTION OF ACTIVISTS AND HUMAN RIGHTS DEFENDERS

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The report has been prepared by ZMINA Human Rights Centre as a part of the Increasing the Role and Protection of Human Rights Defenders in Ukraine project, in partnership with the Netherlands Helsinki Committee and with financial support by the European Union.

We are sincerely grateful for her help with preparing this monitoring report to Yelyzaveta Sokurenko, a journalist for the publication ZMINA.

The views of the report's authors do not reflect the official position of the European Union.



The ZMINA Human Rights Centre works in the field of protecting the freedom of speech, freedom of movement, opposing discrimination, preventing torture and cruel treatment, fighting impunity, supporting human rights defenders and activists in the Ukrainian territory, including the occupied Crimea, and defending the rights of people who have suffered from the armed conflict. The organization conducts information campaigns, education programs, works to monitor and document cases of human rights violations, prepares studies and analyses, and achieves change through national and international advocacy.

This publication may contain graphic descriptions of incidents or victims of attacks and persecution which may shock, affect or provoke anxiety in some readers.

See more details about the ZMINA Human Rights Centre and its activities at:

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INTRODUCTION

ZMINA Human Rights Centre team is glad to present the monitoring report on the pressure on and persecution of activists in the third quarter of 2020, produced as a part of the Increasing the Role and Protection of Human Rights Defenders in Ukraine project. ZMINA is implementing this project in partnership with the Netherlands Helsinki Committee and with financial support by the European Union.

The purpose of this report is to assess the situation with the persecution of and pressure on civil activists in July-September 2020, to describe the new incidents and newly revealed circumstances in the earlier cases of attacks on human rights defenders that became known in this period.

This study supplements and expands on the materials provided in the two previous monitoring reports¹ which cover the first half of 2020.

In view of an acute need for protecting civil society actors, for revealing gaps in legislation and in the activities of law enforcement agencies, the main purpose of this study is to provide full and relevant information about the situations with persecution of and pressure on human rights defenders and civil activists in the government-controlled territory of Ukraine to representatives of the authorities, mass media, international missions, partners and the wider public.

In the context of decentralization, mobilization of efforts in the solidary fight against the consequences of the COVID-19 pandemic and socioeconomic perturbations, the topic of persecution of activists and human rights defenders, as well as of impunity for such persecution, is becoming increasingly relevant for promoting and defending human rights standards, for monitoring the government's fulfillment of its obligations and its defense of public interests.

We hope that the information described in the report will be useful for analyzing and drawing conclusions about the safety climate for human rights defenders and civil activists.

¹ See *Activism 2020: A Monitoring Report on Persecution of Activists and Human Rights Defenders* / ZMINA <https://zmina.ua/publication/aktyvizm-2020-monitoringgova-dopovid-shhodo-peresliduvan-aktyivistiv-i-pravozahysnykiv/>

METHODOLOGY

The general methodology of the monitoring is based on ZMINA Human Rights Centre's developments in monitoring and documentation, adopted by the Coalition for Protecting Civil Society,² as well as on the methodology used in composing the analytical report³ on *The Situation of Human Rights Defenders and Civil Activists in Ukraine in 2019*.

This report contains descriptions of the cases of persecution of, attacks and pressure on human rights defenders and civil activists in the government-controlled territories of Ukraine which took place in July-September 2020, as well as of newly discovered circumstances in the cases of similar incidents that took place in the first half of 2020.

See more details on the study methodology, as well as the list of incidents for the previous period, in *Activism 2020: A Monitoring Report on Persecution of Activists and Human Rights Defenders*.⁴

² See *Documenting Methodology* / Coalition for Protecting Civil Society, November 20, 2018 <http://cs-coalition.org/ua/dokumenty/metodolohiya-dokumentuvannia>

³ *The Situation of Human Rights Defenders and Civil Activists in Ukraine in 2019: Analytical Report* / M. Lavrinok, V. Likhachov; ed. by T. Pechonchyk; Ukrainian Helsinki Human Rights Union, ZMINA, Truth Hounds. – Kyiv, 2020. – 88 p. <https://zmina.ua/publication/stanovyshe-pravozahysnykiv-ta-gromadskyh-aktyivistiv-v-ukrayini-u-2019-roczi-analitychna-dopovid/>

⁴ See *Activism 2020: A Monitoring Report on Persecution of Activists and Human Rights Defenders* / ZMINA https://zmina.ua/content/uploads/sites/2/2020/04/aktyvizm2020_monitoringova-dopovid.pdf (pp. 5–8).

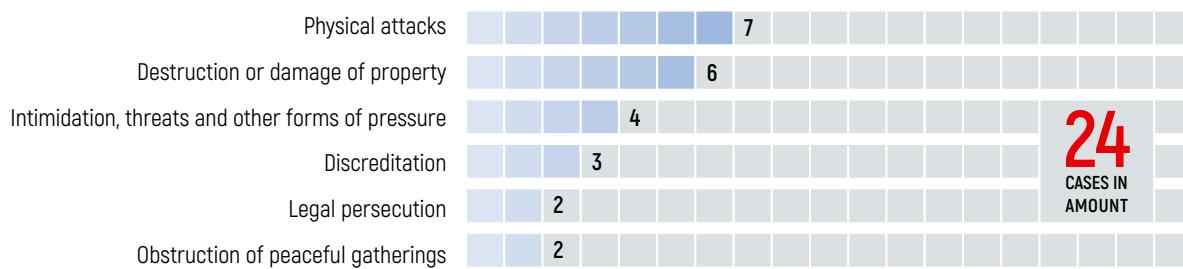
SITUATION AND TRENDS

SITUATION IN THE THIRD QUARTER OF 2020

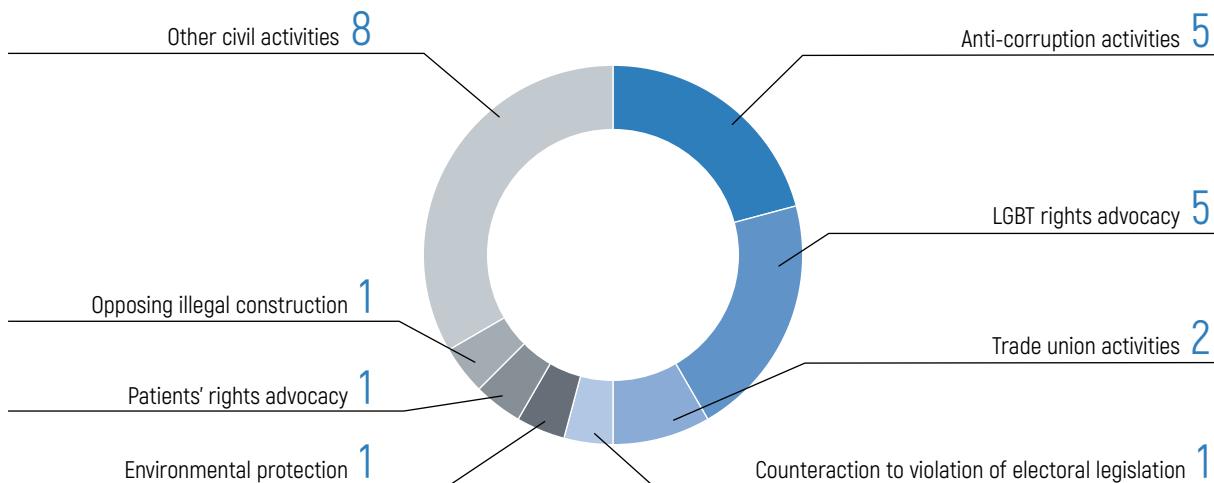
In the third quarter of 2020, we recorded 24 cases of persecution for civil activities: 8 in July, 4 in August, and 12 in September.

Most of them took place in Kyiv (10) and Odesa Region (6). 3 incidents were recorded in Kyiv Region, 2 in Dnipropetrovsk Region and 2 in Kharkiv Region, 1 in Zaporizhia.

Physical attacks (7) and intimidation attempts (6) against civil activists were the most widespread types of persecution in the monitoring period. In some cases, threats were combined with surveillance and demonstrative visits to the homes of the activist victims.



In addition, in the third quarter, we recorded 4 cases of destruction or damage of civil activists' properties. In particular, there was an arson of the house of **Vitaliy Shabunin**, the head of the Anti-Corruption Action Center, in late July (see the *Overview of the Incidents* section), which could have led to human casualties, since the activist's parents were sleeping inside: a neighbor saw the fire and woke them up, essentially saving their lives.



In addition, in the monitoring period, we documented 3 cases of discreditation of both individuals and non-governmental organizations.

2 of the recorded incidents concerned obstruction of peaceful gatherings, and another 2 involved illegal detention or arrest of people during protests. Some of the detainees reported beatings and a number of procedural violations by the police. At the same time, in individual cases, some activists successfully achieved acquittal on misdemeanor charges brought against them (in particular, this was the case with **Oleksandr Kolchenko**, who was found not guilty of petty hooliganism during a demonstration at the Embassy of Belarus by the Kyiv Court of Appeal).

The most high-risk types of civil activities among those which we can identify according to our research methodology are still opposing corruption (5) and defending LGBTIQ rights (5).

In the third quarter of 2020, we observed a sharp increase of aggression by right-wing radicals against LGBTIQ activists in the regions, particularly in Odesa, Kharkiv and Zaporizhia, in response to human rights and educational events for the LGBTIQ community (prides) in these cities. This involved a series of attacks on LGBTIQ community centers for the purpose of damaging property, and attempts to disrupt the pride in Zaporizhia and Odesa. In the latter case, the attack was successful, but despite a high number of victims (the organizers spoke of at least 16, but not all of them later reported their injuries to the police), the police refused to start proceedings following their reports, registering them as citizen addresses.

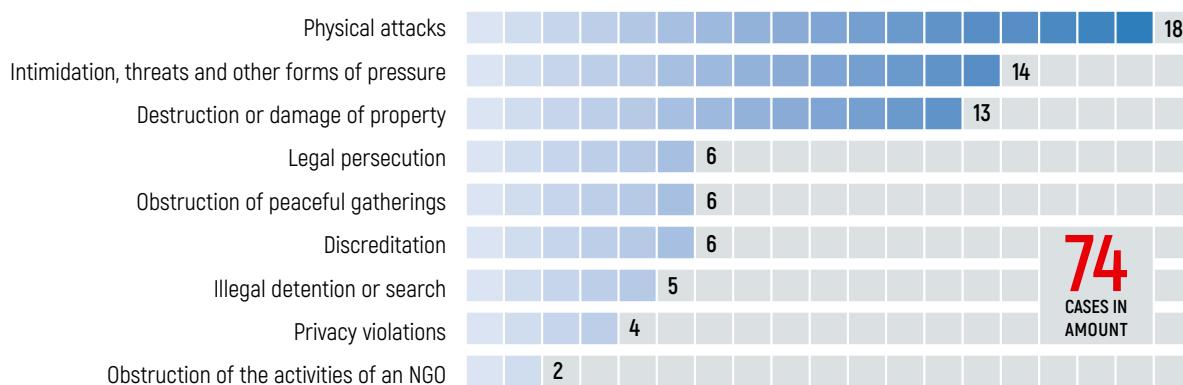
As for digital threats, in the period between July and September 2020, the Digital Security Lab NGO recorded 16 incidents that happened to civil sector representatives and journalists. In particular, these included 10 cases of phishing (of which 1 targeted at a specific person and 1 was made on behalf of a Facebook page); 1 successful email hacking and 4 attempts at hacking emails or social media accounts. In addition, as a separate incident, they recorded a case of installing equipment for surveillance of the investigative journalist Mykhailo Tkach.⁵

⁵ Wiretapping of the journalist Tkach: The hole in the ceiling was probably made for the purpose of surveillance—specialists («Прослушка» журналіста Ткача. Отвір у стелі, ймовірно, робився з метою стеження – фахівці) / Radio Svoboda, August 13, 2020: <https://www.radiosvoboda.org/a/tkach-otvory-u-steli/30780424.html>

FINDINGS SINCE THE BEGINNING OF 2020

In total, as of October 1, 74 cases of persecution for civil activities had been registered since the beginning of the year.

Most of them involved physical attacks on activists (18), their intimidation (14) and destruction or damage of their property (13). In addition, we documented 6 cases with signs of legal persecution, 6 cases of discreditation and 6 cases of obstruction of peaceful gatherings. 4 incidents involved privacy violations, and another 2 were related to obstruction of the activities of civil society organizations.



In the cases when several types of persecution were involved at the same time, we took into account those which were the most significant for each incident in our statistical records.

Territorially, the highest number of cases took place in Kyiv (34) and in Odesa Region (11). The third place is shared by Kyiv and Dnipropetrovsk Regions, each with 6 incidents.

The trend for the types of activities for which activists face the most persecution is continued from the previous monitoring period. Opposing corruption (14 cases), protecting LGBTIQ rights (11) and environmental activism (5) are still the most dangerous in Ukraine.

DEFINING TRENDS

In the third quarter of 2020, a number of phenomena continued to negatively affect the general atmosphere for the civil society in Ukraine. One of the key factors was still the pandemic of the SARS-CoV-2 coronavirus, which became the reason for reduced forms and possibilities in the work of civil society organizations and individual activists. However, in July-September, most quarantine restrictions which were active in the second quarter were either lifted or significantly eased, which allowed NGOs and activists to partially return to their previous forms and formats of activity. Nevertheless, with the autumn/summer season, which is more conducive to the spread of COVID-19, the risk of the stricter restrictions returning is significant.

In addition, in the third quarter of 2020, some Ukrainian MPs continued the practice of registering bills in the parliament which propose undemocratic restrictions on the freedom of unions and associations. For instance, following the previously proposed draft bills on foreign agents, lustration of those who come from the civil society, etc., three new legislative initiatives appeared which propose to remove the term “gender” from the Ukrainian legislation, ban the “propaganda of homosexuality,” or propose excessive requirements for disclosing the financial information of civil society organizations.

A factor that should be noted separately in the third quarter of 2020 in the context of civil activism was the election campaign. The next local elections in Ukraine are scheduled for October 25, 2020. At these elections, voters will elect members of village, town and city councils and village, town and city heads (mayors). Among the candidates from various political forces in these elections, there are civil activists who have previously been attacked or otherwise pressured or persecuted. In a number of cases, civil activists gave an example to the public, showing that they were not intimidated—on the contrary, they are prepared to run for office and actively participate in solving the problems of their communities and regions.

A more detailed analysis of the listed trends is presented below.

LOCAL ELECTIONS AND CIVIL ACTIVISM

On January 1, 2020, the new Election Code came into force, changing the rules of elections to local councils. According to the Code, the local elections, scheduled for October 25, 2020, will become the first to be held with open lists, where candidates who win enough votes can be moved up the party list and elected to local self-government bodies. In addition, for the first time, gender quotas for political parties have been introduced in the 2020 local election. From this year on, to register in an election, a party must have at least 40% of members of a different gender on its list.

Voting according to the plurality system will only be held in territorial communities which have fewer than 10,000 residents, and independent candidates can run there. In local communities with over 10,000 residents, voting will be held with open lists and an updated proportional system, without independent candidates. Seats on the councils will be won by parties which will pass the 5% threshold. In addition, in cities with populations over 75,000 residents, there will be a second tour of voting for mayors; independent candidates will be able to run for mayor.

A significant fact which should be noted separately in the context of the election campaign is that civil activists who have been victims of attacks and other types of persecution due to

their civil activities are running for office in local self-government bodies in a number of districts. These activists are running as representatives of various political parties, including Batkivshchyna, Golos, Hromadianska Pozytsiya, Za Maybutnie, Svoboda, Syla i Chest, Sluga Narodu, UDAR, Yevropeyska Solidarnist and others, as well as local political forces (such as Eduard Gurvits's Bloc, Odesa; Komanda NaDiyi, Kyiv Region; Svitlychna's Bloc–Razom, Kharkiv), and as independents.

Below, we provide a non-exhaustive list of such cases.

Kyiv Region

Victor Barkholenko is running for mayor in Bucha, Kyiv Region, as a representative of Svoboda. Barkholenko is a participant and organizer of many actions aimed at protecting and defending forests from developers; he has fought against illegal distribution of land and forest cutting in the Irpin area for many years. Since 2008, he has been attacked 4 times. On October 30, 2008, Barkholenko was beaten with sticks by two unidentified individuals. On November 18, 2014, the activist had the brilliant green solution thrown at him by strangers who introduced themselves as journalists and called Barkholenko to give them an interview. On the night between August 8 and 9, 2015, several unidentified individuals broke into the activist's house. On the night of January 24, 2015, unidentified individuals broke the windows in his house.



Lavrentiy Kukhayleshvili, an activist from Irpin, Kyiv Region, is a candidate from Svoboda to two city councils at once: in Irpin (1st district) and in Bucha (7th district). Because of his opposition to illegal construction, criticism of the city government, and environmental activism, Kukhayleshvili's car was burned twice, on February 17, 2019, and in 2012.



Roman Ratushnyi, the founder of the NGO Defend Protasiv Yar, is running as a candidate from the party of the current mayor of the capital Vitaliy Klychko, UDAR, in the 12th district in Kyiv. In 2019, the Defend Protasiv Yar initiative protested against the construction of three high-rises in a park area of Kyiv. The locals and representatives of the Defend Protasiv Yar initiative group faced aggressive behavior of the guards hired by the developer on multiple occasions. Ratushny received threats due to being active in defending Protasiv Yar (particularly threats from Hennadiy Korban, who is considered to be the beneficiary of the construction), because of which he had to go into hiding. The activists succeeded in stopping the construction through the court. On September 25, 2020, the District Administrative Court of Kyiv deemed the permit to conduct construction works, given to the commissioner Daytona Group LLC and the main contractor Indbud Construction Company



LLC, illegal and cancelled it.⁶ Commenting on the decision to run in the local election, NGO Defend Protasiv Yar said⁷ that they signed a memorandum with the UDAR party, according to which UDAR committed to voting for drafts submitted by Ratushnyi if he is elected councilor. In addition, the party promised to initiate the creation of a park all over the territory of Protasiv Yar and to oppose construction.

The activist **Mykhailyna Skoryk-Shkarivska** is running for mayor in Irpin as a Golos candidate. Skoryk-Shkarivska focuses a lot on opposing illegal construction in Irpin. She has been a victim of numerous discreditation campaigns. For example, on February 13, 2020, the *Pravda Irpenia* website published a false material titled *Mykhailyna Skoryk-Shkarivska came to a city council session drunk*. As Skoryk-Shkarivska explains, the problem with bringing them to responsibility for spreading false information is that *Pravda Irpenia* and other similar resources are not registered as media, and the website does not provide the source data or any information about its authors, editors or owners.



The anti-corruption activist **Serhiy Chaharov** is a candidate from Komanda NaDiyi in the 5th election district in Hatne ATC (Kyiv Region). Chaharov started his civil activism at 15, trying to find out how 48 hectares of land were distributed in the village of Hatne near Kyiv and who issued the permit to build there. On July 13, 2017, during a session meeting of the Hatne Village Council, a councilor from the Bloc of Petro Poroshenko Oleksandr Palamarchuk used physical force against the 16-year-old Chaharov because the latter criticized his actions on Facebook. Later, on August 27, 2018, unidentified individuals threw an explosive object into the yard of Serhiy Chaharov's house, where he lived with his parents.



Odesa Region

Vladyslav Balinskyi, the head of the NGO Green Leaf, is running for the Odesa City Council as a candidate from Yevropeyska Solidarnist. Balinskyi is a defender of Odesa's historical heritage; he also works to expose corruption. On the night of November 28, 2019, in Odesa, a window of his car was broken. The activist is convinced that the damage to his car is related to his civil activism. A week before the attack, Balinskyi won a trial against the Soling company, which had been engaged in illegal construction in the territory of the City Garden.



⁶ District Administrative Court of Kyiv decision of September 25, 2020, No. 640/11054/19 <http://reyestr.court.gov.ua/Review/91816375>

⁷ Protasiv Yar community explains why its founder is running in the election as a candidate from Klychko (Громада Протасового яру пояснила, чому її засновник іде на вибори від Кличка) / *Khmarochos*, September 22, 2020 <https://hmarochos.kiev.ua/2020/09/22/gromada-protasovogo-yaru-poyasnyla-chomu-yiyyi-zasnovnyk-ide-na-vybory-vid-klychka/>

The activist **Yuriy Diachenko** is a candidate for the Odesa City Council, running in the 7th district as a representative of Yevropeyska Solidarnist. His public activities are related to opposing illegal development in the city and public control over the local government. Diachenko has been regularly recording and streaming videos from the Odesa City Council sessions. On September 19, 2018, in the building of the City Council, four employees of the municipal guard used force to push Diachenko out of the building and forbid him to film. In addition, on May 20, 2018, unidentified individuals attacked Diachenko, broke his tablet and threatened him to make him stop engaging in civil activism. The activist was attacked and threatened in 2016-17 as well, particularly because of his coverage of City Council sessions.



Hryhoriy Kozma, the editor-in-chief of the *Hromadske Slidstvo* magazine, is a candidate for the Odesa City Council from Eduard Gurvits's Bloc. Earlier, Kozma revealed and published a scheme for taking the Odesa-Shkilnyi military airport out of the ownership of the Defense Ministry of Ukraine in order to develop it. The magazine has published over 20 anti-corruption investigations, 8 of which became grounds for criminal proceedings by the National Anti-corruption Bureau of Ukraine. On September 2, 2018, Hryhoriy Kozma and Mykhailo Kuzakon, the head of the Odesa organization People's Movement of Ukraine, were attacked with a GAZ truck, which crashed into Hryhoriy Kozma's car at high speed.



Mykhailo Kuzakon, a co-founder of the media center Odesa Political Platform, is running for the mayor of Odesa as an independent. On August 2, 2018, he and the journalist Hryhoriy Kozma were attacked in Odesa with a GAZ truck, which crashed into Hryhoriy Kozma's car at high speed. Mykhailo Kuzakon was the claimant in criminal cases on corruption, particularly in the Krayany case, in which the Odesa mayor Hennadiy Trukhanov and several officials from the mayor's office were declared suspects. On February 8, 2019, Kuzakon stated that another murder attempt on his life was being prepared; he passed the relevant information on to the law enforcement agencies.



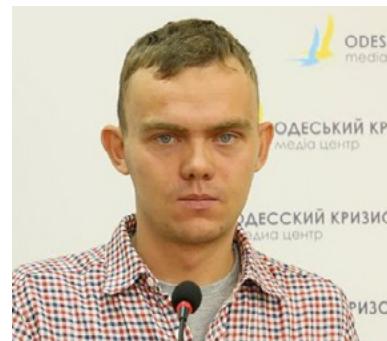
Oleh Mykhailyk, an activist and fighter against illegal construction, is running for the mayor of Odesa as an independent. On September 22, 2018, an attempt at Mykhailyk's life was made in the center of Odesa. An unidentified individual shot him near the house where the activist lives. The wounded man managed to get to the building entrance, where his neighbors found him nearly unconscious. Having lost a lot of blood, Mykhailyk suffered clinical death in an ambulance. In addition, the activist had been attacked before. In December 2013, he was beaten by unidentified individuals near the office of the Right Cause: Defending the Rights of Investors of Newly-built Buildings and Housing Owners organization, whose regional branch was headed by Mykhailyk at that time.



The activist **Alina Radchenko** is a candidate for the Odesa City Council running in the 1st district as a representative of Eduard Hurvits's Bloc. In September 2016, she was beaten during the forceful dispersal of an Odesa Without Trukhanov rally. In just a year, in the center of Odesa, near her house, Radchenko was attacked again: an unidentified individual ran up to her from behind and heavily hit the activist on the head. Alina Radchenko linked the attack to her participation in numerous protests against the Odesa mayor Hennadiy Trukhanov and his partner Volodymyr Halanternik, particularly her struggle against the seizure of the Shkilnyi military airport in Odesa.



Volodymyr Savchenko, the head of the NGO Shared Goal, is running for the Odesa City Council as a representative of Syla i Chest. His organization's areas of activity include opposing illegal construction, particularly along Odesa's coastline, and its activists provide legal and informational support for such cases in courts. On July 9, 2020, Savchenko was attacked, which resulted in a concussion and soft-tissue injuries. On that day, there were rallies against illegal construction in Odesa (earlier, the court issued bans on conducting construction works at certain addresses, and the activists brought the court rulings to each of the construction sites).



Kharkiv Region

Dmytro Bulakh, the chairman of the board of the Kharkiv Anti-corruption Center, is running for the Kharkiv City Council from Svitlychna's Bloc–Razom. On August 30, 2017, Bulakh was brutally beaten by unidentified individuals near the Traktornyi Zavod subway station. The activist linked the attack to his civil activities: the anti-corruption center which he runs had conducted many investigations and filed lawsuits against their opponents' illegal activities. As a result of the attack, Bulakh was hospitalized and had surgery. The doctors established that he had a closed brain injury, two broken ribs, a pneumothorax and a concussion.



The human rights advocate **Maksym Korniyenko** is running for the Vovchanska ATC in Kharkiv Region in the 2nd district as a representative of Za Maybutnie. In 2016, Korniyenko was a victim of illegal administrative persecution. On November 14, 2016, the human rights defender, who was observing open hearings in a criminal case against two members of the Roma community at the Vovchansky District Court of Kharkiv Region, was arrested for 15 days because he refused to stop filming and to go from the courthouse to the district police department. The court found a misdemeanor in the human rights defender's actions. Later, the Court of Appeal cancelled this ruling and acquitted Korniyenko.



Kirovohrad Region

The environmental activist **Mykhailo Berchuk** is a candidate for the Svitlovodsk City Council, running as a representative of Svoboda in the 1st district. On March 14, 2017, in the village of Vlasivka in Svitlovodsk District of Kirovohrad Region, two unidentified individuals brutally beat Berchuk with wooden bats. The activist ended up in intensive care with grievous bodily injuries. He had a brain injury, a broken arm, and his other arm was seriously injured. Berchuk said that for a long time before the attack, he had felt that he was followed. To protect himself, the activist went to the police, but the law enforcement failed to react to his report on the surveillance. Mykhailo Berchuk assumed that the attack was a reaction to his environmental activism. In particular, he fought against the environmental pollution from the local oil and mayonnaise factories. This was the second attack on the activist; the first one took place in late September 2016, when Berchuk organized a protest in his village against trucks which, despite a prohibitive road sign, regularly transported raw materials to the factories through the village. After this, on October 10, 2016, two unidentified individuals attacked him in the center of Vlasivka, hitting and kicking him, and sprayed tear gas into his face. The activist received head injuries (a broken nose, a damaged eye, a concussion); however, despite the presence of witnesses, the perpetrators were never identified.



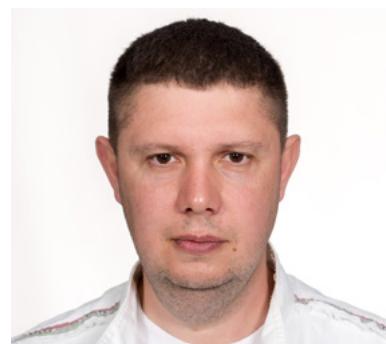
Zhytomyr Region

The civil activist **Oleksandr Nikolaychuk** is a candidate for the Zhytomyr Regional Council, running in the 6th district as a representative of Batkivshchyna. On July 10, 2015, in Olevsk, Zhytomyr Region, unidentified individuals brutally beat Nikolaychuk, who had been fighting against illegal amber mining and the “amber mafia” in Zhytomyr Region, against the corrupt schemes and ecosystem damage associated with it. The attack took place after Nikolaychuk returned from a meeting on stopping illegal amber mining. A car approached, and three men in tracksuits jumped out of it and started beating the activist with iron rods.



Khmelnytsky Region

The anti-corruption activist **Artur Storozhuk** is running for the Khmelnytsky City Council in the 2nd district as a representative of Hromadianska Pozytsiya. The attack on Storozhuk, who was the head of the Khmelnytsky branch of Automaidan in 2017, took place on October 31, 2017, in Khmelnytsky near his own house. Unidentified individuals hit him on the head from behind, and when the activist fell, they kicked him. Storozhuk linked the attack to his civil activities, and as the possible people who ordered the attack, he named the subjects of criminal proceedings that had recently been started based on investigations conducted by the activist regarding illegal construction sites and distribution of land plots in Khmelnytsky. In addition, before the attack, Storozhuk and his colleagues held a press conference where they criticized the regional Prosecutor's Office for participating in the developers' corrupt schemes.



Rivne Region

Olha Kravchuk, a civil activist from Varash, is a candidate for the Varash City Council running in the 1st district, and for the Rivne Regional Council as a representative of Golos. Kravchuk has exposed corruption at the local hospital and achieved the creation of a working group which initiated a verification of the proper use of funds by the Public Institution “Specialized Medical and Sanitation Unit No. 3 of the Ministry of Health of Ukraine” in the period between 2015 and 2019. After this, on January 18, 2020, an unidentified individual broke into the apartment of the activist, who was returning home with her two-year-old child, and then strangled and threatened her.



Zakarpattia Region

Viktor Shchadey is running for the mayor of Uzhgorod as a Sluga Narodu candidate. Shchadey was a member of the Uzhgorod City Council, the founder of the Zakarpattia Center for Supporting Associations of Co-Owners of Apartment Buildings; he conducted public monitoring of the city government’s purchases and reported abuses to the police, actively covering the course of events on social media. On March 26, 2020, in Uzhgorod, unidentified individuals poured yellow paint on Shchadey’s car and left a funeral wreath on the roof. The victim linked the incident to his civil activism and viewed it as intimidation. During Euromaidan, Shchadey coordinated the Zakarpattia Tent on Maidan; later, he ran the Zakarpattia Regional Council building, occupied by Uzhgorod residents. Since February 2014, after a vote of no confidence was passed against the mayor V. Pohorelov, Shchadey was the acting mayor of Uzhgorod for a while. At the same time, there was another attack on him: on March 4, 2014, an unidentified man attacked Shchadey with a knife as he was returning home.



Thus, despite the threats, surveillance, attacks, discreditation campaigns and other types of pressure, many civil activists not only continued their activities, but also decided to run for local self-government bodies and take responsibility for the development of their towns and cities.

THREATS OF LEGISLATIVE RESTRICTION OF THE FREEDOM OF UNIONS AND ASSOCIATIONS

In the third quarter of 2020, the Verkhovna Rada of Ukraine registered three new bills which pose a threat for the civil society, violate Ukraine’s Constitution and international commitments, and illegitimately limit the freedom of unions and associations in Ukraine (all of them submitted by MPs from the faction of the Sluga Narodu political party).

These are Bill 3916 of July 22, 2020, which bans the “propaganda of homosexuality or transgenderism”⁸ and proposes to remove the term “gender” from the Ukrainian legislation; Bill 3917 of

⁸ The terms “homosexuality” and “transgenderism,” as opposed to “homosexuality” and “transgenderism,” are used in Ukraine by opponents of LGBTQI+ rights and are considered offensive by some people. *Transl.*

July 22, 2020, which introduces responsibility for the “propaganda of homosexuality and transgenderism”; and Bill 3936 of July 27, 2020, which proposes excessive requirements for disclosing the financial information of civil society organizations.

Below, we provide a brief overview of these bills, registered in the third quarter of 2020.

The bills on banning the “propaganda of homosexuality or transgenderism” and removing the term “gender” from the Ukrainian legislation

On July 22, 2020, **Heorhiy Mazurashu** and **Olena Lys**, members of the MP faction of the **Sluga Narodu** political party, registered Bill **3916** in the parliament, proposing to introduce changes to some legislative acts of Ukraine on protecting the family, childhood, motherhood and fatherhood.

The bill proposes to introduce changes to the laws “On protecting public morality,” “On printed mass media (press) in Ukraine,” “On television and radio broadcasting,” “On the publishing business,” “On education,” for the purpose of banning the “propaganda of homosexuality or transgenderism.” In addition, this bill proposes to introduce changes to the laws “On higher education,” “On physical culture and sports,” “On scientific and scientific-technical activities,” “On ensuring equal rights and opportunities for women and men,” in order to remove the term “gender” from the aforementioned laws.

On the same day, on July 22, 2020, the same members of the MP faction of **Sluga Narodu**, **Heorhiy Mazurashu** and **Olena Lys**, registered Bill **3917** in the parliament to introduce changes to the Misdemeanor Code of Ukraine on responsibility for the “propaganda of homosexuality and transgenderism.”

It proposes to make changes to the Misdemeanor Code of Ukraine, establishing a new misdemeanor description in Article 180.2: *“Propaganda of homosexuality or transgenderism which can negatively affect the physical or mental health, moral or spiritual state and human development,”* imposing fines in the amount of up to 8,000 non-taxable minimum incomes.

Both legislative initiatives contradict⁹ international legal commitments undertaken by Ukraine, the practice of international treaty bodies in which Ukraine is a member, the position expressed by experts from the UN Human Rights Council and the UN High Commissioner for Human Rights, the EU practice in the field of fighting discrimination, the Council of Europe standards, and the ECHR practice in the sphere of protection against discrimination, and therefore it should be rejected by the Verkhovna Rada of Ukraine.

If any of these bills are adopted, this will throw Ukraine back in its democratic development and become a significant challenge for the work of human rights organizations in Ukraine, particularly those that work to defend the rights of the LGBTQI community and to reinforce gender equality.

■ BILL ON EXCESSIVE REQUIREMENTS FOR DISCLOSING FINANCIAL INFORMATION OF CIVIL SOCIETY ORGANIZATIONS

On July 27, 2020, **Oleksandr Dubinskyi**, a member of the MP faction of the Sluga Narodu party, registered Bill **3936** in the Verkhovna Rada to introduce changes to the Tax Code of Ukraine on ensuring the publishing of information about the funding of activities of civil associations with regard to adherence to international standards in the sphere of human rights and the rule of law.

⁹ See more in: Analyzing Bills No. 3916 and No. 3917 of July 22, 2020, for adherence to international standards in human rights and the rule of law (Аналіз проектів законів № 3916 та № 3917 від 22.07.2020 на предмет дотримання міжнародних стандартів в сфері прав людини та верховенства права) / O. Vynohradova, ZMINA Human Rights Centre.

Dubinskyi proposes to oblige civil society organizations with international support to publish on their own websites and to submit to a state registration agency annually by March 1 the information on:

- the identities of their heads and individuals elected to the governing body of the NGO;
- the number of members of the NGO, the established amount of contributions in the reporting year and their actual receipt on the NGO's account;
- the total amount of income received by the NGO from individuals, companies, institutions and organizations;
- the amount and purpose of income received by the NGO from abroad, as well as the country of origin of the funds;
- the amount and purpose of the NGO's spending of the funds received from abroad;
- the participation of the NGO's leaders in the governing bodies of other civil associations and political parties.

The bill proposes to exclude those who violate it from the Registry of Non-profit Institutions and Organizations and to make them pay taxes, fines and fees. The MP also wants to ban legal entities and individuals who provide services to the NGO or its companies or enterprises from being registered as single-tax payers of the I-III group.

Bills with similar content had already been submitted to the previous parliament by President Petro Poroshenko. In particular, these include Bill 6674 "On introducing changes to some legislative acts to ensure the openness to society of information on the funding of the activities of civil associations and the use of international technical aid" and Bill 6675 "On introducing changes to the Tax Code of Ukraine to ensure the openness to society of information on the funding of the activities of civil associations and the use of international technical aid." In 2018, the Venice Commission together with ODIHR OSCE provided their Joint Opinion on these two bills, registered in the previous Verkhovna Rada of Ukraine. The Opinion stated¹⁰ that "The new financial disclosure regime would conflict with human rights and fundamental freedoms, namely, the freedom of association, the right to respect for private life and the prohibition of discrimination. The Venice Commission and the OSCE/ODIHR cannot see a need for such amendments and recommend that they be reconsidered in their entirety."

A detailed analysis¹¹ by ZMINA Human Rights Centre also shows that Bill 3936 cannot be reconciled with international commitments undertaken by Ukraine, particularly the ones provided by the International Covenant on Civil and Political Rights and the European Convention on Human Rights; it contradicts the position of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, expressed in his numerous reports, as well as the Joint Guidelines of OSCE/ODIHR and the Venice Commission on Freedom of Assembly of 2014, etc.

It can be concluded that the purpose of this initiative by O. Dubinskyi is to establish unjustified tax control by the government over the activities of civil associations in Ukraine, which violates the principle of equality of all taxpayers before the law, of preventing any tax discrimination in the tax legislation of Ukraine.

¹⁰ Ukraine – Joint Opinion on Draft Law No. 6674 «On Introducing Changes to Some Legislative Acts to Ensure Public Transparency of Information on Finance Activity of Public Associations and of the Use of International Technical Assistance» and on Draft Law No. 6675 «On Introducing Changes to the Tax Code of Ukraine to Ensure Public Transparency of the Financing of Public Associations and of the Use of International Technical Assistance» adopted by the Commission at its 114th Plenary Session (Venice, 16-17 March 2018) [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2018\)006-e#](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2018)006-e#)

¹¹ See more in: Analyzing Bill No. 3936 of July 27, 2020, "On introducing changes to the Tax Code of Ukraine on ensuring the publishing of information about funding the activities of civil associations" for adherence to international standards in human rights and the rule of law (Див. детальніше: Аналіз проекту закону № 3936 від 27.07.2020 про внесення змін до Податкового кодексу України щодо забезпечення оприлюднення інформації про фінансування діяльності громадських об'єднань щодо дотримання міжнародних стандартів в сфері прав людини та верховенства права) / O. Vynohradova, ZMINA Human Rights Centre.

In general, since the beginning of 2020, the Ukrainian Parliament has registered at least 12 bills which are discriminatory against civil society organizations and activists and carry risks for the free development of the civil society in Ukraine, because they equate advocacy to commercial lobbyism, propose to prosecute those who come from the civil sector or to introduce the concept of "foreign agents," ban civil activists from holding protests near courts, introduce "lie detector tests" for civil activists, remove the term "gender" from the law and ban the "propaganda of homosexuality," etc.

These bills were submitted by MPs from three political factions: **Sluga Narody, Batkivshchyna** and **Opozytsiya Platforma-Za Zhyttia**, in particular:

1. Bill on state registration of lobbyism actors and conducting lobbyism in Ukraine (**3059** of February 11, 2020). Authors: **Yulia Tymoshenko**, head of the MP faction of the Batkivshchyna party; **Serhiy Vlasenko**, member of the MP faction of the Batkivshchyna party.
2. Bill on lobbyism (**3059-1** of February 28, 2020). Authors: **Oleksandr Dubinskyi** and **Olha Vasylevska-Smahliuk**, members of the MP faction of the Sluga Narodu party.
3. Bill on lobbying activities (**3059-3** of March 3, 2020). Authors: **Denys Monastyrskyi** and **Pavlo Frolov**, members of the MP faction of the Sluga Narodu party.
4. Bill on introducing changes to some legislative acts to ensure equal rights and opportunities of citizens for representation in supervisory boards and governing bodies of unitarian state enterprises, economic associations and state banks and on fair formation and effective activities of these supervisory boards while taking into account the national interests of Ukraine (**3193-1** of March 17, 2020). Authors: **Andriy Derkach**, non-factional; **Oleksandr Dubinskyi**, member of the MP faction of the Sluga Narodu party.
5. Bill on introducing changes to Article 6 of the Law of Ukraine "On the judiciary system and the status of judges" to ban rallies near courthouses (**3291** of March 30, 2020). Author: **Serhiy Demchenko**, member of the MP faction of the Sluga Narodu party.
6. Bill on introducing changes to the Law of Ukraine "On cleansing the government" (on preventing external influence on state interests) (**3326** of April 13, 2020). Author: **Fedir Khrystenko**, member of the MP faction of the Opposition Platform-For Life party.
7. Bill on introducing changes to some legislative acts of Ukraine (on the transparency of the activities of civil associations with foreign support) (**3564** of May 29, 2020). Author: **Oleksandr Dubinskyi**, member of the MP faction of the Sluga Narodu party.
8. Bill on introducing changes to some laws of Ukraine on banning foreign funding for government bodies and their officials and banning top officials from having citizenship (being subjects) of a foreign state (**3572** of June 2, 2020). Author: **Vadym Rabinovych**, co-head of the MP faction of the Opposition Platform-For Life party.
9. Bill on introducing changes to some legislative acts of Ukraine on protecting family, childhood, motherhood and fatherhood (**3916** of July 22, 2020). Authors: **Hennadiy Mazurashu**, **Olena Lys**, members of the MP faction of the Sluga Narodu party.
10. Bill on introducing changes to the Misdemeanor Code of Ukraine on responsibility for the propaganda of homosexuality and transgenderism (**3917** of July 22, 2020). Authors: **Hennadiy Mazurashu**, **Olena Lys**, members of the MP faction of the Sluga Narodu party.
11. Bill on introducing changes to the Tax Code of Ukraine to ensure the disclosure of information on funding the activities of civil associations with regard for adherence to international standards in the sphere of human rights and the rule of law (**3936** of July 27, 2020). Author: **Oleksandr Dubinskyi**, member of the MP faction of the Sluga Narodu party.

One of the registered bills has already been removed from the VR's agenda, specifically:

12. Bill on introducing changes to the Criminal Code of Ukraine (on establishing criminal responsibility for public calls and/or propaganda of refusal to bear children, destruction of the institution of the family, extramarital and unnatural sexual relations and lechery) (**3316-1** of April 24, 2020). Author: **Oleh Voloshyn**, member of the MP faction of the Opposition Platform–For Life party.

Most of these bills were not developed to regulate the activities of civil society organizations specifically, because they are related to other spheres. But some provisions in these documents directly or indirectly affect the activities of civil society organizations and civil liberties in general. In addition, some of these initiatives are synchronized with the discreditation campaign against the "Sorosiata" and the anti-western rhetoric promoted by some political forces.

If even one of the bills listed above is passed, it will be a serious blow to the situation with human rights and freedom of association in Ukraine.

INVESTIGATIONS AND COURT TRIALS OF HIGH-PROFILE CASES ABOUT CIVIL ACTIVISTS

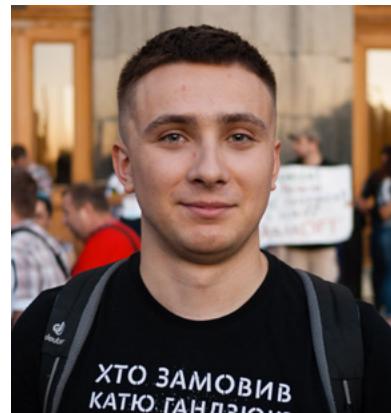
In the reporting period, ZMINA continued to monitor the high-profile criminal cases related to human rights defenders and civil activists. In particular, these include the investigation and court consideration of the cases of the murder of the human rights defender Iryna Nozdrovska, the Kherson activist Kateryna Handziuk, as well as the criminal case where the Odesa activist Serhiy Sternenko is charged with murdering his attacker.

Serhiy Sternenko's case

In 2018, in Odesa, there were three attacks on Serhiy Sternenko, the coordinator of NGO Nebayduzhi and a former head of the regional branch of the Right Sector, who also defended the City Garden of Odesa against illegal development. On February 7, 2018, the activist was beaten and suffered stabbing wounds; on May 1, 2018, he was hit in the neck with a rubber bullet. In the course of the third attack, on May 25, 2018, Sternenko fatally wounded one of the two attackers, Ivan Kuznetsov.

Regarding the first attack on Sternenko, the police have not determined the identities of the person who ordered it, the perpetrators and other accomplices of the attack, and nobody was declared a suspect. Regarding the second attack, only the previously convicted Abzal Baymukashev (who was detained on the scene by Sternenko himself) was declared a suspect. Nobody was declared a suspect except for the perpetrator of the crime. As for the third attack on Serhiy Sternenko, Oleksandr Isaykul and the deceased Ivan Kuznetsov were declared suspects. The suspects' actions were categorized as hooliganism with the use of a weapon or another object adapted to causing bodily injuries. Later, Kuznetsov's case was closed due to his death.

Meanwhile, on June 11, 2020, Sternenko was declared a suspect in the intentional murder of Kuznetsov and illegal carrying of a cold weapon. On June 15, the Shevchenkivsky District Court of



Kyiv chose the preventive measure for the activist in the form of around-the-clock house arrest for 60 days. On August 6, the Shevchenkivsky District Court of Kyiv mitigated the preventive measure for Sternenko, replacing the around-the-clock house arrest with nightly house arrest.

In late August 2020, the hearings in Sternenko's case were handed over to Odesa, despite the defense's requests. The High Court of Ukraine denied Serhiy Sternenko a change in the jurisdiction of the case in which he features as a suspect. The case would thereafter be tried by the Prymorsky District Court of Odesa.

On August 31, the Prosecutor's Office once again requested to arrest Sternenko. However, on September 28, a collegium of judges of the Prymorsky District Court of Odesa rejected this request and established nightly house arrest for the activist.

Just like in Kyiv, the consideration of Serhiy Sternenko's case in Odesa was accompanied by rallies near the courthouse, attended by the activist's supporters. On August 31, Sternenko was attacked again, this time near the Prymorsky District Court building before the start of a hearing in his case. Two attackers poured unknown liquid on the activist, and another man filmed it. In addition, on September 1, in Odesa, two unidentified individuals attacked the activist Oleksandr Romaniuk, who arrived at the court building to support Sternenko. The attack took place when Romaniuk was walking to the railway station after the hearing in order to return home. Because of the attack on his client, Sternenko's lawyer Vitaliy Tytych requested to move the trial of the case from Odesa to Kyiv, but the Supreme Court rejected the request.

Kateryna Handziuk's case

The Kherson activist Kateryna Handziuk had sulfuric acid thrown at her near her house on July 31, 2018. On November 4 of the same year, she died in hospital as a result of burns to 40% of her body. On June 6, 2019, the five perpetrators of the attack – Serhiy Torbin, Mykyta Hrabchuk, Volodymyr Vassianovych, Vyacheslav Vyshevsky and Viktor Horbunov – were sentenced to three to six years in prison.

The family and friends of the murdered activist demand to prosecute not only the perpetrators, but also those who ordered the attack.



On February 11, 2019, the General Prosecutor's Office declared Vladyslav Manger, the head of the Kherson Regional Council, a suspect in organizing the murder of Handziuk. The court chose a preventive measure for him in the form of detention with the possibility of bail in the amount of 2,497,300 UAH, which was paid, and Manger was released.

In January 2020, in the territory of Bulgaria, Oleksandr Levin, an assistant consultant for a Kherson Regional Council member, was arrested for organizing the attack on Handziuk. On March 16, Levin was extradited from Bulgaria to Ukraine.

On June 19, 2020, the Pechersky District Court of Kyiv arrested Manger without bail; this preventive measure has been extended several times.

On July 28, the General Prosecutor's Office submitted to the court the indictment of the suspects in organizing the murder of Handziuk, Vladyslav Manger and Oleksiy Levin.

On August 18, the Dniprovsky District Court of Kyiv started a preparatory hearing in the case of the murder of Kateryna Handziuk. Levin came to the courthouse nearly naked and stated that testimony against Manger was beaten out of him, that he was stripped and brought to the court that way.

The hearing continued on August 19 and lasted until midnight. During the two days, both parties submitted requests and complaints; in particular, Manger and Levin's defense attorneys asked to return the indictment to the prosecutor, but the judge denied the request. Similarly, the court did not support the suspects' request to move the trial to Kherson.

On August 20, the Dniprovsky District Court of Kyiv extended the preventive measure in the form of arrest for Manger and Levin for two months, until October 18, 2020. In addition, the court decided to move both suspects from the Security Service jail to the Kyiv Pre-trial Jail.

On August 28, the Dniprovsky District Court of Kyiv heard the indictment of Manger and Levin regarding their involvement in the attack on Kateryna Handziuk which resulted in her death. As the prosecution indicated, Manger was accused of ordering the crime, and Levin of its direct organization. According to the investigators' version, the defendants conspired and intended to cause grievous bodily damage to the victim in order to intimidate her: the perpetrators were offered a reward to pour acid over her or to break her arms and legs.

The attorneys of Kateryna Handziuk's family, in turn, also stated that they were filing a civil lawsuit to compensate them for the material and moral harm they had suffered. Manger stated instead that he was pleading not guilty and did not understand what he was being accused of. Levin pleaded not guilty as well.

In addition, several parallel court processes on other episodes of this case were going on at the same time. For instance, on August 26, the Supreme Court of Ukraine started considering the complaint of Vladyslav Manger, featured in the case of Kateryna Handziuk's murder, about the Verkhovna Rada decree with which it approved the report of the parliamentary Temporary Investigative Commission on the cases of attacks against activists. The plaintiff believes that by passing the decree, the Parliament committed an illegal intervention in the activities of judiciary and law enforcement bodies of Ukraine, and views this as political pressure. The Supreme Court ruled to request the minutes of the TIC vote and to analyze them at a hearing on September 30.

In addition, the Dniprovsky Police Department in Kyiv started criminal proceedings on the failure to comply with a court decision by MP Illia Kyva. He was to denounce his words about the murdered activist Kateryna Handziuk. In October 2018, in a show on the Espresso TV channel, Kyva stated that Handziuk was allegedly involved in corruption in Kherson. Kyva's words offended the activist's friends and family, who filed a lawsuit against the MP to defend honor, dignity, and business reputation, demanding that he refute the false information.

In June 2019, the Solomyansky District Court of Kyiv honored the claim of Kateryna Handziuk's father and obliged Kyva to refute the false information on air on the Espresso TV channel, and obliged the Bailiff Service to collect a court fee of 1,409.6 UAH from Kyva in favor of Kateryna's father Viktor Handziuk. Kyva's accounts were arrested only in April 2020; at the same time, almost 1,500 UAH were collected in favor of Handziuk. However, even after a year, the MP has not denounced his words about Handziuk's corruption.

The activists of the Who Ordered the Assassination of Katia Handziuk? initiative constantly emphasize that the conspiracy to attack Handziuk also involved Andriy Hordeyev, the former head of the Kherson Regional State Administration, and his deputy Yevhen Ryshchuk. However, the General Prosecutor's Office has stated on multiple occasions that they do not have sufficient evidence to declare them suspects.

Iryna Nozdrovska's case

The human rights defender Iryna Nozdrovska worked on the case of her sister Svitlana Sapatsynska's death for several years; on September 30, 2015, in the village of Demydiv, the latter was hit by a car driven by a nephew of the head of the Vyshgorodsky District Court, Dmytro Rossoshansky, and killed. In May 2017, Rossoshansky was sentenced to seven years in prison. Later, in November 2019, his sentence was commuted and he was released. Nozdrovska demanded a just punishment for Rossoshansky.

Her body was found on January 1, 2018, in a water reservoir near Demydiv, Vyshgorodsky District, Kyiv Region. According to forensic experts, the woman died from multiple stab wounds. The 63-year-old Yuriy Rossoshansky, the father of the convicted Dmytro Rossoshansky, was arrested as a suspect in her murder on January 8.

In the third quarter of 2020, the case of the murder of Iryna Nozdrovska was still on trial in the Shevchenkivsky District Court of Kyiv. Among other things, the court extended the preventive measure in the form of detention of Yuriy Rossoshansky several times (the latest extension is until November 1, 2020), and examined video and audio recordings of his interrogation.

On September 9, the Court moved on to examining forensic reports in the case of Nozdrovska's murder; in particular, the judge read out the materials on the nature of injuries on the body of the deceased activist, as well as on analyzing skin cells found under her nails. According to the forensic conclusion, some of the aforementioned tissue samples belong to the suspect, Yuriy Rossoshansky. The next hearing is scheduled for October 7. The court plans to continue examining the evidence and calling the experts who conducted the forensic examination to the witness stand.

During the hearings, the victims, Iryna Nozdrovska's parents and her daughter Anastasia, stated again several times that Rossoshansky did not commit the crime alone, but that somebody helped him.



BRIEF OVERVIEW OF INCIDENTS

■ JULY 2020

#intimidation_threats_or_other_forms_of_pressure

On **July 7**, 2020, members of the right-wing radical organization Tradition and Order (TaO) covered and blocked the entrance to **PrideHub** in **Kharkiv** with posters with anti-LGBT+ captions. The Hub's administrator was inside at the time; she heard laughter and voices from the outside. Later, when she saw the posters, she called the police and submitted a statement, but the police did not start proceedings and treated the statement as a citizen address.

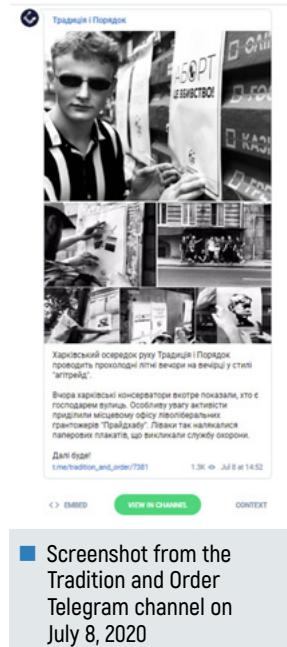
Credit for the incident was claimed by the Kharkiv branch of TaO, who wrote about it on their Telegram channel and called their actions an “agitation raid.”

Later, in August, on the same channel, the group encouraged their like-minded followers to think about using “non-peaceful” means of protest against this year’s KharkivPride, scheduled for September.¹²

PrideHub is a center for the LGBTIQ-friendly community in Kharkiv, which exists as a part of the City for Everyone, Rights for Everyone project run by Kharkiv Women’s Association “Sphere.” Activists hold education and cultural events there.



■ Photo credit: Our World NGO



■ Screenshot from the Tradition and Order Telegram channel on July 8, 2020



■ Screenshot from the Tradition and Order Telegram channel

¹² Tradition and Order hints that this year's Kharkiv Pride will not be peaceful (“Традиція і порядок” натякає, що цьогорічний ХарківПрайд не відбудеться мирно) / ZMINA, August 3, 2020: <https://zmina.info/news/tradyciya-i-poryadok-do-nasylstva-pid-chas-czogorichnogo-harkivpraju/?fbclid=IwAR2L5mZFnAYD97DgJU9N1nFBR7T6ZY-EMNjhBMQ1ou7qyVi57uy6uSwGGE>

#physical_attack

On **July 9**, 2020, in **Odesa**, at around 4 p.m., an unidentified individual attacked the head of Common Goal NGO **Volodymyr Savchenko**, who opposes illegal construction and is engaged in anti-corruption activities. This was reported on Facebook by the victim himself,¹³ who added a scanned medical report certifying that he had a concussion and a number of soft-tissue injuries.

On that day, there were rallies against illegal construction in Odesa (earlier, the court issued prohibitions to conduct construction works at certain addresses, and activists brought these court decisions to each of the construction sites in question). Volodymyr Savchenko participated in the rallies, then returned to the organization office and planned to go to participate in a TV show on Channel 7. As the activist was crossing a road, he was attacked from behind. The attacker was wearing a cap and covering his face with a scarf, and when passers-by intervened, he fled.

The victim links the incident to his civil activism. According to Savchenko, the attack was preceded by oral threats against some members of their organization.

Odesa Police has reported opening criminal proceedings according to Part 1 of Article 125 of the Criminal Code of Ukraine (light bodily injuries).¹⁴

On July 15, Odesa police arrested a 29-year-old man who was declared a suspect in the attack on Savchenko.¹⁵ A preventive measure was chosen for him in the form of detention.

On September 28, the Prymorsky District Court started the consideration of the case. *Odessa.Online*¹⁶ reported that the defendant's attorneys requested that the court give them time for reconciliation with the victim.

Volodymyr Savchenko is the head of NGO Volunteer Movement "Common Goal," which has been active in Odesa since 2015. The organization's activities include opposing illegal construction, particularly along Odesa's coastline (the activists have been providing legal and informational support for these cases in court).



■ Volodymyr Savchenko after the attack (photo from the Facebook page of the activist Ihor Kravets)

#intimidation_threats_or_other_forms_of_pressure

On **July 12**, 2020, the far-right Telegram channel Volary published a post¹⁷ about **Serhiy Movchan**, a journalist and left-wing activist who also works on monitoring the activities of the far-right as a part

¹³ Volodymyr Savchenko (Володимир Савченко), personal Facebook page, July 9, 2020: <https://www.facebook.com/photo.php?fbid=744840606267952&set=a.200311150720903&type=3&theater>

¹⁴ Odesa police are establishing the circumstances of causing bodily damage to a local resident (Одеські поліцейські встановлюють обставини спричинення місцевому жителю тілесних ушкоджень) / National Police of Odesa Region, July 9, 2020: <https://od.npu.gov.ua/news/tilesnix-ushkodzhennya/odeski-policjejski-vstanovlyuyut-obstavini-sprichineannya-misczevomu-zhitelyu-tilesnix-ushkodzen/>

¹⁵ In Odesa, law enforcement officers arrested a suspect in an attack on an NGO representative (В Одесі правоохрані заарештували підозрюваного у нападі на представника громадської організації) / Official YouTube channel of Odesa Region Police, July 16, 2020: https://www.youtube.com/watch?v=fCtB3wlq180&feature=youtu.be&fbclid=IwAR2ACPkAYXNhiJ-gDE07qYrf0JOPLVaQem4TM4f1WvwBTOG_woAPtVNOYeM

¹⁶ Attack on an Odesa activist: the suspect wants to make peace with the victim (Нападение на одесского активиста: подозреваемый хочет помириться с потерпевшим) / Odessa.online, September 28, 2020: <https://odessa.online/napadenie-na-odesskogo-aktivista-podozrevayemyj-hochet-pomiritsya-s-poterpevshim/>

¹⁷ Volary (Вольєр), Telegram channel: <https://t.me/antiantifa/843>

of the Marker project. As the reason for mentioning this activist in their post, the authors indicated his political views, his participation in this year's March 8 demonstration, and his journalistic work.

The post contains photos of the activist and his brother, who is also engaged in civil activism, a link to his Facebook page, and lists his features which, according to the authors, can be used to recognize Serhiy Movchan.

According to the activist, he has not received any threats since then, and he does not link the post to any specific events, saying that the right-wingers know his face anyway, particularly because he used to be a member of right-wing movements himself at one point. He did not report the aforementioned events to the police.

Serhiy Movchan is an activist and journalist for *Political Critique* and *Marker*. He participates in a study of cases of violence by far-right radicals. He has participated in human rights actions and left-leaning actions.

The Volary Telegram channel looks like a database with profiles of activists whom the channel's authors see as their opponents: activists of left-wing organizations (earlier, also pro-Russian activists, but this quickly stopped), feminists, LGBT activists, researchers or hate speech and hate crimes, which, in particular, are perpetrated by the far-right, etc.

Although the channel specifies that it "does not encourage anyone to violence," the rhetoric of publications signifies the opposite: they mention "physical influence," remark on the advisability of "liquidating" or "not liquidating" certain people. The channel also publishes videos in which those whose photos have been published in the Volary are chased and sprayed with pepper spray.

In March, a number of human rights organizations, particularly ZMINA Human Rights Centre, published an open statement¹⁸ in which they addressed the leadership of the Central Office of the National Police with a request to give proper legal evaluation to the actions of the far-right who publish personal information of activists on the Volary Telegram channel.

Soon after this, the channel's authors wrote that they were dividing their work into a public part (posts on the channel which readers can see) and a non-public chat for discussions. ZMINA Human Rights Centre has information that the chat participants, among other things, discuss attacks on their opponents.

#discreditation

#intimidation_threats_or_other_forms_of_pressure

On **July 14, 2020**, in the village of **Kotsiubynske** in Kyiv Region, unidentified individuals installed a sign on the house of the editor-in-chief of the CHESNO website **Iryna Fedoriv**, who supports Kotsiubynske's merger with Kyiv, accusing her of alleged involvement in corruption schemes when she bought her apartment.



Photo from Iryna Fedoriv's Facebook page

¹⁸ Statement on the unacceptability of pressure on human rights defenders by far-right organizations (Заява про неприпустимість тиску на правозахисників з боку ультраправих організацій) / ZMINA, March 3, 2020: <https://zmina.ua/statements/zayava-pro-nepryrustymist-tysku-na-pravozahysnykiv-z-boku-ultrapravyh-organizacij/?fbclid=IwAR1ysvuyE-RBjim5DUjn8olrzFl1NBz6SSDBoCxgDlPP70o4afvtNxCtak>

The activist published a photo of the “memorial plaque” on her Facebook page,¹⁹ pointing out the false information written on it.

Later on the same day, the CHESNO Movement published a statement²⁰ in which they called these events an act of intimidation against their activist for her civil activities in defense of the interests of village residents and in opposition to illegal construction.

In Iryna Fedoriv’s opinion, the plaque was installed in response to a rally on July 14 in Kyiv near the Verkhovna Rada in favor of merging Kotsiubynske with Kyiv, because the village itself lacks resources to provide its residents with social services—medical, educational, etc.

On the same day, a statement about the need to merge Kotsiubynske with Kyiv was made by Kyiv mayor Vitaliy Klychko.²¹ According to him, Kotsiubynske residents use the capital’s social and communal infrastructure, because they essentially live in Kyiv, and the village itself is a kind of enclave in the capital’s territory and has no road connection to any other locality.

After the incident, Iryna Fedoriv went to the police and wrote a statement about the crime. The police later sent her a letter indicating that they did not see any social danger in the installation of the plaque due to its insignificance, so they did not launch proceedings.

The installation of the plaque was not the first attempt to discredit Iryna Fedoriv and put pressure on her this year. In January, ZMINA recorded a number of anonymous publications of manipulatory nature with false information about the activist, her property and activities. These materials, in particular, were published on the *Pravda Irpenia* website (which immediately published a news piece²² about the plaque on Fedoriv’s building, citing the anonymous Telegram channel Activists of Irpin, adding completely unsubstantiated information about the alleged 5 apartments which the activist obtained by fraud); in addition, a separate website, *fedoriv.info*, was created to accumulate such publications.

Back in 2018, the CHESNO Movement published an official statement²³ about the properties in Iryna Fedoriv’s electronic declaration and manipulations around the assessment of their value.

The activist herself views the aforementioned publications as pressure due to her civil activities. According to the activist, tires on her car have been slashed, too, and her electricity meter has been stolen once.

Iryna Fedoriv is the editor-in-chief of the CHESNO website, blogger, former councilor in the 5th village council of Kotsiubynske (from November 2010). As an activist, she consistently supports the preservation of the Bilychi Forest, which is adjacent to the village: the authorities have tried to give a part of the forest lands to developers.

The confrontation around Kotsiubynske’s merger with Kyiv or Irpin is still going on; it will determine who will make decisions about the village’s properties. A few years ago, there was

¹⁹ Iryna Fedoriv, personal Facebook page, July 14, 2020: <https://www.facebook.com/fedoriv.iryna.chesno/posts/1193065261045616>

²⁰ The CHESNO Movement’s editor-in-chief is being intimidated: The editorial board demands an investigation (Головну редакторку Руху ЧЕСНО залякують: редакція вимагає розслідування) / CHESNO, July 14, 2020: <https://www.chesno.org/post/4106/>

²¹ Vitaliy Klychko: “Kotsiubynske must become a part of Kyiv” (Віталій Кличко: «Коцюбинське повинне стати частиною Києва») / Official portal of Kyiv, July 14, 2020: https://kyivcity.gov.ua/news/vitaliy_klichko_kotsiubynske_povinne_stati_chastinoyu_kiyeva/

²² Kotsiubynske residents installed a memorial plaque for the dark publicity spreader Iryna Fedoriv (Жителі Коцюбинського встановили пам’ятну таблицю чорній ліарниці Ірині Федорів) / Pravda Irpenia, July 14, 2020: <https://irpin.news/zhyteli-kotsiubyns-ko-ho-vstanovly-pam-iatnushchku-chornii-piarnytsi-iryni-fedoriv/>

²³ Explanations on the situation around the e-declaration of CHESNO’s editor Iryna Fedoriv (Роз’яснення щодо ситуації довкола е-декларації редакторки ЧЕСНО Ірини Федорів) / CHESNO, April 1, 2018: <https://www.chesno.org/post/1361/>

also an escalation of violence against local politicians and officials: in November 2016, the village head Olha Matiushyna was attacked; in January 2017, the head of the local election commission Liudmyla Demchenko was beaten; and in October 2018, the car of Daryna Aleksandrova, an official at the Kotsiubynske Village Council who also opposed the cutting of the Bilychi Forest, was set on fire.

#obstruction_of_peaceful_gatherings

On **July 15**, 2020, in **Kyiv**, law enforcement officers did not allow environmental activists, who were going to a protest to draw attention to the problem of waste treatment and garbage sorting in Ukraine, to approach the Verkhovna Rada.²⁴

As the journalist **Denys Kazanskyi**, one of the protesters, told ZMINA Human Rights Centre, the activists were carrying props, garbage bags with recyclable waste (sorted and washed plastic bottles, drink containers). Because of this, the police first blocked their path, claiming that bringing bags in was not allowed because it could be dangerous, although the police agreed that the activists were not breaking any law by doing it.

Then the protesters suggested that the police check what exactly they were carrying in the bags and make sure that there were no explosives or banned items in them, but the police refused to do it and called special police forces. The special police officers surrounded the activists and did not allow them to pass. They used force against several people who tried to get out of the cordon. The activist and blogger **Yehor Firsov** (who recently declared his intention to run for the mayor of Kyiv as a representative of the Environmental Alternative party), a former acting head of the State Environmental Inspection, had his shirt torn.

As a result, people were allowed to protest and managed to bring a few bags in. After the rally, the protesters cleaned up their props themselves.

According to Yehor Firsov, the protesters did not submit complaints or statements to the police after the rally; the police did not write misdemeanor reports against the activists either.

On July 15, there was a rally near the Verkhovna Rada demanding to pass Bill 2207-1d²⁵ on waste management, since there was a possibility that the bill would be considered at the session hall. Some councilors and the mayor of Kyiv joined the protesters.

On July 21, the parliament passed the bill in the first reading.



■ Pavlo Vyshebaba, a participant of the environmental activist action near the Parliament. Photo from Denys Kazansky's Facebook page

²⁴ The police did not allow environmental activists to have a protest involving garbage at the Verkhovna Rada (Поліція не пустила екоактивістів на акцію зі сміттям до Верховної Ради) / ZMINA, July 15, 2020: <https://zmina.info/news/policziya-ne-pustyla-ekoaktivistiv-na-akciju-z-smittjam-do-verhovnoyi-rady/>

²⁵ Draft bill on waste management (Проект закону про управління відходами) / Verkhovna Rada of Ukraine, website: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=69033

#intimidation_threats_or_other_forms_of_pressure

#destruction_or_damage_of_property

Natalia Onipko, the president of the Charity Foundation “Zaporuka,” reported pressure and threats from the neighbors due to the construction of the Dacha centre for children with cancer in **Kyiv**.²⁶ According to the activist, on the morning of **July 21**, 2020, a resident of the capital’s Solomyansky District, where the centre is being built, cut the lock off the construction site gate with a saw and blocked a female guard in its territory. Later, Onipko wrote on Facebook that she went to the police with a report on property damage, but her statement was registered as a citizen address (and the police sent the district police officer to the site).



■ Damaged gate of CF Zaporuka.
Photo credit: Natalia Onipko

The Charity Foundation “Zaporuka”²⁷ was founded in 2008. It operates in Kyiv and Lviv, helping children with cancer. Dacha is a house for cancer patients and their families where they live free of charge and rest after exhausting treatment; various entertainment events are organized there for them. The Foundation used to rent a building for this purpose, but in 2018, it started fundraising to purchase a plot and build a centre which will be capable of hosting 15 such families at any given time (350 families per year). According to the Charity Foundation’s website, they have already bought a land plot, designed an architectural project, built the building’s “carnass” and connected the internal communications. At the same time, according to Natalia Onipko, some owners of the neighboring buildings do not like the fact that cancer patients will be nearby. According to her, this disgruntlement has been expressed to the Foundation’s representatives multiple times, but until the incident described here, it had taken the form of oral statements and had not escalated into open aggression.

#destruction_or_damage_of_property

On **July 23**, 2020, at around 3 a.m., in the village of **Hnidyn** in Kyiv Region, the house of **Vitaliy Shabunin**, the chairman of the board of the Anti-Corruption Action Centre (AntAC), was burned. According to the victim, his parents were in the house at the time. They were saved by a neighbor who saw a “fiery pool” on the porch and woke them up before the rest of the house caught fire. Shabunin links the arson to his anti-corruption activities.

The executive director of AntAC Darya Kaleniuk has stated that the organization views the incident as an murder attempt on the lives of Shabunin and his family.



■ Vitaliy Shabunin’s house after the arson.
Photo credit: Anastasia Moskvychova

The police have opened a criminal case according to Part 2 of Article 194 of the Criminal Code of Ukraine (intentional destruction or damage of property).²⁸ The investigation has been assigned to the Boryspil Police Department in Kyiv Region.

²⁶ “Не cut the lock off the gate with a saw”: Charity workers disclose pressure by opponents of the construction of a center for children with cancer (“Болгаркою зрізає замок на воротах”: благодійники заявляють про тиск противників будівництва центру для онкхворих дітей) / ZMINA, July 22, 2020: <https://zmina.info/news/bolgarkoyu-zrizav-zamok-na-vorotah-blagodijnyky-zayavlyayut-pro-tysk-protivnykyiv-budivnyczta-czentru-dlya-onkohvoryh-ditej/>

²⁷ Charity Foundation Zaporuka:

²⁸ Kyiv Region police started criminal proceedings on the fact of fire in a house in Boryspil District (Поліція Київщини відкрила кримінальне провадження за фактом загорання будинку на Бориспільщині) / Official website of the National Police, July 23, 2020: <https://www.npu.gov.ua/news/novini-z-regioniv-ta-in-sajtiv/policziya-kyivshchini-vidkrila-kriminalne-provadzhennya-za-faktom-zagorannya-budinku-na-borispolshchini/>

On August 6, Vitaliy Shabunin was recognized as a victim²⁹ in this case.

On September 22, Vitaliy Shabunin wrote on his Facebook page that he had received the forensic report³⁰ which confirmed that the fire resulted from arson.

The Anti-Corruption Action Centre is an NGO founded in 2012 by Vitaliy Shabunin and Daria Kalenik. It works to develop and advocate for a legislative foundation for fighting corruption (in particular, regarding the anti-corruption bodies: NABU, SAP, HACC and ARMA, on criminalizing illegal enrichment, etc.), monitors state procurement and initiates investigations of abuses.

Earlier, ZMINA recorded a number of cases of persecution of Vitaliy Shabunin, particularly a lawsuit filed by the non-faction MP Andriy Derkach, which has signs of legal persecution, as well as discreditation campaigns in the media aimed against the activist, attacks and opened criminal proceedings both against Shabunin himself and against AntAC and other organization employees.

#destruction_or_damage_of_property

#intimidation_threats_or_other_forms_of_pressure

On **July 28**, 2020, on a highway in **Odesa Region**, unidentified individuals shot pneumatic guns at a car carrying the civil activist **Demyan Hanul**.

According to the man, he and four other activists were driving to the city of Yuzhne in Odesa Region to cover the dismantling of a boat rental point which did not have a permit for its business. Hanul says that their presence was requested by the local government after a vacationer died in another seaside town, Zatoka, in a crash with a water scooter.³¹ However, the city council of Yuzhne replied orally to ZMINA Human Rights Centre's request that the activists were not directly invited to the dismantling, but it was publicly announced, so they could have seen it and come to it.



■ Viktor Salyi during the trial held to choose a preventive measure for him. Photo from Demyan Hanul's Facebook page

On that day, however, there was no dismantling, and then the activists decided to drive back. According to Demyan Hanul, there was no serious conflict on the site, only a verbal argument. But on the highway, two cars caught up with their car and first tried to push it off the road, and then someone started shooting from one of them.

The car of Hanul's friend, which the activists were driving, still has marks from rubber bullets, but none of the people were injured. At one point, according to Demyan Hanul, one of his comrades, who also had a rubber bullet gun (for which he had a permit, as the victim claimed) started shooting in the air to scare the pursuers. Then the activists' car pulled over, and their pursuers drove on ahead. After this, the victims called the police.

²⁹ Shabunin has been recognized as a victim in the case of arson of his house (Шабуніна визнали потерпілим у справі про підпал його будинку) / ZMINA, August 6, 2020: <https://zmina.info/news/shabunina-vyznaly-poterpilim-u-spravi-pro-pidpal-jogo-budynku/>

³⁰ Experts confirm that there was an arson in the activist Shabunin's house (Експерти підтвердили підпал будинку активіста Шабуніна) / ZMINA, September 22, 2020: <https://zmina.info/news/eksperty-pidtverdyly-pidpal-budynku-aktyvista-shabunina/>

³¹ In Zatoka, a vacationer died from a crash involving a water scooter (У Затоці відпочивальник загинув від зіткнення з водним скутером) / Ukrinform, July 19, 2020: <https://www.ukrinform.ua/rubric-regions/3065812-u-zatoci-vidpocivalnik-zaginuv-vid-zitknennya-z-vodnim-skuterom.html>

The Odesa Region Police launched proceedings according to Part 4 of Article 296 (hooliganism) of the Criminal Code of Ukraine³² and announced Operation Intercept. As of 6 p.m. on the same day, the police reported that they identified the event's participants. According to the police, all of them are residents of Yuzhne aged 25 to 31. A rubber-bullet gun was discovered in one of the cars which the young people drove.

On July 30, the Komintern District Court of Odesa Region arrested Viktor Saliy, suspected of shooting at the car carrying Demyan Hanul, for 60 days.³³

Demyan Hanul is a civil activist from Odesa. He used to be a member of the right-wing organizations Street Front (which announced that it was suspending its activities last year) and the Odesa branch of the Right Sector. He has lately been engaged in environmental activism and the struggle against illegal construction, participated in defending the Green Theatre in Odesa, was arrested after confrontations there; he actively opposes the capture of the coastline, has published posts in defense of the Tuzlovski Lymany National Park. In his social media posts, he also supports the former MP Andriy Biletsky, the leader of the right-wing party National Corps and the founder of Azov Regiment.

On July 3, Demyan Hanul declared his intention to run for the Odesa City Council in the local election, later clarifying that he was running as a National Corps candidate.

■ AUGUST 2020

#illegal_detention_or_arrest

#legal_persecution

#obstruction_of_peaceful_gatherings

On **August 10**, 2020, near the Belarus Embassy in **Kyiv**, during a solidarity rally against violence against protesters in Belarus who came out to the streets for fair elections and against Aleksandr Lukashenko's reelection as the president, the police brutally arrested five people, including a released political prisoner of the Russian Federation **Oleksandr Kolchenko**.

Despite what was reported on the police website,³⁴ misdemeanor reports were only written for three of them, and two people were just held for a few hours at the Shevchenkivsky District Police Department and then released (one of them was taken to a hospital in an ambulance).



■ Detention of Oleksandr Kolchenko. Photo credit: Stanislav Yurchenko, Graty

³² The police are looking into a report on shooting near Vizyrka (UPDATED as of 6 p.m.) (Поліція перевіряє повідомлення про стрілянину поблизу с. Візирка (ОНОВЛЕНО станом на 18.00)) / Odesa Region police, July 28, 2020: <https://od.npu.gov.ua/news/zvichajni-novini/policziya-perevirjae-povidomlennya-pro-strilyaninu-poblizu-s-vizirka/>

³³ Attack on Demyan Hanul: The suspect in shooting at a car near Odesa sent to pre-trial jail (Напад на Дем'яна Ганула: підозрюваного в обстрілі автівки під Одесою відправили в СІЗО) / Suspilne, July 30, 2020: <https://suspilne.media/51804-napad-na-demana-ganula-pidozruvanogo-v-obstrili-avtivki-pid-odesou-vidpravili-v-sizo/>

³⁴ Misdemeanor reports written for five individuals for violating public order near the Embassy of the Republic of Belarus (За порушення правопорядку біля посольства Республіки Білорусь на п'ятьох осіб складено адміністративні протоколи) / National Police. Kyiv, August 10, 2020: <https://kyiv.npu.gov.ua/news/publichna-bezpeka-ta-poryadok/za-porushennya-pravoporyadku-bilya-posolstva-respublikи-bilorus-na-p-yatox-osib-skladeno-administrativni-protokoli/>

As ZMINA Human Rights Centre was informed by a *Graty* reporter who was present at the rally, one of the demonstrators took out some eggs but did not have time to do anything with them because the police arrested him; later, they started arresting other activists who were blocking the path of a police car. In a video³⁵ filmed by *Graty*, we can see a fragment of the hustle which demonstrates that the activists did not attack the law enforcement officers first, but tried to hold a living chain by holding on to each other.

Another eyewitness, a reporter for Radio Liberty, told ZMINA Human Rights Centre that there were two incidents in total: during the first one, two people were arrested; and during the second one, when three other activists were arrested, including **Oleksandr Kolchenko**, they were reacting to the first arrest.

As it became known later, the eggs were brought to the Embassy by a Belarus citizen **Aleksandr Vengerskyi**. Before the events described here, on the election day of August 9, he threw an egg at the Embassy building, for which he was arrested and eventually found guilty of petty hooliganism (sentenced to a fine of 51 hryvnias³⁶). Next day, during the events described here, he brought an egg again, pulled it out, but did not manage to throw it, because he was arrested and a report was written about him on petty hooliganism and persistent disobeying of legal demands of the police, which was later returned to the police by the court for clarification and correction.

Immediately after Vengerskyi, the police arrested another protester in a rather brutal way: the man was pushed to the ground, he was screaming (this participant of the events asked not to specify his name in publications; in the video of the incident filmed by Radio Liberty,³⁷ he is wearing a cap and a snood on his face; 1+1 TV channel also has footage of this arrest³⁸). After this, he was picked up and carried into the backyard of a building. According to the arrested man, as the police were carrying him, they hit him on the head several times; around the corner, they threw him on the ground and kicked him several times (his cries can be heard in the journalists' videos), but then their superior showed up and stopped it. The activist was handcuffed, his belongings—some cash, a knife and a pepper spray can—were taken out of his pockets and seized.

The police did not write a report, the seized items were not registered or described in any way, and after all the events, his belongings were not returned to the man. According to the activist, among other things, he was threatened with rape; the officers also spoke with disdain about the Maidan protests of 2013–14. He also says that he saw at least one other person being arrested, and later he supposedly found a video online in which a bearded police officer, who was referred to as Oleksandr, hit one of the arrested activists in the side as he was being carried into the yard (Channel 5's report includes footage which resembles this description³⁹).

Later, all the detainees were delivered to the Shevchenkivsky District Police Department in Kyiv. According to the activist, the time of arrest was not recorded, only the time when they were delivered to the department was. At the department, their personal information was requested, but this activist refused to provide it. Then, according to him, he called an ambulance because he felt sick, and he was released. At the hospital, he got a medical certificate stating that he did not have

³⁵ A fight between anarchists and the police near the Belarus embassy in Kyiv (Потасовка между анархистами и полицией под посольством Беларуси в Киеве) / *Graty* Me YouTube channel, August 10, 2020: https://www.youtube.com/watch?v=Zw9C8S-vsXs&feature=emb_title

³⁶ The court sentenced the man who threw an egg at the Embassy of Belarus in Kyiv to a fine of 51 hryvnias (Суд назначил мужчине, кинувшему яйцо в посольство Беларуси в Киеве, штраф 51 гривну) / *Graty*, August 11, 2020: <https://graty.me/news/sud-naznachil-muzchchine-kinuvshemu-yaiczo-v-posolstvo-belarusi-v-kieve-shtraf-51-grivnu/?fbclid=IwAR2oBWFxHwvSLPkbXYUJYzLxzepPk1NOGyp4K4aTEyVeRETuUfkI3xek>

³⁷ People were arrested at a protest near the Belarus Embassy (Під час акції під посольством Білорусі затримали людей) / YouTube channel of Radio Liberty Ukraine, August 10, 2020: <https://www.youtube.com/watch?v=dSqlPqh7bBA>

³⁸ Arrested participants of confrontations at the Belarus Embassy in Kyiv have been released (Затриманих учасників сутичок під білоруським посольством у Києві відпустили додому) / YouTube channel of TSN, August 10, 2020: https://www.youtube.com/watch?v=uc_BqPOhXUE

³⁹ Arrests were brutal, face down into the pavement: How the demonstration of solidarity with the people of Belarus in Kyiv went (Затримували жорстко – обличчям в асфальт: Як минула акція солідарності з білоруським народом в Києві) / YouTube channel of Channel 5, September 10, 2020: <https://www.youtube.com/watch?v=6Gd7VSg15UI>

a concussion, but only a bruise (we know about the document only from his words), and then he went home. At the moment of the conversation, the activist was not planning to file a complaint about the law enforcement officers' illegal actions.

As another victim, **Oleksandr Kolchenko**, told the ZMINA Human Rights Centre, at the rally, he saw the first two arrests across the street, came closer and started asking the police what they were arresting the people for, but nobody answered him. Later, according to the activist, when he and other anarchists formed a chain, a police car started driving in their direction. According to Kolchenko, there were no requests or orders from the police at the time, the officers immediately started using force and arresting the participants of the gathering. After the arrest, according to Kolchenko, he was not beaten and he did not see anyone else being beaten; they were kept in the backyard for another hour or so, and then they were taken to the police department on Hertsen Street to get misdemeanor reports. Two reports were written on Oleksandr Kolchenko: about persistently disobeying legal demands of a police officer and about petty hooliganism. The former report was returned to the police for finalization by Iryna Makarenko, a judge of the Shevchenkivsky District Court of Kyiv; as for the latter report, at a hearing on August 22, the judge found Kolchenko guilty and sentenced him to 40 hours of community service. In their reports, the police claimed that the activist was grabbing their clothes, cursing, spitting and not responding to remarks. Kolchenko denies these allegations.

On September 11, the Kyiv Court of Appeal started the consideration of an appeal of the Shevchenkivsky District Court's ruling in the case of the activist Oleksandr Kolchenko, arrested near the Belarus Embassy, who was sentenced to 40 hours of community service.⁴⁰ At the next hearing,⁴¹ the court studied the video filmed by the *Graty* reporter Stanislav Yurchenko and questioned the journalist himself, as well as the two police officers who wrote the aforementioned reports.

On October 8, the Court of Appeal ruled in favor of Oleksandr Kolchenko, finding him not guilty.⁴²



■ Police officer gives testimony at the Appeal Court about the events at the Belarus Embassy.
Photo credit: Anastasia Moskvychova

Another one of the arrested activists, who asked not to publish his name, reported that the arrested activists were pushed down on their knees in the backyard, and some of them were hit in the torso (he himself underwent a medical examination which revealed that his left shoulder joint was injured; ZMINA has the document at its disposal). Later, at the District Police Department, a misdemeanor protocol was written on him. On August 12, the activist reported that the Shevchenkivsky District Court found him guilty of gross insubordination (Article 185 of the Misdemeanor Code of Ukraine) and sentenced him to the minimum fine allowed by the article; the court did not find the substance of a misdemeanor according to the article on petty hooliganism (Article 173 of the Misdemeanor Code).

⁴⁰ Kolchenko's appeal: The court will question the witnesses of his arrest at the Embassy of Belarus (Апеляція Кольченка: суд допитає свідків його затримання під посольством Білорусі) / ZMINA, September 11, 2020: <https://zmina.info/news/apelyaciya-kolchenka-sud-dopita-svidkiv-yogo-zatrymannya-pid-posolstvom-bilorusi/>

⁴¹ Appeals Court has heard out the witnesses in Kolchenko's case (Апеляційний суд заслухав свідків у справі Кольченка) / ZMINA, September 25, 2020: <https://zmina.info/news/apelyacijnyj-sud-zasluhav-svidkiv-u-spravi-kolchenka/>

⁴² The Kyiv Court of Appeals has found the anti-fascist Oleksandr Kolchenko not guilty of petty hooliganism in the misdemeanor case on the protests at the Embassy of Belarus (Київський апеляційний суд признал невиновным в мелком хулиганстве антифашиста Александра Кольченко по административному делу о протестах у посольства Беларусь) / Graty, October 8, 2020: <https://graty.me/news/kievskij-apellyacionnyj-sud-priznal-nevinovnym-v-melkom-huliganstve-krymskogo-antifashista-aleksandra-kolchenko-po-delu-o-protestah-u-posolstva-belorussi/>

On August 9, there was a presidential election in Belarus. On that day, a rally was held near the Belarus Embassy in Kyiv next to the line of voters. On the next few days, there were several similar demonstrations at the Embassy in response to the police aggression against the peaceful protesters in Belarus who demanded not to recognize the results of the vote.

As of the moment of the publication, protests against the results of the presidential election in Belarus are still going on; workers of state companies, school workers, journalists, former officials, athletes, and the Nobel Prize winner Svetlana Aleksiavich have participated in the protests. Belarus citizens regularly gather for rallies with thousands of participants.

Just in the first few days of the protests, thousands of people were put in jails, where they were subjected to abuse and torture.⁴³ According to the UN, at the moment, at least six participants of the protest rallies are missing.⁴⁴

#intimidation_threats_or_other_forms_of_pressure

#discreditation

#privacy_violations

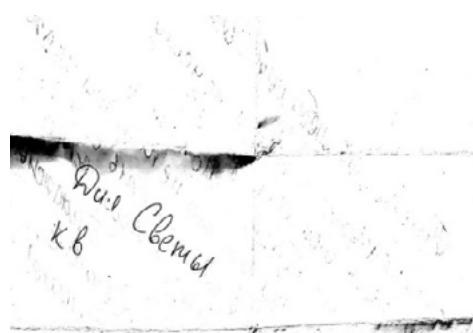
On **August 18, 2020**, in **Kyiv, Svitlana Blahodeteleva-Vovk**, the head of the Point of Growth, Education and Science NGO and the coordinator of the anti-plagiarism initiative Dissergate, reported persecution and recurrent rape threats from a male stranger to ZMINA Human Rights Centre.

The activist assumes that the stalker is being paid by someone, and links the stalking to her actions against plagiarism in scientific papers written by officials: for the past five years, Svitlana Blahodeteleva-Vovk and her comrades have revealed dozens of cases of academic plagiarism, particularly in theses written by Arseniy Yatseniuk, Stanislav Nikolayenko, Lilia Hrynevych and others. In June 2020, after exposing plagiarism in papers written by the acting education minister Serhiy Shkarlet, the activist's Facebook account started to be regularly blocked, and then threats and stalking began.

According to the victim, since July, she has been regularly receiving emails and Telegram messages with threats of sexual nature. At first they were emails and direct messages from different accounts in which the criminal described his fantasies of violent actions against her in detail; later, in August, he started attaching photos of the building where Blahodeteleva-Vovk and her family live, and then photos of Svitlana herself in the street, which signify that the stalker physically follows her and her house.



■ Collage: Svitlana Vovk (left) and a screenshot from the surveillance camera which recorded her pursuer



■ One of the notes received by the victim

⁴³ "A living carpet in a pool of blood": Detainees in Belarus on the conditions in jails ("Живий килим у калюжі крові": затримані в Білорусі розповіли про умови тримання у в'язницях) / ZMINA, August 13, 2020: <https://zmina.info/news/zhyvyyj-kylym-v-kalyuzhi-krovi-zatrymani-u-bilorusi-rozpovaly-pro-umovy-trymannya-u-vyzaznycyah/>

⁴⁴ UN: Six people gone missing during protests in Belarus (ООН: Під час протестів у Білорусі безвісти зникли шестеро людей) / ZMINA, September 2, 2020: <https://zmina.info/news/oon-pid-chas-protestiv-u-bilorusi-bezvisty-znykly-shestero-lyudej/>

When the stalker came again to stick a note in her door and take new photos, the activist called the police. On September 2, Blahodeteleva-Vovk wrote a report about the stalking and threats of sexual violence, but the police registered it as a citizen address, informing the activist about it.

On October 6, when a press conference to publicize this incident was announced, the police told Svitlana Blahodeteleva-Vovk's lawyer Lidia Dmytrus different information: that back on September 13, proceedings were launched according to Article 182 of the Criminal Code of Ukraine (violating the sanctity of private life), although the victim's statement itself was about Article 153 of the Criminal Code (sexual violence). As of the moment of the publication, the police claim that they are conducting an investigation, but the activist continues to receive messages with rape threats.

In addition, before the press conference where Svitlana Blahodeteleva-Vovk planned to speak about the stalking, the politologist Denys Horokhovsky published a post about the activist's allegedly exposed "dark past"; he attached a link to the nezalezhna-ukraina.com website, where a publication, allegedly from 2015 (the only publication in the archive made that year), discusses a supposed court ruling of 2010, in which the activist was found guilty of raping her husband. This information is false, and the domain of the website cited by Horokhovsky, according to Whois.com, was registered in 2020.

In turn, the deputy minister of education Serhiy Shkarlet denies any connection to this persecution and claims that he does not know Svitlana Blahodeteleva-Vovk.⁴⁵

Svitlana Blahodeteleva-Vovk, who has a PhD in Economics, is the head of the NGO Point of Growth: Education and Science, coordinates the Dissergate initiative, and is the author of blogs about education and science on various resources. In addition to her work in science, she participates in environmental civil actions and in actions against illegal construction (in particular, she defended the preservation of Lake Kachyne in Kyiv).

Dissergate is a civil initiative founded by a group of Ukrainian scientists which exposes cases of lack of academic integrity and holds the contest for the Academic Indecency of the Year, where people can vote for the most high-profile scandals in Ukrainian science and education.

The screenshot shows the Whois.com search results for the domain nezalezhna-ukraina.com. The results are as follows:

| Domain: | nezalezhna-ukraina.com |
|----------------|---|
| Registrar: | Tucows Domains Inc. |
| Registered On: | 2020-01-09 |
| Expires On: | 2021-01-09 |
| Updated On: | 2020-01-09 |
| Status: | clientTransferProhibited clientUpdateProhibited |
| Name Servers: | 1-you.njalla.no 2-can.njalla.in 3-get.njalla.info |

Whois.com, a network protocol which provides access to public IP and domain name registries

⁴⁵ The person who exposed plagiarism in Shkarlet's works reported threats. He responded (Викривачка плаґіату в роботах Шкарлета заявила про погрози. Він відреагував) / Suspiine. News, October 7, 2020: <https://suspiine.media/69037-vikrivacka-plagiatu-v-robotah-skarleta-zaavila-pro-pogrozi/>

#obstruction_of_peaceful_gatherings

#physical_attack

On **August 30**, 2020, in **Odesa**, right-wing radicals attacked the participants of a demonstration in support of the LGBTI community, organized as a part of the **OdesaPride**. According to the organizers, at least 16 people became victims, but not all of them reported it to the police.

The final event of the pride week in Odesa was supposed to be a march, but, as the organizers indicated,⁴⁶ because their opponents—individuals with the symbols of the far-right organization Tradition and Order and protesters “for the traditional family”—came to the location of the march’s beginning near the monument to Duke, the location was moved to Dumska Square, and the demonstration was made static, as the police suggested for the purpose of ensuring public order.

The information was published on the OdesaPride Facebook page less than half an hour before the demonstration started. Meanwhile, when the demonstrators gathered in Dumska Square, a column of right-wing radicals started heading there; they began throwing eggs and spraying pepper spray from cans into the crowd. There was a confrontation with the police.

One of the victims, who characterizes himself as a trans person and asked not to mention his name in the publication, told us that he got bruises on his hands and skin irritation (a chemical burn) because pepper spray was used against him. The activist notes that the radicals started using violence even before the demonstration began, and the victims of their attacks were mostly girls. He recognized some of the attackers and claimed that they came to Odesa from Zaporizhia. In addition, the activist recalled a dialogue with a stranger during the events described here, who came up to him and declared that LGBT people were “sick,” but if he (the victim) was raped, then he would become “like all the normal girls.” The victim decided not to report it to the police, he said it was because he did not have the time, he had to help his underage friend, who also participated in the demonstration, to get to a safe place.

Another victim, a volunteer for the **Gay Alliance Ukraine**, confirms that the attack started even before the demonstration, when the participants were arranging the props. Several people used pepper spray against her. She reported the attack to the police. Later, after returning home in a taxi, she decided to go for a walk in the nearby park. She was met there by two young men who recognized her and started threatening her. Later, at around 2 a.m., the same people together with their comrades (she saw two, but she says she heard some other people’s voices, too) came again, but this time to her home. The activist did not open the door. For some time after the incident, she had to hide at her friends’ house, because she was afraid for herself and her family if the people who threatened her returned.

Another victim who participated in the demonstration, **Veronika Nikolska**, reported chemical burns and beating (she was hit on the back of her head and on her back), as a result of which she suffered a closed brain injury, hemorrhage in the right front part of her head, and has hematomas on her body (this has been recorded by medical professionals). The activist also witnessed the attackers throwing rocks, eggs and lumps of soil at the demonstrators. According to the girl, during the demonstration, they called the police 11 times in vain, but they managed to submit a state-



Photo of the Dumskaya publication

⁴⁶ Odesa Pride 2020 (Одесса Прайд 2020), Facebook page: <https://www.facebook.com/OdessaPride/posts/2715743425305221>

ment only the next day. In addition, according to Nikolska, after the demonstration, the community center was surveilled by the radicals, who photographed and filmed the people who came there and exchanged the recordings on their social media channels. As of September 4, the investigator has not contacted her.

Another one of the victims, **Yulia Sirous** (a non-binary person whose pronoun is “they”), says that some opponents were allowed to pass through the National Guard cordon (in particular, Rita Sakhalinska and some men who threatened the female activists with rape), and those who were not allowed to pass threw eggs, bottles of paint, parts of banners taken from LGBTIQ activists over the police cordon (according to the victim, they were hit several times), and sprayed pepper spray, including at the police. Some were allowed to pass because they had journalist IDs. One of these “journalists,” according to Sirous, upon passing the cordon, started shouting insults and threats at the demonstrators and filmed everything on his phone. After the incident, the activists tried to call the police to the community center’s address for several hours in a row, but the police never came. They managed to submit a statement only when the victims were at the bus station, preparing to return to Kyiv after the demonstration. It is yet unknown whether a case has been opened.

Soon after the incident, Tradition and Order called the beating of the people at the demonstration their victory and encouraged others to join their Odesa branch.⁴⁷

As a result of the attack on the demonstration, two police officers were hospitalized, 16 people were arrested.⁴⁸ Later, at the request of a participant of the peaceful gathering, the police replied that misdemeanor reports were written for the attackers based on Article 173 (petty hooliganism), and for some based on Article 185 (persistently disobeying legal requests of a police officer) of the Criminal Code. As the Ukrainian Helsinki Human Rights Union (UHHRU) reported later, twelve of the attackers had to pay a fine.⁴⁹

In addition, Illia Popkov, a member of Tradition and Order, had a misdemeanor protocol written about him for violating the quarantine, but on October 8, according to the head of TaO Bohdan Khodakovsky,⁵⁰ he was acquitted.

As of August 31, five participants of the demonstration had submitted statements to the police about the bodily harm caused to them, but, according to UHHRU, no proceedings were launched on the basis of these statements. In September, OdesaPride activists, supported by UHHRU, submitted a statement to the Main Office of the Odesa Region Police regarding an official investigation which should determine if the police defended them properly on the day of the pride.



These items, among others, were thrown at the activists.
Photo credit: Yulia Sirous



Activists took a photo of one of the men who threatened them.
Photo: Yulia Sirous

⁴⁷ Tradition and Order (Традиція і порядок), Telegram channel: https://t.me/tradition_and_order/7985

⁴⁸ Law enforcement officers delivered sixteen public order violators to Prymorsky Police Department from Dumska Square (UPDATED) (До Приморського відділу поліції з Думської площа правоохоронці доставили шістнадцятьох порушників громадського порядку (ОНОВЛЕНО)) / National Police. Odessa Region: <https://od.npu.gov.ua/news/zvichajni-novini/do-primorskogo-viddilu-policzijji-z-dumskoji-pravooskoronczi-dostavili-shistnadcyatox-porushnikiv-gromadskogo-poryadku/>

⁴⁹ Ukrainian Helsinki Human Rights Union (Українська Гельсінська спілка з прав людини), official Facebook page: <https://www.facebook.com/Ugspl/posts/3357200760994523>

⁵⁰ Bohdan Khodakovsky (Богдан Ходаковський), personal Facebook page: <https://www.facebook.com/bohdan.khodakovsky/posts/815784089250814>

According to *Graty*,⁵¹ on September 1, the Prymorsky District Court of Odesa chose a preventive measure for Mykyta Shevchenko, a 17-year-old resident of Kryvyi Rih, in the form of nightly house arrest. He was declared a suspect in a case of violence against a police officer (Article 345 of the Criminal Code) during the disruption of the OdesaPride demonstration in support of LGBT by members of the right-wing radical organization Tradition and Order. Shevchenko denies his guilt. He says that video records show that the person who attacked the police officer was wearing different clothes.

OdesaPride is a series of educational, cultural and human rights events in support of the LGBTIQ community which takes place in Odesa. In addition to it, there were pride events in Kyiv, Kharkiv and Zaporizhia this year.

#physical_attack

On **August 31**, 2020, in **Odesa**, the civil activist **Serhiy Sternenko** was attacked near the Prymorsky District Court before the beginning of a hearing in his case: two men poured liquid from a bottle on him and fled, and two others filmed it.

As ZMINA Human Rights Centre has been informed by a witness of the attack, **Vlada** (she asked not to specify her last name), the attackers were two young men in black hats who looked younger than 18. She also saw a man who was filming a video; he was later interrogated by the police.



Attack on Serhiy Sternenko near the court. Photo credit: Stas Yurchenko, Graty

At the same time, *Graty* reports that the police arrested two men who filmed the attack.⁵²

In the evening of the same day, Serhiy Sternenko wrote on his Facebook page⁵³ that he identified three of the attackers (according to him, there were four of them); he named them and published their photos.

On September 1, it became known that Sternenko's lawyers filed a lawsuit about the attack.⁵⁴

Earlier, on August 25, 2020, the Supreme Court of Ukraine denied the activist Serhiy Sternenko's request to change the jurisdiction of the case in which he is featured as a suspect, so the case is being considered by the Prymorsky District Court of Odesa. The first substantial hearing of the case was on August 31.

Serhiy Sternenko is an activist from Odesa, former head of the regional branch of the Right Sector, later of the NGO Nebayduzhi. In Odesa, he participated in protests against the development of the Summer Theater of Odesa.

⁵¹ Odesa court sent one of the suspects in the attack on Odesa Pride to overnight house arrest. The victims are five police officers and 16 participants of a demonstration for LGBT rights (Одесский суд отправил под ночной домашний арест одного из подозреваемых в нападении на «Одесса-Прайд». Пострадавшие – пятеро полицейских и 16 участников акции за права ЛГБТ) / *Graty*, September 1, 2020: <https://graty.me/news/odesskij-sud-otpravil-pod-nochnoj-domashnij-arest-odnogo-iz-podozrevaemyh-v-napadenii-na-odessa-prajd-postradavshie-pyatiero-policejskih-i-16-uchastnikov-akcii-za-prava-lgbt/>

⁵² *Graty* (Грати), the publication's Facebook page: <https://www.facebook.com/graty.me/posts/339587347404090>

⁵³ Serhiy Sternenko (Сергій Стерненко), personal Facebook page: <https://www.facebook.com/sternenko/posts/2805048369771494>

⁵⁴ Miller, law office (Міллер, юридична компанія), official Facebook page: <https://www.facebook.com/millerlawfirm/photos/a.406824629404660/3288910251196069/?type=3&theater>

In 2018, Sternenko was attacked three times: in February, the activist was beaten and suffered stab wounds; in May, he was hit in the neck with a rubber bullet. During the third attack, on May 25, 2018, Sternenko fatally wounded one of the two attackers, Ivan Kuznetsov.

In May 2020, in the case of the third attack on Serhiy Sternenko, Oleksandr Isaykul and the deceased Ivan Kuznetsov were declared suspects by the police. The suspects' actions were categorized as hooliganism with the use of a weapon or another object adapted to causing bodily injuries. At the same time, Sternenko himself was also declared a suspect in the intentional murder of Kuznetsov and illegal carrying of a cold weapon.

■ SEPTEMBER 2020

#physical_attack

#privacy_violations

On September 1, 2020, in Odesa, two unidentified individuals attacked the activist **Oleksandr Romaniuk**, who came to a hearing of Serhiy Sternenko's case, as he was walking to the railway station after the hearing in order to return home.

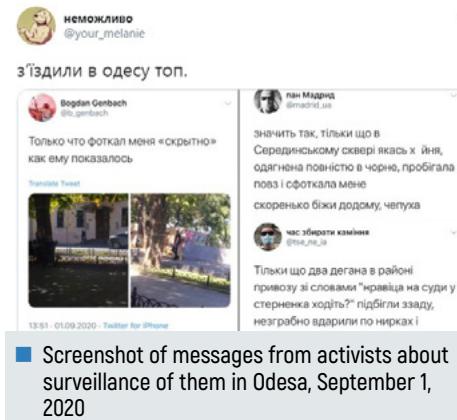
According to the victim, he walked through the back alleys to take a shortcut. He did not notice the attackers right away because he was talking on the phone. They attacked him from behind, knocked the phone out of his hands, hit him a few times and fled. As Romaniuk indicates, one of them said something like "So, do you like coming to Sternenko's trials?"

According to him, he does not intend to go to the police, he did not see the attackers in detail. The activist cannot rule out that they were following him from the courthouse, but he also thinks that they could have simply recognized him as a participant of protests in support of Sternenko, which were held near the Prymorsky District Court of Odesa during the hearings.⁵⁵

Meanwhile, at least another two social media users also reported that they were followed after the hearing. According to them, unidentified individuals filmed them with their phones. One of them, **Bohdan** (who asked not to mention his last name in the publication), says that he noticed a man wearing a medical mask who was following him in Seredynsky Park in Odesa. It seemed like he was taking photos or videos on his phone, facing in the activist's direction, but when he saw that the activist noticed him, he quickly walked away.

None of these activists went to the police.

Oleksandr Romaniuk calls himself a "citizen who cares." According to him, he is not a member of any civil society organization or movement, but he tries to attend protests and hearings, particularly the ones related to Serhiy Sternenko's case.



■ Screenshot of messages from activists about surveillance of them in Odesa, September 1, 2020

⁵⁵ In Odesa, an activist who came to a court hearing in the Sternenko case was attacked (В Одесі напали на активіста, що приїхав на суд у справі Стерненка) / ZMINA, September 1, 2020: <https://zmina.info/news/v-odesi-napaly-na-aktyvista-shho-pruyihav-na-sud-u-spravi-sternenka/>

Bohdan came from Khmelnytsky specifically to attend a hearing in Serhiy Sternenko's case. When it became known that the hearing was postponed until the next day, he, together with Oleksandr and a few other people, found an apartment to spend the night.

#physical_attack

#intimidation_threats_or_other_forms_of_pressure

On **September 5**, 2020, in **Dnipro**, there was an attack on **Oleksandr Snisar**, the head of the Anti-Corruption Human Rights Council (an organization which presents itself as an information agency), near his house.

The attack happened when Snisar was returning from one of the local TV channels where he appeared in a show. He was hit on the head.

The attackers did not take anything, so his colleagues rule out robbery. Instead they say that members of the organization constantly receive threats from people featured in anti-corruption investigations. As ZMINA Human Rights Centre learned from a member of the Anti-Corruption Human Rights Council who asked not to mention his name in the publication, five days before the incident, the victim's Facebook account was blocked and marked as "deceased," but the victim ignored it.

As of September 8, the victim was in hospital in a serious condition. The local publication *Nashe Misto* reported that he was in intensive neurological care with a severe brain injury, a broken jaw and other fractures in his skull.⁵⁶

On September 8, the Anti-Corruption Human Rights Council published a statement in which they said that the attack was ordered by someone.⁵⁷

The Dnipropetrovsk Region Police opened a case according to Part 2 of Article 15; Part 1 of Article 115 (attempted intentional murder) of the Criminal Code of Ukraine. On September 14, the case was handed over to the Central Office of the National Police in Dnipropetrovsk Region.

On October 1, the police reported the arrest of two people (male, 28 and 37, from Kamyanske) in this case; both of them were declared suspects, and their residences were searched. In addition, according to the National Police, information about another man's involvement is being verified.⁵⁸

In late September, the Facebook page of the Anti-Corruption Human Rights Council published a post⁵⁹ on behalf of Oleksandr Snisar saying that he had returned to work after treatment.

⁵⁶ In Dnipro, an activist who investigated corruption in regional health care has been brutally beaten (В Дніпрі зверски избит активіст, розслідовавши корупцію в областній медицині) / Nashe Misto, September 7, 2020: <https://nashemisto.dp.ua/2020/09/07/v-dnepre-zverski-izbit-aktivist-rassledovavshij-korrupciju-v-oblastroj-medicine/>

⁵⁷ Anti-Corruption Human Rights Council (Антикорупційна правозахисна рада), Facebook page: <https://www.facebook.com/pravrada1/photos/a.672506289457959/4493380040703879/?type=3&theater>

⁵⁸ The police arrested two suspects in a murder attempt at an activist in Dnipro (За замах на вбивство активіста у м. Дніпро поліція затримала двох підозрюваних) / National Police. Dnipropetrovsk Region: <https://dp.npu.gov.ua/news/podiji/za-zamax-na-vbivstvo-aktivista-u-m-dnipro-policiya-zatrimala-dvox-pidozryuvanix/>

⁵⁹ Anti-Corruption Human Rights Council (Антикорупційна правозахисна рада), Facebook page: <https://www.facebook.com/pravrada1/posts/4587664967942052>

The information agency Anti-Corruption Human Rights Council was created on May 25, 2012. According to the agency's website,⁶⁰ the association involves former law enforcement officers, officials of control agencies, lawyers, journalists, members of other partner non-governmental organizations. The Council exposes violations of the current law by legal entities (with various forms of ownership and subordination), officials and citizens, reporting the discovered facts to the law enforcement or control agencies.

#destruction_or_damage_of_property

#intimidation_threats_or_other_forms_of_pressure

On **September 7**, 2020, co-organizers of **KharkivPride** told ZMINA Human Rights Centre⁶¹ about a series of attacks on their LGBTIQ community center, PrideHub, which took place over one week.

In particular, according to them, on **August 31**, two young men threw eggs at the entrance to the community center and wrote "Sodom" on its wall. In a few days, at night, three other young men threw eggs again and poured urine on the Hub's front door, and wrote "This is the beginning" and "Happy pride" on the front of the building. According to **Anna Sharyhina**, the head of **Sphere** and a co-organizer of KharkivPride, this time the attackers did not try to hide their faces, and she recognized them: they were members of the Kharkiv branch of the far-right organization Tradition and Order.

On the night of **September 7**, masked people broke windows in the office part of the building.

After the last incident, the Telegram channel of the far-right organization Freikorps published photos of the damaged building with a caption that they "received photos of the results of a night wind which seriously rattled the local den of perversion today."⁶²

This post was also shared by the page of the aforementioned Tradition and Order.

The pride week in Kharkiv started on September 4, and its final event, the March for Equality, went peacefully and without incidents on September 13 in the format of a car rally.

As a reminder, earlier, Tradition and Order encouraged its sympathizers to think about using "non-peaceful" means of protest against this year's KharkivPride. Later, after the attack on an OdesaPride demonstration, the organization confirmed its intention to use similar methods in Kharkiv.



Photo credit: NGO Sphere

⁶⁰ Anti-Corruption Human Rights Council (Антикорупційна правозахисна рада), website: https://com1.org.ua/?fbclid=IwAR37qfGxlfqJnk8SKc3xg5-mqcdPdl9uqnQTq5_hiPOx_zUrqd3Y2frxEo

⁶¹ In a week, the LGBT community center Pride Hub in Kharkiv was attacked three times (За тиждень у Харкові тричі атакували ком'юніті-центр для ЛГБТ "Прайд-хаб") / ZMINA, September 7, 2020: <https://zmina.info/news/za-tyzhden-do-marshu-rivnosti-v-harkovi-trychi-atakuvaly-komyuniti-czentr-dlya-lgbt/>

⁶² Freikorps (ВПО Фрайкорпс), Telegram channel: https://t.me/freikorps_org/1344

#physical_attack

#intimidation_threats_or_other_forms_of_pressure

On **September 8**, 2020, near the CityMarket mall in **Hostomel** in Kyiv Region, there was an attack on the civil activist **Anton Kudinov** while he was filming (streaming on Facebook) a conversation with the current mayor of the village Yuriy Prylypko.

According to the victim, he saw Prylypko by accident and decided to use the opportunity to ask him about the results of his work in office in the past five years, since he and a group of like-minded people were trying to organize the event #BattleOnFacts for this purpose and had registered a petition on the subject on the village council website. Prylypko, however, did not want to talk to Kudinov; his bodyguard started pushing the activist away, but the latter continued following them to the car and streaming.

At that moment, right in the middle of the livestream, according to Anton Kudinov, the village head's relatives (Rostyslav Skurativskyi, the founder of NGO Agency for the Development of Hostomel, who, according to the victim, is Yuriy Pylypko's son-in-law) and some other men ran out of the mall, started beating the activist (he says that this was done by the son-in-law's brother) and took his phone away. Kudinov broke free and jumped into the mall. The man says that he got help from a mall employee who called the police.

When the police arrived, it turned out that the attacker brought the victim's phone to the mall and gave it to the workers of a bar located inside, after deleting the stream and several of Kudinov's posts.

According to the victim, the police started proceedings according to Article 125 of the Criminal Code of Ukraine (intentionally causing light bodily injuries).

According to the information received by the Ukrainian Helsinki Human Rights Union,⁶³ whose public reception lawyer represents the activist's interests in this case, on September 11, Kudinov got a call from an acquaintance who said that he met a man at the village council who showed him materials from Kudinov's phone. The activist is convinced that when the attackers stole his cell phone, they managed to copy its data and look through his social media messages. In particular, he messaged this acquaintance about the activities of the mayor of Hostomel and exchanged documents with him.

Anton Kudinov claims that he is not a member of any NGOs or parties, but acts as an active citizen of Hostomel together with a group of like-minded people (they coordinate in local social media groups such as True Hostomel, etc.). For instance, they opposed the destruction of green areas in Hostomel and illegal construction.

On September 28, Kudinov wrote on his Facebook page⁶⁴ that he was running for the office of the head of the Hostomel Amalgamated Territorial Community.



Photo from Anton Kudinov's Facebook page

⁶³ Hacked social media page, threats and robbery live: What was Anton Kudinov attacked for (Злам соцсторінки, погрози та грабіж у пряму етері: ЗАЦЮ напали на Антона Кудінова) / Ukrainian Helsinki Human Rights Union, September 12, 2020: <https://helsinki.org.ua/articles/zlam-sotsstorinky-pohrozy-ta-hrabizh-u-priamu-eteri-zashcho-napaly-na-anton-a-kudinova/>

⁶⁴ Anton Kudinov, personal Facebook page: <https://www.facebook.com/antonio.kudinov/posts/2756932211244939>

#physical_attack

In the morning of **September 8**, 2020, in **Dnipro**, two unidentified individuals beat up the head of the local union of drivers and auto-transporters **Mykhailo Tonkonohy**. The attack took place when the man was going to a meeting with representatives of the Dniprobas company and the local government.

According to the victim's testimony, the attackers were wearing medical masks, and one of them was also wearing a vest with the symbols of the union which Tonkonohy represents. The police later found the vest in a garbage can near the location of the attack.

According to the activist, he reported the attack to the police. Doctors recorded that he had a broken nose, a concussion, bruises and contusions. In addition, Tonkonohy speaks about threats which he received from Dniprobas earlier and immediately after the incident. He also mentioned this in a Facebook stream which he started broadcasting after the attack as he was waiting for the police to arrive. But the dialogue with the threats itself is not recorded in the video which is currently online.

At the same time, some media wrote about a conflict within the union, allegedly over membership fees. Mykhailo Tonkonohy denies it.⁶⁵

The Dnipropetrovsk Police started proceedings based on the fact of the attack on the activist according to Part 2 of Article 296 of the Criminal Code of Ukraine (hooliganism). As of September 14, nobody was declared a suspect.

The Dnipropetrovsk City Independent Trade Union of Autotransporters, Entrepreneurs and Company Workers was founded in 2006. Mykhailo Tonkonohy became its head in 2011. In addition to the actual union work, Tonkonohy is an active blogger who covers transportation-related problems in Dnipro and speaks in the media as an expert on transportation infrastructure.

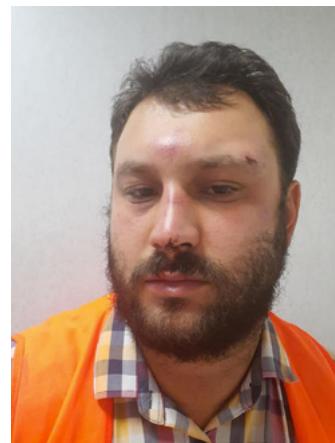


Photo from Mykhailo Tonkonohy's Facebook page

#destruction_or_damage_of_property

On **September 12**, in **Odesa**, there was an attack on a community centre for LGBTQ people, **Queer Home**. As reported by **Gay Alliance Ukraine**,⁶⁶ before the centre opened, during non-working hours, a group of young men climbed over the fence into the private territory and posted agitation posters of the right-wing radical organization Tradition and Order on their front door.

Representatives of the organization view it as an act of intimidation. They reported it to the police as a crime, but the police registered it as a citizen address.



Photo from the Instagram page of Gay Alliance Ukraine

⁶⁵ In Dnipro, the leader of the autotransporters' union was attacked (У Дніпрі напали на керівника профспілки автоперевізників) / ZMINA, September 8, 2020: <https://zmina.info/news/u-dnipro-napaly-na-kerivnyka-profspilky-avtopereviznykiv/>

⁶⁶ Right-wing radicals covered the entrance to an LGBTQ community center in Odesa with their posters (Праворадикали заклеїли своїми плакатами вхід до ком'юніті-центру для ЛГБТК в Одесі) / ZMINA, September 14, 2020: <https://zmina.info/news/pravoradykaly-zakleyili-svoimy-plakatamy-vhid-do-komyuniti-czentruly-lgbtik-v-odesi/>

After this, as the organization's head Anna Leonova indicates, the right-wing radicals started coming to the community centre every Saturday, sticking posters to their doors and sometimes blocking the keyhole with matches.

Queer Home is a network of community centres for LGBTIQ people which operate in a number of Ukrainian cities. They host educational, cultural and human rights events, and some of them also act as service centers where, on some days, one can, for instance, take a quick HIV test, etc.

#discreditation

On **September 16, 2020**, **Oleksandr Dubinskyi**, a Sluga Narodu MP, published a statement in which he accused the Ukrainian office of **Transparency International** of corrupt abuses and wrong reporting and wrote about an allegedly initiated check of the anti-corruption organization by the National Agency for the Prevention of Corruption (NAPC) and the State Tax Administration.⁶⁷

Transparency International representatives assume that this was about Dubinskyi's MP request and point out manipulations in his words. In particular, as they explained in an official statement,⁶⁸ every year, the organization has an audit of the results of its activities; donors and international partners invite audit firms to check the NGO's activities in specific projects: in the past two years only, such checks were initiated by the European Commission, SIDA, GIZ, EU Anti-Corruption Initiative in Ukraine, Pact and UNDEF, and no violations were found.

The organization believes that this is about systematic discreditation of all effective civil society organizations in Ukraine as a form of pressure, which aims to create obstacles for the active cluster of society.

ZMINA sent a request to the NAPC to find out if the agency had taken any steps following Dubinskyi's statement, but they refused to provide this information. The Transparency International office representatives themselves noted that as of October 9, they did not know about any checks regarding them either.

Transparency International Ukraine is an accredited representative of the global Transparency International movement that takes a comprehensive approach to developing and introducing changes in order to reduce corruption.

The Ukrainian branch of Transparency International started in Kropyvnytsky (then Kirovohrad) in 1999. On June 1, 2012, the local NGO TORO Creative Association was officially renamed into NGO Transparency International Ukraine. In October 2014, TI Ukraine received full official accreditation as a representative of the global movement. This happened at the annual congress of Transparency International.

Transparency International is present in more than 100 countries. The organization is known the most for the Corruption Perceptions Index and the Global Corruption Barometer.

⁶⁷ Dubinsky initiated checks by the Tax Authority and the NAPC at Transparency International Ukraine (Дубинський ініціював проверки Налогової и НАПК в «Трансперенсі Інтернешнл Україна») / AD. Aleksandr Dubinsky's website. Facts and rumors about big money, September 16, 2020: <https://dubinsky.pro/news/dubinskiy-iniciroval-proverki-nalogovoy-i-napk-v-transperensi-interneshnl-ukrayina>

⁶⁸ STOP DISCREDITATION FOR PERSONAL GAIN: TI UKRAINE RESPONDS TO MANIPULATIONS BY AN MP (ДОСИТЬ ДИСКРЕДИТАЦІЇ ДЛЯ ВЛАСНОЇ ВИГОДИ – TI UKRAINE ВІДРЕАГУВАЛА НА МАНІПУЛЯЦІЇ НАРДЕПА) / Transparency International Ukraine, September 16, 2020: <https://ti-ukraine.org/news/dosyt-dyskredytatsiyi-dlya-vlasnoyi-vygody-ti-ukraine-vidreaguvala-na-manipulyatsiyi-nardepa/>

#intimidation_threats_or_other_forms_of_pressure

On **September 18**, 2020, the activist **Serhiy Sternenko** reported threats by some representatives of the far-right organization Tradition and Order because he expressed an opinion about the pro-Russian nature of this organization's activities and its connections with law enforcement structures.

As the activist told ZMINA Human Rights Centre, the user Ivan Pylypchuk recorded a video in the Stories where he demands that Sternenko provide evidence of TaO's connections to Russia and threatens to "meet" him otherwise.⁶⁹ After this, according to Sternenko, he published a post on Facebook about the threats and expressed criticism of TaO's attacks on women and cultural figures. As of September 22, he had not received any other threats from other representatives of the right-wing radical organization; he did not report the threats to the police either.

In its previous quarterly report, ZMINA published materials on how TaO representatives wrote threats in June in Instagram stories against an activist who removed some of their posters from a wall in Podil which contained discriminatory rhetoric about the LGBT and wrote about it on social media.

Serhiy Sternenko is a civil activist from Odesa who lives in Kyiv. He studies law, records blogs. He used to be the leader of the Odesa branch of the Right Sector and NGO Nebayduzhi. In 2018, he was attacked by armed individuals three times, and during the last attack, he fatally wounded one of the attackers and is now featured in a criminal case on this episode. During the trial, which was assigned to Odesa, Sternenko was also attacked by unidentified young men (*see above*).



■ Screenshot from a video with threats against Serhiy Sternenko

#intimidation_threats_or_other_forms_of_pressure

In the evening of **September 20**, 2020, in **Kyiv**, right-wing radicals disrupted a screening of a documentary from the last Sundance Film Festival program, *Hail Satan?* (USA, 2019), which was scheduled at the House of Cinema. The film is about the Satanic Temple, a group of American activists who advocate for secularization and mock the relations between the government and Christian organizations with "hooligan" art actions.

One of the screening organizers, **Natalia Soboleva**, says that before the event, she received a "warning" from her acquaintances at the State Film Agency and threats from a stranger, who supposedly wrote to her at 4 a.m.

About half an hour before the beginning of the screening, a group of young men in balaclavas came to the building where the event was supposed to take place from the direction of the Olimpiyska Subway Station. Some were wearing symbols of the right-wing radical organization Tradition and Order; in addition, the organizers say that there were also representatives of Dmytro Korchynskyi's Brotherhood, and one Orthodox priest (and before the event, Facebook user Yarros Von Yasenets called people to hold a prayer against the screening⁷⁰).

⁶⁹ Tradition and Order members threaten Sternenko for criticizing their organization (Представники «Традиції і порядку» погрожують Стерненку за критику їхньої організації) / ZMINA, September 23, 2020: <https://zmina.info/news/predstavnky-tradyciy-i-poryadku-pogrozhuyut-sternenku-za-krytyku-yihnoyi-organizacziyi/>

⁷⁰ Yarros Von Yasenets, personal Facebook page: https://www.facebook.com/yarros.vonyasenets/posts/10217815514004839?hc_location=ufi

The right-wing radicals entered the building and blocked the entrance to the film hall: first they tried to occupy all the seats, then they formed a living chain, not allowing people in and, at the same time, not letting about 30 viewers who had already entered the hall to get out. Some of the viewers who came to the screening and could not get inside also told ZMINA Human Rights Centre that the attackers threatened to “release gas” into the room (they probably meant pepper spray).

The organizers say that they addressed the police who were present nearby, but they did not do anything: at first allegedly because the right-wing radicals were not hitting anyone, and they themselves did not want to provoke a confrontation with them. Then, as another organizer, Oleksandr (who asked not to mention his last name in the publication), told us, representatives of the House of Cinema administration came and said that they were cancelling the event for safety reasons. The organizers led people out through the back door. They were not informed about any victims.

The right-wing radical organization Tradition and Order took responsibility for the incident,⁷¹ writing about it on their Facebook page.

The Blow Up film club was created at the Kinopanorama cinema to demonstrate the best films of the world cinema; it was named after Michelangelo Antonioni’s film which won the main prize at the Cannes IFF in 1967. When Kinopanorama was closed in 2018, the film club was moved.

Natalia Soboleva is a former director of Kinopanorama, kulturtrager and journalist.

#intimidation_threats_or_other_forms_of_pressure

#obstruction_of_peaceful_gatherings

On **September 20**, 2020, an unidentified man threatened the participants of the **March for Equality in Zaporizhia** with a weapon.

On that day, as a part of ZaporizhiaPride, the city hosted its first March for Equality, a traditional march for LGBT rights, the only one that took place in Ukraine in 2020. The march was attended by about 500 people.⁷²

The event was guarded by a cordon of police and National Guard officers, because about fifty representatives of right-wing radical and Christian organizations, as well as supporters of “traditional values,” gathered for a counter-protest at the same time. In particular, Tradition and order, as well as the Love Against Homosexualism and All Together movements were represented.

As reported by a representative of ZMINA Human Rights Centre who monitored the march, even before its beginning the march’s opponents tried to enter the square where it was supposed to start, but they were pushed away by the police.



Participants of the March for Equality in Zaporizhia. Photo credit: Yelyzaveta Sokurenko

⁷¹ In Kyiv, Tradition and Order disrupted a screening of a documentary about Satanism (У Києві “Традиція і порядок” зірвала показ документального фільму про сатанізм) / ZMINA, September 21, 2020: <https://zmina.info/news/u-kyyevi-tradyciya-i-poryadok-zirvala-pokaz-festyvalnogo-dokumentalnogo-filmu-pro-satanizm/>

⁷² “Zaporizhia is our city, there’s no place for homophobes here”: Photo report from the March for Equality (“Запоріжжя – наше місто, гомофобам тут не місце”: фотопротяг з Маршу рівності) / ZMINA, September 20, 2020: <https://zmina.info/articles/zaporizhzhya-nashe-misto-gomofobam-tut-ne-misce-fotoreportazh-z-marshu-rivnosti/>

Near the end, when the demonstration participants were articulating their demands (to legalize civil partnerships, to introduce criminal responsibility for hate crimes based on sexual orientation and gender identity, etc.), the police carried a man out of the crowd.

The police later reported that aggressive young men tried to throw firecrackers and eggs at the activists during the demonstration. However, the law enforcement officers prevented it.

Three people were arrested during the demonstration for violating public safety and order.

One of them had a gun which he pointed at the participants of the demonstration for LGBT rights. The Ukrinform information agency⁷³ reported that, according to the arrested man, he wanted to shoot the participants because he “hated representatives of the non-traditional orientation.”

Two other men, 39-year-old local residents, had misdemeanor reports written on them according to Articles 173 (petty hooliganism) and 185 (persistently disobeying a legal order or demand by a police officer) of the Misdemeanor Code of Ukraine.

On September 21, Zaporizhia police told *Graty* that they had started proceedings on illegal handling of weapons (according to preliminary data, it was a non-lethal gun with Flobert caps), but the arrested man was released without being declared a suspect.⁷⁴

ZaporizhiaPride is a human rights event in support of the LGBT community. In 2020, it was held in Zaporizhia for the first time and ended with an offline March for Equality, unlike the other pride events this year, which were held online (in Kyiv) or as car rallies (Kharkiv) due to the quarantine. According to the organizers, thanks to effective action by the police, no participants were injured during the march or after it.

#illegal_detention_or_search

On **September 24, 2020**, in **Kyiv**, **Dmytro Nesviatypaska**, the head of the Student and Teacher Union of the Ivan Pidubny Olympic College, and a student **Yehor Bataron**, who protested against merging their college with the National University of Physical Education and Sports, were arrested by the police and taken to the Desniansky District Department of Kyiv. The former had a misdemeanor report written about him and was released, but the latter spent the night in a temporary detention cell and then released without being declared a suspect or having a report written on him.



■ Screenshot from a video showing the arrest of Dmytro Nesviatypaska

A few hours before these events, there were confrontations near the Olympic College. On that day, the university rector Yevhen Imas came to the college with a liquidation commission and the police, and they were met by the institution’s students and teachers to express protest. In a video pub-

⁷³ During Zaporizhia Pride, the police arrested a man with a gun (Під час ЗапоріжжяПрайду поліція затримала чоловіка з пістолетом) / Ukrinform, September 20, 2020: <https://www.ukrinform.ua/rubric-regions/3103140-pid-cas-zaporizzaprajd-policia-zatrimala-colovika-z-pistoletom.html>

⁷⁴ The police have released the man who threatened Zaporizhia Pride with a gun (Поліція отпустила мужчину, грозившого запорожскому Прайду пістолетом) / Graty, September 21, 2020: https://graty.me/news/policiya-otpustila-muzhchinchu-grozivshego-zaporozhskomu-prajdu-pistoletom/?fbclid=IwAR35rjVyQc_qZ6QgudLljtZzj8ZfvCLW_NjwUv9jnoyZ0r7zyo0KLiwMUBg

lished by Hromadske,⁷⁵ one can see an argument that started between the sides, and then Imas was picked up and carried towards a garbage bin, throwing flour at him; after this, the police intervened and started beating the protesters and using special equipment, as a result of which the college student government head **Kateryna Zhdanovych** and some teachers were driven away in an ambulance, and a few other students and teachers were injured.

The arrest of Nesviatypaska and Bataron, however, took place later, when the confrontation ended. As **Bohdan Hrytsay**, a teacher at the college and a freestyle fighter, told ZMINA Human Rights Center, the men were going to lunch.⁷⁶

In a video published on the college Facebook page, one can see the police brutally arresting a young man wearing a white T-shirt (Dmytro Nesviatypaska), grabbing him by the neck from behind.

Later, in the evening, the head of the union was released after a misdemeanor report was written about him for disobeying a legal demand of a police officer, while Bataron was put in a temporary detention cell, where he stayed until September 25. College representatives said that he was about to be declared a suspect according to the hooliganism article of the Criminal Code, because the Kyiv police reported opening such a case.⁷⁷

As a result, Bataron was released without being declared a suspect, according to his lawyer Yuriy Samson. The information was confirmed by the Desniansky District Police Department, who indicated that he was not declared a suspect because the Prosecutor's Office did not approve it. But in just a few hours, the Kyiv Police website published a message that a 20-year-old student was actually declared a suspect according to this article⁷⁸ (Bataron supposedly matches the description, but his lawyer denies receiving and signing the suspicion papers).

It has also become known that the police wrote a misdemeanor protocol on another Olympic College teacher, **Stanislav Zakharkiv**, according to the same article as for Dmytro Nesviatypaska.

In early September, the Cabinet of Ministers passed a decree with which it merged the college with the National University of Physical Culture. According to the documents, the students who already study there will continue their studies on the same terms.⁷⁹

At the same time, representatives of the college stated that the purpose of this decision was to later develop the land plot where the college is located. In addition, according to them, there is a secondary school on the basis of the college, teaching children in 6th-11th grades, and the school will be closed, because it is not mentioned in the document.⁸⁰

⁷⁵ In Kyiv, a fight around the Olympic College (В Києві подрались из-за Олімпійського коледжа) / Hromadske YouTube channel, September 24, 2020: <https://www.youtube.com/watch?v=r4jBCPWct7w>

⁷⁶ Two activists of the Olympic College student union were arrested (Двох активістів студпрофспілки Олімпійського коледжу затримали) / ZMINA, September 24, 2020: <https://zmina.info/news/dvoh-aktyivistiv-studprofspilki-olimpijiskogo-koledzhu-zatrymaly/>

⁷⁷ Kyiv Police (Поліція Києва), official Facebook page: <https://www.facebook.com/UA.KyivPolice/photos/a.410279982361112/3322700094452405/?type=3&theater>

⁷⁸ Kyiv Police (Поліція Києва), official Facebook page: <https://www.facebook.com/UA.KyivPolice/photos/a.410279982361112/3326237847431963/?type=3&theater>

⁷⁹ Cabinet of Ministers of Ukraine, official webpage: https://www.kmu.gov.ua/npas/pro-reorganizaciyu-olimpijskogo-koledzhu-imeni-ivana-piddubnogo-1083020920?fbclid=IwAR2t4qEVgzWAKlZZZ2PVyV1pTdezwgfQ_vl84o1Uy-Bv1D6YWx0T6eNdhGI

⁸⁰ A step to meet raiders halfway? The government hands over the Pidduibny College of the Physical Education University (document) (Крок на зустріч рейдерам? Уряд передає коледж Піддубного Університету фізичного виховання (документ)) / Glavkom, September 4, 2020: <https://glavcom.ua/sport/news/krok-na-zustrich-reyderam-uryad-peredaje-koledzh-piddubnogo-universitetu-fizivihovannya-dokument-703337.html?fbclid=IwAR3E7zllfYW0mbMlnr7RgP6CWNHpiD7JP8nJBFeqxb0cYGVMS21HICP6-H8>

The college administration, teachers and student government held protests near the Verkhovna Rada and declared a strike.⁸¹

#discreditation

#privacy_violations

On **September 30**, 2020, the Pechersk District Court of Kyiv found **Vitaliy Shabunin**, a co-founder of the Anti-Corruption Action Centre, guilty of failing to submit a declaration as a member of the competition commission to elect the head of the NAPC on time and sentenced him to a fine (850 UAH). The activist expressed his intention to appeal the ruling.

According to Shabunin himself, he missed the deadline by less than a day, and usually the court acquitted the reporting person in such cases due to the insignificance of the misdemeanor. According to the activist,⁸² this is about a reputation attack for the purpose of adding his name to the registry of the people who have committed corrupt violations.

It should be noted that the case gained media prominence even before it reached the court. For instance, in August, *Strana.UA* published a news piece about it, citing Andriy Portnov, a lawyer and former official under the former president Viktor Yanukovych; then it provided a screenshot of a misdemeanor report on Vitaliy Shabunin⁸³ (which lists all of the activist's private information except for his home address: his ID number, phone number, etc.). The news was published on August 8, and the report indicates that it was written a day earlier, on August 7.

Later, in September, *Vesti.ua* published a news piece, again citing Andriy Portnov, that Shabunin had been summoned to court on September 14.⁸⁴

Following the Pechersk Court ruling, news about Shabunin's conviction appeared in a number of national media, some of which indicated right away that it was about a failure to submit a declaration on time, while others give headlines such as *Court Found the Anti-Corruption Activist Shabunin Guilty of Corruption* (*Interfax Ukraine*⁸⁵), which has signs of manipulation and generally undermines trust in his activities as an activist.

⁸¹ Ivan Piddubny Olympic College, official webpage: <https://www.olimpko.com/64-holovna/831-rishennia-zahalnykh-zboriv-studentiv-olimpiiskoho-koledzhu-imeni-ivana-piddubnoho.html>

⁸² Vitaliy Shabunin, personal Facebook page: <https://www.facebook.com/vitaliy.shabunin/posts/10157708049649537>

⁸³ Revealed: A photo of the protocol on the corruption of Shabunin, who failed to submit a declaration on time (Появилось фото протокола о коррупции Шабунина, который не подал декларацию вовремя) / *Strana.UA*, August 8, 2020: https://strana.ua/news/283145-protokol-o-korruptsiyi-shabunina-popal-v-rasporjazhenie-strany.html?fbclid=IwAR130XCu7iz-fZzuZbhQnf0RdFZ3kDmp0yq9r9PB9jn20_30Ptn4WD7E2w

⁸⁴ Надо дожимать – Портнов анонсировал вызов Шабунина в суд / *Vesti.ua*, 15 вересня 2020: <https://vesti.ua/strana/portnov-anonsiroval-vyzov-shabunina-v-sud?fbclid=IwAR3L3WJ7ocPKkf7KG3ux4FqQmE0IYfJV2lJ66xoBf3XQJTbqSvK2e4xQJtc>

⁸⁵ Суд визнав антикорупціонера Шабуніна винним в корупції / *Інтерфакс-Україна*, 30 вересня 2020: <https://ua.interfax.com.ua/news/general/691817.html>

■ INCIDENTS IN THE PREVIOUS PERIOD WHICH BECAME KNOWN IN THE THIRD QUARTER OF 2020

#destruction_or_damage_of_property

On **June 17**, 2020, at around 2 a.m. in **Kyiv**, unidentified individuals burned the car⁸⁶ of **Borys Probko**, a resident of a building on Bulvarno-Kudriavskaya Street. According to the victim, as a member of an ACOAB, he was conducting negotiations with the neighboring Bersenev Medical Centre on installing a barrier at the entrance to their building because the Medical Centre's clients parked there, inconveniencing the residents. The neighboring buildings also had barriers, so the patients approached the clinic through their yard specifically.



■ Photo of Borys Probko

According to Probko, in May, he had a conflict with a Clinic guard in the parking lot; the guard beat him up and threatened to burn his car.

At ZMINA Human Rights Centre's request, the National Police informed us that a case was opened regarding this incident on June 17, according to Part 2 Article 194 of the Criminal Code (intentional destruction or damage of property).

The Bastion ACOAB unites the residents of only one building; the neighboring buildings have different ACOABs. The building's residents say that Probko has been elected as the head of the ACOAB, but he has not been registered officially, so the registries list a different person. Nevertheless, Borys Probko was trying to defend the interests of the residents, organized some processes to improve the territory; he was the one who wrote to the Clinic regarding the barrier, but the other party did not reply to him.

Meanwhile, on September 16, representatives of the Landscaping in Shevchenkivsky District Communal Company dismantled the aforementioned barrier in the presence of the police as an object installed without permit. The KCSA replied to ZMINA Human Rights Centre's request that there had been an investigation into the installation of artificial barriers which prevent special vehicles from passing, in compliance with Mayor Vitaliy Klychko's instructions of July 16 No. 25686, after which an inspector ordered to present a permit for installing the barrier. According to the KCSA, they have not received the relevant documents.

#intimidation_threats_or_other_forms_of_pressure

On **June 25**, 2020, in **Kryvyi Rih**, there was an attack on the activist **Henri Demyanovich**, who held a single picket for the Rainbow Flag Day: he wanted to hang the LGBT flag over one of the highways at the entrance to the city.

According to the victim, while he was hanging the flag, a car stopped under the bridge, the driver came out and started calling him names and demanding to take the flag down; then he climbed

⁸⁶ Officially, the car belongs to B. Probko's son.

onto the bridge and started chasing him to grab the flag. When he did, he tried to tear it apart, but failed and threw it into a puddle.

Following the incident, Demyanovich went to the police, but they did not open a case, registering his statement as a citizen address. Then the victim went to the Dovhyntsi District Court of Kryvyi Rih, which obliged the police to open a case.

However, in a month and a half, the activist was contacted by a police officer who said that Demyanovich's action was not sanctioned (even though the Ukrainian law does not make it mandatory to obtain a permit for a peaceful gathering), and that he allegedly broke some regulations on the placement of advertising structures when he was attaching his flag. As a result, Henri Demyanovich withdrew his statement, and the police pressure stopped.

Henri Demyanovich is a co-founder and head of NGO Protego; he also consults international organizations.

This was not the first time that he has faced persecution and pressure due to his LGBT activism in Kryvyi Rih. In particular, in the summer of 2018, unidentified individuals wrote offensive remarks on the door of his apartment, and before that, someone shared his home address online.⁸⁷

⁸⁷ In Kryvyi Rih, unidentified individuals painted the door of an LGBT activist's apartment because of a rainbow flag on the balcony (У Кривому Розі невідомі обмалювали двері квартири ЛГБТ-активіста через райдужний прапор на балконі) / ZMINA, January 18, 2019: https://zmina.info/news/u_krivomu_rozi_za_vivishenij_rajduzhnij_prapor_nevidomi_obmaljuvali_dveri_kvartiri_aktivista_/



ЗАКОН УКРАЇНИ

Про забезпечення рівних прав та можливостей жінок і чоловіків

(Відомості Верховної Ради України (ВВР), 2005, № 52, ст.561)

Із змінами, внесеними згідно із Законами

№ 4719-VI від 17.05.2012, ВВР, 2013, № 15, ст.97
№ 1263-VII від 13.05.2014, ВВР, 2014, № 27, ст.915
№ 2229-VIII від 07.12.2017, ВВР, 2018, № 5, ст.35

Метою Цього Закону є досягнення паритетного становища жінок і чоловіків у всіх сферах життя та спільноти шляхом правового забезпечення рівних прав та можливостей жінок і чоловіків, діяльності за ознакою статі та застосування спеціальних тимчасових заходів, спрямованих на уникнення дискримінації та заохочення до реалізації рівних прав та можливостей жінок і чоловіків між можливостями жінок і чоловіків реалізовувати рівні права, надані їм Конституцією і законом.

Розділ I
ЗАГАЛЬНІ ПОЛОЖЕННЯ

Стаття 1. Визначення термінів
У цьому Законі наведені нижче терміни вживуються в такому значенні:
рівні права жінок і чоловіків - відсутність обмежень чи привілеїв за ознакою статі;
рівні можливості жінок і чоловіків - рівні умови для реалізації рівних прав жінок і чоловіків, які не виключають чи обмежують використання жінками чи чоловіками цих можливостей;

дискримінація за ознакою статі - ситуація, за якої особа та/або група осіб можуть бути дійсними або припущенчими, зазнає обмеження у використанні, реалізації чи застосуванні прав та можливостей, які є належними та необхідними для досягнення обрізаної мети, способи досягнення якої є належними та необхідними;

(Абзац четвертий статті 1 в редакції Закону № 2229-VIII від 07.12.2017)
позитивні дії - спеціальні тимчасові заходи, що мають правомірну обґрунтувану мету, способи досягнення якої є належними та необхідними;

(Абзац п'ятий статті 1 в редакції Закону № 2229-VIII від 07.12.2017)
на усунення юридичної чи фактичної нерівності у можливостях жінок і чоловіків, встановлених Конституцією і законами України;

сексуальні домагання - дії сексуального характеру, вирежені зауваженням або фізично (доторкання, поплескування), що приводять до фізичного, психічного або соціального пошкодження;

насилиство за ознакою статі - діяння, спрямовані проти осіб, відносинах трудового, службового, матеріального чи іншого характеру, що виконуються з метою змінити соціальну позицію чи традиції, що стосуються осіб певної статі чи захищати членів родини чи інших членів сім'ї чи іншої родини;

(Стаття 1 доповідь про соціальну позицію чи традиції, що стосуються осіб певної статі чи захищати членів родини чи інших членів сім'ї чи іншої родини);

(Стаття 1 доповідь про соціальну позицію чи традиції, що стосуються осіб певної статі чи захищати членів родини чи інших членів сім'ї чи іншої родини);

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JULY - SEPTEMBER 2020