

Волонтерської діяльності в Україні

Особливості залучення іноземців, осіб без громадянства до провадження волонтерської діяльності

Особи без громадянства провадять волонтерську діяльність індивідуально або через організації, створені до переліку організацій та установ, волонтерської діяльності на території України.

Особи без громадянства можуть виключно іноземців, осіб без громадянства та які провадять діяльність за міжнародною класифікатором України, а саме: за кодами 88.99 та 94.99).

Особи без громадянства, що залучаються до провадження волонтерської діяльності на території України, повинні бути зареєстровані в Єдиному державному реєстрі юридичних осіб – підприємств та громадських формувань, що здійснюють діяльність у сфері волонтерської діяльності на території України, як мінімум за двадцять днів до такого залучення центральному органу виконавчої влади, що реалізує державну політику у сфері волонтерської діяльності.

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Україні щодо об'єднання інформації про фінансування громадських об'єднань

A MONITORING REPORT ON THE PERSECUTION OF ACTIVISTS AND HUMAN RIGHTS DEFENDERS



**MOVING FORWARD
TOGETHER**



**NETHERLANDS
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COMMITTEE**

Activism 2021: A Monitoring Report on Persecution of Activists and Human Rights Defenders in the Government-Controlled Territory of Ukraine (July–September 2021) / O. Vynohradova, A. Moskvychova, T. Pechonchyk, L. Yankina. – Kyiv: ZMINA, 2021. – 52 p.

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

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



Cover photo: Stas Yurchenko, Graty; Natalia Eshonkulova; Valeriy Kharchuk; @abc_ukraine Instagram page.

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 civil activists in the Ukrainian territory, including the occupied Crimea, and defending the rights of people who have suffered as a result of 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.

More about ZMINA Human Rights Center and its activities:



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INTRODUCTION

The team of ZMINA Human Rights Centre is glad to present the monitoring report on the pressure on and persecution of activists in the third quarter of 2021, prepared as a part of the Increasing the Role and Protection of Human Rights Defenders in Ukraine project. The project is implemented by ZMINA 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 threats to the freedom of assembly and association in Ukraine, cases of persecution of and pressure on human rights defenders and civil activists in the government-controlled territories of Ukraine that took place in July–September 2021, and the newly discovered circumstances in the cases related to similar incidents in the previous periods.

The general methodology of the monitoring is based on the developments in monitoring and documentation adopted by the Coalition for Protecting Civil Society,¹ as well as on the updated methodology for monitoring and analysis used in composing the analytical report on *The Situation of Human Rights Defenders and Civil Activists in Ukraine in 2020*.²

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 report is to provide full and relevant information about the situations with persecution of and pressure on human rights defenders and civil activists to representatives of the authorities, 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 gaining increasing relevance 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 in the indicated period.

¹ *Documenting Methodology of the Coalition for Protecting Civil Society* / The Coalition's website, November 20, 2018: <http://cs-coalition.org/ua/dokumenty/metodolohiia-dokumentuvannia>

² *The Situation of Human Rights Defenders and Civil Activists in Ukraine in 2020: Analytical Report* / O Vynohradova, A. Moskvychova, T. Pechonchuk, L. Yankina; ZMINA Human Rights Centre. — Kyiv, 2020. — 144 p.: <https://zmina.ua/publication/stanovyshhe-pravozahysnykiv-ta-gromadskyh-aktyvistiv-v-ukrayini-u-2019-rocz-analitychna-dopovid/>

SITUATION AND TRENDS: july-september 2021

THE SITUATION WITH THE PERSECUTION OF HUMAN RIGHTS DEFENDERS AND CIVIL ACTIVISTS IN THE GOVERNMENT-CONTROLLED TERRITORY OF UKRAINE IN THE THIRD QUARTER OF 2021

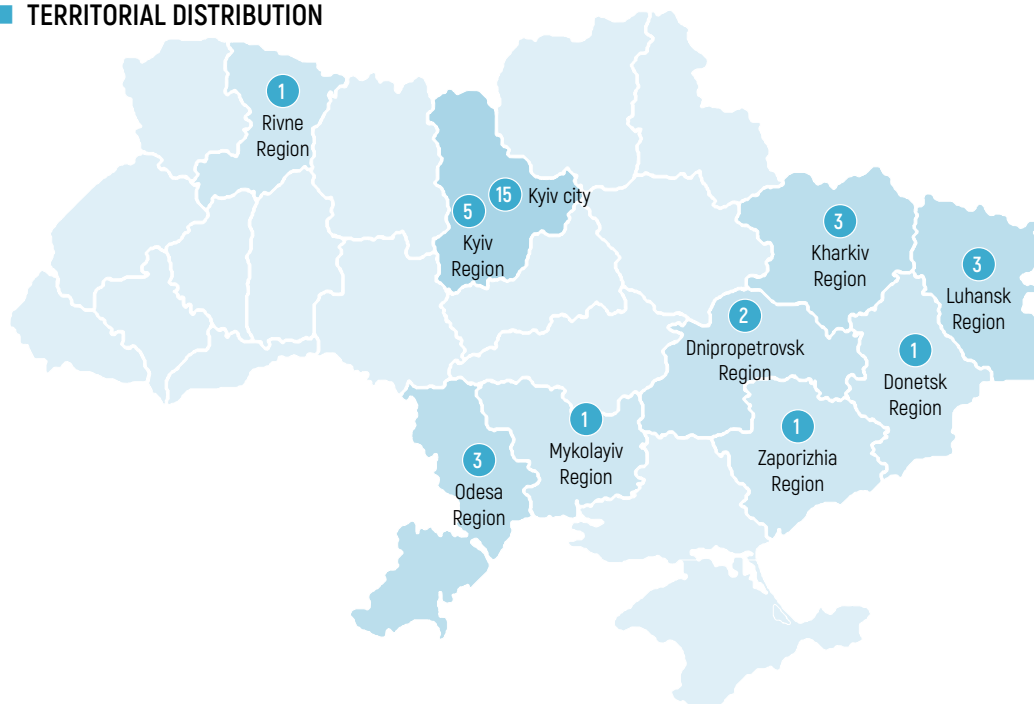
In total, in the third quarter of 2021, ZMINA recorded **35 new cases** of persecution for civil activism in the government-controlled territory of Ukraine: 13 in July, 13 in August and 9 in September. These numbers are higher than in the same period of last year (when 27 cases were documented), which is a sign of a certain deterioration of the situation.

■ TIME DISTRIBUTION



Just like before, the majority of the documented incidents happened in Kyiv City (15); however, the second place this time belongs to Kyiv Region (5), followed by Odesa Region, Luhansk Region and Kharkiv Region (3 each), as well as Dnipropetrovsk Region (2). Donetsk Region, Rivne Region, Mykolayiv Region and Zaporizhia Region had one case each.

■ TERRITORIAL DISTRIBUTION



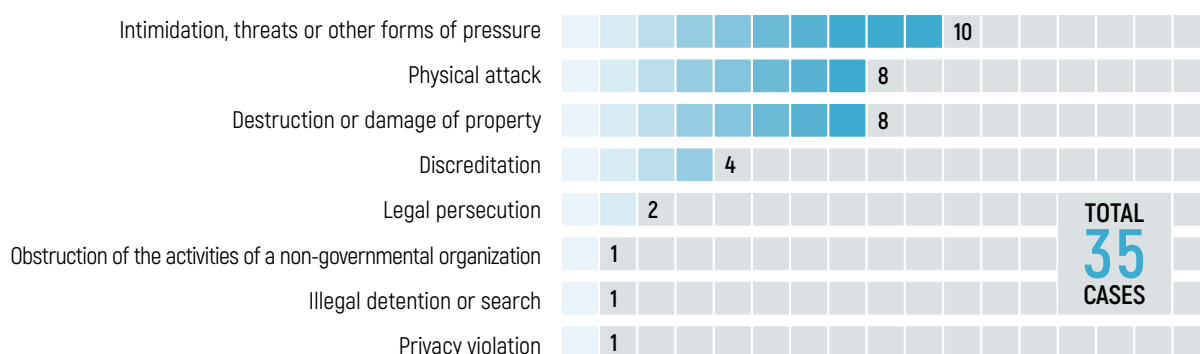
The highest number of incidents involved attempts to intimidate activists (10): sending various items, such as funeral paraphernalia; posting posters around the city with photos of activists for the purpose of psychological pressure on them (see the *Brief Overview of Incidents* chapter); but the majority of the cases were associated with the activities of far-right Telegram channels, both anonymous or associated with far-right media platforms (Catharsis, Volary, Solaris, etc.) and associated with specific organizations and figures (such as the Tradition and Order, its head Bohdan Khodakovsky, the head of the Odesa branch Illia Popkov and others). At the same time, we have not recorded any cases of successful investigations of threats against activists yet.

In addition, in the period in question, we documented 8 cases of physical attacks on civil activists and 8 cases of destruction or damage of their property. 4 cases had signs of discreditation campaigns, and in one of them, a fiction story was published in a specialized publication specifically to create a media event.

2 other cases have signs of unlawful legal persecution, and there was one case of illegal detention or search, one case of obstruction of the activities of an NGO, and one case of privacy violations.

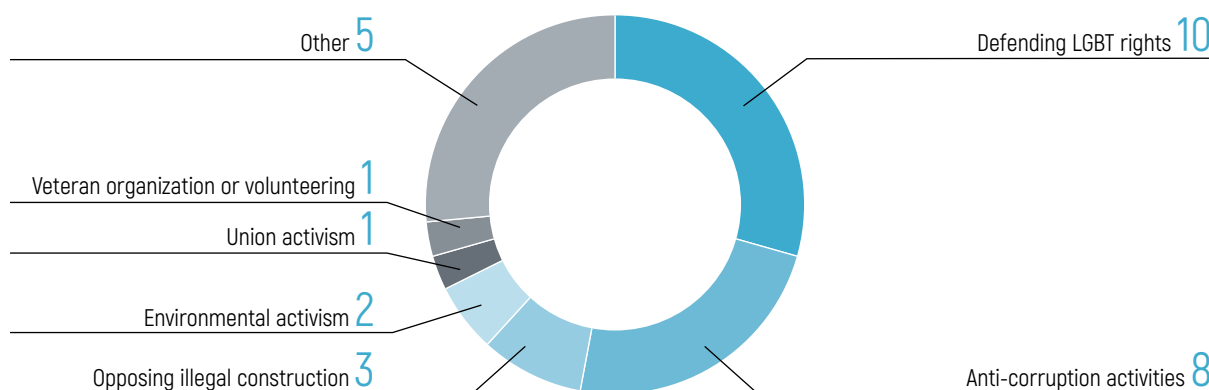
Some cases several types of persecution at the same time. In these cases, we focused on the most relevant one, in our opinion, for the sake of convenience of our calculations. The same approach was used for the distribution by types of activities.

■ DISTRIBUTION BY TYPE OF PERSECUTION



The trend of the most risky types of activism among those that were clearly identified continues from the previous quarter with some changes. In the period of July through September 2020, there was the highest number of attacks on LGBTIQ activists; anti-corruption activists were in second place, and activists opposing illegal construction were in third place.

■ DISTRIBUTION BY TYPE OF ACTIVITIES



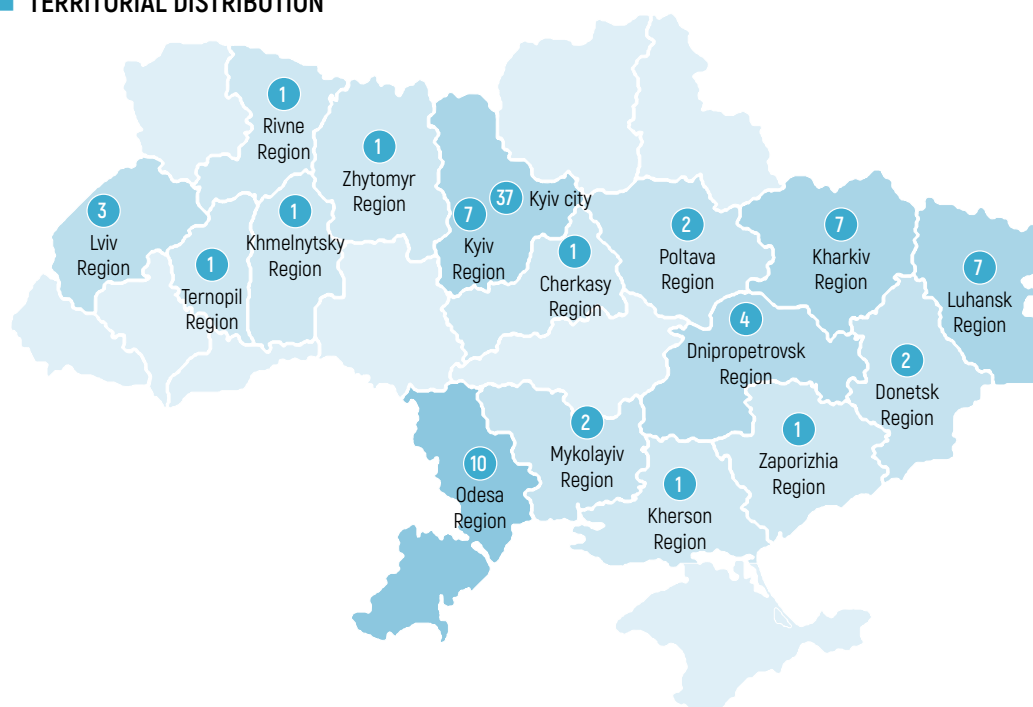
In addition, in the third quarter of 2020, the Digital Security Lab recorded 17 incidents: 13 individual phishing attempts at the accounts of activists and journalists, 1 phishing campaign which looked like emails from the police, 1 hacking of a Facebook account due to password reuse and reserve email reset, and 2 cases of hacking of WhatsApp accounts by intercepting sms.

THE SITUATION WITH THE PERSECUTION OF HUMAN RIGHTS DEFENDERS AND CIVIL ACTIVISTS IN THE GOVERNMENT-CONTROLLED TERRITORY OF UKRAINE SINCE THE BEGINNING OF 2021

In the first 9 months of 2021, ZMINA recorded **88 cases** of persecution for civil activism in the government-controlled territory of Ukraine (while in the same period last year, 77 cases were documented).

These events took place in 16 regions, but the highest numbers were recorded in Kyiv city (37) and Odesa Region (10). Kyiv Region, Kharkiv Region and Luhansk Region had 7 cases each. In some cases, the persecution was serialized in nature.

■ TERRITORIAL DISTRIBUTION

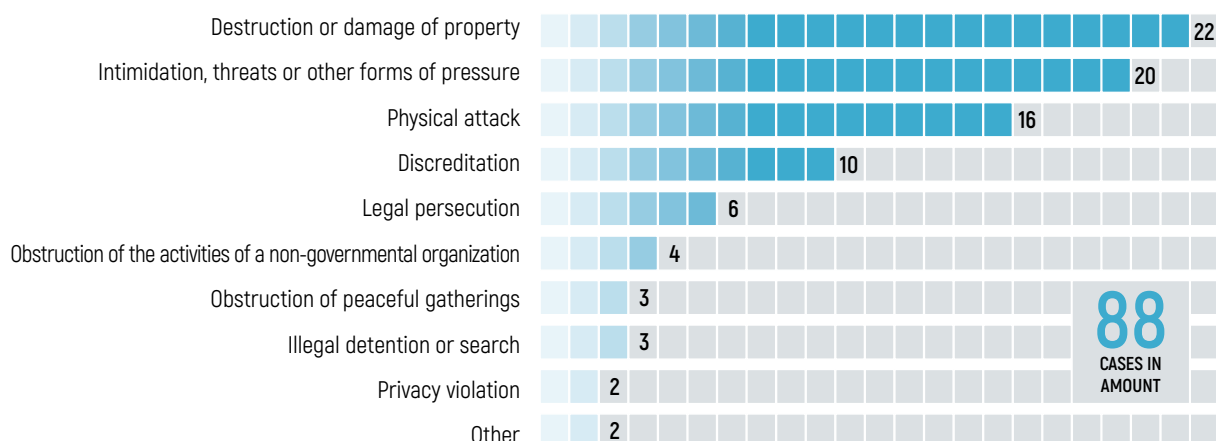


The highest number of incidents involved destruction or damage of property (22), threats against activists (20) and physical attacks on them (16). 10 cases had signs of planned discreditation, 6 had signs of unlawful persecution, and 4 had signs of obstruction of the activities of NGOs. The monitoring recorded 3 cases of obstruction of peaceful gatherings, and another 3 cases had signs of illegal detention or search, while 2 cases involved privacy violations.

2 more cases, marked as “other,” involved illegal firing of a union activist (the court has confirmed the illegal nature of these actions) and attempts to deport a left-wing Belarusian-Ukrainian activist from Ukraine following a Security Service decision, founded, in particular, on unverified and manipulative claims from far-right Telegram channels. In the latter case, a court of appeals satisfied the activist’s complaint and allowed him to stay in Ukraine, which was met with disapproval by

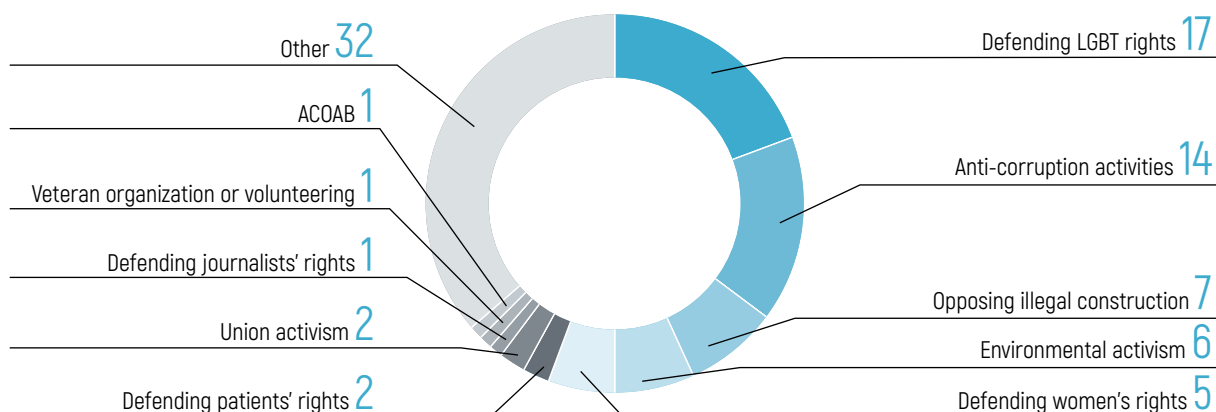
far-right figures, particularly threats of violence against him (he and a few other activists were attacked during one of the hearings), attempts to put pressure on the human rights organizations which were monitoring the trial, particularly on ZMINA Human Rights Centre (see the *Brief Overview of Incidents*).

■ DISTRIBUTION BY TYPE OF PERSECUTION



The distribution by types of activities due to which activists were attacked in the first nine months of 2021 mirrors the findings for the third quarter: the most risky types of activism among those that were clearly identified are still defending LGBTIQ rights, opposing corruption and opposing illegal construction.

■ DISTRIBUTION BY TYPE OF ACTIVITIES



In addition, in the period in question, pressure was faced by activists engaged in protecting the environment, women's rights, protecting patient rights, union activism, protecting journalists' rights, protecting the rights of and supporting veterans, and ACOAB work.

THE THREATS OF LEGISLATIVE RESTRICTIONS FOR THE CIVIL SOCIETY

As of mid-autumn 2021, the Verkhovna Rada of Ukraine is considering **10 bills which constitute threats for the civil society**, violate Ukraine's Constitution and its international human rights commitments, aim to disproportionately limit the freedom of association and peaceful gathering, to discriminate against certain categories of activists, to support homophobic ideas, etc. These bills have been submitted by MPs from three political factions: **Servant of the People, Opposition Platform—For Life, Fatherland**, and by the **Cabinet of Ministers of Ukraine**.

In particular, these are the following bills:

1. The bill on the state registration of lobbying actors and on conducting lobbying in Ukraine (**#3059** of 11 February 2020). Authors: **Yulia Tymoshenko**, the head of the parliamentary faction of the political party All-Ukrainian Union "Fatherland"; **Serhiy Vlasenko**, a member of the parliamentary faction of the political party All-Ukrainian Union "Fatherland." The bill was rejected by the relevant committee in February 2021, but then "clarified" by its authors and submitted to the parliament again under the same number with the remark "clarified" in late March 2021.
2. The bill on introducing changes to some legislative acts on ensuring citizens' equal rights and opportunities for representation in supervisory boards and management bodies of public unitary enterprises, economic companies and public banks, and ensuring the fair formation and effective activities of these supervisory boards while taking into account Ukraine's national interests (**#3193-1** of 17 March 2020). Authors: **Andriy Derkach**, a nonpartisan MP; **Oleksandr Dubinsky**, a member of the parliamentary faction of the political party Servant of the People. The bill was included in the agenda of the sixth plenary session of the Ninth (current) Verkhovna Rada based on the Verkhovna Rada Decree #1708-IX of 7 September 2021.
3. The bill on introducing changes to Article 6 of the Law of Ukraine "On judicial system and the status of judges" to ban rallies near court buildings (**#3291** of 30 March 2020). Author: **Serhiy Demchenko**, a member of the parliamentary faction of the political party Servant of the People.
4. The bill on introducing changes to the Law of Ukraine "On cleansing the government" (on preventing external influence on the state's interests) (**#3326** of 13 April 2020). Author: **Fedir Khrystenko**, a member of the parliamentary faction of the political party Opposition Platform—For Life. The bill was included in the agenda of the sixth plenary session of the Ninth (current) Verkhovna Rada based on the Verkhovna Rada Decree #1708-IX of 7 September 2021.
5. The bill on introducing changes to some legislative acts of Ukraine (on the transparency of the activities of civil associations with foreign support) (**#3564** of 29 May 2020). Author: **Oleksandr Dubinsky**, a member of the parliamentary faction of the political party Servant of the People.
6. The bill on introducing changes to some laws of Ukraine to ban foreign funding for government bodies and their officials and to prohibit the top state officials from having citizenship (nationality) of a foreign state (**#3572** of 2 June 2020). Author: **Vadym Rabinovych**, a co-head of the parliamentary faction of the political party Opposition Platform—For Life. The bill was included in the agenda of the sixth plenary session of the Ninth (current) Verkhovna Rada based on the Verkhovna Rada Decree #1708-IX of 7 September 2021.
7. Bill on introducing changes to some legislative acts of Ukraine on protecting family, childhood, motherhood and fatherhood (**#3916** of 22 July 2020). Authors: **Heorhiy Mazurashu**, **Olena Lys**, members of the MP faction of the Servant of the People party. The bill was included in the agenda of the sixth plenary session of the Ninth (current) Verkhovna Rada based on the Verkhovna Rada Decree #1708-IX of 7 September 2021.

8. 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 27 July 2020). Author: **Oleksandr Dubinskyi**, member of the MP faction of the Servant of the People party. The bill was included in the agenda of the sixth plenary session of the Ninth (current) Verkhovna Rada based on the Verkhovna Rada Decree #1708-IX of 7 September 2021.
9. Bill on introducing changes to some laws of Ukraine on supporting volunteer activities (**#4521** of 18 December 2020). Submitted by the **Cabinet of Ministers of Ukraine**. The bill was included in the agenda of the sixth plenary session of the Ninth (current) Verkhovna Rada based on the Verkhovna Rada Decree #1708-IX of 7 September 2021, and its consideration in the session hall is scheduled for the week of 1–5 November 2021 (first reading). On 17 May 2021, the Verkhovna Rada Committee on Social Policy and Veterans' Rights (responsible for preparing the bill for parliamentary consideration) made the decision to recommend that the parliament adopt this bill as a basis.
10. Bill on introducing changes to the Criminal Code of Ukraine on criminalizing the advertising or propaganda of narcotics, psychoactive substances, their analogues or precursors (**#5496** of 14 May 2021). Authors: **Natalia Korolevska, Yuriy Solod, Volodymyr Moroz, Volodymyr Kaltsev, Valeriy Hnatenko**, members of the MP faction of the Opposition Platform—For Life party. The bill was included in the agenda of the sixth plenary session of the Ninth (current) Verkhovna Rada based on the Verkhovna Rada Decree #1708-IX of 7 September 2021.

A number of provisions in these bills are discriminatory against non-governmental organizations and activists and carry risks for the free development of civil society in Ukraine, since they equate advocacy by civil society organizations (CSOs) with commercial lobbying, provide for the lustration of people coming from the civil sector or introduce the concept of “foreign agents,” ban civil activists from holding protests near courts, introduce “polygraph tests” for civil activists who wish to work in government agencies or companies affiliated with the state, require excessive and unjustified financial reporting from non-governmental organizations with foreign funding, remove the term “gender” from legislation, complicate the engagement of foreign volunteers by non-governmental organizations, etc.

Most of these bills have not been developed to regulate various aspects of the work of civil society exclusively, but are related to other spheres (for example, bills on forming supervisory boards of public companies). But some provisions of these documents, if they are adopted, will directly or indirectly affect the activities of civil society organizations and civil liberties in general.

A brief analysis of these bills and the threats they carry for civil society can be found in the previous monitoring reports of ZMINA Human Rights Centre.³

REPORTING INFORMATION ABOUT ULTIMATE BENEFICIARIES-OWNERS BY CIVIL SOCIETY ORGANIZATIONS

When Ukraine became a full member of the global network for counteracting financial crime in December 2019, a new Law of Ukraine “On preventing and counteracting the legalization (laundering) of income obtained by criminal means, the funding of terrorism and the funding of the distribution of weapons of mass destruction” (Law #361-IX) was adopted.

³ *The Situation of Human Rights Defenders and Civil Activists in Ukraine in 2020: Analytical Report* / O. Vynohradova, A. Moskvychova, T. Pechonchuk, L. Yankina; ZMINA Human Rights Centre. – Kyiv, 2020. – 144 p.: https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf and *Activism 2021: A Monitoring Report on Persecution of Activists and Human Rights Defenders (April–June 2021)* / O. Vynohradova, A. Moskvychova, T. Pechonchuk, L. Yankina. – Kyiv: ZMINA, 2021. – 44 p.: https://zmina.ua/content/uploads/sites/2/2021/07/activizm2021-iua_.pdf

The law was adopted in order to fulfill the requirements of the Financial Action Task Force (FATF), as well as the European Parliament and European Council directive 2015/849/EU of 20 May 2015 “Preventing abuse of the financial system for money laundering and terrorism purposes.”

The law aims to protect the rights and legal interests of citizens, society and the state, to ensure national security by defining the legal mechanism for the prevention and counteraction of legalization (laundering) of income obtained by criminal means, the funding of terrorism and the distribution of weapons of mass destruction.

Under the new law, most legal entities (including non-governmental organizations and charity associations) are obligated to submit the information on their ultimate beneficiary-owner (UBO) and the structure of ownership to the Unified State Registry (USR).

At the same time, political parties, trade unions, employer organizations and associations, creative unions, attorney unions, ACOABs, trade-industrial chambers, religious organizations, government bodies and local self-government bodies, public and communal companies, institutions and organizations are exempt from submitting information about their UBOs.

A three-month period was provided for submitting the information about UBOs, which started on 11 July and expired on 11 October 2021.

The law’s vagueness in the definition of who are ultimate beneficiaries-owners of civil society organizations (CSOs) has led to difficulties. The responsible authorities did not provide official explanations on the procedure for filling out the relevant forms and submitting the documents, which, in practice, led to refusals to include information about ultimate beneficiary-owners or to the inclusion of incorrect information into the USR.

The situation was aggravated by the very short period provided for submitting the information on UBOs, the lack of a way to submit the information online or by mail, long lines at the Administrative Service Centres and state registrars’ office, and the impossibility of scheduling an appointment for submitting the relevant documents.

Failure to submit or missing the deadline for submitting the information about the ultimate beneficiary-owner or lack thereof, or for submitting the documents to confirm the information about the ultimate beneficiary of a legal entity leads to a fine in the amount of 17,000 to 51,000 UAH, which, according to Article 166-11 of the Misdemeanor Code of Ukraine, must be paid by the heads of the legal entities.

De facto, CSOs and other legal entities were put in a situation in which completing the actions required to coordinate information about them according to the requirements of the legislation was indirectly blocked by the government.

The situation was further complicated by the insufficient information campaign and by the fact that a significant fraction of charity organizations and CSOs did not know about the requirement to submit the data about their UBOs. (In total, 95,380 NGOs and 20,297 COs are registered in Ukraine.⁴)

Meanwhile, on 22 September 2021, the VR Committee on Economic Development recommended to adopt in the first reading the Bill #5807, which postponed the deadline for reporting their UBOs for 9 months for all legal entities.

⁴ See: Non-governmental and charity organizations must update the information about their UBOs by 11 October (Громадські та благодійні організації до 11 жовтня повинні оновити свої відомості про КСБ) / Hromadsky Prostrir, 22 September 2021: <https://www.prostir.ua/?news=usi-hromadski-ta-blahodijni-orhanizatsiji-do-11-zhovtnya-povynni-onovyty-svoji-vidomosti-pro-kbv>

Given these problems and the practical lack of UBOs among non-governmental organizations, over 200 UBOs have made a statement⁵ in which they called on the Verkhovna Rada to include civil associations registered as legal entities and charity organizations into the list of legal entities which are not required to report information about the ultimate beneficiary-owner of a legal entity.

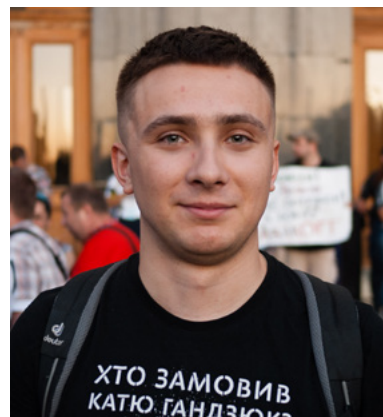
INVESTIGATIONS AND COURT TRIALS OF HIGH-PROFILE CASES ABOUT CIVIL ACTIVISTS

In the third quarter of 2021, ZMINA monitored high-profile criminal cases involving human rights defenders and civil activists. In particular, these include the investigation and trials of the cases of the murder of the Kherson activist Kateryna Handziuk and the Kyiv human rights defender Iryna Nozdrowska, the criminal case of the Odesa activist Serhiy Sternenko who is charged with the murder of his attacker Ivan Kuznetsov, and the case of the kidnapping of Serhiy Shcherbych, as well as the case of the Kyiv activist Roman Ratushny who is charged with hooliganism near the Office of the President of Ukraine.

Serhiy Sternenko's cases

■ THE CASE OF THE MURDER OF IVAN KUZNETSOV

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 7 February 2018, the activist was beaten and suffered stab wounds; on 1 May 2018, he was shot in the neck with a rubber bullet. In the course of the third attack, on 25 May 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 11 June 2020, Sternenko himself was declared a suspect in the intentional murder of Kuznetsov and illegal carrying of a cold weapon. In late August 2020, the hearings in Sternenko's case were handed over to Odesa, where they are heard by the Prymorsky District Court.

In the third quarter of 2021, this court continued to examine the evidence in this case and question the witnesses and experts.

⁵ Statement on the determination and state registration of ultimate beneficiary-owners of non-governmental organizations (Заява щодо визначення та державної реєстрації кінцевих бенефіціарних власників громадських організацій) / ZMINA, 1 October 2021: <https://zmina.ua/statements/zayava-shhodo-vyznachennya-ta-derzhavnoyi-reyestratsiyi-kinczevyh-beneficziarnykh-vlasnykiv-gromadskykh-organizacij/>

At the hearing on 17 September 2021, the court questioned⁶ two experts from the Kyiv City Clinical Forensics Bureau, the Bureau director Oleksandr Mykhailenko and its manager Volodymyr Zosymenko, on two forensic examinations done in the spring of 2020 and ordered by the Security Service of Ukraine and the General Prosecutor's Office.

One of the questions asked by the pre-trial investigation body concerned the location where Kuznetsov was fatally stabbed in the heart: near the building on 9 Fontanska Road, where the attack on Sternenko took place, or near that building on 7 Fontanska Road, where Kuznetsov's body was found. The distance between the buildings is almost 100 meters, and the clarification of these facts determines the categorization of the case: self-defense near building 9 or intentional murder near building 7.

According to the expert Volodymyr Zosymenko, in its first report, the commission arrived at the conclusion that Kuznetsov could have been fatally wounded between the two buildings, without specifying the location. However, in the next forensic examination, the specialists specified the location: in their opinion, after being fatally wounded, Kuznetsov lost 30% of his circulating blood and lost consciousness within about 19–21 seconds; therefore, he was unable to cross the 100 meter distance from one building to the other. Thus, according to the forensic examination, the victim was fatally stabbed near building 7 and died in about 4 minutes from rapid blood loss.

The defense questioned⁷ the calculation of the time within which Kuznetsov lost 30% of his blood, criticizing the engineering software Solidworks Premium 2019 in which the experts modelled the loss of blood from the damaged left ventricle and the involvement of an engineer in constructing the model (Zosymenko identified him in court as Yevhen Strativinov, senior researcher at the Gas Institute of the National Academy of Sciences).

■ THE CASE OF THE KIDNAPPING OF SERHIY SHCHERBYCH

On 23 February 2021, the Prymorsky District Court of Odesa found Serhiy Sternenko, a civil activist and blogger from Odesa, and Ruslan Demchuk guilty in the case of the 2015 kidnapping of Serhiy Shcherbych, a member of the Kominternivska District Council of Odesa Region. They were arrested at the courthouse and sent to jail, each sentenced to seven years and three months in prison and to the confiscation of a half of their property.

The sentence concerns the incident which took place on 24 April 2015, when unidentified individuals kidnapped Serhiy Shcherbych and caused him bodily injuries, demanding that he resign from his office, according to the victim himself. In September 2015, Serhiy Sternenko and Ruslan Demchuk, who were then among the leaders of the Odesa Region Right Sector, were arrested in connection to this case, but then they were released: first on bail, and then on the condition of personal commitment.

In the Shcherbych case, Serhiy Sternenko was found guilty to the full extent according to Part 2 of Article 146 ("Illegal detention or kidnapping of a person"), Part 2 of Article 187 ("Robbery"), and Part 1 of Article 263 ("Illegal handling of weapons, ammunition or explosives") of the Criminal Code of Ukraine.

On 5 March, Serhiy Sternenko filed an appeal against this court decision.

⁶ Ivleva, O. The third attack on Sternenko in Odesa. Experts explained the details of one of the attackers' death (Івлєва О. Третій напад на Стерненка в Одесі. Експерти розповіли про деталі загибелі одного з нападників) / Suspilne, 18 September 2021: <https://suspihne.media/164633-tretij-napad-na-sternenka-v-odesi-eksperti-rozpovili-pro-detali-zagibeli-odnogo-z-napadnikov/>

⁷ Farionova, A. By calculation. The prosecution experts in Serhiy Sternenko's case made a model of the wounded heart (Фаріонова А. За розрахунком. Експерти обвинувачення в справі Сергія Стерненка зібрали модель пораненого серця) / Graty, 24 September 2021: <https://graty.me/uk/news/za-rozrakhunkom-eksperty-obvynuvachennya-v-spravi-serhiya-sternenka-zibraly-model-poranenoho-sertsya/>

On 31 May 2021, the Odesa Court of Appeal reached a decision in the case of Serhiy Sternenko and Ruslan Demchuk. According to Article 187 of the Criminal Code of Ukraine (“Robbery”), the case has been closed, the defendants were acquitted in this part. According to Article 146 of the CCU (“Illegal detention or kidnapping of a person”), both were found guilty, but the punishment was not applied due to the statute of limitations. According to Article 263 of the CCU (“Illegal handling of weapons, ammunition or explosives”), which only applied to Sternenko, the activist was found guilty and sentenced to three years in prison, replaced with one year of probation.

According to the Court of Appeal’s sentence, Serhiy Sternenko was sentenced to three years in prison, replaced with one year of probation. During this term, Sternenko will be monitored by a probation agency, which the activist must visit regularly; he also has to report any change in his place of residence, work or studies. If these rules are broken or if he commits another crime or misdemeanor, the court may change Sternenko’s probation to three years of actual prison.

The Prosecutor’s Office decided not to file a cassation appeal to the Supreme Court against the decision of the Odessa Court of Appeal, which released the activist. However, Serhiy Sternenko himself disagreed with the court’s decision and reported on 27 September that he had filed a cassation appeal to the Supreme Court.

Roman Ratushny’s case

On 24 March 2021, **Roman Ratushny**, the head of the Protect Protasiv Yar initiative, was declared a suspect of hooliganism during the protest of the supporters of the Odesa activist Serhiy Sternenko, which took place near the Office of the President on 20 March. During the rally, the protesters spray-painted the walls and the pavement, directed fire at the “President of Ukraine” sign with aerosols, and broke the glass in the entrance door. The suspicion was declared according to Part 4 of Article 296 of the Criminal Code of Ukraine, which proposes the punishment of three to seven years in prison.



Photo: Hermann Kriger

In addition to Roman Ratushny, 6 other individuals were declared suspects: Vladyslav Hranetsky-Stafiyshuk (a.k.a. Vlad Sord; his affiliation with civil associations is not known); Serhiy Filimonov, Oleksiy Bilkovsky, Davyd Hadzhymuradov (“Honor”), Yevhen Strokhan, and Artem Lisovets (“Unknown Patriot”). At the same time, no evidence was presented at the hearing to confirm Roman Ratushny’s participation in the hooliganism.⁸

Ratushny himself sees this criminal persecution as “revenge” for his work defending the green areas of Kyiv and states that the person behind the declared suspicion is Andriy Smyrnov, the deputy head of the Office of the President of Ukraine, with whom Ratushny had a conflict: in 2019, Smyrnov represented the interests of the developer of Protasiv Yar as a lawyer, and Ratushny, with a group of local activists, opposed this illegal development⁹ and successfully stopped it through the court.¹⁰

On 29 March 2021, the Pechersk District Court of Kyiv chose a preventive measure for Roman Ratushny in the form of around-the-clock house arrest until 24 May. The defense appealed this

⁸ Ratushny placed under around-the-clock house arrest (Ратусного відправили під цілодобовий домашній арешт) / ZMINA, 29 March 2021: <https://zmina.info/news/ratushnogo-vidpravyly-pid-cilodoboviy-domashnij-aresht/>

⁹ The situation of human rights defenders and civil activists in Ukraine in 2019: Analytical report / M. Lavrinok, V. Likhachov; ed. by T. Pechonchuk; Ukrainian Helsinki Human Rights Union, ZMINA, Truth Hounds. — Kyiv, 2020. — 88 p.: https://zmina.ua/content/uploads/sites/2/2020/02/stateofhumanrightsdefenders2019_reportuaweb_.pdf

¹⁰ The court found the sub-lease of the plot in Protasiv Yar invalid (Суд визнав недійсним договір суборенди ділянки в Протасовому Яру) / ZMINA, March 25, 2021: <https://zmina.info/news/sud-vyznav-nedijnsnym-dogovir-suborendy-dilyanky-korbana-u-protasovomu-yaru/>

court decision. On 21 April, the Kyiv Court of Appeals released Ratushny from house arrest without choosing another preventive measure. However, the bracelet was not taken off the activist on time: Ratushny's movements were monitored for more than a day afterwards. The defense's complaints regarding this situation still have not been considered.

Roman Ratushny has also challenged the suspicion declared against him, since, according to an expert examination, the date of the suspicion was falsified, which is evidence for a violation of the procedure for declaring suspicion. However, the Pechersk Court did not consider this complaint within three days, as the Criminal Procedure Code requires. The hearing was postponed until 31 August; however, it did not take place, because the prosecutor appeared without being authorized. On 9 September, the hearing did not take place again. Instead, the judge informed Ratushny that his complaint will be denied, but only at the next hearing.

While examining the materials of the case, the defense also found out that covert investigative actions were conducted with regard to Ratushny. However, the detective refused to provide the records of these investigative actions, as well as audio and video recordings. The investigation has also classified some of the case materials and refuses to provide it to the defense for examination. In addition, Ratushny's defense has claimed that the investigation is hiding evidence of his innocence.

On 29 September 2021, during another consideration of Ratushny's complaint against the declared suspicion, the investigative judge received a letter from the prosecutor Mrachko, in which he informed the judge that on 26 September 2021, the prosecution handed the indictment in the case to the court. Based on this information, the court rejected the complaint against the suspicion, because suspicion can only be cancelled before an indictment is handed to court. However, it turned out that the prosecutor provided false information: at the request of Ratushny's attorney, the Pechersk Court checked the data in the automated system of case distribution and recorded that the court had not received the indictment. Thus, Ratushny's defence petitioned the court to close the case.

Kateryna Handziuk's case

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

On 11 February 2019, the General Prosecutor's Office declared Vladyslav Manger, the head of the Kherson Regional Council, a suspect in organizing the murder of Handziuk. Manger was released on bail. In January 2020, in the territory of Bulgaria, Oleksiy Levin, an assistant consultant for a Kherson Regional Council member, was arrested for organizing the attack on Handziuk. On 16 March, Levin was extradited from Bulgaria to Ukraine.



On 19 June 2020, the Pechersky District Court of Kyiv arrested Manger without bail. On 28 July, the General Prosecutor's Office submitted to the court an indictment of the suspects in organizing the murder of Handziuk, Vladyslav Manger and Oleksiy Levin. Manger is accused of ordering the crime, and Levin is accused of its direct organization.

According to the detectives' version, the defendants conspired and intended to cause grievous bodily injuries to the victim in order to intimidate her: the perpetrators were offered a reward for pouring

acid at her or breaking her arms and legs. According to the investigation, Manger decided to organize the attack on Kateryna Handziuk, particularly due to her interference with the illegal cutting of the forest and the threat she posed to his political reputation. Handziuk left the Fatherland party after Manger joined it, stating that people like him did not deserve to be in the party. Kateryna Handziuk also made public statements about the unacceptability of arson and cutting of forests.

On 1 October, at a hearing in the Prymorsky District Court of Odesa, one of the individuals involved in the case of the attack on Kateryna Handziuk, Ihor Pavlovsky, gave testimony about Vladyslav Manger and Oleksiy Levin's involvement in the crime as the person who ordered it and its organizer, respectively, to fulfill his part of the deal with the investigation. On 16 October, the court found Ihor Pavlovsky guilty of concealing a crime and sentenced him to two years in prison with one year of probation. Pavlovsky was released on 24 November.

In 2021, the case is still being tried by the Dniprovsky District Court of Kyiv, which continues to examine the evidence and hear the witnesses. In particular, in the third quarter of 2021, the court interrogated the suspect Oleksiy Levin and moved on to examine video evidence.

The activists of the Who Ordered the Assassination of Katia Handziuk? initiative 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.

During an interrogation on 18 August 2021, the defendant accused of organizing the attack, Oleksiy Levin, said¹¹ that he was allegedly approached by Yevhen Ryshchuk asking to "teach her a lesson." However, according to him, there was no such conversation with Andriy Hordeyev.

At the hearing on 26 August, the court extended the preventive measure for the suspects and left Manger and Levin in jail until 24 October.

Manger's lawyers petitioned for changing the jurisdiction in order to hand the case over to a Kherson court, but the Supreme Court denied it. According to the Criminal Procedure Code, it is impossible to change a case's jurisdiction after the trial starts. Lately, the defence has started to protract the trial. The victims' lawyers associate this with the fact that the leading prosecutor in the case, Andriy Syniuk, is a finalist of the competition for the leader of the Special Anti-Corruption Prosecution, and when the results of the competition are announced, he will likely be appointed as either the head or the deputy head of the SAP, which will weaken the prosecution's position.

Iryna Nozdrovska's case

The human rights defender **Iryna Nozdrovska** worked on the case of her sister Svitlana Sapatynska's death for several years; on 30 September 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.



¹¹ Handziuk's Murder: defendant Levin claimed that he was asked to "teach her a lesson" by Yevhen Ryshchuk (Убивство Гандзюк: обвинувачуваний Левін заявив, що її просив «провчити» Євген Рищук) / ZMINA, 19 August 2021: <https://zmina.info/news/ubyvstvo-gandzyuk-obvynuvachuvanyj-levin-zayavyv-shho-provchyty-yiyi-prosyy-yevgen-ryshhuk/>

Her body was found on 1 January 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.

The National Police announced that Yuriy Rossoshansky confessed to the murder of the human rights defender. But his defense claims that Rossoshansky was compelled to confess to the crime which he did not commit by a promise to help his son instead.

In the third quarter of 2021, the case of the murder of Iryna Nozdrovska was heard in the Shevchenkivsky District Court of Kyiv, which continues to examine the evidence in the case.

In late June – early July, the court postponed hearings of the case several times due to the absence of a witness, detective Lidia Luchynska, who led the investigation. The collegium made the decision to bring Luchynska to a hearing on 21 July by force.

Meanwhile, Anastasia Nozdrovska herself faced¹² bullying and threats on social media after the announcement of a court interrogation of the current head of the Kyiv Region Police Andriy Nebytov regarding her mother's murder (see the *Brief Overview of Incidents* for more detail).

On 14 July, the Shevchenkivsky District Court of Kyiv also failed to interrogate Nebytov: he sent a letter to the court claiming that he was on a business trip in the United Forces Operation area and requested to postpone the interrogation and hold it in a video conference format. Detective Lidia Luchynska, who was summoned to the next hearing scheduled for 21 July, also requested an interrogation by video conference. According to the detective, she was also on a business trip, but in Zhytomyr.

The victims, namely the family of the deceased activist Iryna Nozdrovska, and the defendant opposed the questioning of both police officers in the video conference format. After a consultation, the collegium of judges decided to question them in person later, when the opportunity arises.

The mother of the deceased activist, Kateryna Duniak, insists that Rossoshansky did not kill her daughter alone, but with a group of people. Meanwhile, the forensic expert Vadym Shevchuk, who examined the late activist's injuries as a member of a commission, stated during a questioning that the special characteristics of the injuries indicate that they were most likely to be caused by a single individual. When asked by the judge whether the expert ruled out the possibility that the blows were dealt by several individuals, Shevchuk replied that he had not been asked to examine this.

On 23 September, the court granted the prosecutor's request and extended the arrest of the defendant Yuriy Rossoshansky for two months. This hearing was also supposed to include a questioning of detective Lidia Luchynska, who failed to appear at several previous hearings to testify. She was even fined for this. This time, Luchynska came to the hearing, but the court was still unable to question her, because a member of the collegium of judges was absent, and it was impossible to do without the full collegium present.

The next hearing in Nozdrovska's case is scheduled for 6 October 2021.

¹² The daughter of the deceased activist Nozdrovska is threatened on social media due to the announcement of an interrogation of the head of the Kyiv Region Police (Дочці загиблої активістки Ноздровської погрожують у соцмережах через анонс допиту начальника поліції Київщини) / 9 July 2021: <https://zmina.info/news/dochczy-zagybloyi-aktyvistky-nozdrovskoyi-pogrozhuut-u-soczmerezhah-cherez-anons-dopytu-nachalnyka-policiyi-kyivshhyny/>

BRIEF OVERVIEW OF INCIDENTS

JULY 2021

#legal_persecution

#obstruction_of_activities_of_a_non-governmental_organization

- On **5 July 2021**, the police of **Brovary**, Kyiv Region, started proceedings according to the article on forgery (Part 3 Article 359 of the Criminal Code of Ukraine) because the activists of the **non-governmental organization Berehynia** were sending them requests and addresses, allegedly for the purpose of paralyzing their work and then sue and obtain profit.

The claim was submitted by the head of the ATC Vitaliy Krupenko. According to **Viktorina Hubska**, the head of the organization, she and four other members were summoned to the police department for questioning as witnesses. The activist says that during the interrogation, it was made clear to them that the police had access to the organization's correspondence.

Hubska notes that they met the newly elected head of the Zazymyska OTC this year, and he supposedly expressed his readiness for cooperation and implementation of court decisions regarding the provision of land plots to veterans, but nothing happened. The activist says that after this, she sent requests to the Zazymyska Village Council regarding certain decisions related to this situation with land plots.

As of October 2021, the forgery case is still being investigated. At the same time, Viktorina Hubska has also filed a report about Krupenko's actions, and the police have also started an investigation of this claim.

Viktorina Hubska is the head of the NGO of Women Veterans, Disabled Women, ATO Participants "Berehynia," founded in 2016 to help people who fought in the war and their families. The organization is registered in Kyiv but works with veterans across the Kyiv Region.

Among other things, Berehynia works with the issue of land plots allocated for the veterans: writes the relevant requests and appeals to local self-government bodies, provides legal support to veterans in court if needed.

#intimidation_threats_or_other_forms_of_pressure

#discreditation

- On **7 July 2021**, **Anastasia Nozdrowska**, a civil activist from **Demydiv**, Kyiv Region, began to be bullied on social media after she published an announcement about an interrogation within this case of the current head of the Kyiv Region Police, Andriy Nebytov, after a court hearing about the murder of her mother, human rights advocate Iryna Nozdrowska.¹³ In her post, Anastasia mentioned

¹³ Anastasia Nozdrowska. Personal Facebook page, 7 July 2021: https://www.facebook.com/permalink.php?story_fbid=886902315228847&id=100017272599465

conversations between Nebytov and the defendant Yuriy Rossoshansky, during which the former tried to convince the latter to confess (this is included in the case files), spoke in his support, and the defendant replied by speaking about a deal on lighter categorization of the crime.

According to Anastasia Nozdrovska, about an hour after the publication her comments were flooded by Facebook users who started writing insulting messages to her, accusing her of “self-promotion using her mother’s death” and of slander against the police. The activist says that she received these comments both from empty accounts (without posts or personal photos) which looked like bots and from accounts of active law enforcement officers.

In the evening of 8 July, the activist also received a direct message with murder threats from the user Taras Nemtsov¹⁴, whom she did not know.

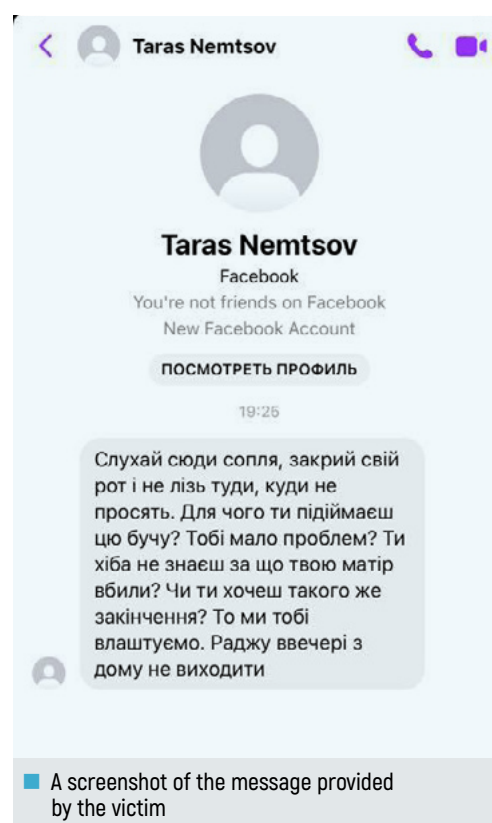


Anastasia Nozdrovska
(a photo from the activist's Facebook page)

Anastasia Nozdrovska is the daughter of the civil activist Iryna Nozdrovska, who was killed in 2017. She is the victim in this case, which is considered by the Shevchenkivsky District Court of Kyiv.

Iryna Nozdrovska worked on the case of her sister Svitlana Sapatynska's death for several years; on September 30, 2015, in the village of Demydiv, the latter was hit by a car driven by the 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. The decision came into force on 29 January 2020, after a challenge by the prosecutor.

The body of Iryna Nozdrovska herself was found on January 1, 2018, in a water reservoir near Demydiv, Vyshgorodsky District, Kyiv Region. According to the preliminary data provided by 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. The National Police declared that Yuriy Rossoshansky confessed to the murder of the human rights defender. But his defense claims that the man was forced to confess to a crime which he did not commit, promising to help his son in return.



A screenshot of the message provided by the victim

¹⁴ The daughter of the deceased activist Nozdrovska is threatened on social media because of announcing an interrogation of the Head of the Kyiv Regional Police (Дочці загиблої активістки Ноздровської погрожують у соцмережах через анонс допиту начальника поліції Київщини) / ZMINA, 9 July 2021: <https://zmina.info/news/dochczi-zagybloyi-aktyvistky-nozdrovskoyi-pogrozhuut-u-soczmerezhah-cherez-anons-dopytu-nachalnyka-policiyi-kyivshhyny/>

#intimidation_threats_or_other_forms_of_pressure

- On **7 July 2021**, in **Kyiv**, **Ostap Tyvonovych**, a student of the Taras Shevchenko National University in Kyiv, who identifies as an active member of the LGBTIQ community, started receiving threats because he had hung a rainbow flag outside his window at the dormitory.¹⁵

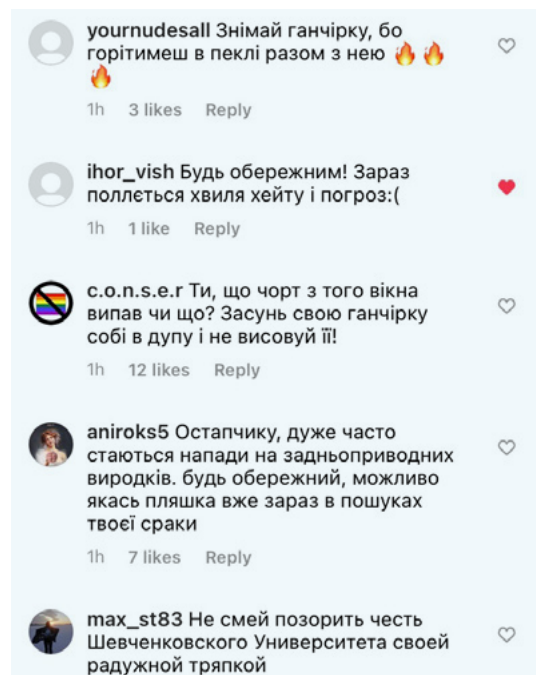
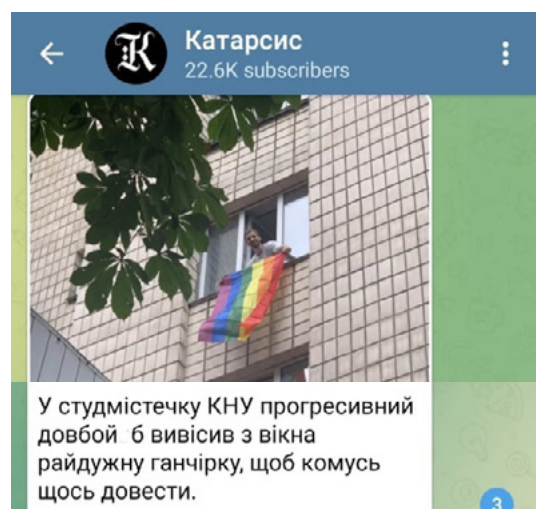
According to the victim, he did it on 5 July to show that even when the pride month ends, people should still draw attention to the infringement of the rights of the LGBTIQ community. The next day, he received a Telegram message from his department's deputy dean, saying that the campus management were wondering why an LGBT symbol was placed on the dormitory and whether he intended to "advertise this direction" with this action. Ostap Tyvonovych explains that the conversation was peaceful, but he found the wording funny (they went on to discuss what exactly can be seen as advertising if LGBT is not an item for sale and not a service), so he published screenshots of the messages on his Twitter page. The tweet went viral (several hundred retweets).

The screenshots of the conversation were eventually shared on the Chervony Guber Telegram channel¹⁶ (a community of KNU students and graduates) with a comment "Sheva is still the best," where, in the victim's opinion, they were seen by the administrators of the far-right Telegram channel Catharsis (because there were homophobic statements among the comments); the channel posted about it with an offensive comment and a link to Tyvonovych's Instagram account.

After this, he started receiving direct messages with offensive comments and threats of violence (including rape and murder: "*Prepare yourself, people are already looking for you,*" "*Die, f**got,*" etc.), and some of them wrote, "*Hi from the children of catharsis,*" likely proving the connection with the posts on the eponymous Telegram channel.



■ A photo provided by Ostap Tyvonovych



■ A screenshot of the threats received by Ostap Tyvonovych

¹⁵ A Kyiv National University student hung an LGBT flag out his dorm window – now he is threatened by right-wing radicals (Студент КНУ вивісив з вікна гуртожитку ЛГБТ-прапор – тепер йому погрожують праворадикали) / ZMINA, 9 July 2021: <https://zmina.info/news/student-knu-vyvisyv-z-vikna-gurtozhytku-lgbt-prapor-teper-jomu-pogrozhuut-pravoradykaly/>

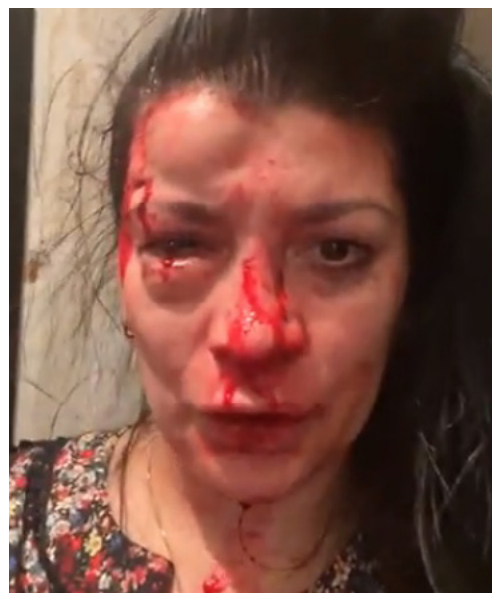
¹⁶ Chervony Guber (Червоний губер). Telegram channel, 7 July 2021: <https://t.me/rektorguberski/2393>

Ostap Tyvonovych reported the threats to the police, but, despite the requirements of the law, the police did not open a case. The activist is now challenging the inaction of the law enforcement in court.

#physical_attack

- On **15 July 2021**, at around 8:00 p.m., in **Dnipro**, two unidentified individuals attacked the civil activist **Natalia Eshonkulova** in her building's staircase. According to the victim, she went up to her floor and opened the door when it happened: the activist was hit on the head and lost consciousness for a while, and when she came around, she saw her neighbors coming out, and the attackers began to flee, but the woman managed to notice that one of the attackers had a knife.

According to Natalia Eshonkulova, a few of her teeth are damaged, her nose is broken, she has a concussion and bruises and hematomas on her face. Immediately after the attack, she started a livestream on her Facebook page to report the attack while she was waiting for an ambulance and the police.¹⁷ The activist was hospitalized and had to have a nose surgery, among other things, to be able to breathe normally.



■ A screenshot from the livestream started by Natalia Eshonkulova after the attack

Natalia Eshonkulova is convinced that the attackers wanted to kill her and associates the attack with her activism. She rules out robbery. According to her, she had a bag with a significant amount of cash, but the attackers did not take it.

On 16 July, the Dnipropetrovsk Region Police reported that they categorized the attack on the activist as attempted murder (Part 2 of Article 15, Part 1 of Article 115 of the Criminal Code of Ukraine).¹⁸

On 24 July, it became known that two men were arrested on the suspicion of their involvement in the attack on Natalia Eshonkulova. Ihor Klymenko, the Head of the National Police, reported¹⁹ that they were recognized by the victims; they are residents of Dnipropetrovsk Region, one of the attackers is 36 and the other is 28.

The pre-trial investigation is underway. The victim insists that the crime was a hit which someone ordered.²⁰

Natalia Eshonkulova is an entrepreneur from Dnipro, lawyer, head of the NGO Ukry, founded in 2014. She was one of the organizers of the protests of small business owners against the quarantine restrictions in 2020.²¹

¹⁷ Natasha Eshonkulova. Personal Facebook page, 15 July 2021: <https://www.facebook.com/100009317015475/videos/192078172887068>

¹⁸ Dnipropetrovsk Region Police. Official Facebook page, 16 July 2021: <https://www.facebook.com/PoliceDniproRegion/posts/1831009447059701>

¹⁹ Ihor Klymenko. Facebook page, 24 July 2021: <https://www.facebook.com/iklymenko.fb/posts/233039768824336>

²⁰ Her face became a bloody mess: Natalia Eshonkulova spoke about why she was beaten and at whose orders (Лицо превратилось в кровавое месиво: Наталья Эшонкулова рассказала, как и по чьему заказу ее избили) / Telegraph, 20 July 2021: <https://telegraf.com.ua/ukraina/mestnyiy/5669386-litso-prevratilos-v-krovavoe-mesivo-natalya-eshonkulova-rasskazala-kak-i-po-chemu-zakazu-ee-izbili.html>

²¹ In Dnipro, entrepreneurs held a car rally "No to double standards!" (У Дніпрі підприємці провели автотітинг «Ні подвійним стандартам!») / Radio Svoboda, 30 April 2020: <https://www.radiosvoboda.org/a/news-dnipro-avtomitynh/30585418.html>

According to the victim, in 2020, she received a complaint from the entrepreneurs of the Ozerka market (she used to have a stall there as well) saying that they are denied a rent discount (while they could not work due to the quarantine), but also not allowed to bring their stock out, and only the market management has their contracts with the market. Eshonkulova notes that she participated in negotiations with the market's director (who threatened her).

In addition, Natalia Eshonkulova notes that she works to oppose raider takeovers of businesses and property as a member of an initiative group. According to her, this activism started when raiders tried to take her husband's business using forged documents, and then she found out that there are many victims of such actions (whose business or real estate were under threat from such takeovers), and they decided to unite.

Eshonkulova wrote reports to the law enforcement, the Verkhovna Rada and the President on behalf of the initiative group. The activist says that at first she simply wrote about the problem without the names of the individuals who were likely involved in this, and later she started mentioning names (including some businessmen and former officials of Dnipro). Natalia Eshonkulova says that after the second round of letters, the council members started responding, and the first group of victims went to an appointment at the regional Prosecutor's Office; she was beaten in the evening on the same day.

According to the activist, the beating was preceded by threats: a word was passed to her through other people that she should be cautious.

#intimidation_threats_or_other_forms_of_pressure

#privacy_violation

- On **15 July 2021**, the far-right Telegram channel Catharsis made several posts about the LGBTIQ activist **Sophia Lapina**, publishing links to her social media profiles²² and her personal phone number.²³

Before the incident, according to the human rights defender, her email and, as it later turned out, several of her messaging accounts were hacked (as Lapina later found out, the criminals messaged her acquaintances using her name), and someone tried to gain access to her bank account and get a loan on her behalf.

She also started receiving messages on Telegram and Instagram (she reports about 200 messages²⁴) with insults and threats of violence, in which the unidentified individuals told Lapina that they knew her address (and indicated her current address), and sent her photos of her balcony.

The right-wing radicals explained their aggression on Telegram by the publication of photos on the Instagram page of the UkrainePride organization which featured stickers and graffiti with LGBT symbols on the walls near Kyiv churches and on a door with an image of a cross. Sophia Lapina, in turn, is one of the founders of this organization, and her credit card is listed as the card where the organization's supporters can send their donations.

At the same time, Lapina herself noted in a comment to Graty that the organization has nothing to do with the stickers (according to her information, they are printed by the organization RebelQueers, but the activist does not know who posted the stickers: the photos were sent to

²² Catharsis. Telegram channel, 15 July 2021: https://t.me/catars_is/4603

²³ Catharsis. Telegram channel, 15 July 2021: https://t.me/catars_is/4597

²⁴ Sofia Lapina. Personal Facebook page, 17 July 2021: <https://www.facebook.com/sofiialapina/posts/3174771226083500>

them anonymously, and the page administrators decided that they were interesting enough to publish them).²⁵

In addition, the far-right, wrote about her “connections to Bolenkov” (meaning the Belarusian and Ukrainian left-wing activist Alexey Bolenkov, whom the Security Service tried to deport from Ukraine in the spring of 2021, but he successfully challenged this decision in court; the far-right individuals tried to beat him up several times at the hearings), and in one of the photos published in the aforementioned Telegram channels she is depicted with men wearing rainbow balaclavas (which are sewn by LaRevolte, an initiative which Bolenkov is involved in).

The victim went to the police, but, despite the requirements of the law, no case was opened; so she challenged the inaction of the law enforcement in court. As of October, the police is investigating this case according to Article 182 (violation of the sanctity of private life) of the Criminal Code of Ukraine.

Sophia Lapina is a co-founder and head of NGO UkrainePride (established in December 2020). Before that, she worked for KyivPride and Our World.

In 2020, ZMINA recorded 2 incidents in which Lapina was the victim.

#physical_attack

- On **16 July 2021** in **Kupyansk**, Kharkiv Region, there was an attack on the activist **Serhiy Kudriavtsev**. According to the victim, two unidentified individuals wearing medical masks waited for him in the evening near his house and beat him up: broke his nose, gave him a concussion, traumatized his jaw and gave him multiple hematomas.

In a conversation with the Ukrainian Helsinki Human Rights Union, Kudriavtsev noted that some time before the attack, he had received calls from unknown numbers with invitations to meet up.²⁶

The police opened a case on 17 July 2021 according to Article 125 (intentional bodily injury) of the Criminal Code of Ukraine.

Serhiy Kudriavtsev is one of the founders and the leader of the Association of Citizens: Coordination Centre for Fighting Corruption in Kupyansk. He has been engaged in anti-corruption work since 2019.

He is an entrepreneur and owns a wood cutting company, so, according to him, he knows which trees are allowed to be cut and which are not. He fights against illegal wood cutting, covering the situation on social media; he has also reported cases to the law enforcement, and some of the cases reached the court trial stage.²⁷ He also participated in the organization of the Tariff Maidan in Kupyansk.²⁸

²⁵ Head of UkrainePride Sophia Lapina went to the police because of threats (Руководительница «УкраїнаПрайд» Софія Лапіна обратилась в поліцію из-за угроз) / Graty, 20 July 2021: <https://graty.me/news/rukovoditelnicza-ukra%D1%97naprajd-sofiya-lapina-obratilas-v-policiyu-iz-za-ugroz/>

²⁶ An activist from Kharkiv Region was attacked and his car was burned: he covers corruption in the region's forest management (На активіста з Харківщини напали та спалили авто: він висвітлює корупцію у лісгоспах області) / Ukrainian Helsinki Human Rights Union, 4 August 2021: <https://helsinki.org.ua/articles/na-aktyvista-z-kharkivshchyny-napaly-ta-spalily-avto-vin-vysvitluie-koruptsiu-u-lisospakh-oblasti/>

²⁷ Kupyansky Forest Management has been sued, demanding compensation for damages in the amount of over 6 million hryvnias (На Купянський лесхоз подали в суд – требуют возместить ущерб в размере более 6 млн грн) / XT, 1 October 2021: <https://times.kharkiv.ua/2021/06/15/na-kupyanskij-leshoz-podali-v-sud-trebuyut-vozmestit-usherb-v-razmere-bolee-6-mln-grn/amp/>

²⁸ The mayor held a meeting with the participants of the Tariff Maidan protest (Міський голова провів зустріч з учасниками акції протесту «Тарифний майдан») / Official website of the Kupyansk City Council and Executive Committee, 25 January 2021: <http://kupyansk-rada.gov.ua/news/id/18364>

#destruction_or_damage_of_property

- On **16 July 2021**, at around half past two in the morning, in **Rubizhne**, Luhansk Region, an unidentified individual set fire to the car of **Valeriy Kharchuk**, the head of the civil association Anti-corruption Regional Front.²⁹ According to the victim, surveillance cameras recorded one individual, probably a man, who committed the arson; his hands caught fire in the act. The same car had already been attacked before: acid was thrown at it.³⁰



■ A photo provided by the victim Valeriy Kharchuk

The activist associates the incident with his opposition to abuses in the city government's public procurement. According to him, before the incident, he was handed a video recording of corrupt deals between local government officials before the auction; he addressed a representative of this institution unofficially, warning him that if they continued with the scheme he had discovered, he would go to the police.

The Luhansk Region Police opened an investigation into the arson case according to Part 2 of Article 194 of the CCU (destruction or damage of property).

Valeriy Kharchuk is the head of the NGO Anti-corruption Regional Front (active since 2013) which monitors local government purchases, land distribution, etc. According to the activist, they publish the findings of their investigations on the Anti-corruption Front Facebook page and challenge decisions which they believe to be illegal by reporting them to the law enforcement.

The incident described above is the fourth case of damaging Valeriy Kharchuk's property this year: on 1 June, unidentified individuals threw acid at two of his cars; on the night of 5 April, unidentified individuals set one of his cars on fire; and on 15 March, unidentified individuals threw acid at his other car (the care that was burned in the latest incident).

According to Kharchuk, in addition to his activism, he is also an entrepreneur and needs the cars for work; however, he links all the incidents to his anti-corruption work.

#destruction_or_damage_of_property

#intimidation_threats_or_other_forms_of_pressure

- On the night of **19 July 2021**, in **Odesa**, unidentified individuals covered the facade of the Odesa office of **LGBT Association Liga** with posters featuring the symbols of the Tradition and Order group, pro-life slogans and anti-LGBT leaflets (featuring an image of a sword cutting through a rainbow flag and captions reading "Leave your orientation at home"). In addition to the office itself, the leaflets were also posted on other nearby buildings (one of which is the Pushkin Museum).³¹

²⁹ Valeriy Kharchuk, an activist from Rubizhne in Luhansk Region, had another of his cars burned (Активісту з Рубіжного на Луганщині Валерієві Харчуку спалили ще одну автівку) / ZMINA, 16 July 2021: <https://zmina.info/news/aktyvistu-z-rubizhnogo-na-luganshyni-valeriyevi-harchuku-spalyly-shhe-odnu-avtivku/>

³⁰ Rubizhne: Acid thrown at Kharchuk's car (photos, videos) (Рубежное: Авто Харчука облили кислотой (фото, видео)) / Tribun, 15 March 2021: <https://tribun.com.ua/78674>

³¹ LGBT Association LIGA. Organizational Facebook page, 19 July 2021: <https://www.facebook.com/Association.LiGA/posts/4430429536980974>

The Gay, Lesbian and Bisexual Association Liga was founded in Mykolayiv in 1993, has a service centre for the community and develops the human rights and education areas of activity. The central office is located in Mykolayiv, but the organization also has offices in Kherson, Odesa and Kyiv.

The office of the Odesa branch has been attacked by members of Tradition and Order on multiple occasions; they vandalized the facade, and in May 2021, unidentified individuals broke a window and tried to damage a CCTV camera near the building entrance.



■ A photo from the Facebook page of the LGBT Association Liga

#physical_attack

#intimidation_threats_or_other_forms_of_pressure

- On **20 July 2021**, ZMINA Human Rights Centre and its partners were approached by **Ivan Beletsky** (Tymoshenko), the head of the Institute of National Politics, who reported persecution and intimidation which, according to the activist, has been perpetrated against him for over a year. He associates it with the publication of exposing materials about Serhiy Korotkykh, a far-right figure and former commander of the reconnaissance company of the Azov Regiment (also known as Botsman and Maliuta).

According to Beletsky, in February 2021, his acquaintance from circles close to Korotkykh invited him to an apartment in the Shevchenkivsky District of Kyiv, promising to give him a live interview; however, when Beletsky arrived, he was attacked by five individuals and tortured; the individuals demanded that he apologize to Korotkykh on camera.

Beletsky says that he saw the face of one of the attackers and is prepared to testify that it was Artem Krasnolutsky. According to the victim, the attackers (possibly Krasnolutsky) have written to him since, threatening to publish a video they filmed as they were torturing Beletsky, sending him photos; they eventually published the video on closed far-right pages.

Earlier, on 28 December 2020, Beletsky was attacked and the attack was recorded on video and shared on various platforms, particularly on Telegram channels. According to the victim, by that time, he had been receiving threats for several months since the publishing of his NGO's conclusion about the activities of Serhiy Korotkykh, in which they associated him with the Russian secret service,³² and Beletsky agreed to meet with the person who threatened him at a supermarket on the outskirts of Kyiv.

According to Beletsky, nobody came to the meeting, and he called a taxi through an app to go home; but there was a problem with the app, and when another company's taxi came, he got in the car. However, as it turned out, it was a trap: he was taken out of Kyiv to a nearby forest and beaten up (his jaw was broken).³³

³² Institute's conclusion on Korotkykh Botsman on recognizing as the agent of Russian influence. Details (Заключение Інститута по Коротких Ботсману о признании агентом влияния РФ. Подробности) / Institute of National Politics, 16 November 2020: <https://www.institutenp.com/post/11-16-2020>

³³ The Institute of National Politics has published a case file in which it accuses Serhiy Korotkykh of working for the Russian secret service. The case file's author has been beaten. Here is what this means («Інститут національної політики» виклав дос'є, де звинувачує Сергія Коротких у роботі на спецслужби РФ. Автора дос'є побили. Розповідаємо, що це означає) / Zaborona, 8 January 2021: <https://zaborona.com/institut-nacionalnoyi-politiki-viklav-dosye-de-zvinuvachuye-sergiya-korotkih-u-roboti-na-specsluzhbi-rf/>

The National Police informed ZMINA Human Rights Centre in reply to our request that on 29 December 2020, the Chaykivsky Police Department in the Kyiv-Sviatoshyn District of Kyiv Region opened an investigation based on Beletsky's report of his beating according to Part 1 of Article 125 (intentional light bodily injury).

However, on 31 December (in two days), the police made a decision to close the investigation due to the "lack of the substance of a crime in the action."

The victim decided not to report this year's attack to the police.

Ivan Beletsky (Tymoshenko) is the chairman of the board of the Institute of National Politics. He comes from Russia, where he was engaged in political activities since the 2000s. He co-organized the Russian Marches,³⁴ for which he was arrested by the Russian law enforcement.

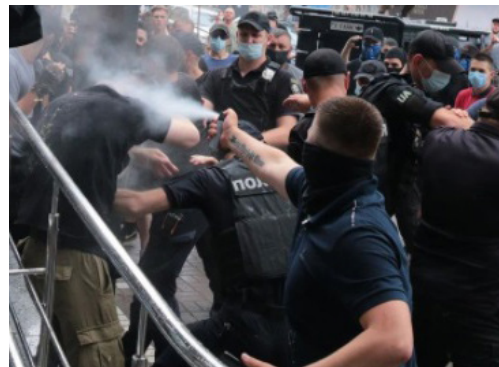
In 2017, he emigrated to Ukraine, stating that he would engage in human rights work and international advocacy here. He notes that he has been charged in Russia according to Part 2 of Article 280 of the Criminal Code of the Russian Federation (public calls for extremist activities), arrested in absentia and put on the international wanted list.³⁵

In Ukraine, he first received a refugee status and later received citizenship.

#physical_attack

- On **20 July 2021**, in **Kyiv** next to the Sixth Administrative Appeals Court, the far-right attacked the Belarusian and Ukrainian activist **Alexey Bolenkov** as he was walking to the hearing where a complaint against the Security Service decision about his forced return to the country of origin (Belarus), which had been rejected by the court of first instance, was to be heard.

The activist was attacked with pepper spray, hit on the head and had chicken eggs thrown at him.³⁶ When a group of people who were also near the courthouse (including several left-wing activists who had come to support Bolenkov and a Belarusian journalist Yevhenia Dolgaya) tried to enter the building with him, they were also attacked.



■ The attack on Alexey Bolenkov
(a photo from the @abc_ukraine Instagram page)

In addition, there were reports about subsequent attacks on individuals who had come to support Bolenkov near the courthouse, and, after the hearing ended, there was a report about physical and verbal aggression against **Maksym Butkevych**, the coordinator of the No Borders project, who was not allowed into the building by the police and the court guard because he arrived later.

Another activist, **Taras Bilous**, reported that he was attacked near the courthouse when he started filming a man wearing a balaclava with the symbols of the Foundation for the Future organization who was trying to take the phone of another activist who filmed the attack on

³⁴ The nationalist Beletsky was arrested without explanation of reasons in Moscow (В Москве без объяснения причин задержан националист Белецкий) / Radio Svoboda, 11 December 2016: <https://www.svoboda.org/a/28169990.html>

³⁵ "One of the reasons for my emigration from Russia are demonstrations in support of Ukraine," says Ivan Beletsky («Одна з причин моєї еміграції з Росії – акції на підтримку України» – Іван Белецький) / Radio Svoboda, 26 August 2018 року: <https://www.radiosvoboda.org/a/29451518.html>

³⁶ Abc_ukraine. Instagram page, 21 July 2021: https://www.instagram.com/p/CRkVF_fDhuX/

Bolenkov. Bilous was grabbed by the neck, the attackers tried to knock him down, and when they failed, a few other individuals rushed towards him and started hitting him on the head and pushing him, and used a pepper spray against him.

The attack on Bilous has been recorded on video.³⁷ Later, while watching the video, the activists were able to express an assumption as to who one of the attackers was. According to them, he is Mykhailo Stryzhka, a member of the Union of Veterans of the War with Russia: although the attacker's face was covered by a balaclava, the video shows his elbow tattoo, and Stryzhka has a similar tattoo.

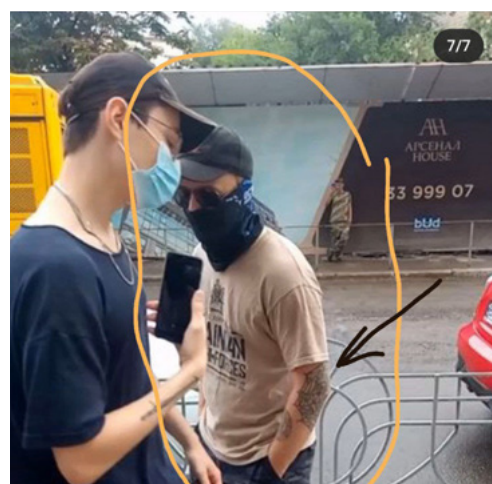
Stryzhka himself denies his presence at the demonstration and claims that he was ill.³⁸

The victims did not report the crime to the police. ZMINA has sent requests asking whether the police have started an investigation of the aforementioned events, since, in particular, the activists' video has captured that law enforcement officers directly witnessed the attacks, and some police officers were even filming them with their body cameras; however, we have not received an answer to this request.

ZMINA Human Rights Centre has been told by **Yevhenia Dolgaya** that during the events in question she was working for a Belarusian media and planned to cover the course of the trial of Bolenkov's complaint, so she came to the courthouse but was not allowed inside. Meanwhile, right-wing radicals started gathering near the courthouse (observers recognized members of organizations such as the National Resistance of Ukraine, Society of the Future, etc.) and displaying aggression against those who came to support Bolenkov. Dolgaya says that she was standing near one of these groups. According to the journalist, when Bolenkov arrived, he was attacked and asked to help him enter the building, because he could hardly see anything due to the pepper spray; when she tried to help him, the far-right also attacked her, hitting her in the face (her jaw), trying to throw an egg at her, and using pepper spray against her. The police and the court guard eventually let them (about five people) inside, but left them in the entrance hall without even allowing them to go to the bathroom to wash and clean up (they only let Bolenkov pass because he was supposed to go to the hearing as the plaintiff).



■ A screenshot from a video of the attack on Taras Bilous



■ A screenshot from a video which, in particular, captures the attack on Taras Bilous



■ A photo from Mykhailo Stryzhka's Facebook page

³⁷ Abc_ukraine. Instagram page, 21 July 2021: <https://www.instagram.com/p/CRkTrfYjy40/>

³⁸ Mykhailo Stryzhka. Personal Facebook page, 19 October 2021: <https://www.facebook.com/strizhkasindikato/posts/1897099463831880>

Dolgaya says that a representative of the court administration threatened to throw them out and called Bolenkov a “hooligan.”

Alexey Bolenkov is a Belarusian and Ukrainian activist who came to Kyiv during the Revolution of Dignity and has lived in Ukraine since then. He identifies as an anarchist and is connected to La Revolte group (they distribute thematic literature, sew clothes, etc.). In Ukraine, he has participated in human rights demonstrations and protests against police brutality.

Since 21 April 2021, the Security Service has been trying to deport Alexey Bolenkov from Ukraine, but the activist challenged this SSU decision in court. Later it became known that the SSU wanted to do the same to Arthur Kondratovych, but the law enforcement officers were not able to deport him because the activist is an asylum seeker. Bolenkov’s complaint was first considered by the Shevchenkivsky District Court, which rejected it, and then by the Sixth Administrative Appeals Court of Kyiv. On 20 July 2021, when the incident in question happened, the consideration of the complaint was just beginning.

The next day, on 21 July, a collegium of judges ruled that the complaint should be satisfied. Thus, Bolenkov was allowed to remain in Ukraine.

#obstruction_of_activities_of_a_non-governmental_organization

- On **21 July 2021**, in **Kyiv**, during the press-conference *(Un)friendly Country: Is Ukraine Safe for Belarusians Who Are Forced to Flee the Regime?*,³⁹ unidentified individuals attacked the messenger accounts of **Iryna Ivanchenko, ZMINA Human Rights Centre’s communications manager**.

According to her, the attack started just as the media event started and lasted for about half an hour: she received calls from Russian phone numbers and over a dozen messages about attempts to log into her Telegram account, as well as various messages with registration codes on services such as ICQ and Multiplex.

As NGO Digital Security Lab explained the situation, this was most likely a so-called SMS bombing, an algorithm for which one only needs to know someone’s phone number; the perpetrator tries to register with this number on as many services or websites as possible for a certain time. Thus, experts note, criminals try to distract someone and interfere with their work. Iryna Ivanchenko assumes that the unidentified individuals were trying to disrupt the press conference this way.

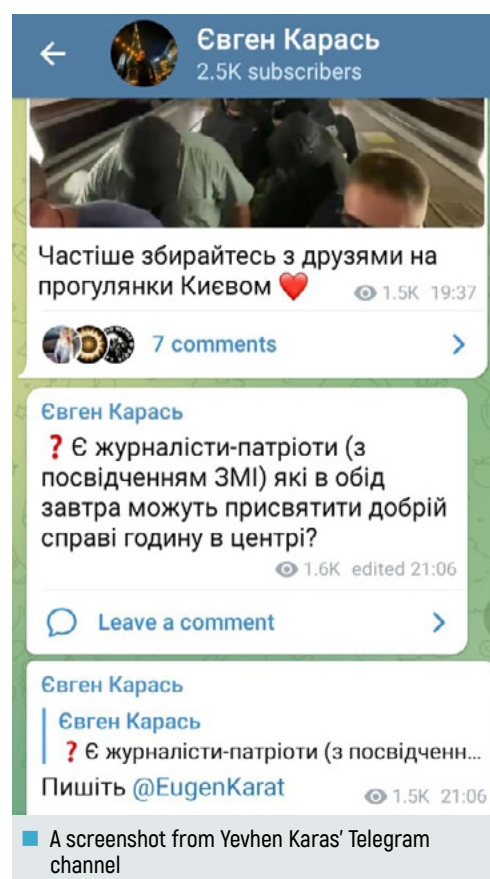
The ZMINA Human Rights Centre conference in question was about the situation with Belarusians in Ukraine, and one of the problems mentioned by the human rights advocates was the practice of cooperation between Ukrainian law enforcement and Belarusian law enforcement and deportation of Belarusians from Ukraine. In particular, they discussed the case of Alexey Bolenkov, whom the SSU has been trying to deport from Ukraine since 21 April this year. Officers came to his home and wanted to drive him outside the Ukrainian border right away, but the activist filed a court complaint against this Security Service decision. The Shevchenkivsky District Court of Kyiv rejected his complaint, but the Sixth Appeal Court of Kyiv satisfied it and stopped Bolenkov’s deportation. Iryna Ivanchenko was indicated as the contact person for journalists in the press announcement of the media event. The event was held on the day when the next (and, as it turned out, final) court hearing was to take place.

³⁹ Deportation and lack of government help: what Belarusians fleeing the regime to Ukraine can expect (Видворення та відсутність державної допомоги: що може очікувати білорусів, які тікають від режиму до України) / ZMINA, 21 July 2021: <https://zmina.ua/event/vydvorennya-ta-vidsutnist-derzhavnoyi-dopomogy-shho-mozhe-ochikuvaty-bilorusiv-yaki-tikayut-vid-rezhymu-v-ukrayinu/>

Bolenkov's deportation was supported by a number of far-right organizations and groups, and the SSU decision to deport was based, among other things, on posts in the anonymous far-right Telegram channel Volary, which has been criticized by human rights organizations on multiple occasions due to its profiling of activists and calls to violence.

A day before the events in question, Yevhen Karas, the leader of the far-right organization the Society of the Future, published the following message on his Telegram channel: *"Are there any patriotic journalists (with a media ID) who can spend an hour in the city centre tomorrow at noon?"*, which can signify preparations for provocations at the press conference.

Karas later watched the broadcast of the media event and actively commented on it on his channel.



■ A screenshot from Yevhen Karas' Telegram channel

#physical_attack

- On **28 July 2021** in **Dubno**, Rivne Region, there was an attack on the civil activist **Serhiy Yakovchuk** as he was returning home from work in the evening.⁴⁰

According to the victim, he works at the utility company Dubnovodokanal and had a shift at a water well located outside the city; he rode his bike after the shift when a car stopped next to him. Yakovchuk does not remember anything after this until he regained consciousness at the hospital with a head laceration, concussion, a big hematoma on his right arm (located on the inner part from the elbow to the shoulder: the victim likely tried to cover his head with his arm⁴¹) and on his legs.

According to the activist, he was found unconscious by a passer-by who called an ambulance; at first, the witness allegedly said that he saw a man running from the crime site to a car, but then claimed that he only saw Yakovchuk covered in blood and thought that there was a car accident.



■ A screenshot from a video recorded by the victim a week after the attack

⁴⁰ In Rivne Region, \$1,000-dollar award is offered for information about an attack on an activist (На Рівненщині пропонують одну тисячу доларів винагороди за інформацію про напад на активіста) / Rivne News, 11 September 2021: <https://www.rivnenews.com.ua/2021/09/11/na-rivnenshchyni-proponuiut-odnu-tysiachu-dolariv-vynahorody-za-informatsiiu-pro-napad-na-aktyvista/>

⁴¹ Serhiy Yakovchuk. Personal Facebook page, 5 August 2021: <https://www.facebook.com/serzdubno/posts/4310672355683313>

The police has started an investigation according to Part 2 of Article 125 (intentional light bodily injury which caused a short-term health disorder) of the Criminal Code of Ukraine. As of 23 September 2021, there are no suspects in the case.

Yakovchuk associates the attack with his activism, particularly his criticism of the current city government. He denies any personal or property conflicts.

The activist says that he sued the Dubnovodokanal management due to an unjustified reprimand and moving him to a different position without his consent (according to Yakovchuk, he won the case, but now Dubnovodokanal has appealed the decision). He had not received any threats except an oral warning that he should be careful after this conflict with the management.

Yakovchuk notes that he expected an attack on himself after unidentified individuals attacked his friend, activist and blogger Serhiy Rakovsky in 2018⁴² (now Rakovsky is promising a monetary reward for any information about Yakovchuk's attackers).

Serhiy Yakovchuk is the head of the Cossack NGO Dubenska Sich which has organized military-patriotic training for children, a shooting range in Dubno, etc. According to the activist, the organization has ceased its activities recently. He is also a blogger, publishing many posts about the community's life and problems.

#destruction_or_damage_of_property

- On **29 July 2021** at around half past three in the morning in **Kupyansk**, Kharkiv Region, unidentified individuals set fire to a car belonging to the anti-corruption activist **Serhiy Kudriavtsev**, which was parked next to his private house.⁴³ According to the victim, he was woken up by a loud noise and saw his car burning.

The victim called the police and the emergency service. The police arrived with dogs and discovered some evidence of arson (but Kudriavtsev does not say what the evidence was, citing the confidentiality of the investigation).



■ A photo from the victim's Facebook page

The police has launched an investigation into the events according to Part 2 of Article 194 (intentional destruction or damage of property) of the CCU.

The victim associates the incident with his activism against cutting down forests and disconnecting villages from gas supply (he covers the situation on his Facebook page).

It should be noted that the arson was preceded by a beating on 16 July 2021, when two unidentified individuals wearing medical masks waited for him in the evening near his house.

Serhiy Kudriavtsev is one of the founders and the leader of the Association of Citizens: Coordination Centre for Fighting Corruption in Kupyansk and an entrepreneur. He also participated in the organization of the Tariff Maidan in Kupyansk.

⁴² Serhiy Rakovsky. Personal Facebook page, 1 August 2021: https://www.facebook.com/permalink.php?story_fbid=1982835135219744&id=100004798292754

⁴³ Serhiy Kudriavtsev. Personal Facebook page, 29 July 2021: <https://www.facebook.com/sergey.kudrayvtzev/videos/389847669143792/>

AUGUST 2021

#destruction_or_damage_of_property

- On **2 August 2021**, it became known that the persecution of the **LGBT Association Liga** in Mykolayiv by the far-right group Tradition and Order continued: the walls of their central Mykolayiv office were covered by propaganda posters of the aforementioned organization containing pro-life and homophobic messages.

Members of the organization interpret this as an intimidation attempt because the posters feature a sword cutting through a rainbow flag.⁴⁴

Bohdan Khodakovsky, the leader of the right-wing radical group Tradition and Order, also threatened the Sheriff security firm with “*problems with Orthodox Ukrainians*” on his Telegram channel on the same day because the firm provides security services to LGBT organizations.⁴⁵

The Gay, Lesbian and Bisexual Association Liga was founded in Mykolayiv in 1993, has a service centre for the community and develops the human rights and education areas of activity. Its central office is located in Mykolayiv, but the organization also has offices in Kherson, Odesa and Kyiv.

#intimidation_threats_or_other_forms_of_pressure

- On **3 August 2021**, a group of police officers in **Slovyansk**, Donetsk Region, visited the home of the civil activist **Dmytro Braslavsky** and pressured his mother: they called their bosses demonstratively, showed her their service weapons, etc. According to the activist, this was a response to an information request he had sent to the police.⁴⁶

According to Braslavsky, the local police initiated the creation of a Telegram chat⁴⁷ in order to facilitate communication with the citizens, and during July, he wrote there several times (5-6), particularly about improvised markets, but he did not see the police respond to the messages. Instead, the activist was blocked in the chat and had to contact the press office personally to lift the ban. Then Braslavsky decided to file an information request as a citizen to find out what the police did in response to his requests; he did not receive an answer, but a group of officers came to his house.

The Donetsk Region Police, in reply to a request from the ZMINA Human Rights Centre, confirmed that they had received a request from Dmytro Braslavsky on 2 August, and that an operational investigative group was sent to his address of residence on 3 August 2021 “in order to conduct a full and comprehensive verification, clarification of the circumstances of the events mentioned by the latter in his request.”

Dmytro Braslavsky is an active citizen in Slovyansk who represents the Paper Front initiative. He filed the request on behalf of just himself as a citizen, not as a representative of an organization or an editorial office, but he indicated that he intended to use the reply in a journalistic material.

⁴⁴ The right-wing group Tradition and Order continues pressure on LGBT Association Liga (Праворадикальне угруповання “Традиція і порядок” продовжує тиск на ЛГБТ-асоціацію “Ліра”) / ZMINA, 3 August 2021: <https://zmina.info/news/pravoradykalne-ugrupovannya-tradycziya-i-poryadok-prodovzhuje-tysk-na-lgbt-asocziacziyu-liga/>

⁴⁵ Khodakovsky. Telegram channel, 2 August 2021: <https://t.me/BKhodakovsky/2002>

⁴⁶ Dmytro Braslavsky. Personal Facebook page, 3 August 2021: <https://www.facebook.com/braslavsky.dimon/posts/4111670845583863>

⁴⁷ Residents of Slovyansk can be in constant contact with the law enforcement using an online forum on Telegram (Жителі Слов’янська можуть бути на постійному зв’язку із правоохоронцями за допомогою онлайн-форуму в додатку «Telegram») / Slovyansk and Lyman Police, 1 April 2021: <http://slavyansk-police.dn.ua/news/view/11055>

#destruction_or_damage_of_property

- On the night of **6 August 2021**, in **Kharkiv**, an unidentified young man ruined a mural on the wall of the **PrideHub** community centre for LGBT+ people and allies, managed by the LGBTIQ organization **Sphere**. The organization noted⁴⁸ that the painting was titled the Equality Mural and was officially approved by the city government; it was intended to cover written threats left earlier by far-right groups. The painting included the caption “*It’s good to be different together*,” to which the vandals attached the phrase “*It doesn’t mean being perverts*.”



■ A photo from Sphere's Facebook page

Organization representatives reported the act of vandalism to the law enforcement.⁴⁹ In reply to a ZMINA Human Rights Centre request of 12 August, the Kharkiv Regional Police said that they were verifying the information provided by the activists but had not launched criminal proceedings.

The Kharkiv Women's Association Sphere is a Ukrainian NGO founded in 2006 by an initiative group of women. They identify as a lesbian feminist organization. Among other things, they organize human rights and education events, particularly women's solidarity weeks and the Kharkiv Pride; the organization has also established the PrideHub community centre.

In the past few years, the PrideHub community centre for LGBT people and their allies has been systematically attacked by far-right individuals from Tradition and Order and Freikorps. In May 2019, they barged in during a closed event dedicated to preparations for the Equality March in the city. The far-right also disrupted an LGBT party where community-friendly projects in Kharkiv were to be presented; earlier still, they broke the windows, threw smoke bombs and sprayed pepper spray at the community centre during a discussion club meeting.

#intimidation_threats_or_other_forms_of_pressure

- On **10 August 2021** in **Vyshgorod**, Kyiv Region, unidentified individuals brought a funeral wreath with an inscription reading “*Life is sand*” to the family home of the civil activist **Vladyslav Dulapchiiy** and threw the wreath over the fence.

The activist associates the incident with his civil activities. Vladyslav Dulapchiiy is the head of the public council of the Vyshgorod District State Administration and the head of the NGO Hometown Vyshgorod, which engages in anti-corruption activities; he is also the administrator of the eponymous Facebook group.



■ A screenshot from the video published by the victim on his Facebook page

⁴⁸ Sphere, Women Association / Organizational Facebook page, 6 August 2021: <https://www.facebook.com/spherewa/posts/2845210735740450>

⁴⁹ In Kharkiv, graffiti on the walls of an LGBT centre was painted over with a homophobic inscription (У Харкові графіті на стіні ЛГБТ-центру замалювали гомофобним надписом) / ZMINA, 6 August 2021: <https://zmina.info/news/u-harkovi-zamalyuvaly-grafiti-na-stini-lgbt-centru-zamofobnym-nadpysom/>

According to the victim, lately he has been trying to oppose the illegal mining of sand from Dnipro; municipal land plots leased out for the construction of a shopping mall are used to store the sand. Dulapchiiy says that, together with other activists, he conducted photo and video recording of the violations, wrote reports to law enforcement agencies and initiated a discussion of this issue at the public council, which eventually voted for a letter to the State Investigation Bureau.

The activist says that he has received multiple oral threats due to these activities. He believes that the wreath incident is a part of the campaign to intimidate him.

The Kyiv Region Police has opened a case according to Part 1 of Article 129 (murder threat) of the Criminal Code of Ukraine.

Vladyslav Dulapchiiy is a lawyer, the head of the public council of the Vyshgorod District State Administration and the head of NGO Hometown Vyshgorod, which is engaged in anti-corruption activities; he also manages the eponymous Facebook group. He was a victim of a Titushkas attack during the Euromaidan events of 2013–2014.⁵⁰

#intimidation_threats_or_other_forms_of_pressure

#obstruction_of_activities_of_a_non-governmental_organization

- On **10 August 2021**, Illia Popkov, the leader of the Odesa branch of the far-right group Tradition and Order, declared his intention to oppose the events of **Odesa Pride** by using violence: “*They come out under the slogan ‘Live free – live without fear,’ we will come out under a different one, ‘Repeat Tbilisi’.*”⁵¹ This was a reference to the attacks on civil activists and journalists in July this year, a few hours before the beginning of the March for LGBT Rights in the capital of Georgia, where the opponents of the march destroyed the offices of two human rights organizations and beat up several dozen people while the police were inactive.⁵²

Earlier, Bohdan Khodakovsky, the leader of Tradition and Order, also mentioned “*show them Tbilisi,*” referring to another LGBT event, the Reivakh Pride in Kyiv.

And in a post on his Telegram channel on 16 August, Khodakovsky referred to last year’s experience when the participants of the Odesa Pride march were attacked by a group of individuals wearing the symbols of Tradition and Order; as a result, over a dozen of march participants were injured. Supposedly in comparison to WWII, Khodakovsky concluded the post with a phrase which can be interpreted as a call to violence: “*On 28 August, I call on Odesa residents to be brave before the rainbow Romanians push them down into the gender underground.*”

In addition, according to the organizers of Odesa Pride, they have recorded calls to oppose the march and attempts to coordinate those willing to do it on local Telegram channels.

The demonstration organizers went to the police, but the latter refused to launch proceedings based on their report. This forced the activists to challenge the law enforcement’s inaction in court, and 13 human rights organizations addressed the leadership of law enforcement agencies

⁵⁰ The first rule of Fight Club. How Titushkas snitched on each other during trials of Maidan cases (Первое правило «Бойцовского клуба». Как титушки сдавали друг друга в судах по делам Майдана) / Graty, 10 March 2020: <https://graty.me/pervoe-pravilo-bojczovskogo-kluba-kak-titushki-sdavalii-drug-druga-v-sudah-po-delam-majdana/>

⁵¹ The March for Equality announced in Odesa – right-wing radicals threaten to disrupt it (В Одесі анонсували Марш рівності – праворадикали погрожують його зірвати) / ZMINA, 11 August 2021: <https://zmina.info/news/v-odesi-anonsuvai-marsh-rivnosti-pravoradykaly-pogrozhuut-jogo-zirvaty/>

⁵² A march for LGBT rights cancelled in Tbilisi due to mass violence by opponents of the event (У Тбілісі скасували марш за права ЛГБТ через масове насильство з боку противників події) / ZMINA, 5 July 2021: <https://zmina.info/news/u-tbilisi-skasuvai-marsh-za-prava-lhbt-cherez-nasyt%CA%B9stvo-z-boku-protivnykiv-podiyi/>

with an open letter⁵³ calling to investigate the threats and guarantee the safety of the participants of LGBTIQ demonstrations.

The queer culture festival Odesa Pride 2021 took place in Odesa on 24–29 August 2021. The Pride March was held on 28 August. The chosen theme of this year's festival was the issue of the safety of LGBTIQ activists, because last year, the participants of the march were attacked and more than ten people were injured.

#physical_attack

#intimidation_threats_or_other_forms_of_pressure

- On **18 August 2021** in **Kyiv**, on 6 Observatorna Str., the location of a single-story 19th century building known as the Barban Homestead, a group of unidentified individuals wearing dark hooded jackets and medical masks attacked the activists who were holding an indefinite rally against the building's demolition and preventing construction equipment from entering the site.⁵⁴

One of the victims, historian **Oleksandr Vizersky**, told ZMINA Human Rights Centre that six young men who arrived there first said that they were from “landscaping” but did not show any IDs, from which the protesters concluded that they were thugs hired by the developers. According to Vizersky, they started knocking down the benches which the protesters were sitting on and trying to push the activists away. The men tore Vizersky's T-shirt and hit him in the face, neck and torso several times while he was trying to prevent them from knocking out or grabbing the phone of another activist, who was trying to call the police to the site.

Six protesters have filed police reports. One of the attackers who remained at the site after the others had fled was recognized and his information was given to the police. However, the police have not launched proceedings (the report on the crime was probably registered as a citizen address).

In addition, Oleksandr Vizersky has reported oral threats received by himself and his wife (who also protests against the demolition of the Barban Homestead) from individuals whom they identify as representatives of the developer.

On 18-19 August, there was a round-the-clock protest action at the Barban Homestead against the demolition of the building, organized by a group of concerned Kyiv residents. They do not represent any NGOs.



■ Barban Homestead after the beginning of the dismantling (photo credit: Anastasia Moskvychova)



■ Demonstration participants (photo credit: Anastasia Moskvychova, ZMINA)

⁵³ Non-governmental organizations demand that the police investigates the threats against Odesa Pride (Громадські організації вимагають від поліції розслідувати погрози Одеса-прайду) / ZMINA, 20 August 2021: <https://zmina.ua/statements/gromadski-organizacziyi-vymagayut-vid-policziiy-rosliiduvaty-pogrozy-odesa-prajdu/>

⁵⁴ In the centre of Kyiv, a fight between the opponents of the demolition of an ancient Barban Homestead and the developer's people (В центре Киева произошла потасовка между противниками сноса старинной усадьбы Барбана и людьми застройщика) / Graty, 18 August 2021: <https://graty.me/news/v-centre-kieva-proizoshla-potasovka-mezhdu-protivnikami-snosa-starinnoj-usadby-barbana-i-lyudmi-zastrojshhika/>

According to Oleksandr Vizersky, there are very few buildings like this (with pilasters on the facade) left in Kyiv, and the Ministry of Culture has issued an order⁵⁵ banning the construction and land work, but the developer did not challenge the ban in court and just ignored it. In addition, according to the activist, 81 plants (trees) were destroyed on the plot without proper permits from the Ministry of the Environment.

The work has been commissioned by LLC Information Group “Capital Message Agency.” A banner was attached to the building’s gate about reconstruction work and installing a support wall and foundations, but it can be seen that a part of the building has already been destroyed. The work is carried out by Geos-UKB.

At first the activists just kept watch near the building. On 18 August, when the developer brought heavy equipment, they started blocking it; and when the developer’s representatives started dismantling the roof the next day, on 19 August, the protesters blocked Observatorna Street.

#illegal_detention_or_search

#legal_persecution

- On **19 August 2021** in **Kyiv**, the police arrested two activists of the **Save Protasiv Yar** organization, **Illia Tkachenko** and **Yevhen Cherepnia**, during a rally against the demolition of the Barban Homestead, a 19th century building on Observatorna Street.

As Yevhen Cherepnia, one of the victims, told the ZMINA Human Rights Centre, he and other activists were invited to Observatorna Str. by their friends: other protesters had just blocked the street by walking back and forth across a pedestrian crossing. Some drivers did not like this, they started verbal fights with the protesters, but there was no physical confrontation.



■ Yevhen Cherepnia's arrest at the demonstration near the Barban Homestead in Kyiv (photo credit: Stanislav Yurchenko, Graty)

According to Cherepnia, he came to the location of the conflict, but a police officer ran up to him and started pushing him to the sidewalk and then twisting his arms; Illia Tkachenko ran up to ask what was going on, but at that moment, another officer grabbed Tkachenko’s neck from behind and knocked him down onto the asphalt (there are several video recordings of the incident, including one filmed by the Graty reporter Stanislav Yurchenko).⁵⁶

Yevhen Cherepnia notes that he tried to help Tkachenko to at least stop the police officer from choking him; riot police officers ran up to them, knocked him down, twisting his arms, tore his T-shirt, one of them even stepped on him. As a result, according to the activist, he has numerous bruises on his body.

The police arrested the activists and delivered them to the Shevchenkivsky Police Department, writing two misdemeanor protocols on each of them according to Articles 173 (petty hooliganism) and 185 (persistently disobeying a legal demand of a police officer).

⁵⁵ Activists defending a historic building in Kyiv reported an attack by Titushkas (Активісти-захисники історичного будинку в Києві заявили про напад тітушок) / Ukrayinska Pravda, 18 August 2021: <https://www.pravda.com.ua/news/2021/08/18/7304291/>

⁵⁶ Stas Yurchenko. Personal Facebook page, 19 August 2021: <https://www.facebook.com/stas.yurchenko/posts/4406167292781357>

Illia Tkachenko also said that while they were drive in a bus to the precinct, the police turned off their body cameras and threatened that they were going to bring them to the precinct and “*talk in a different way.*”

Meanwhile, according to the activists, no force was used against them at the precinct, the officers spoke politely but wrote the protocols carelessly, they did not want to add their explanations at first; as a result, Tkachenko received two copies of the protocols, but Cherepnia, despite legal requirements, received only one.

The Shevchenkivsky District Court considered both protocols on Yevhen Cherepnia and fully acquitted him,⁵⁷ while the hearing of Illia Tkachenko’s case was postponed indefinitely due to the judge’s sick leave.

As noted by witnesses during one of the hearings, the police officer who conducted the arrest did not make any legal demands, but instead was swearing rudely and trying to physically push Yevhen Cherepnia out of the road. The witnesses also recalled excessive use of force by the police against both detainees: according to them, Cherepnia was choked during the arrest, and the other detainee, Illia Tkachenko, was hit on the head by a police officer.

The activists intend to file a claim to the SIB regarding the use of violence against them by the police.



■ Yevhen Cherepnia in court
(photo credit: Anastasia Moskvychova, ZMINA)

NGO Save Protasiv Yar emerged in May 2019 as an initiative group defending the eponymous location in the Solomyansky District of the capital against the construction of three high-rises there by the Daytona Group company (and successfully stopped the construction on the location).

#intimidation_threats_or_other_forms_of_pressure

- On **21 August 2021** in **Odesa**, unidentified individuals posted photos of **Anna Leonova**, the head of the **Gay Alliance Ukraine** organization; **Alisa Pyvovarchyk**, the communications manager of **Odesa Pride**; **Ivan Tereshchuk**, the head of the Odesa branch of the **LGBT Association Liga**; and **Liudmyla Yamshchykova**, an employee of the regional office of the Verkhovna Rada Ombudsman, on the walls of buildings in the city centre. The activists’ names were written under the photos, and the entire composition was captioned with the phrase “*Know your enemy’s face.*”



■ A photo sent by the victims

The Odesa Region police started proceedings based on these events according to Part 1 of Article 161 of the CCU (violating the equality of citizens).

⁵⁷ Activist Cherepnia, arrested at the rally near the Barban Homestead, acquitted on both charges (Затриманого на мітингу біля садиби Барбана активіста Черепню виправдали за обома статтями) / ZMINA, 5 October 2021: <https://zmina.info/news/zatrymanogo-na-mityngu-bilya-sadyby-barbana-aktyvista-cherepnyu-vypravdaly-za-oboma-stattiyamy/>

Nobody has claimed responsibility for this specific incident, and the posters do not feature any organization's symbols, but members of the far-right radical group Tradition and Order simultaneously posted other posters against Odesa Pride around Odesa with the caption "*F**gots, the vacation is over,*" which is a case of hate speech against the LGBT, and collected signatures against the "*gay parade,*" due to which they had a conflict with an unknown security company and later tried to present this conflict as persecution by the LGBT community.

In addition, the group continued to publish these and similar messages with signs of hate speech on their Telegram channel and Facebook page, and its leaders openly published threats on social media.⁵⁸

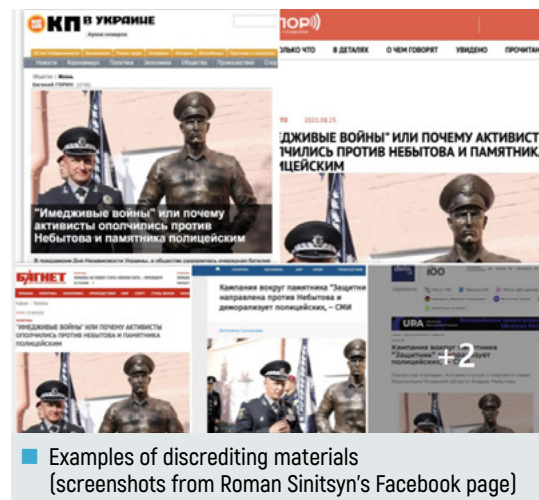
On 24 August, a group of young men who were posting posters against Odesa Pride attacked the event's volunteer while he was walking down the street because the man was wearing a rainbow bandana, tore the bandana off of him, threatened to stab him but did not do it because a law enforcement car was parked nearby. Later, Tradition and Order claimed that he was "provoking" them.⁵⁹

The queer culture festival Odesa Pride 2021 took place in Odesa on 24–29 August 2021. The Pride March was held on 28 August. The chosen theme of this year's festival was the issue of the safety of LGBTIQ activists, because last year, the participants of the march were attacked and more than ten people were injured.

#discreditation

- On **25 August 2021**, *Komsomolskaya Pravda in Ukraine* published a text by Yevhen Horin, presented as a column, in which he accuses the civil activists and bloggers **Serhiy Sternenko** and **Roman Sinitsyn** of receiving payment to discredit the current head of the Kyiv Region National Police, Andriy Nebytov.

The reason for this were the activists' critical publications about the opening of a statue of a police officer which, in their opinion, resembles Nebytov, as well as about a video with birthday wishes for the latter, recorded by police officers during the rehearsals of the Independence Day parade (in which the police officers shout "*Glory!*" for him three times); the video was first posted on the Kyiv Region Police Facebook page, but then it was deleted. Sternenko dedicated a YouTube blog to this,⁶⁰ and Sinitsyn wrote several social media posts.⁶¹



Examples of discrediting materials (screenshots from Roman Sinitsyn's Facebook page)

⁵⁸ Non-governmental organizations demand that the police investigates the threats against Odesa Pride (Громадські організації вимагають від поліції розслідувати погрози Одеса-прайду) / ZMINA, 20 August 2021: <https://zmina.ua/statements/gromadski-organizacziyi-vymagayut-vid-policzii-rosliiduvaty-pogrozy-odesa-prajdu/>

⁵⁹ In Odesa, an Odesa Pride volunteer was attacked because of a rainbow bandana (В Одесі напали на волонтера "Одеса-прайду" через райдухну бандану) / ZMINA, 25 August 2021: <https://zmina.info/news/v-odesi-napali-na-volontera-odesa-prajdu-cherez-rajduzhnu-bandanu/>

⁶⁰ Police general installed a monument to himself, but hid it under a tent due to publicity. What was that? (Генерал поліції поставив собі ж пам'ятник, але після розголосу сховав його у намет. Що це було?) / STERNENKO, YouTube channel: <https://www.youtube.com/watch?v=BtFn6nTnO30>

⁶¹ Roman Sinitsyn. Facebook page, 21 August 2021: <https://www.facebook.com/romabra/posts/10208173718098799>

The *Komsomolskaya Pravda* publication entitled *Image Wars: Why activists rose up against Nebytov and the monument to the police*,⁶² in turn, includes several comments by individuals identified as former National Police officers with positive feedback about Andriy Nebytov's work, as well as comments by the former MP Ihor Mosiychuk and the current MP Yulia Yatsyk who claim that the activists are paid for their activities. No evidence is provided to prove this. At the same time, the section which supposedly indirectly quotes Mosiychuk has an implicit message against the activists as such: "Yes, according to the estimates, this situation is a targeted campaign against Nebytov. Of course, it's well-paid; after all, the activists won't work for free, and the more noise, the bigger the pack of cash which settles in their pockets. This is what, in particular, says Ihor Mosiychuk."

This publication was reprinted in full by *Rupor*⁶³ and *Bagnet*. In addition, several publications used it as a source of "news."⁶⁴

The distribution of this material shows signs of systematic work and uses the same model of information attacks on activists which ZMINA described earlier in the case of Vitaliy Shabunin (see the descriptions of incidents from February 2021⁶⁵).

Roman Sinitsyn (real name: Roman Balan) is a Ukrainian activist, blogger, representative of the Who Ordered the Murder of Katia Handziuk initiative, co-founder of the Popeople's Rear volunteer association helping the Ukrainian military; for a while, he was the head of the certification commission of the Ministry of Internal Affairs of Ukraine (MIA).

Serhiy Sternenko is a civil activist from Odesa, former head of the Odesa Right Sector and later head of NGO Nebayduzhi; among other things, has a video blog titled Sternenko In Contact. In Odesa, he participated in protests against construction in the Odesa Summer Theatre, after which he was arrested. Currently based in Kyiv.

#physical_attack

- On **26 August 2021** in **Melitopol**, Zaporizha Region, a group of unidentified individuals attacked the union activist **Andriy Kulikov** near the dormitory where he lives.⁶⁶ According to the victim, at around 6 p.m. he was heading home to pack for his shift at the train engine depot, where he works as a driver, but he lingered to talk to his neighbors. When they said goodbye and went ahead, his way was suddenly blocked by a male stranger in his 30s who called his name and, after making sure it was him, hit him in the head and knocked him down.

According to Kulikov, other attackers approached after this (three in total) and started hitting him in the head and torso: he has a closed head injury, concussion, head lacerations, fracture in his right arm, numerous bruises and hematomas all over his body. The victim says that he managed

⁶² "Image wars" or why activists are against Nebytov and the monument to police officers («Имидживые войны» или почему активисты ополчились против Небытова и памятника полицейским) / KP in Ukraine, 25 August 2021: <https://kp.ua/life/703566-y-medzhyvye-voyny-ily-pochemu-aktivisty-opolchylis-protiv-nebytova-y-pamiatnyka-polytseyskim>

⁶³ "Image wars" or why activists are against Nebytov and the monument to police officers («ИМЕДЖИВЫЕ ВОЙНЫ» ИЛИ ПОЧЕМУ АКТИВИСТЫ ОПОЛЧИЛИСЬ ПРОТИВ НЕБЫТОВА И ПАМЯТНИКА ПОЛИЦЕЙСКИМ) / Rupor, 25 August 2021: <https://www.rupor.info/news/180224/imedzhivye-voyny-ili-pochemu-aktivisty-opolchilis-protiv-nebytova-i-pamyatnika-politseyskim/>

⁶⁴ The campaign around the Defender monument is aimed against Nebytov and demoralizes the police, says the media (Кампания вокруг памятника «Защитник» направлена против Небытова и деморализует полицейских, – СМІ) / Ukrainian News, 25 August 2021: <https://ukranews.com/news/797144-kampaniya-vokrug-pamyatnika-zashchitnik-napravlena-protiv-nebytova-i-demoralizuet-politseyskih-smi>

⁶⁵ Activism 2021: Monitoring report on the persecution of activists and human rights defenders in the government-controlled territory of Ukraine (January–March 2021) / O. Vynohrada, A. Moskvychova, T. Pechonchuk, L. Yankina. – Kyiv: ZMINA, 2021. – P. 34.

⁶⁶ In Zaporizhia, the leader of the Union of Railway Workers was brutally beaten (PHOTO, VIDEO) (В Запорожье жестоко избили лидера профсоюза железнодорожников (ФОТО, ВИДЕО)) / Accent, 30 August 2021: <https://akzent.zp.ua/v-zaporozhe-zhestoko-izbili-lidera-profsoyuza-zheleznodorozhnikov-foto-video/>

to call for help, and when the attackers saw that his neighbors heard him and turned around, they escaped in a car that arrived to take them.

The activist says that he does not remember the details, but he saw the car drive up to the building before the attack. As the attackers fled, they took the things they were hitting him with (some kind of bats or sticks) and possibly his shoes, because they were never found afterwards.

His neighbors called an ambulance and the police. Andriy Kulikov was hospitalized and discharged as of 6 September. The victim believes that the attackers wanted to kill him.

The police has launched proceedings based on the attack according to Part 1 of Article 122 (intentional medium-severity bodily injuries) of the CCU.

Andriy Kulikov is the head of the Free Union Cell of the Workers of the Melitopol Engine Depot.

According to the victim, before the attack, the union initiated the dismissal of several officials, particularly the depot director, due to their violations of the Labor Code. Due to this, Kulikov says, these people wrote complaints about him to the Ukrainian Railway and initiated assemblies where his activities were discussed.

Andriy Kulikov believes that the attack was paid for. He says that his relations with his dormitory neighbors are normal, he has no private conflicts or debts. He is not engaged in any other activities except his work and union activism.



■ A photo provided by the victim

#intimidation_threats_or_other_forms_of_pressure

#discreditation

- On **27 August 2021**, the civil activist **Aliona Kazanska** reported threats and persecution due to her participation in the shooting of the film *Chachio*, which raises the topic of the treatment of homosexuality in Roma communities.⁶⁷ According to her, the pressure started back in 2020, and she and her husband had to hide by living with their friends.

Aliona Kazanska notes that she received phone calls with threats of violence, and some of her relatives threatened her verbally. According to the activist, there was also a “Roma court” in 2020, a community gathering which is unregulated by the Ukrainian law which aims to settle conflicts within the community; the gathering can also exclude someone from the Roma community, which means that other Roma people will be banned from communicating with them. Kazanska explains that the ban also applies to that person’s relatives, which explains the pressure from her family. At that point, she says, the “court” did not make this decision against her; people tried to initiate the gathering again this year, but it did not happen.

⁶⁷ Aliona Kazanska. Personal Facebook page, 27 August 2021: <https://www.facebook.com/a.kazanskaya/posts/4491088327617835>

In August 2021, the Instagram page Talented Roma of Ukraine (as of the publication of the monitoring report, the page is no longer accessible) published a video which mentions Kazanska, her husband, an actor who starred in the film, and the head of the Roma programmes at the Renaissance Foundation in a negative light because of the film. Another video was soon published which also mentioned the Roma activist Myroslav Horvath in a negative light because he allegedly supported the film's release on social media. Later, the same page published videos of Roma public figures criticizing the actor who starred in the film and denying their involvement in the film's creation and distribution.

Aliona Kazanska is a Roma activist who, among other things, works with the issues of women's and LGBTIQ rights in Roma communities. She was a consultant, co-writer and translator into Romani for the short feature film *Chachio* (Rom. "honest"), directed by Vitaliy Havura.

The film was made following Havura's participation in the art residence Coming Out of Isolation 2.0, organized by the Isolation Foundation and NGO KyivPride for the purpose of overcoming prejudice against the LGBT. The film's plot is about a gay Roma man Yanush, who marries a girl due to pressure from his parents and community and due to the fear of coming out, which would mean major reputation losses for his family among the other Roma.

The film also mentions the custom of checking the bride's virginity during the wedding. Earlier, Aliona Kazanska said in the documentary *Roma Dance* that this practice was still prevalent in Roma communities, and that it was done to her in particular.⁶⁸

The film *Chachio* won the FIPRESCI jury award at the Odesa Film Festival in 2020.⁶⁹

#privacy_violation

#discreditation

- On **29 August 2021**, the far-right Telegram channel Catharsis published a sex tape involving **Viktor Pylypenko**, the head of NGO **Ukrainian LGBT Military for Equal Rights**, and several other people, including other representatives of the organization. Before this, the Telegram channel had published screenshots from these videos with mocking captions.

As Viktor Pylypenko told ZMINA Human Rights Centre, the original copy of the video was published in a closed informal Telegram chat *Achilles's Brotherhood* on 24 August. In this chat, which, according to the activist, has been active for three years, the participants can publish various content without censorship.

A few days after the publication Pylypenko was informed that the video appeared in the comments under one of the posts in the far-right Telegram channel Solaris. As it turned out, one of the community members (who presented himself as a gay contract soldier) downloaded the video and leaked it to the right-wing radicals.

On 29 August, in response to a post in the Telegram channel Military LGBTIQ+ which expressed approval for the arrest of members of the far-right group Tradition and Order in Odesa following confrontations with the police after the Equality March on 28 August, the Catharsis Telegram channel posted: "*F**gots are gloating, well, whatever, you'll have some*

⁶⁸ Aliona Kazanska: don't be silent about what hurts (Альона Казанська: не мовчати про те, що болить) / Gender in Detail, 9 June 2021: <https://genderindetail.org.ua/spetsialni-rubriki/zhinky-yaki-toruyit-novi-shliachy/alona-kazanska.html>

⁶⁹ The 11th Odesa Film Festival announced its winners (11-й Одеський кінофестиваль оголосив переможців) / Yabl: <https://yabl.ua/2020/10/03/11-j-odeskij-kinofestival-ogolosiv-peremozhcv>

fun today.” After this, Catharsis started publishing the aforementioned screenshots and links to the published video.

In these posts, the far-right note that people in the video are representatives of the Ukrainian LGBT Military association. In a separate post, they published a photo of a state award given to one of the participants of the sexual act, commenting that the man who received the award participated in the filming.

NGO Ukrainian LGBT Military for Equal Rights was founded in Kyiv in July 2021. Before this, it operated as a civil initiative of veterans and active service members.

#discreditation

- On **30 August 2021**, several media outlets began publishing materials with signs of manipulation about the anti-corruption activist **Vitaliy Shabunin**, after the activist wrote on his Facebook page about the plans for the Anti-corruption Action Centre’s work, including a point about lobbying for the promotion of a mechanism to ban “*enemies of reforms and their family members*” from entering the US.⁷⁰

Some media outlets saw the latter as a reason for comparison with the Stalinist era and the term “enemies of the people,” which compares incomparable phenomena and leads to conceptual misinterpretation: Shabunin’s post does not include calls for repression, although the aforementioned texts try to put this thesis forward due to similar wording.

On the day of the publication of Shabunin’s Facebook post, *7 Days. Info*⁷¹ published a text entitled *How Shabunin called to fight the “enemies of reforms” and their families*, which cherry-picks quotes from the post and then, supposedly for the sake of impartiality, includes a comment by MP Maksym Buzhansky that attempts to make the aforementioned comparison.

Later, on 1 September, *Capital* published an article entitled *Grant activists don’t shy away from the rhetoric from Stalinist repression times to pressure their opponents, says expert* (this resource is not accessible at the moment of the publication of this report) which featured a comment by the political expert Ruslan Bortnyk. The sentence “*reformers believe that they are above the Ukrainian law*” is presented as an indirect quote, even though the original post which the expert is asked to comment on does not mention the Ukrainian law, since Ukrainian law does not regulate the procedure for entering the United States.

This article also mentioned the comparison to “enemies of the people,” but did it in the background, as if it was a long-established fact.

In less than three hours, *Capital* published another article entitled *Shabunin covers his own failures with aggressive rhetoric, says lawyer*, this time with a comment from the lawyer Rostyslav Popovych. The article presents claims that have already been mentioned in this context: the anti-corruption reforms in Ukraine have failed, Western countries are trying to manipulate the Ukrainian government by supporting NGOs (the article uses the word “*Sorosiata*”), and includes the comparison with Stalinist rhetoric in the background.

⁷⁰ Vitaliy Shabunin. Personal Facebook page, 30 August 2021: <https://www.facebook.com/vitaliy.shabunin/posts/10158459165264537>

⁷¹ How Shabunin called to fight the “enemies of reforms” and their families (Как Шабунин призвал бороться с «врагами реформ» и их семьями) / 7 Days Info, 30 August 2021: <https://7dniv.info/politics/137421-kak-shabunin-prizval-borotsya-s-vragami-reform-i-ih-semyami.html>

At least three of these materials have been reprinted in full by the online publication UNN.⁷²

Thus, the media have published a series of materials which systematically promote unfounded claims that discredit the Anti-corruption Action Centre in particular and the non-governmental sector in general.

Vitaliy Shabunin is a co-founder of NGO Anti-corruption Action Centre, which develops and advocates for legislation aimed to combat corruption (particularly legislation concerning the anti-corruption agencies NABU, SAP, HACC and ASMA, concerning the criminalization of illegal enrichment, etc.), monitors public procurement and initiates investigations of abuses.

SEPTEMBER 2021

#physical_attack

- On **2 September 2021**, **Valeriy Kharchuk**, the head of the civil association **Anti-corruption Regional Front**, reported physical aggression by the mayor of **Rubizhne** Serhiy Khortiv.

According to Kharchuk, he came to Khortiv's public office to ask him where exactly the conditions for studies would be created after the Rubizhne Regional Sanatorium School for Children with Scoliosis was shut down (the activist says that his child used to attend this school).

Kharchuk notes that he was accompanied by another activist Serhiy Zavhorodniy, who intended to record the conversation with the mayor on video. However, Serhiy Khortiv, according to the activists, did not comment on anything, but grabbed a chair and tried to beat them with it; both of them have bruises from the encounter.

The Luhansk Region Police replied to ZMINA Human Rights Centre's request that they have launched proceedings based on the events that happened to Valeriy Kharchuk and Serhiy Zavhorodniy according to Part 1 of Article 126 (beating and torture) of the CCU. Nobody has been declared a suspect.

The Rubizhne City Council replied to ZMINA Human Rights Centre's request that they had not been approached with regard to the injuries caused by the mayor (the reply to our request was signed by Serhiy Khortiv).

Valeriy Kharchuk is the head of the NGO Anti-corruption Regional Front (active since 2013) which monitors local government purchases, land distribution, etc. According to the activist, they publish the findings of their investigations on the Anti-corruption Front Facebook page and challenge decisions which they believe to be illegal by reporting them to the law enforcement.

The closure of the school concerns other children in addition to Valeriy Kharchuk's child. In April 2021, there was a protest organized by other parents in Rubizhne; they blocked the Rubizhne-

⁷² Shabunin, the head of the AntAC, covers his own failures with aggressive rhetoric, says lawyer (Агресивною риторикою глава ЦПК Шабунін прикриває власні провали, – юрист) / UNN, 2 September 2021: <https://ukranews.com/ua/news/798742-agresyvnoyu-rytorykoyu-glava-tspk-shabunin-prikrivaye-vlasni-provaly-yuryst>; "You can't fight for the rule of law by illegal means": a lawyer comments on Shabunin's words about the "family members of the enemies of reforms" («Не можна боротися за торжество закону незаконними способами»: юрист прокоментував слова Шабуніна про «членів сім'ї ворогів реформ») / UNN, 2 September 2021: <https://ukranews.com/ua/news/798703-ne-mozhna-borotysya-za-torzhestvo-zakonu-nezakonnymy-sposobamy-yuryst-prokomentuvav-slova-shabunina>; Grant activists don't shy away from the rhetoric from Stalinist repression times to pressure their opponents, says expert (Грантові активісти не гнушаються риторики времен сталинских репрессий для давления на оппонентов, – эксперт) / UNN, 1 September 2021: <https://ukranews.com/news/798567-grantovye-aktivisty-ne-gnushayutsya-ritoriki-vremen-stalinskih-repressij-dlya-davleniya-na>

Kreminna road. Before the protest, unidentified individuals broke the window of the office of Hanna Sokolova, one of the protest organizers and a member of the parents' committee.⁷³

#intimidation_threats_or_other_forms_of_pressure

- In the evening of **3 September 2021** in **Kryvyi Rih**, Dnipropetrovsk Region, unidentified individuals shot one of the dogs that lived with the animal rights activist **Artem Pushkov** with a pneumatic gun.⁷⁴ Another dog was wounded.

Pushkov's family had a total of 9 rescue dogs. To make the dogs comfortable, the family rented a house with a yard where the dogs could walk during the day. According to Pushkov, his wife was at home during the incident, but she did not hear the shots and only heard one of the dogs whining; she later found the dead dog near the gate.

According to Artem Pushkov, before the incident, he had a conflict with a neighbor who did not like the fact that many dogs were living nearby. The neighbor expressed dissatisfaction to his wife and verbally threatened Artem Pushkov.

In addition, approving and satisfied posts and comments from the participants were posted in the Zooschiza +18 Facebook community of opponents of the animal rights movement after the publication of media materials about the murder of Pushkov's dog.⁷⁵

On 4 September, the police started proceedings according to Part 1 of Article 299 of the CCU (cruel treatment of animals).

Artem Pushkov is the head of NGO Alliance of Animal Protectors. The organization helps stray animals in Kryvyi Rih, advocates for cageless poultry farming and participates in nationwide actions such as the March for Animal Rights (such a march took place on 5 September 2021 in Kyiv, Pushkov joined it as an activist).



■ An X-ray of the wounded dog (a photo from Artem Pushkov's Facebook page)

#destruction_or_damage_of_property

- On **7 September 2021** in **Boryspil**, Kyiv Region, unidentified individuals damaged the car of **Pavlo Lysiansky**, an expert for the **Eastern Human Rights Group** and a former employee of the Ombudsman's Office.

⁷³ An activist who supports the preservation of a school in Rubizhne had her windows broken and is threatened with lawsuits (Активистке, которая поддерживает сохранение школы в Рубежном, разбили окна и угрожают судами) / Eastern Variant, 9 April 2021: <https://v-variant.com.ua/aktyvistke-kotoraia-podderzhyvaet-sokhraneniye-shkol-v-rubezhnom-razbyly-okna-y-uhrozhaiut-sudamy/>

⁷⁴ "Zara in a pool of blood": in Kryvyi Rih, a puppy and a dog were shot near an animal rights activist's house, one of the animals died (photo) («Зара в калюжі крові»: у Кривому Розі біля будинку зоозахисника стріляли в цуценя та пса, одна тварина загинула (фото)) / UNIAN, 7 September 2021: <https://www.unian.ua/incidents/zara-v-kalyuzhi-krovi-u-krivomu-rozi-bilya-budinku-zoozahisnika-strilyali-v-cucenya-ta-psa-odna-tvarina-zaginula-foto-novini-dnipra-11536426.html>

⁷⁵ Zooschiza +18. Facebook group, 7 September 2021: <https://www.facebook.com/groups/1731306267172870/posts/2646955742274580/>

According to the victim, he was traveling from Donbas to Odesa and stayed in Boryspil at his friends' house. When the activist left the building in the morning to travel further, he saw that someone broke the rear side window, poured unknown liquid which looked like glue on the wheels and glued a dead bat to the car's hood. At the same time, according to Lysiansky, nothing was stolen from the car.

He believes that the incident is a demonstrative act of intimidation and links it to his public activities at the Eastern Human Rights Group, particularly to his coverage of human rights violations in the temporarily occupied areas of Donetsk and Luhansk Regions. The victim expresses the assumption that militants from the occupied territories did it to show that they remember and follow him. He says that if the incident took place in Donbas, he also could have associated it with his work at the Ombudsman's Office, because there he facilitated prosecution for lack of access to public information.

The Kyiv Region Police reported that they have started proceedings according to Part 1 of Article 194 (intentional damage of property) of the CCU. At the same time, in reply to a request from ZMINA Human Rights Centre, the agency's representatives noted that they have no information about the incident's connection to the victim's civil activities.



■ A photo from Pavlo Lysiansky's Facebook page

NGO Eastern Human Rights Group has operated in Luhansk and Donetsk Regions since 2014; it was founded after the conflict began by a group of lawyers to oppose human rights violations in the region. The organization's areas of work include monitoring human rights violations, providing legal aid to victims, particularly internally displaced people and refugees, evacuating civilians from localities where the fighting intensifies, organizing education events, etc.

Pavlo Lysiansky is a co-founder of the organization; he also used to be its head, but he left it to work at the Verkhovna Rada Ombudsman's Office. Vira Yastrebova replaced him as the organization's leader. In 2020, ZMINA reported that unidentified individuals damaged Yastrebova's car⁷⁶ and threatened her (responsibility for this incident was allegedly claimed by "Luhansk partisans"⁷⁷).

In December 2020, Pavlo Lysiansky was fired from the Ombudsman's Office.⁷⁸ At the moment, he works at the Eastern Human Rights group as an expert.

#destruction_or_damage_of_property

- On **9 September 2021** in **Rubizhne**, Luhansk Region, **Valeriy Kharchuk**, the head of the civil association **Anti-corruption Regional Front**, reported that the door to the apartment where he lives with his family was damaged.

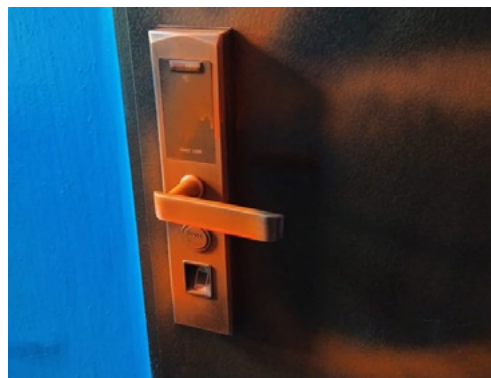
⁷⁶ In Luhansk Region, unidentified individuals destroyed a human rights defender's car (На Луганщині невідомі розтрощили машину правозахисниці) / ZMINA, 14 October 2020: <https://zmina.info/news/na-luganshyni-nevidomi-roztroshyly-mashynu-pravozahysnyci/>

⁷⁷ Vera Iastrebova. Personal Facebook page, 18 October 2020: <https://www.facebook.com/vera.iastrebova/posts/4493079554100721>

⁷⁸ Lysiansky, the representative of the Verkhovna Rada Ombudsman in Donbas, was fired because of a fight at a restaurant (Представника омбудсмена ВРУ на Донбасі Лисянського звільнили через бійку в ресторані) / Free Radio, 11 December 2020: <https://freeradio.com.ua/predstavnyka-ombudsmena-vru-na-donbasi-lysianskoho-zvynily-cherez-biiku-v-restorani/>

According to the victim, at around 11 a.m., his child was leaving home and saw that the lock on the door and the video doorbell installed at the entrance were covered with paint.

Kharchuk believes that the incident was paid for. According to him, the criminal knew where surveillance cameras at the building entrance were located, so he tried to move in a way that made it impossible to identify him: he approached from the side, through the bush, then climbed over the fence. However, the activist found footprints from football boots left by the unidentified individual on the ground.



■ A photo sent by the activist victim

The victim notes that residents of one of Rubizhne's apartment buildings called him and reported about what they believed to be an illegal dismantlement of a heat exchanger by the communal heat and energy company employees at around the same time when the incident with paint took place. Kharchuk believes that this was an attempt to distract him so that he had to deal with his own property and not these people's problem. According to him, the police compared the shoe prints at the location of the incident to the shoes of the heat company's employees and allegedly found a similarity. However, nobody was arrested.

On 14 September, the Luhansk Region Police replied to ZMINA Human Rights Centre's request that all the cases of damage to Valeriy Kharchuk's property were being investigated.

The next day after the door incident, on 10 September, Valeriy Kharchuk found a man whom he has known since the protests against the closure of a school for children with scoliosis (he is also one of the parents, like Kharchuk) in the staircase of his building. According to Kharchuk, the man was holding a hammer. The activist says that the man claimed that he could "*solve his problem with Khortiv*" (the mayor of Rubizhne) for money and leave the city, and then "*it will all stop*."

According to Kharchuk, this behavior was uncharacteristic for the man, they had not had any conflicts before, and he thinks it is unlikely that this man is involved in the cases of arson and acid damage to the activist's property earlier this year.

Valeriy Kharchuk is the head of the NGO Anti-corruption Regional Front (active since 2013) which monitors local government purchases, land distribution, etc. According to the activist, they publish the findings of their investigations on the Anti-corruption Front Facebook page and challenge decisions which they believe to be illegal by reporting them to the law enforcement.

#legal_persecution

- On **15 September 2021** in **Kyiv**, PJSC Ukrainian Flowers filed a lawsuit to protect its honor, dignity and business reputation against **Taras Hrytsiuk**, an activist of the **Save Ukrainian Flowers** initiative, and against the 1+1 TV channel. The case is to be considered by the Podil District Court of Kyiv; the first hearing is scheduled for late December.

The victim believes that the lawsuit is an attempt to put pressure on the initiative and a part of the developer's strategy to eliminate obstacles to the demolition of the Ukrainian Flowers building.

As noted by representatives of the initiative group, of which Hrytsiuk is a member, a lawsuit based on the same charge has also been filed against the Servant of the People MP Dmytro

Hurin (the case will be heard by the Pechersk District Court of Kyiv); and earlier, the developer appealed the decision to ban construction while the copyright violation case is being investigated.⁷⁹

Taras Hrytsiuk is a historian, co-founder of NGO Different Education, tutor, facilitator, member of Different Education's tutor pool, co-founder of the Workshop House education space, co-founder of Urban Space 500. He is a member of the Save Ukrainian Flowers initiative group.

The Ukrainian Flowers building is located in the centre of Kyiv in Sichovykh Striltsiv Str. It was built in the 1980s as an education pavilion in the postwar modernist style based on the architect Mykola Levchuk's project. In the summer of 2021, its owner tore down the ivy which covered the building's facade and started dismantling the building for the purpose of "reconstruction." Civil activists spoke out against this.⁸⁰

In July 2021, the Shevchenkivsky District Court of Kyiv banned the owner from dismantling the Ukrainian Flowers building, the education pavilion in the postwar modernist style in 49 Sichovykh Striltsiv Street, for the duration of the court trial of the violation of the copyright belonging to the building's architect Mykola Levchuk. The developer is currently appealing the ban.

#discreditation

- On **20 September 2021**, **Olena Shevchenko**, the head of NGO **Insight**, reported the appearance in Kyiv of several billboards with photos of LGBTIQ activists as well as people featured in some criminal cases, and with accusations against all LGBT activists of pedophilia and murder and links to the GrantDetector Telegram channel.



■ A photo from Olena Shevchenko's Facebook page

The channel, created on 19 September, features more content with hate speech against the LGBT and civil activists who implement grant projects in general, as well as various unfounded accusations and manipulative claims about them; for instance, it quotes an abstract from an interview with the activist Anna Sharygina, in which she talks about the funding required to organize an Equality March, but it is commented in a way that suggests that she is prepared to organize such a demonstration if anyone pays her the indicated amount of money.

The owner of the billboards, Bigmedia⁸¹, as well as the Association of Outdoor Advertising Operators⁸² denied giving their permission to advertise this content in Kyiv and claimed that they have reported it to the police.

⁷⁹ Save Ukrainian Flowers (Зберегти Квіти України). Facebook page, 17 September 2021: <https://www.facebook.com/Save.Kvity.Ukrainy/posts/141802394820055>

⁸⁰ Fighting for Flowers. Who and why fights for the building of Ukrainian Flowers and what is going to happen with it (Битва за Квіти. Хто і чому бореться за будівлю Квітів України і що з нею буде далі) / NV, 28 August 2021: <https://nv.ua/ukr/kyiv/kviti-ukrajini-hto-i-chomu-boretsya-za-budynok-i-shcho-bude-z-nim-dali-novini-kiyeva-50178562.html>

⁸¹ In Kyiv, homophobic posters were posted on a number of billboards. Advertising agencies deny their involvement (У Києві на низці бігбордів розмістили гомофобні плакати. Рекламні агенції заперечують свою причетність) / ZMINA, 20 September 2021: <https://zmina.info/news/ukryevi-na-bigbordah-bigmedia-rozmistily-gomofobnu-reklamu-kompaniya-zayavlyaye-pro-samozahoplennya/>

⁸² Association of External Advertising Operators of Ukraine (Асоціація операторів зовнішньої реклами України). Facebook page, 20 September 2021: <https://www.facebook.com/outdoor.org.ua/posts/4869167926446273>

The ZMINA Human Rights Centre monitoring for 2020⁸³ noted the trend of the activation of the media usage of “*grant-eaters*” and “*Sorosiated*”, words with negative connotations, which has signs of a planned campaign and an attempt to discredit the civil sector involved in the reform process, to undermine trust in institutions and to create a distorted image of activism as a form of interest-based activities.

In addition, similar situations in Hungary and the Russian Federation in the past show that the conceptual stigmatization of activism and human rights work can transform into much deeper restrictions of the work of international organizations and lead to the erosion of public trust in activists and human rights defenders, to excessive requirements for the work of non-governmental organizations, to a significant decrease in citizen activity and reform promotion in the country, etc.

The incident in question continues this negative trend.

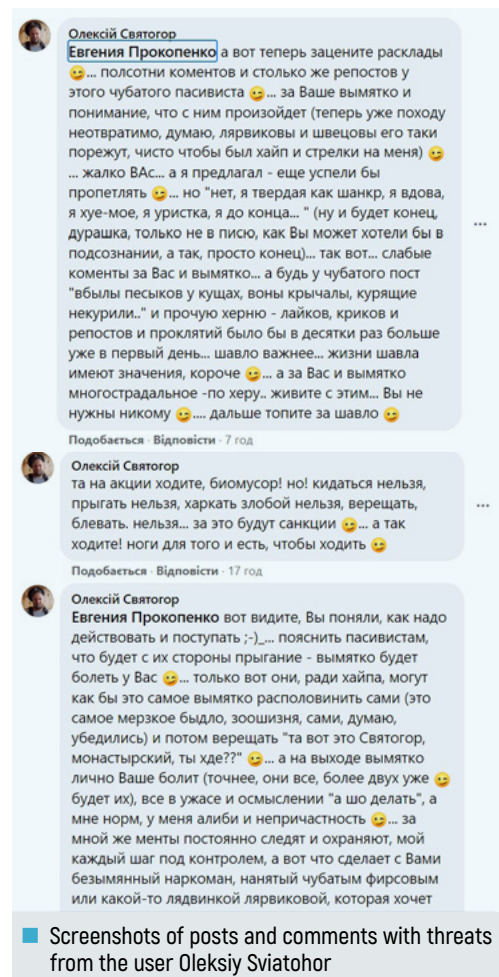
#intimidation_threats_or_other_forms_of_pressure

- On **21 September 2021**, Yehor Firsov, civil activist and former MP, reported⁸⁴ threats of violence received by the animal rights activist and lawyer **Yevhenia Prokopenko** on Facebook from a user signed as Oleksiy Sviatohor. The user has left comments (particularly under Firsov’s aforementioned post) with promises to “*take the activist hostage*” and “*cut her with a construction knife*” if other animal rights activists do not stop opposing him.

The victim, Yevhenia Prokopenko, says that she has been receiving threats from Sviatohor for about two years since her colleagues from the Barristers law firm started leading a case against him in court: Oleksiy Sviatohor was accused of creating artwork promoting the cult of violence, because he did not hide that he was a dog hunter; by in January 2021, he was acquitted and released by the court.⁸⁵

However, in the past few months, according to Prokopenko, possibly in connection to the consideration of the case by a court of appeal, Sviatohor intensified his intimidation attempts; the activist believes that he is really capable of moving on to real-life action or sending his supporters to attack her.

Online threats from Oleksiy Sviatohor have also been reported by the Facebook user **Olha Moholivets** (she left a comment about this under



The image displays three screenshots of Facebook comments from a user named Oleksiy Sviatohor. The comments are in Ukrainian and contain threats and intimidation towards Yevhenia Prokopenko and other activists. The first comment is a long, detailed threat mentioning various scenarios and threats of violence. The second comment is shorter, threatening physical harm. The third comment is another threat, mentioning a 'construction knife' and 'hostage-taking'. Each comment is preceded by a small profile picture of the user Oleksiy Sviatohor.

■ Screenshots of posts and comments with threats from the user Oleksiy Sviatohor

⁸³ The Situation of Human Rights Defenders and Civil Activists in Ukraine in 2020: analytical report / O. Vynohradova, A. Moskvychova, T. Pechonchuk, L. Yankina; ZMINA Human Rights Centre. – Kyiv, 2020. – P. 28: https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf

⁸⁴ Yehor Firsov. Personal Facebook page, 21 September 2021: <https://www.facebook.com/egor.firsov/posts/4955247091158268>

⁸⁵ A court in Kyiv acquitted the dog hunter Sviatohor (Суд у Києві виправдав догхантера Святогора) / Radio Svoboda, 18 січня 2021: <https://www.radiosvoboda.org/a/news-svyatogora-vypravdaly/31050845.html>

Yehor Firsov's post). According to the woman, she has lived in the Netherlands for several years, but she adopted two dogs from a shelter in Dnipro and tries to help animal rights activists in Ukraine. Moholivets says that she has reacted to publications in the Zooschiza +18 Facebook group of opponents of animal rights activists, and because of this, the user Sviatohor started sending her threats and comments about her alleged involvement in drug trafficking. The activist says that she has blocked this user, and the social media platform has hidden his comments and messages from her (she did not screenshot them).

Yevhenia Prokopenko is a lawyer who also identifies as an animal rights activist. She participates in environmental demonstrations, posts about helping stray animals, and covers cases of cruel treatment of animals.⁸⁶

#discreditation

- On **21 September 2021**, *Argumentum*⁸⁷ and *From-UA*⁸⁸ published an article titled *Literary Ukraine published a story about a bad PR manager whose prototype is Iryna Fedoriv*.

The “press event” that served as the reason for this publication was Maksym Cheresnia's short story “*Fedorivism*,” or *paid journalism under the guise of feigned honest motivations*,⁸⁹ published on the Literary Ukraine website in July this year (meaning that the aforementioned publications waited for two months). The story's protagonist is the ex-husband of a journalist nicknamed Fedora who, according to the plot, slanders him during the divorce process, but then her laptop is stolen and it turns out that she writes paid puff pieces, and the protagonist himself ends up in hospital for reasons that are not clarified in the text.

Cheresnia's text itself does not mention that any of the characters had a prototype, but this idea supposedly occurs two months after the publication to someone from *Argumentum*, a website which presents itself as an “emigration publication,” and the media publishes its own text with unfounded accusations against **Iryna Fedoriv**, the editor-in-chief of the Chesno website, and **Olha Matiushyna**, a former village head of Kotsiubynske and civil activist, both of whom used to oppose illegal construction in the Bilychi Forest near Kyiv on land plots that were allocated for development in a non-transparent way.⁹⁰

The text contains manipulative claims and appears to have been written for the purpose of sharing the “background”: dubious and false claims about the activists are presented as verified common knowledge.

The same method was also used in a number of discreditation campaigns against public figures in Ukraine, but this was the first time in our monitoring practice that we encountered stylized presentation as a fiction piece.

⁸⁶ Animal rights activist Yevhenia Prokopenko: It's impossible not to respond when animals need help (VIDEO) (Зоозащитниця Євгенія Прокопенко: Невозможно не реагировать, когда животным нужна помощь (ВИДЕО)) / Journalist, 14 January (year not specified): <https://journalist.today/zoozashhitnica-prokopenko777-nevozmozhno-ne-reagirovat-kogda-zhivotnym-nuzhna-pomoshh-video/>

⁸⁷ Literary Ukraine published a story about a bad PR manager whose prototype is Iryna Fedoriv («Літературна Україна» опублікувала розказ о чорній піарщиці, прототипом якої є Ірина Федорів) / Argumentum, 21 September 2021: <http://www.argumentum.info/2021/09/fedoriv.html>

⁸⁸ Literary Ukraine published a story about a bad PR manager whose prototype is Iryna Fedoriv («Літературна Україна» опублікувала розказ о чорній піарщиці, прототипом якої є Ірина Федорів) / From-UA, 21 September 2021: <https://from-ua.com/news/611459-literaturnaya-ukraina-opublikovala-rasskaz-o-chnoi-piarshhice-prototipom-kotoroi-yavlyaetsya-irina-fedoriv.html>

⁸⁹ Maksym Cheresnia. “Fedorivism,” or paid journalism under the guise of feigned honest motivations (Максим Черешня. «Федорівщина», або Замовна журналістика під прикриттям вдавано-чесних мотивів) / Literary Ukraine, 30 July 2021: <https://litukraina.com.ua/2021/07/30/maksim-chereshnja-fedorivshhina-abo-zamovna-zhurnalistika-pid-prikrittjam-vdavano-chesnih-motiviv/>

⁹⁰ Iryna Fedoriv. Personal Facebook page, 21 September 2021: <https://www.facebook.com/fedoriv.iryna.chesno/posts/1518291875189618>

Iryna Fedoriv is the editor-in-chief of Chesno, blogger, former member of the 6th village council of Kotsiubynske (from November 2010). As an activist, she consistently advocates for the preservation of the Bilychi Forest which is adjacent to the village; there have been attempts to allocate some of the forest lands for development. There is an ongoing conflict around Kotsiubynske's merger with either Kyiv or Irpin, which will determine who will make decisions about the village's property.

Olha Matiushyna is a civil activist from Kotsiubynske, Kyiv Region, a former head of the village (elected in 2015). She has also advocated for the preservation of the Bilychi Forest (which is now included in the Holosiyivsky National Nature Park, which makes construction impossible). In January 2021, her car was burned.

Discreditation campaigns against both activists on local Kyiv Region websites and social media were also launched before, particularly in 2020. The activists associate the pressure on them with people who are close to the Irpin city government.

#destruction_or_damage_of_property

- On **30 September 2021**, at around 3 a.m., unidentified individuals burned the cars of two members of the board of the Favorite Association of Co-owners of Apartment Buildings (ACOAB) in **Kyiv, Maryna Khokhriakova** and **Viktoriya Fedorenko**; the fire also damaged the cars of two other residents of the same building.⁹¹ According to the victims, both cars were set on fire practically at the same time, which was recorded by nearby surveillance cameras.



■ A photo from Serhiy Fedorenko's Facebook page

Maryna Khokhriakova associates the incident with the work of the ACOAB. According to the activist, there is an ongoing trial based on the Board's lawsuit about possibly illegal capture of non-residential rooms in one of the Association's buildings, and one of the residents is trying to get the court to approve the connection of additional cables.

Viktoriya Fedorenko also explains the incident as an attempt to oppose their public activities. She says that they have nothing in common except their work at the ACOAB, she has no personal conflicts or debts, so the activist does not consider any other versions except for this one.

The Kyiv Region Police have launched proceedings based on the events according to Part 2 of Article 194 of the Criminal Code of Ukraine (intentional destruction or damage of property).⁹² According to the victims, they have also reported a murder threat because they view the arson as a warning.

⁹¹ Serhiy Fedorenko. Personal Facebook page, 30 September 2021: <https://www.facebook.com/sergio.fedorenko/posts/10159703210566108>

⁹² Criminal case opened following an arson of cars in Obolon, Kyiv (За фактом підпалу автівок на столичній Оболоні розпочато кримінальне провадження) / Website of the Kyiv Police, 30 September 2021: <https://kyiv.npu.gov.ua/news/novini/za-faktom-pidpalu-avtivok-na-stolichnij-oboloni-rozpochato-kriminalne-provazhennya/>

The Favorite ACOAB was founded in 2004. The ACOAB comprises two buildings; both current and previous leadership of the ACOAB have had conflicts with some of the residents due to their arbitrary capture of non-residential rooms.

In May 2020, ZMINA documented an incident involving Maryna Khokhriakova, a former head and current board member of the Favorite ACOAB, who received a delivery of funeral paraphernalia from an unidentified man.⁹³ In addition, on 16 October 2020, the current head of the ACOAB, Ihor Duhanets, was attacked.⁹⁴

⁹³ A representative of a Kyiv Association of Co-owners of an Apartment Building got a coffin and a wreath brought to her door “from friends and colleagues” (До представниці київського ОСББ принесли під двері труну і вінок “від друзів і колег”) / ZMINA, 1 June 2021: <https://zmina.info/news/predstavnyci-kyivskogo-osbb-prynesly-pid-dveri-trunu-i-vinok-vid-druziv-i-koleg/>

⁹⁴ The Situation of Human Rights Defenders and Civil Activists in Ukraine in 2020: analytical report / O. Vynohradova, A. Moskvychova, T. Pechonchuk, L. Yankina; ZMINA Human Rights Centre. — Kyiv, 2020. — P. 123: https://zmina.ua/content/uploads/sites/2/2021/02/stateofhumanrightsdefenders2020_reportua_web-final.pdf

І. Внести зміни до таких законодавчих актів України:

1) у частині першій статті 1:

«гомосексуалізм – стосунки сексуального характеру між особами однієї статі».

«порнографія – вульгарно-натуралістична, цинічна, непристойна фіксація статевих актів, самоцінна, спеціальна демонстрація геніталій, антиетичних сцен статевого акту, сексуальних

абзац десятий викласти у такій редакції:

...для абзацу тринадцятого доповнити новим абзацом такого змісту:

«пропагує гомосексуалізм чи трансгендеризм».

...закон «Про друковані засоби масової інформації» (№ 211-IV) від 2002 року.

1) у частині третій статті 1 слова «та востаннє» заміняються словами «та дев'ятью»;

2) статтю 3 доповнити частиною третьою:

Зазначена заборона поширюється також на виїзди з території більше трьох разів на рік у період проведення обрання (обрання).

виконували роботу за цією схемою, а саме: на виконавчий комітет підприємства чи установи надходили заявки від громадян про залучення до діяльності підприємств чи установ з метою здійснення громадського контролю за їх діяльністю. Після розгляду цих заявок виконавчим комітетом приймався рішення щодо залучення громадян до діяльності підприємств чи установ з метою здійснення громадського контролю за їх діяльністю.

Майже всі країни Європи, крім України, мають законодавство, що регулює використання грошей за межами країни. Україна ж не має такого законодавства, що регулює використання грошей за межами України. Це означає, що гроші, які вивозяться з України, не підлягають жодкому контролю. Це означає, що гроші, які вивозяться з України, не підлягають жодкому контролю. Це означає, що гроші, які вивозяться з України, не підлягають жодкому контролю.

2. Особи, які на день набрання чинності цього Закону перебувають на посадах, визнаються такими, що не виконують своїх обов'язків згідно з цим Законом.

3. Кабінету міністрів України з метою набрання чинності цим Законом, привести свої нормативно-правові акти у відповідність з положеннями цього Закону.

АДВОКАТИ

THE PERSECUTION

рахунок і не вважати його частиною статті озна-
чення, розта-

дня, наступного за днем

...а частиною дев'ятою для засто-
...влади» підстава для засто-
...цій статті 1 Зако-
...но із

REPORT ON

REPORT ON THE CASES OF ACTIVISTS

DEFENDERS

IS DEFENDERS

М В Б В 3 0 3 1

М В Е Р 2 0 2 1

...ість до співпраці...
...иною для втручання."

100

...що нібито мало місце перего-

и «Про очищення влади»
а частиною дев'ятою статті 3
підстава для засто-
влюючи статтю 1 Зако-