

FINALLY

We Return Civilians and Servicemen Home

















TWO YEARS OF ACTIVITIES IN THE WAKE OF TEN YEARS OF RUSSIA'S AGGRESSION!

On July 1, 2022, Dmytro Lubinets became the Ukrainian Parliament Commissioner for Human Rights. This set the pace for changes in the institution: 9 main areas of work were introduced, and respective representatives of the Commissioner were appointed. Dmytro Lubinets took a vector to expand the work in the regions: now there are Representative Offices of the Commissioner in the regions of Ukraine.

The scope of work with civil society was expanded: Expert Councils of civil society were established under the auspices of each Representative, and a civic initiatives hub was launched at the Ombudsman's Office. An important component of the Ombudsman's presence in the international arena aimed at countering Russian aggression, informing partners about human rights violations in Ukraine, and bringing Ukraine's accession to the EU closer. After all, respect for human rights is one of the main criteria for new members to join the European Union.

The Ombudsman's Office analyses and provides positions on draft legal acts to improve legislation. Over two years, various structural units of the institution have provided more than 7,400 observations! They have become a driving force in the development of the laws of Ukraine.

After his appointment, Dmytro Lubinets presented – for the first time since 2011 – the Annual Report of the Ukrainian Parliament Commissioner for Human Rights on the state of observance and protection of rights and freedoms of man and citizen in Ukraine in 2022, and, subsequently, in 2023, to the Ukrainian Parliament.



In 2022, the Ombudsman's Office started working on returning home deported and forcibly displaced children. The Secretariat has a separate department that deals with this physically. The Office is also involved in the return of civilians and prisoners of war unlawfully detained by the Russian Federation.

Subsequently, the Ombudsman of Ukraine, Dmytro Lubinets, became responsible for the implementation of Point 4 of Ukraine's Peace Formula – the return of all prisoners and deportees.









This work takes place under martial law, when every day Russia attacks Ukrainian territories and kills our people.

The Institution works and protects human rights!

ALMOST 177,000 APPEALS AND 104,000 RIGHTS RESTORED!

In approximately two years – from July 1, 2022 to June 15, 2024 – the Ombudsman's Office received almost 177 thousand appeals. **Their number increased significantly in 2023** – by 200% compared to 2022! In 2024, the pace is still increasing.

The largest number of appeals is received regarding the observance of rights in the defence sector and the rights of veterans and military personnel, prisoners of war and their families – more than 31,000! In the second place are appeals regarding the right to a fair trial and procedural rights: over 10,000. This is followed by appeals regarding the observance of information rights (about 8,000), social and economic rights (over 6,800), the rights of citizens affected by the armed aggression against Ukraine (over 3,600), children's rights (over 2,900), equal rights and freedoms, the rights of national minorities, political and religious views (over 2,200), and the national preventive mechanism (150 appeals). More than 10,000 appeals were received in the regions.

This shows that in times of war, the rights of citizens are being violated on a massive scale, primarily because of the armed aggression of the Russian Federation!

Still, the Ombudsman's Office is working to restore human rights: in two years, 104,870 rights have been restored. Some appeals are still being processed, and every day the institution receives new calls and letters...

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RETURNING UKRAINIAN CHILDREN HOME MEANS PRESERVING THEIR IDENTITY!

Since 2022, the Ombudsman's Office has been working on the return of deported and forcibly displaced children to Ukraine.

This is the work which involves several areas: security, which involves returning home with the least possible risks, as well as child protection, which provides support in matters related to psychological, legal and humanitarian assistance after return. Returns are carried out within the framework of the Bring Kids Back UA action plan.

Ukraine also involves partners in this work. Cooperation has been established with the State of Qatar and UNICEF.

736 CHILDREN

have been returned to Ukraine since the beginning of the full-scale invasion. This was done by the government bodies together with the public.



Ukraine returned Dmytro home on 6 December 2023, St Nicholas Day. His aunt met him at the border. **The boy's mother was held captive by the Russian Federation.** Fortunately, during the exchange of prisoners of war on 31 May 2024, the child's mother returned home – **the family was reunited!**



Renat and Varvara were separated from their mother at the beginning of the full-scale invasion. The children's mother was a prisoner of war and was returned as part of a large exchange. At the same time, Renat and Varvara were first placed in an orphanage, but later their great-grandfather managed to take them back to his home. After that, work was carried out to bring the little Ukrainians home.

BRINGING THE DEFENDERS OF UKRAINE HOME!



The Ombudsman's Office is involved in the return of prisoners of war. This work is carried out with the active participation of the Office and cooperation with the Coordination Headquarters for the Treatment of Prisoners of War and other Ukrainian state bodies.

3,310 UKRAINIANS

have been returned since the beginning of the full-scale invasion. The most current exchange – the 53rd one – took place on June 25, 2024.



One of the exchanges, when 108 women prisoners of war returned to Ukraine, was organised directly under the auspices of the Ombudsman's Office.



At the same time, staff members of the Ombudsman's Office were present at each exchange to monitor the observance of human rights in accordance with international humanitarian law and the Geneva Conventions.

BRINGING UKRAINE'S DEFENDERS HOME IS A RESCUE FROM DEATH!

Russia is violating the Geneva Convention relative to the Treatment of Prisoners of War.

The aggressor country is treating Ukrainians in captivity inhumanely, **committing** systematic physical and psychological abuse of the military, failing to provide proper medical care, sufficient food and water.

Ukrainians lose dozens of kilograms of weight in captivity, and they return home with numerous diseases and injuries.

90% of Ukrainian prisoners of war are tortured while in captivity.



Photo: Libkos

According to those returned from captivity, Ukrainian defenders died in Russian prisons and torture chambers before their eyes. Moreover, Russia deliberately kills Ukrainian prisoners of war, both on the battlefield and by organising planned assassinations.

THE TERRORIST ATTACK IN OLENIVKA IS A DELIBERATE CRIME OF THE RUSSIAN FEDERATION!

On the night of July28-29, Russians attacked the colony in Olenivka. Some Ukrainian soldiers who had been taken prisoner from the territory of the Azovstal plant in Mariupol were held there. The strike killed more than 50 Ukrainian soldiers and injured more than 70 others. At the same time, not a single employee of the colony or Russian soldier was injured.

In Olenivka, people who had the official status of prisoners of war and were verified by the ICRC were killed.



Immediately after the explosion, Russia accused Ukraine of shelling the barracks with US weapons and killing Ukrainian soldiers. However, Russia did this deliberately to accuse our country and kill Ukrainians!

We demand that those responsible for this massacre of Ukrainian servicemen be punished!



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UKRAINE'S STEP TOWARDS A RESPECT OF THE RIGHTS OF PRISONERS: ESTABLISHMENT OF A MIXED MEDICAL COMMISSION

Ukraine adheres to the Geneva Conventions, which is why it has set up a mixed medical commission. This allows for an objective determination of the health status of captured servicemen.



Ukraine expects Russia to establish a similar mixed medical commission to determine the health status of Ukrainian prisoners of war, their number, and to make an independent decision on the repatriation and hospitalisation of seriously wounded and seriously ill prisoners of war in a neutral country, once it is determined.

In accordance with the Geneva Conventions, seriously wounded or seriously ill persons are subject to unconditional repatriation even during armed conflict!

CIVILIANS MUST BE RETURNED HOME!

Since 2014, Russia has been illegally abducting and imprisoning civilians. People are being imprisoned for using the Ukrainian language and for resisting the occupation.

In the Russian Federation and in the temporarily occupied territories of Ukraine, more than 14,000 people are considered missing under special circumstances and illegally deprived of their personal liberty as a result of Russia's armed aggression against Ukraine. According to official figures, almost 1700 civilians are held in Russian detention facilities, of which almost 900 have been confirmed by the ICRC.

Ukraine is working to bring civilians home.

On June 29, 2024, 10 Ukrainians were returned to their homeland.



Kateryna Briukhanova, Liudmyla Honcharenko, Pavlo Kupriienko, Mykola Shvets and Nataliia Zakharenko were held in Belarus. They were returned home.



The detention within Russian walls also ended for: **Nariman Dzhelal,** Deputy Chairman of the Mejlis of the Crimean Tatar People, who had been detained since 2021. **Valerii Matiushenko,** who has not seen his family since 2017. **Olena Pekh,** whom her daughter has been waiting for since 2018. **Bohdan Helet and Ivan Levytskyy,** priests of the Ukrainian Greek Catholic Church who resisted the occupation forces in Berdiansk.

This is a historic return!

Some steps taken to return civilians: the Cabinet of Ministers of Ukraine amended Resolution No. 257 to provide that the Coordination Headquarters will officially deal with civilians deprived of their personal liberty as a result of the armed aggression of the Russian Federation.

Oleksandr Kononenko, the Representative of the Ombudsman in the System of Security and Defence Bodies, was appointed as the head of the thematic working group at the Coordination Headquarters. The working group was presented on 16 April this year.





The participants identified the main areas of the group's work and the first steps to intensify the return of civilians deprived of their personal liberty as a result of the Russian armed aggression – to establish the places and conditions of detention of Ukrainians illegally held by the aggressor state.

Subsequently, the Ombudsman's Office hosted a meeting of the working group on the protection of civilians' rights and freedoms.





The meeting discussed the terminology and developments of the Center for Civil Liberties regarding persons in captivity. The problem is that the Russian side qualifies many captured civilians as prisoners of war, but according to Ukrainian law, they are civilians.



THE OMBUDSMAN'S OFFICE IS IN CONSTANT CONTACT WITH THE FAMILIES OF MISSING AND CAPTURED SERVICEMEN!

Over the past two years, the Ombudsman's Office has held 138 meetings with family members of defenders, persons deprived of their liberty and missing persons. The meetings involve representatives of civil society organisations, state bodies, military formations and law enforcement agencies. At these meetings, relatives raise problematic issues, which the Ombudsman's Office works on together with other state bodies.



Such meetings are also held in the regions of Ukraine with the participation of the Ombudsman and the Representatives – in different cities: Poltava, Ivano-Frankivsk, Rivne, Lviv, Khmelnytskyi, Chernivtsi, Dnipro, Chernihiv, Lutsk, Rakhiv, Khust etc.

In particular, one of these meetings in Rivne was attended by about 500 people.



The Ombudsman of Ukraine held one of the meetings with the families of defence personnel jointly with the Chief Ombudsman of Türkiye, Şeref Malkoç, international organisations and Ukrainian government agencies. **Nearly 800 people joined the event.**

Also, in response to requests from families of missing servicemen, the Ombudsman's Office signed a Memorandum of Cooperation with Kyiv Scientific Research Institute of Forensic Expertise on the identification of persons by their appearance. Pursuant to the Memorandum and funded by the Ukrainian Red Cross Society, upon the Commissioner's request, the Kyiv Scientific Research Institute of Forensic Expertise conducts expert studies to identify a serviceman with his photo or video image.





The prepared expert opinion may be taken into account by the investigator or become the basis for the investigator to order an examination within the framework of criminal proceedings. During this time, **materials for 71 expert examinations** were sent to the Kyiv Scientific Research Institute of Forensic Expertise.

THE OMBUDSMAN'S OFFICE MONITORED 100% OF UKRAINE'S MILITARY MEDICAL COMMISSIONS

This was done to ensure that the right of persons liable for military service and servicemen to proper medical care is respected, as people have been appealing to the institution about violations of their rights related to the work of military medical commissions.

Employees of the Ombudsman's Office conducted **833 on-site and off-site** (documentary) monitoring, which is 100%. All regions were covered, including the frontline ones.

Also, as a result of the activities over the two years, the following issues were resolved:

- 1. dismissal of persons with disabilities from military service, receiving a one-time financial reward upon dismissal for family reasons;
- 2. payments of one-time financial reward to vulnerable categories of citizens in case of death of a defender;
- 3. provision of holidays and financial support, including additional remuneration;
- 4. payments to family members of captured and missing police officers;
- 5. receipt of monetary payments by representatives of civilians deprived of their liberty in the temporarily occupied territories;
- 6. the mechanism for obtaining the status of combatant was optimised, etc.

The key figures on the Department's activity over the past two years:

- 1,045 rights of 1,428 persons restored;
- 169 monitoring visits conducted;
- 849 positions to draft legal acts submitted;
- 60 proceedings initiated;
- 27 recommendations to state bodies made;
- 1 submission of the Commissioner made.



Oleksandr Kononenko

Representative of the Commissioner for Human Rights in the System of Security and Defense Sector Bodies



OPENING OF THE CHILD RIGHTS PROTECTION CENTER

The Child Rights Protection Center was opened at the initiative of President of Ukraine Volodymyr Zelenskyy. This is a barrier-free space where children and their families are provided with legal assistance, social and psychological support. It also records Russia's war crimes committed by children. It operates on the Barnahus model.





Bringing a child home is only the beginning. As of 24 June, the Center has interviewed 112 children returned by Ukraine.

A multidisciplinary team is working in its space to update and process documents, conduct medical examinations, provide temporary housing, social and psychological rehabilitation of the child and his or her family members, and ensure the child's right to education and family upbringing.

A separate mechanism has also been developed to accompany children who have returned from deportation or the temporarily occupied territories.







INTERNATIONAL COALITION OF COUNTRIES FOR THE RETURN OF UKRAINIAN CHILDREN: WE ARE CONSOLIDATING EFFORTS!



The International Coalition of Countries for the Return of Ukrainian Children was created to consolidate the efforts of various states to return deported and forcibly transferred Ukrainian children. It is co-chaired by Ukraine and Canada.

39 COUNTRIES

have joined the International Coalition.



The key figures on the Department's activities over the past two years:

- 18,292 children's rights restored;
- 174 monitoring visits conducted;
- 281 proposals to draft legal acts submitted;
- 705 proceedings initiated;
- 49 recommendations to state bodies made;
- 49 legal education events conducted;
- 25 submissions of the Commissioner made.



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LIVING CONDITIONS IN PLACES OF TEMPORARY RESIDENCE OF IDPS IMPROVED



Internally displaced persons (IDPs) living in Temporary Accommodation Centres (TACs) are one of the most vulnerable groups among displaced persons.

The Ombudsman's Office monitors the observance of the rights of these people and works to improve living conditions in TACs. Thus, over the past two years, the institution's staff conducted 2424 monitoring visits to the ICC.

The results of these visits revealed typical shortcomings:

- poor sanitary and hygienic conditions (mould and fungus on the ceiling and walls);
- insufficient number of bathrooms and showers. In some places, communal showers are not separated by partitions and there are restrictions on the time they can be used:
- inadequate accessibility of the premises where ICCs are located for people with limited mobility, including showers and toilets;
- insufficient furnishing of rooms where IDPs live with furniture for storing personal belongings (wardrobes, cabinets, chests of drawers);
- lack of equipped shelters;
- lack of personal space for IDPs.

The monitoring visits also showed that the national legislation lacks certain standards to bring the TACs into proper condition.

At the initiative of the Ombudsman's Office, together with international and national organisations, **minimum standards were developed**, which were presented and sent to the Government in May 2023. They formed the basis for the Resolution of the Cabinet of Ministers of Ukraine No. 930 of September 1, 2023 «On Certain Issues of Functioning of Temporary Accommodation for Internally Displaced Persons». To implement this resolution, the Ombudsperson's Office also held a conference entitled «The Right to Dignity in the ICC: Present and Future».





Thus, we now have an official definition of TACs and approved standards for IDPs to live in such places!

WE MONITOR THE OBSERVANCE OF THE RIGHTS OF PERSONS AFFECTED BY RUSSIAN AGGRESSION



Given the scale and systematic nature of human rights violations, **the Ombudsman** has prepared a Special Report on the observance of the rights of persons affected by the armed aggression of the Russian Federation against Ukraine for the first time in 9 years (as of December 2022). It covers the period from February, 24 to October 31, 2022. The report was presented in December 2022.

Analysis of the implementation of the recommendations provided in the Special Report:

- 36 successfully implemented;
- 16 are in the process of implementation.



At the same time, the only unimplemented recommendation is that the Cabinet of Ministers of Ukraine develop a draft law that would cover:

- legal status of persons affected by the armed aggression against Ukraine;
- social guarantees for people with the status of person affected by the armed aggression against Ukraine;
- categorisation of persons affected by the armed aggression of the Russian Federation;
- mechanism for redress, including restitution, compensation, rehabilitation and satisfaction.

The Ombudsman will continue to monitor the implementation of this recommendation!

IT IS NECESSARY TO IMPLEMENT REINTEGRATION EDUCATIONAL PROGRAMMES FOR YOUNG PEOPLE FROM THE TEMPORARILY OCCUPIED TERRITORIES!

Young people from the temporarily occupied territories have the opportunity to enter higher education institutions in the government-controlled territory of Ukraine. However, there are a number of challenges that applicants face:

1. Ukrainians from the temporarily occupied territories have limited information on how to apply to an educational institution. The main problem is **the lack of information**.



- 2. Security component: travelling from temporarily occupied territories of Ukraine can be dangerous for citizens. A significant number of applicants still have significant difficulties leaving the temporarily occupied territories: people virtually go into the unknown and do not even know whether they will be able to reach the territory controlled by Ukraine.
- 3. **Financial component:** applicants need to have the means to travel to the territory controlled by Ukraine, to live there, and to pay for their education if they are not accepted for state-funded education.
- **4. Applicants from temporarily occupied territories have limited knowledge** of such subjects as the Ukrainian language and the history of Ukraine. These subjects are the basis for admission to educational institutions. At the same time, about 50 per cent of educational institutions do not offer preparatory courses for applicants from the temporarily occupied territories.







We cannot allow Ukrainians to receive education according to Russian standards! It is necessary to develop and implement reintegration programmes for young people from the temporarily occupied territories, which requires a comprehensive approach and joint efforts of the Government, civil society, and international organisations. Reintegration programmes should include education, health, psychological support and career development opportunities!

Relevant analytical reports:



Analytical report

based on the results of a comprehensive survey of students from the temporarily occupied territories of Ukraine on educational needs and problems related to education



Analytical report

"Readiness of educational institutions, on the basis of which educational centres have been established, for the admission of children and youth from the temporarily occupied territories"

The reports were developed by the Ombudsman's Office jointly with the Almenda Centre for Civic Education with the support of the USAID Ukraine Confidence Building Initiative (UCBI).

The key figures on the Department's activities over the past two years:

- 11,609 rights restored;
- 2,636 monitoring visits conducted;
- 326 proposals to draft legal acts submitted;
- 1,359 proceedings initiated;
- 5,892 recommendations to state bodies made;
- 16 legal awareness events held;
- 2 submissions of the Commissioner made.



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THE ENVIRONMENT IS A SILENT VICTIM OF WAR!



Since 2014, Russia has been committing war crimes against the environment. We are talking about burned forests, soil contaminated with mines and shells, radiation threats... In this way, Russia violates the right to a safe environment for life and health not only for Ukrainian citizens but for all of humanity.

On June 6, 2023, the largest man-made disaster in the last decade occurred – the Russian military blew up the Kakhovka Hydroelectric Power Plant.

Then the **Ombudsman** Ukraine. Mr. Dmytro Lubinets. appealed a number of international organizations to immediately respond to the flagrant crime against the civilian population of the aggressor state. However, for two years now, on the day of the Kakhovka Hydroelectric Power Plant explosion, the UN has been congratulating the world on Russian Language Day... So far, no one has been brought to justice for the crime, and Russia is still a member of the UN Security Council.



THE OCCUPATION OF THE ZAPORIZHZHIA NUCLEAR POWER PLANT IS A THREAT TO THE WHOLE WORLD!

The Zaporizhzhia Nuclear Power Plant is currently under Russian occupation. **Due to the actions of the Russians, it is constantly at risk of spinning out of control,** accidents occur at the plant, and the Russians organize provocative shelling of the plant.

The Zaporizhzhia Nuclear Power Plant is the largest nuclear power plant in Europe. In the event of a lethal accident, not only Ukrainian lands could be in the affected area. The zone of radiation contamination could spread to Romania, Bulgaria, Central Europe, the northern part of the Middle East, including almost the entire territory of Turkey. The consequences of a possible accident in the center of Europe will be felt by more than one generation of humanity.

Therefore, it is important that the world responds to Russia's criminal actions and the deployment of occupation troops on the territory of the Zaporizhzhia Nuclear Power Plant.

In particular, the Ombudsman of Ukraine said that he welcomed the adoption of the International Atomic Energy Agency resolution on the immediate return of Zaporizhzhia Nuclear Power Plant under full control of Ukraine. This document was supported by 69 countries.



WHAT CAN THE WORLD DO TO STOP ECOCIDE??

Combating ecocide is one of the points of the Ukrainian Formula for Peace.

In particular, during the Global Peace Summit in Switzerland, more than 80 countries and 4 international organizations supported the final communiqué of the Peace Summit. It also referred to the need to ensure that the Zaporizhzhya Nuclear Power Plant is under the full control of Ukraine.



The world can also unite its efforts to:

- 1. Strongly condemn Russia's crimes against the environment.
- 2. Promote the prosecution of those responsible for environmental crimes.
- 3. Take effective steps to withdraw Russian military and equipment from the nuclear facility Zaporizhzhya Nuclear Power Plant.

WE ARE WORKING TO RESTORE THE SOCIAL AND ECONOMIC RIGHTS OF CITIZENS

The Ombudsman's Office has a division for protection of social and economic rights of citizens.

Among several positive cases of work over the two years of activity and restored rights of citizens:

- 6,416 employees of the State Enterprise «Lvivvuhillya» (Lviv Coal Company) were paid off their salary arrears totaling more than UAH 395 thousand.
- 182 Ukrainian citizens living in Spain, Portugal, the Czech Republic and Slovakia were granted disability pensions in accordance with international agreements;
- 1,770 people with disabilities since childhood were paid state social assistance, and unlawful decisions to withhold the funds of the assistance paid were canceled for 69 legal representatives of these people;
- 52 residents of the Znamianska Territorial Community in Kirovohrad Region received housing subsidies totaling UAH 2.3 million, and others.

Examples of individual rights restored include:

- the right of a volunteer battalion medic who was in the combat zone near Mariupol and then captured by the Russian Federation to restructure her debt under a loan agreement
- the right of a child of a fallen defender of Ukraine to receive state-funded education;
- the right to receive a social scholarship for a student of a Kharkiv Higher Education Institution who is the daughter of a person recognized as a combatant.

THE OMBUDSMAN'S OFFICE ADVOCATES FOR CHANGES TO LEGISLATION!



Thanks to the activities of the department, we managed to:

- the Cabinet of Ministers of Ukraine adopted Resolution No. 1405, which prohibits the collection of debts from consumers for housing and communal services for the period when the settlements were under the temporary occupation of the Russian Federation;
- in adopting the Law of Ukraine No. 3621-IX on ensuring the rights of military and police officers to social protection, the Ministry of Defense took into account the Commissioner's proposals regarding the right of military personnel serving under contract and defending Ukraine to receive loan repayment benefits;
- adopted Law of Ukraine No. 2981-IX, which provides for the right to receive a pension from the date of reaching retirement age, regardless of the time of application, for persons residing in the temporarily occupied territories or in the territory where hostilities are taking place;
- amended the Law on ensuring the right of servicemen and other persons to biological paternity (motherhood);
- the State Budget for 2024 doubled the expenditures for the establishment of training and practical centers;
- the Ministry of Education adopted an order granting the right to academic leave to students of vocational education.

PROTECTION OF THE RIGHTS OF ADULTS IN NEED OF GUARDIANSHIP AND CARE

In 2023, a **Special Report was prepared** on the State of Observance of the Social and Economic Rights of Adults in Need of Guardianship and Care Under the Legal Regime of Martial Law. It contains a number of recommendations for the Parliament, the Government and Central Executive Bodies.

To implement the recommendations of the Special Report, the Ministry of Justice has developed a draft Law of Ukraine «On Ukraine's Accession to the Convention on the International Protection of Minors».



The key figures of the department's activities over the past two years:

- 46,212 citizens' rights restored;
- 123 monitoring visits conducted, which covered 394 monitored objects;
- 499 positions submitted to draft legal acts;
- 1,052 proceedings were opened;
- 7,603 recommendations to State Authorities;
- 338 conducted legal education events:
- 8 submitted submissions to the Commissioner.



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IMPLEMENTATION OF POINT 4 OF THE PEACE FORMULA OF THE PRESIDENT OF UKRAINE

Thanks to the activities of the Ombudsman's Office, the Working Group of point 4 of the Peace Formula was established and four meetings of the group were held. Several of them took place at the Ombudsman's Office: representatives of different countries and international organizations (UN, ICRC, EU) join the meetings. The working group is co-chaired by Ukraine, Canada and Norway.





INTERNATIONAL PLATFORM FOR THE RELEASE OF CIVILIANS UNLAWFULLY DETAINED BY THE RUSSIAN FEDERATION

At the initiative of the Ombudsman's Office, the International Platform for the Release of Civilians Unlawfully Detained by the Russian Federation was created. Its first meeting was attended by 32 countries and 3 international organizations.

This Platform is the first step towards uniting efforts to release civilians unlawfully detained by the Russian Federation.



THE VOICE OF UKRAINE IS HEARD LOUDLY AROUND THE WORLD!



The Ombudsman's Office organizes international events abroad and in Ukraine to raise awareness of human rights violations by Russia, to attract more partners to support our country and for other purposes.

In October 2022 and 2023, we held online conferences of Ombudsman and National Human Rights Institutions as part of the First and Second **Crimean Platform** Parliamentary Summits.

In May 2023, a side event and fundraiser was held in Vienna as part of a charity event with the participation of Ombudsman from the International Institute of Ombudsman's Bureau to mark the anniversary of the Ombudsman's institution. The money was used for psychological rehabilitation of Ukrainian children affected by the war.

In September 2023, an **Advocacy Event Stolen Voices** was held in The Hague as part of the Bring Kids Back UA program. The event was attended by 6 children who were returned to their homeland.





In September 2023, in Rome, the Ombudsman's Office, together with the Ombudsman of Italy and the Lazio Region, organized an International Event «Mariupol – (Un) Lost Hope!».

In November 2023, in Copenhagen, the Ombudsman's Office, together with DIHR and GANHRI, organized the 14th International NHRI Conference «Torture and Other Inhuman Treatment: The Role of National Human Rights Institutions», which was attended by over 300 participants.





In Copenhagen, they also organized a side event "Resilience Amid Armed Conflict: The Journey of the Ukrainian Parliament Commissioner for Human Rights".

In May 2024, in Geneva, together with the Permanent Missions of Canada and Norway to the UN and other international organizations, the Ombudsman's Office held a side event **«The end of 'Whataboutism': Unity for the Return of Ukrainians».** This event was dedicated to point 4 of the Peace Formula.





EXPANDING PARTNERSHIPS AND GAINING MEMBERSHIP IN INTERNATIONAL ORGANIZATIONS

- In 2023, the Ombudsman's Office of Ukraine became a member of the **European Network of Equality Institutions.** EQUINET members unanimously supported the Ombudsman's institution's membership in the organization with 42 votes.
- In 2024, the Commissioner joined the **Board of Directors of the IOI European Region,** of which the Ombudsman's institution is a member.
- In 2024, the Ombudsman's Office took a number of measures to obtain Ukraine's observer status in the EU Agency for Fundamental Rights (FRA).







The Ombudsman's Office is also a member of:

- The Global Alliance of National Human Rights Institutions (GANHRI);
- European Network of National Human Rights Institutions (ENNHRI);
- Association of Mediterranean Ombudsmen (AOM);
- European Network of Ombudspersons for Children (ENOC).

Key figures of the department's activities over the past two years:

- 375 meetings with international partners;
- 96 foreign visits of the Ombudsman's Office organized;
- 13 events held in Ukraine;
- 6 events organized abroad.



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OMBUDSPERSONS OF TWO COUNTRIES BRING UKRAINE CLOSER TO EU INTEGRATION!

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In May, the Ombudsman of Ukraine, Mr. Dmytro Lubinets, and the Ombudsman of Romania, Ms. Renate Weber, visited the two countries together. The goal was to exchange information and experience on the observance of the rights of national communities in Ukraine and Romania, which is one of the issues on Ukraine's path to EU integration.



OBSERVANCE OF RIGHTS OF NATIONAL MINORITIES IS A PRIORITY!

In June 2023, the Commissioner initiated a pilot project to document members of the Roma national minority in Zakarpattia. It is part of the Council of Europe project «Support to Reforms of the Legal Framework for National Minorities and Resilience of National Minorities and Roma in Ukraine».

With the cooperation of all participants in the pilot project (both state authorities and civil society*), representatives of the Roma national minority who have not received a passport of a citizen of Ukraine for one reason or another are being documented.

In the first half of 2024, joint efforts were made to:

- collect and process dossiers on 302 members of the Roma national community;
- 76 people were documented with passports of Ukrainian citizens.

!The documentation process is still ongoing and requires further targeted work!



IN THE CONTEXT OF THE RUSSIAN AGGRESSION, NATIONAL COMMUNITIES AND INDIGENOUS PEOPLES ARE IN A VULNERABLE POSITION!

The Ombudsman of Ukraine **Dmytro Lubinets presented the Special Report on the rights of national minorities (communities) and indigenous peoples** in the context of the armed aggression of the Russian Federation against Ukraine for 2023. It contains 4 chapters with substantial findings.

The 4 chapters of the report describe the positive results of the reform of the legislative framework on national minorities (communities) – as one of the seven recommendations of the European Commission to Ukraine – and emphasise the need to implement comprehensive anti-discrimination legislation, in particular on combating hate crimes and hate speech.

The Ombudsman's Office, together with partners, developed a study on the situation of indigenous peoples and national communities under the occupation of the Russian Federation.











WE CREATE CONDITIONS, NOT BARRIERS!



The National Strategy for Creating a Barrier-Free Space in Ukraine until 2030 aims to address the problems of inaccessibility in various spheres of life. This year, the Action Plan for its implementation for 2023-2024 was approved.

The Ombudsman's Office monitors compliance with the Strategy and its Action Plan, and the Ombudsman is a member of the Barrier-Free Council.

The priorities for 2024 are to ensure barrier-free access to educational, medical, banking, transport, social, administrative, employment and other services.

The Ombudsman's Office took part in the development of the Standard General Short-Term Training Programme for Civil Servants and Local Government Officials «Ensuring Creation of Barrier-Free Space on the Basis of Equality, Non-Discrimination, Accessibility and Inclusion».

DOMESTIC AND GENDER-BASED VIOLENCE IS A PROBLEM THAT CANNOT BE SILENCED!

The entry into force of the **Istanbul Convention** for Ukraine on November 1, 2022 was a landmark event in the system of protection against violence.

The Istanbul Convention is an effective mechanism for creating a society free of violence in Ukraine, with citizens who respect the rights of everyone, regardless of gender. The document guarantees the protection of the rights of victims of domestic and gender-based violence.

The Ombudsman's Office is actively involved in the implementation of the Istanbul Convention into Ukrainian legislation. We supported a number of draft laws developed for this purpose. This is also a significant step towards Ukraine's European integration.

The Ombudsman's Office also carries out advocacy activities aimed at promoting zero tolerance in society to any manifestations of domestic or gender-based violence.

The institution of the Ukrainian Parliament Commissioner for Human Rights will play a crucial role in monitoring and ensuring compliance with the Istanbul Convention.

That is why 72 employees of the Secretariat attended training seminars on the implementation of the Convention organized by the European Union Advisory Mission.

WE MONITOR THE RIGHT TO FREEDOM OF RELIGION!

Employees of the Ombudsman's Office constantly monitor the observance of the constitutional right to freedom of religion around the processes related to the most important Orthodox shrines of Ukraine, national cultural reserves – the Holy Dormition Pochaiv and Kyiv-Pechersk Lavras.



Since the beginning of the intensification of the process of changing religious affiliation, the staff of the Commissioner's Secretariat has been monitoring general meetings of religious communities in the regions of Ukraine and ensuring compliance with the norms guaranteed by the Constitution of Ukraine during these processes.

In total, 11 monitoring visits were conducted and 28 initiative letters were sent regarding possible violations identified during the media monitoring.

BUILDING AN EQUAL AND INCLUSIVE SOCIETY!

The Commissioner and his Representatives, staff of the Commissioner's Secretariat are members of a number of working groups and formations aimed at promoting equal and inclusive environment in Ukraine, in particular:

- The Barrier-Free Council, which is a temporary advisory body of the Cabinet of Ministers of Ukraine established to create a barrier-free space in Ukraine;
- Council on Human Rights, Gender Equality and Diversity at the Ministry of Foreign Affairs of Ukraine;
- Working Group «Platform for Gender Mainstreaming and Inclusion in Recovery» – an advisory body to the Commission for Coordination of Interaction of Executive Authorities on Ensuring Equal Rights and Opportunities for Women and Men;
- Working groups on achieving Sustainable Development Goal 5 (Gender Equality) and Sustainable Development Goal 10 (Reducing Inequality) under the Interagency Working Group on Sustainable Development Goals;
- Working group on rapid response to hate crimes.

Key figures of the Department's activities over the past two years:

- 355 citizens' rights restored;
- 172 monitoring visits and on-site inspections conducted;
- 479 proposals submitted to draft legal acts;
- 254 proceedings opened;
- 390 recommendations to state authorities provided;
- 274 events organized;
- 3 submissions of the Commissioner made.



Mykhailo Spasov

Representative of the Commissioner for Equal Rights and Freedoms, National Minorities, Political and Religious Beliefs

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RESULTS OF NPM MONITORING: INCREASED FUNDING



For social protection institutions, the Ombudsman's response acts based on the results of the National Preventive Mechanism visits often serve as additional substantial arguments to local authorities to increase budgets and allocate additional funds, in particular, for repair work and arrangement of shelter premises.

For example, the Shelter for Children of the Service for Children in Volyn Region was allocated funds from the regional budget in the amount of over UAH 1 million to carry out routine repairs to the premises for a civil defense facility (the simplest shelter).

This response to the Commissioner's acts is becoming widespread and leads to a significant improvement in the living conditions of the wards and the restoration of their rights, including the right to safety and an adequate standard of living.

CHALLENGES FOR THE NPM DURING THE WAR

As a result of Russia's invasion, the Ukrainian NPM faces a number of challenges. Places of detention are being damaged by Russian shelling.

As of now, 124 places of detention have been damaged and 22 have been destroyed as a result of Russian aggression. More than 40 places of detention remained on the temporarily occupied territory.

Russia's aggression has also caused the following problems in the NPM sphere:

- insufficient number of shelters or unequipped shelters in places of detention;
- the need to migrate and evacuate places of detention within the territory of Ukraine or abroad;
- difficulties in organizing visits to places of detention, especially in areas close to the war zone.

At the same time, the NPM team does not stop its work, despite the risks. In particular, we monitor the observance of the rights of Russian prisoners of war in Ukraine on an ongoing basis.

During one of the visits, the staff of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights together with representatives of the civil society visited the state institution **«Zakhid (West) 2» prisoners of war camp.**

The NPM group interviewed the prisoners of war: no complaints were received from Russians about the conditions of detention, torture, or other cruel, inhuman or degrading treatment or punishment.

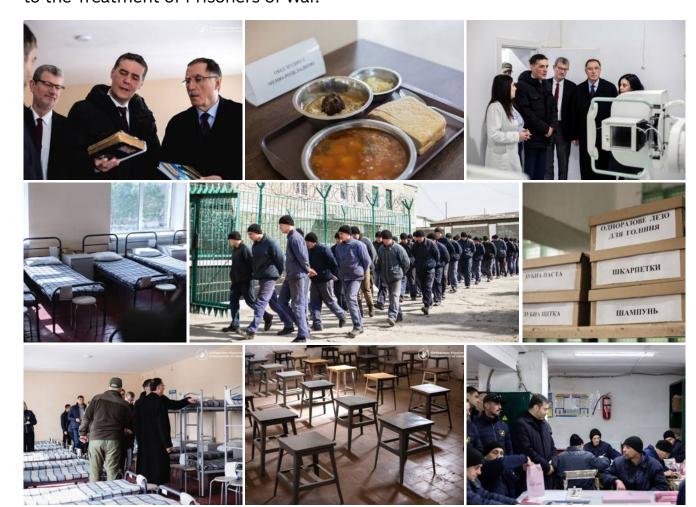
Work is underway to create proper living and sanitary conditions in the camp. In accordance with the requirements of the Geneva Convention relative to the Treatment of Prisoners of War, the camp administration ensured the right of prisoners of war to engage in sports, educational and recreational activities.

Since November 2023, the prisoners of war have made 314 phone calls to their relatives and friends, and sent more than 200 letters with the ICRC's assistance.



The Russians in the camp also have access to medical care and can fulfill their religious needs. There is a shop in the camp, and prisoners of war are allowed to use the literature available in the camp's library, as well as newspapers and magazines.

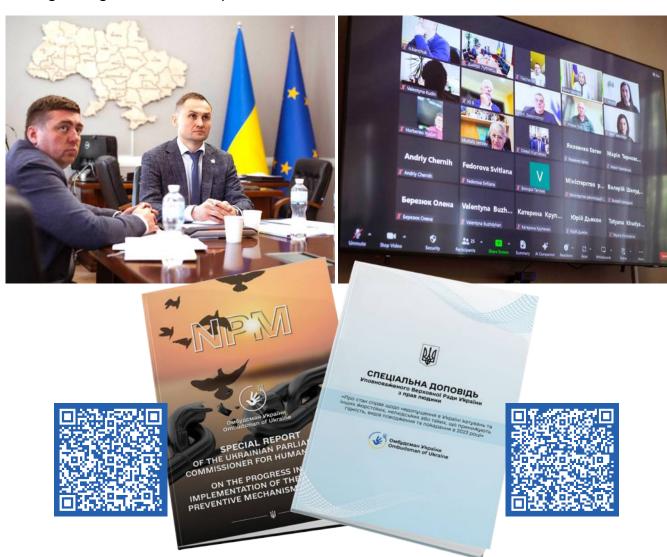
In addition, the Ombudsman of Ukraine Dmytro Lubinets and the Chief Ombudsman of Türkiye Şeref Malkoç visited the **«Zakhid (West) 1» POW camp.** It also provides all the conditions in accordance with the Geneva Convention relative to the Treatment of Prisoners of War.



SPECIAL REPORT ON PREVENTION OF TORTURE IN UKRAINE



In 2022 and 2023, **two Special Reports of the Commissioner were prepared,** which describe the state of affairs in preventing torture and other cruel, inhuman or degrading treatment or punishment in Ukraine.



Key figures of the Department's activities over the past two years:

- 820 visits to places of detention;
- 81 proposals submitted to draft legal acts;
- 2 proceedings opened;
- 174 submissions of the Commissioner made;
- 6 reports on administrative offences drawn up;
- 32 criminal proceedings were initiated as a result of violations detected by other agencies;
- internal investigations were initiated into violations detected by other bodies –
 73 people were brought to disciplinary responsibility;
- 80 persons were disciplined following consideration of the Commissioner's submissions.



Vitalii Nikulin

Representative of the Commissioner for Human Rights in Places of Detention

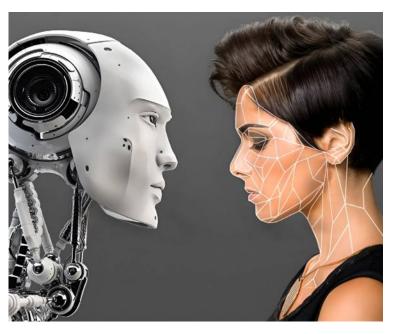


USING ARTIFICIAL INTELLIGENCE: HUMAN RIGHTS MUST BE RESPECTED!

The work of artificial intelligence can cause a number of problems, including the misuse or erroneous use of confidential information about a person.

Therefore, the Ombudsman's Office, together with the Ministry of Digital Transformation of Ukraine and EU4DigitalUA project experts, developed and published recommendations on the protection of personal data in connection with the use of AI technologies.

The Ombudsman's Office, together with the Ministry of Digital Transformation and the Ukrainian Advocates' Association, is also participating in the Working Group on the development of legislation on artificial intelligence.



Dmytro Lubinets, the Ombudsman of Ukraine, emphasizes that everyone working with AI must implement measures to ensure that such technologies are safe and comply with Ukrainian legislation and international standards.

his opinion, the ratification Council of the of Europe's Framework Convention Artificial Intelligence and Human Rights, Democracy and the Rule of Law would be an important part of creating a proper legal for framework regulating artificial intelligence technologies in Ukraine.

DIALOGUE BETWEEN MANAGERS AND USERS OF OPEN DATA HAS BEEN LAUNCHED

The Ministry of Digital Transformation of Ukraine has launched the Data+ platform. The Office of the Ombudsman of Ukraine has become a permanent member of the platform.

It was created to unite the efforts of government agencies, information managers, civil society, experts and other stakeholders in order to:

- improve the availability of public information in the form of open data;
- ensure an ongoing dialog between data managers and users;
- improve state policy and legislation in the field of open data;
- exercise analytical work;
- coordinate efforts to advocate for open data;
- conduct international cooperation.



IMPROVING LEGISLATION



- The Verkhovna Rada (Parliament) of Ukraine registered the draft Law of Ukraine «On Personal Data Protection», which aims to harmonize national data protection legislation with European legislation.
- The Verkhovna Rada (Parliament) of Ukraine registered the draft **Law of Ukraine «On Appeals»** developed by the Ministry of Justice of Ukraine with the active participation of the Ukrainian Parliament Commissioner for Human Rights. It is aimed at improving the legislation on appeals and bringing legislative acts in line with the Law of Ukraine «On Administrative Procedure».

WE CARRY OUT LEGAL AWARENESS-RAISING ACTIVITIES!

- The Office of the Ombudsman of Ukraine presented the manual Access to Public Information for Civil Servants and Local Self-Government Officials: Educational and Methodological Manual for Trainers.
- Together with the EU4DigitalUA project experts, we developed and published methodological materials on Personal Data Protection in the Activities of Public Authorities and Human Rights in the Age of Artificial Intelligence.

These are just a few of the materials developed by the Ombudsman's Office together with partners. The Ombudsman's Office also regularly conducts training for state bodies on observance of citizens' information rights and the right to appeal.

For the first time in the 25 years of its existence, the institution presented a Special Report of the Commissioner on the Observance of the Constitutional Right to Information under the Martial Law Regime.



Key figures for the department's activities over the past two years:

- 1,500 citizens' rights restored;
- 95 monitoring visits conducted;
- 195 inspections of compliance with personal data protection legislation were conducted;
- 1,778 proposals submitted to draft legal acts;
- 2,482 proceedings opened;
- 69 reports on administrative offences were drawn up;
- 1,224 recommendations and explanations were provided to citizens, public authorities and legal entities;
- 10 submissions by the Commissioner.



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ENSURING RESPECT FOR HUMAN RIGHTS IN PLACES OF DETENTION



Uponhisappointment, Commissioner Dmytro Lubinets took personal control of the case of Volodymyr Panasenko, who was sentenced to life imprisonment and pleaded not guilty. Panasenko was imprisoned for almost 17 years.

Therefore, the Commissioner took measures to release Volodymyr due to his illness, which did not allow him to serve his sentence in prison.

In May 2023, the Court of Appeal ruled to release Volodymyr Panasenko from further serving his life sentence.

IMPUNITY AND IMMUNITY: THE OMBUDSMAN OF UKRAINE APPEALED TO THE GOVERNMENT TO DISMISS THE HEAD OF THE STATE SERVICE OF GEOLOGY AND SUBSOIL!!

The Ombudsman was addressed by a citizen who had been unlawfully dismissed from her job. The woman said that she had tried to resolve the issue on her own and had repeatedly gone to court. She spent about 4 years on litigation. As a result, the woman won the court cases on her reinstatement. However, the Head of the State Service of Geology and Subsoil constantly disagreed with the court decision and refused to hire her back.

Therefore, criminal proceedings were opened against him for failing to comply with the court decision to reinstate the citizen in her position.

In search of justice, the woman wrote to the Ombudsman's Office. The Ombudsman took a number of actions within the law, and also sent letters to the State Bureau of Investigation Director and the Prosecutor General to include the Commissioner's submission and court rulings in the criminal proceedings for their consideration. Dmytro Lubinets also appealed to the Prime Minister of Ukraine to initiate the dismissal of the Head of the State Service of Geology and Subsoil.

PROTECTION OF THE RIGHTS AND FREEDOMS OF MAN AND CITIZEN IN THE CONSTITUTIONAL COURT OF UKRAINE

In June 2024, the Commissioner filed a constitutional petition with the Constitutional Court of Ukraine, requesting to check the compliance of the provisions of the second sentence of the second paragraph and the third paragraph of the first part of Article 12, as well as the second paragraph of paragraph 3 of the Final Provisions section of the Law of Ukraine «On Organisation of Labour Relations under Martial Law» of 15.03.2022 No. 2136-IX.

The Commissioner is convinced that the disputed legislative provisions, which changed the procedure for granting unused days of annual basic leave for the period of validity, as well as after the termination or cancellation of martial law, are inconsistent with the Constitution of Ukraine.



Key figures for the department's activities over the past two years:

- 731 citizens' rights restored;
- 197 monitoring observations were carried out;
- 33 recommendations of the Ombudsman to the Parliament and the Government of Ukraine with proposals on the need to develop legal acts or amend existing legislative acts of Ukraine in order to ensure observance of procedural rights of man and citizen;
- 885 proposals for draft legal acts were submitted;
- 483 proceedings were opened;
- 3 protocols on administrative offences were drawn up;
- 34 acts of the Commissioner's response were submitted;
- 135 criminal proceedings were initiated based on the results of the Commissioner's inspections.



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TELLING CHILDREN ABOUT THEIR RIGHTS: A JOINT PROJECT OF THE OMBUDSMAN'S OFFICE AND THE PATROL POLICE

The Office of the Ukrainian Parliament Commissioner for Human Rights and the Patrol Police Department of Ukraine have launched a joint project to teach pupils about children's rights.







The topic of the first joint lesson was "Rights and Responsibilities of Children". Minor Ukrainians are told what their rights are, how to counteract bullying and violence, and how to contact the Commissioner if their rights are violated. Representatives of the Commissioner in different regions of Ukraine also tell children how the Child Rights Protection Center works, what monitoring visits are carried out by the institution's staff and how the Russian Federation is currently violating children's rights in the temporarily occupied territories.

Such classes have already been held in 13 regions of Ukraine. The lessons will be held in other regions as part of a joint project between the two institutions.



In addition, regional offices have launched a project to create Ombudsman ambassadors in schools and universities. Such initiatives were implemented in Poltava and Volyn regions.

In addition, the Ombudsman's Office in Donetsk and Luhansk regions established a tradition of holding a challenge, namely, rowing on yalas, a Ukrainian traditional sport, to commemorate the 10th anniversary of the ATO (Anti-Terrorist Operation).

WORKING IN THE REGIONS RUSSIAN SHELLING IS NOT AN OBSTACLE!

The Commissioner's Representative Office operates in every region of Ukraine. Unfortunately, several of them were damaged due to Russian air attacks: in Kharkiv, Mykolaiv, Odesa, Vinnytsia, and Kherson regions.

- The Commissioner's Representative Office in Kharkiv was completely destroyed in 2022.
- Destruction of the Commissioner's Representative Office in Mykolaiv region due to Russian shelling in February 2024.
- The Commissioner's Representative Office in Odesa region was damaged.







However, all the Offices are working, some of them have been restored.

Representatives of the Commissioner in the regions receive citizens and conduct monitoring visits. They also organise meetings with the families of prisoners and missing persons together with other authorities. The Annual Reports of the Ukrainian Parliament Commissioner for Human Rights for 2022 and 2023 were also presented in the regions.

We are working and not slowing down!







Issue No.5, 2024

PEOPLE ARE THE MOST VALUABLE THING!

Russia violates human rights in Ukraine on a large scale!

3,310 people released from Russian

including

≈ **14,000**

people are missing under special circumstances and unlawfully deprived of their personal liberty as a result of Russia's armed aggression against Ukraine

*According to the Director-General of the International Commission on Missing Persons

11,126

civilians killed

captivity

21,863

civilians wounded

*According to the UN Human Rights Monitoring Mission in Ukraine

551

children killed

1,401

children wounded

1,981 missina children

19,546

children deported to the Russian Federation and/or forcibly transferred to the TOT

including returned by Ukraine (including from TOT)

*According to the information platform «Children of War»

388 deported children, according to the «Children of War» information platform

people became IDPs 6.5

people were granted protection abroad

SHELLING OF CIVILIAN INFRASTRUCTURE

Russia destroys residential buildings, educational and medical institutions

3,951

destroyed educational institutions including

1,313 kindergartens 1,798

destroyed healthcare facilities

including

426 hospitals

352 ambulatories

religious buildings 2,003

destroyed cultural objects

≈ **250,000**

or damaged

thousand square kilometers of Ukraine's territory are considered potentially mined

*As on June 28, 2024



Dmytro LUBINETS

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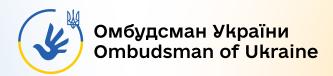












The Russian Federation and all the criminals it has sent to Ukraine will be held accountable in the most severe way for the evil they have committed.

Ukraine carefully documents every crime and every atrocity.

All those responsible will undoubtedly be punished.

We will never forget and we will never forgive. Neither will the world.

#StandWithUkraine

«Ombudsman of Ukraine» chatbot

is an opportunity to get answers to important questions quickly and conveniently. It contains important information divided into 17 categories.

In particular, servicemen, internally displaced persons, and families with children can receive answers about their rights here. There is also a category for people who are in the temporarily occupied territory or were forcibly deported.

The chatbot is available at aukraine_ombudsman_bot

