



Омбудсман України
Ombudsman of Ukraine

2023

is a year of struggle and resilience

**Let's stand for Ukraine!
Let's not let it fall!**

Human rights protection is a fight for democracy and the future of Ukraine

The aggression of Russia against Ukraine began in 2014. At that time, the Russian Federation annexed Crimea and occupied part of the Donetsk and Luhansk regions. In 2022, the Russian Federation launched a full-scale invasion of Ukraine. Having thus shown: the world's reaction to Russian crimes since 2014 has given rise to even greater appetites of the aggressor in 2022.

For almost 10 years, the Russian Federation has been violating the norms of international humanitarian law! **The Office of the Ombudsman of Ukraine works in conditions of war, despite the fact that the institution was created to work in peacetime.** It was quite a challenge to transform activities to protect human rights during an armed conflict. The Office operates 9 main areas of work, among which a completely new one was created - protection of the rights of citizens who suffered from armed aggression against Ukraine. And among others: protection in the field of social and economic rights, protection of children's rights, protection in the system of security and defense sector bodies, in the field of equal rights and freedoms, rights of national minorities, political and religious views, information rights, protection of human rights in places of deprivation of liberty, protection of the right to a fair trial and procedural rights and international cooperation.

For the Russian Federation, human rights and freedoms are empty words. For Ukraine, this is a value. Therefore, the work of the Ukrainian Parliament Commissioner for Human Rights is much more than fulfilling the assigned obligations, it is a call of the heart for the protection of human rights in every sphere, under any conditions and circumstances. **The protection of human rights is above all!**

Number of appeals, submitted for consideration to the structural units of the Ombudsman's Office:

	2022	2023	Difference
Department for monitoring the observance of rights in the defense sector and the rights of veterans and military personnel, prisoners of war and their family members	4 591	16 880	> by 12 289 appeals
Department for monitoring the observance of the right to a fair trial and procedural rights	3 006	5 993	> by 2 987 appeals
Department for monitoring of information rights	3 371	4 060	> by 689 appeals
Department for monitoring of social and economic rights	2 675	3 497	> by 822 appeals
Department for monitoring the observance of the rights of citizens who are victims of armed aggression against Ukraine	951	2 217	> by 1 266 appeals
Department for monitoring the observance of the rights of the child	849	1 643	> by 794 appeals
Department for monitoring the observance of equal rights and freedoms, the rights of national minorities, political and religious beliefs	863	1 114	> by 251 appeals
Department for the implementation of the national preventive mechanism	345 (visits)	488 (visits)	> by 143 visits

Data as of December 29, 2023

In total, in 2022, 42 485 appeals received by all structural subdivisions of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights. As of December 29, 2023, **95 768 appeals** received, which is **226% more** than last year.





Special attention paid to the return of children to their homeland!

The Ombudsman's office is working on the return to Ukraine of children who were illegally taken away by the aggressor. In particular, together with other state authorities within the scope of the implementation of the approved action plan of the President of Ukraine Bring Kids Back UA, Ukraine returned 517 kidnapped children*!



In order to return them, our state involves international partners into the implementation of **the Point 4 of the Peace Formula of the President of Ukraine**. The result that Ukraine seeks is the return of civilians deported to Russia, including children. And also – bringing to justice all persons responsible for crimes. After all, deportation is genocide, and genocide is a war crime!



Russia has been deporting Ukrainian children since 2014, when the armed aggression against Ukraine began. Currently, we have 19 546 deported Ukraine children.

International pressure and prosecution of the guilty may affect the Russian Federation in the process of returning kidnapped children to Ukraine! Currently, cooperation is established with the State of Qatar and UNICEF. The Office of the Ombudsman is grateful to partners for their assistance!

Canada's initiative, which is ready to undertake the creation of an effective mechanism for the return of abducted children, was also significant. Within this framework, the First meeting of the International Coalition of Countries for the Return of Ukrainian Children was recently held. **The world should unite and help Ukraine to return the children!**

Each return is like a small special operation

Veronika, 14 years old.

The girl was deported to the city of Belgorod in Russia. The Office of the Ombudsman managed to bring the child home thanks to the opportunity to speak at the **UN Security Council meeting in the Arria format**.



The Ombudsman of Ukraine, Dmytro Lubinets, spoke first, and the girl's mother complemented his speech. She spoke about unsuccessful attempts to take the child out of Russia and asked to return her daughter, **whose voice she had not heard for 1.5 years**. The very next day, Ukraine received a signal from the Russian side that they are ready to return Veronika to Ukraine without any conditions. On May 16, 2023, with the assistance of the Ukrainian Parliament Commissioner for Human Rights, Veronika returned home.

**As of December 26*

6-year-old Renat and 10-year-old Varvara.

The children and their mother, Olga, were separated at the start of the full-scale invasion. The children's mother is a prisoner of war, she was returned as part of a large exchange. Olga lost her husband in this war, and her children were first sent to a boarding school, but later their great-grandfather managed to take them to his home. After that, the Office of the Ombudsman, together with other state bodies, engaged in the return of young Ukrainians home.



5-year-old Margaryta and 12-year-old Yevheniia.

The sisters have been separated from their parents since the first day of Russia's full-scale invasion of Ukraine. All the time they were with their grandmother in the temporarily occupied territory, who refused to hand over the children to their mother, who had returned from captivity. After the appeal of the girls' mother, the Office of the Ombudsman with the Russian side worked out a mechanism for their return. The family was reunited.



6-year-old Oleh.

The boy ended up in an orphanage on the territory of the Russian Federation. However, Oleg managed to return home – to his grandmother. This is the first return of a child that took place with the assistance of the State of Qatar. While in Ukraine, the boy visited the Office of the Ombudsman. Oleg left a drawing in which he depicted his palm and the flag of Ukraine.



On St. Nicholas Day, 8 Ukrainian children returned home



On November 19, on his birthday, Bohdan Yermokhin returned to Ukraine



The first meeting since the beginning of the full-scale war of a mother with three daughters who returned from the TOT

Civilians in the Russian Federation are illegally convicted and victims of enforced disappearances!

Russia disregards all norms of international humanitarian law and has been abducting and illegally convicting Ukrainian civilians since 2014!

On the territory of the Russian Federation or on the temporarily occupied territory of Ukraine, about 28 thousand people are considered missing under special circumstances and illegally deprived of personal freedom as a result of the armed aggression of the Russian Federation against Ukraine.

Civilians illegally detained by the Russian Federation are in inadequate conditions and do not receive medical care. They cannot receive packages from their relatives, nor can they keep in touch with them. One way or another, **civilians are subjected to physical, sexual and psychological violence!** However, **the most important problem is that there is no information about the majority of citizens kidnapped by Russia in Ukraine!**

The Office of the Ombudsman calls on the international community to pay attention to this glaring issue! The rights of civilians are violated on a large scale – Ukraine needs the unconditional release of our citizens who are illegally detained by the Russian Federation!

However, even in such conditions, the institution of the Commissioner is engaged in **protecting the rights of its citizens**. A woman who was subjected to various types of exploitation and forcibly detained by the occupying army in the temporarily occupied territory appealed to the Ombudsman's Office. As a result of the response of the Ombudsman of Ukraine, the applicant was granted the status of a victim of human trafficking. This enables her to get the help she needs free of charge.



Ukraine needs prisoners of war to return home!

So far, 2 598 Ukrainians have been returned from Russian captivity. One of the largest exchanges in 2023 took place on February 4 – then 116 defenders were returned, and on February 16 – 100 Ukrainian soldiers. Also, on March 7, 130 defenders were already at home, and the same number of people returned to Ukraine on April 16. **A total of 48 exchanges have taken place since the start of the full-scale invasion.**

Employees of the Ombudsman's Office are present at each of them. They advise defenders on the protection of their rights and record, from the words of the released defenders, Russia's violation of the norms of international humanitarian law, in particular the Geneva Conventions.



! Russia violates these norms, kills and tortures Ukrainian soldiers! 90% of Ukrainian prisoners of war are tortured during their stay in enemy captivity. Instead, Ukraine, despite all the difficulties and challenges associated with the war, **demonstrates a dignified attitude towards Russian prisoners of war.**

Our state wants to return all its defenders home! However, due to the position of the Russian side, exchanges are currently suspended – they have not taken place since August! At the same time, the enemy is trying to blame Ukraine for this and is preparing information propagandа campaigns!

Ukraine works to achieve results and protect human rights, including the rights of prisoners of war!



Handing over humanitarian packages and letters to prisoners of war

According to joint agreements with the Russian side, on December 22, 2023, representatives of the Office of the Ombudsman of Ukraine and the Commissioner for Human Rights of the Russian Federation T. Moskalkova met with the aim of handing over humanitarian packages and letters to prisoners of war of both countries.



The delivery of parcels and letters to our Ukrainian defenders was carried out with the participation of the Coordination Headquarters for the Treatment of Prisoners of War and representatives of the International Committee of the Red Cross, who made a centralized purchase of warm clothes, shoes and personal hygiene items.

In addition, thanks to mutual humanitarian agreements, it was possible **to return four Ukrainian citizens to Ukraine**. In its turn, Ukraine contributed to citizens leaving for Russia for family reunification.

Ukraine is constantly working to provide for our compatriots who are in captivity, and takes all possible measures for their return home!

Joint medical commissions are an additional tool that can help in upholding the rights of prisoners of war

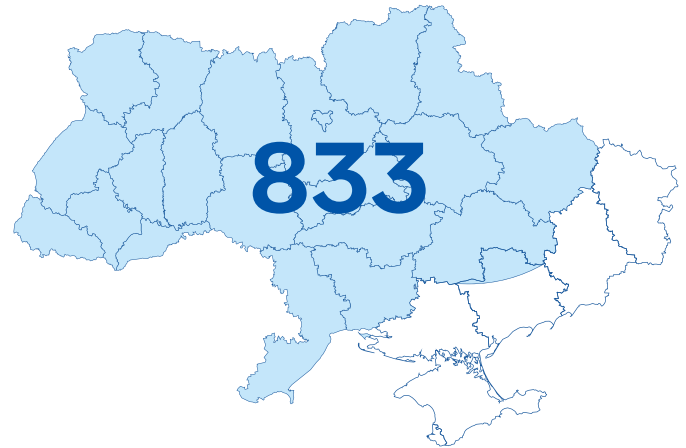
Ukraine complies with the Geneva Conventions, which is why our state created a mixed medical commission – in order to objectively determine the state of health of captured servicemen. Members of the commission must put forward proposals for the repatriation of prisoners of war, their exclusion from among those repatriated, or for postponing the decision until further review. The creation of a mixed medical commission in Ukraine is the result of the interaction of the Coordination Headquarters for the Treatment of Prisoners of War, the Office of the Ombudsman, the ICRC in Ukraine and others.

Ukraine expects that the Russian Federation will create a similar mixed medical commission to determine the state of health of Ukrainian prisoners of war, their number and make an independent decision on the repatriation and hospitalization of seriously wounded and seriously ill prisoners of war in a neutral country.



According to the Geneva Conventions, the seriously wounded or seriously ill are subject to unconditional repatriation even during an armed conflict!

The Ombudsman's office monitored 100% of military medical commissions



The applicants appealed to the Ombudsman's Office regarding the violation of their rights, which is related to the work of **military medical commissions** (MMC). Monitoring of the MMC was started by the Office of the Ombudsman in 2022 and continued in 2023. In August, the institution's employees recorded positive changes compared to last year, but they also found an insufficient organizational level of conducting the MMC, significant violations of rights during its passage, which affect the moral and psychological state of both servicemen and conscripts.

The employees of the Ombudsman's Office carried out 833 on-site and off-site (documentary) monitoring, which makes 100%. All regions are covered, including front-line ones. After the visits and processed appeals, a number of problems related to the observance of human rights were revealed.

In order to solve them, the necessary materials were sent to state authorities. This issue is under the personal control of the Ombudsman of Ukraine, Dmytro Lubinets.

Communication with the families of missing and captured military personnel is the duty of the state!

During 2023, the Office of the Ombudsman processed more than **16 200 appeals** from relatives of prisoners of war and civilians deprived of their freedom.

Meetings with family members of military prisoners and victims of enforced disappearances are held every week in the Commissioner's Secretariat. They are joined by public organizations, representatives of state authorities, military formations and law enforcement agencies. **In total, the employees of the Office organized and conducted 79 events and more than 373 personal receptions of citizens.**



The result of this is renewed rights, identification of problematic issues and development of a way to solve them.

Key figures for 2023*

The rights of **739 people were renewed in 461 cases**; **133 monitoring visits** were carried out to control the observance of the rights of servicemen, the level of medical care of combatants, rehabilitation services, passing of MMC;

23 proceedings were opened regarding compliance with the payments stipulated by the law to servicemen, discharged from service, pensioners, disabled persons, prisoners, and members of their families;

Positions of the Commissioner for **468 legal acts** have been prepared. **As a result:**

- settled the issue of payment of additional remuneration to military personnel;
- settled the issue of payment of financial support to servicemen during their stay at disposal after injury;
- receipt of a one-time cash benefit by military personnel who are released during martial law due to family circumstances.

**As of December 15*



Oleksandr Kononenko

Representative of the Commissioner in the System of Bodies in Security and Defense Sector

✉ kononenkoov@ombudsman.gov.ua

Child Rights Protection Center

On the initiative of the President of Ukraine Volodymyr Zelenskyi, **Child Rights Protection Center** was opened. The event took place with the participation of the President, the Head of the Office of the President of Ukraine Andriy Yermak, the Ombudsman of Ukraine Dmytro Lubinets.



The center functions according to the «Barnahus» model. This is a barrier-free space where children and their families are provided with legal assistance, social and psychological support. It also records the war crimes committed by Russia, of which children became victims and witnesses.





During this time, the first persons of various countries, delegations of partners have already visited the space. In July, the First Lady of Ukraine Olena Zelenska and the First Lady of South Korea Kim Keon Hee visited the Center. The space was also visited by the Presidents of Portugal – Marcelo Rebelo de Sousa, Latvia – Edgars Rinkevičs, Hungary – Katalin Novák. There were also delegations from the State of Qatar, the UAE, the Netherlands, Moldova, UNICEF, the OSCE and others.

Child Rights Protection Center is a space where children feel protected and safe! Meetings are always held there with them. In particular, recently the Ombudsman of Ukraine Dmytro Lubinets and First Lady Olena Zelenska met with returned children, their parents or legal guardians. They talked about the reintegration of children and their recovery after returning to the Motherland.

Bringing the child home is just the beginning. Next is its integration into society and rehabilitation



As of December 15, the Child Rights Protection Center **interviewed 56 children returned to Ukraine**. A multidisciplinary team works in the space, which carries out measures **to renew and process documents, conduct a medical examination, provide temporary housing, social and psychological rehabilitation of the child and his family members, ensuring the child's right to education and family upbringing**. Also, a separate mechanism was developed to accompany a child who returned from deportation or temporarily occupied territory.

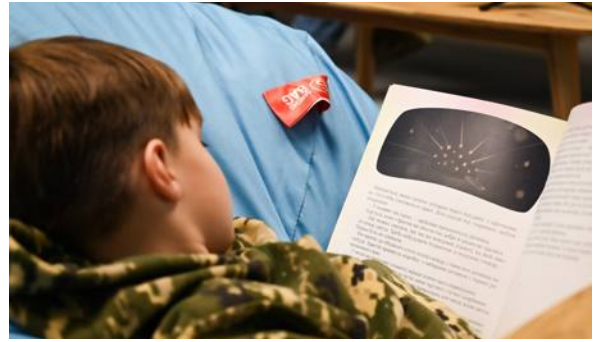
As an example, the renewal of the rights of Bohdan Vermokhin, who returned from Russia. The Center interviewed the boy and took measures to assist Bohdan in producing domestic and international passports, issuing an individual tax number, IDP certificates, receiving IDP payments, establishing the boy's status as a victim of human trafficking, as well as signing a declaration with a family doctor, passing a medical examination, renewing the right to education. The boy received humanitarian and financial aid.



Russia violates human rights, including the rights of children!

Protection of children's rights is a priority

The Office of the Ombudsman works to restore children's rights in various areas. In particular, it conducts monitoring visits for this. As an example, based on the results of one of them, Commissioner Dmytro Lubinets appealed to the Prime Minister of Ukraine, Denys Shmyhal, regarding the regulation of wages for employees of social welfare institutions. After all, these workers take care of children and work, for example, in children's boarding houses.



Also, based on the results of the monitoring visits, recommendations are sent to the central and local bodies of executive power, institutions and organizations with the aim of regulating the issues of ensuring the rights and interests of the child. In particular, **5 submissions** of the Ukrainian Parliament Commissioner for Human Rights were sent.

The Ombudsman of Ukraine also pays attention to the **observance of children's rights abroad**. So far, **148 appeals have been processed** regarding children taken from their parents or other legal representatives abroad. As of December 12, the Ombudsman's proceedings were opened based on **76 appeals from citizens who raised the issue of protecting the rights of 185 children taken from their parents or legal representatives in different countries**. As part of the proceedings, response measures were taken and requests were sent to the relevant state bodies.



Special report of the Ukrainian Parliament Commissioner for Human Rights «**The Unbloomed. Violation of Rights of Ukrainian Children in the Temporarily Occupied Territories of Ukraine and in Russia: Deportation, Militarization, Indoctrination**»



Key figures for 2023*

In 11 months of 2023, **the rights of 584 children were renewed based on 89 appeals**, also based on the results of **3 monitoring visits, the rights of 15 038 children were renewed; 97 monitoring visits** were made, including 7 to children's boarding homes.

* As of December 1



Iryna Suslova

Representative of the Commissioner for the Rights of Child

✉ suslova@ombudsman.gov.ua

The right to dignity: introduction of minimum standards in IDPs' places of residence

The Office of the Ombudsman, together with the Cluster on Management and Coordination of Compact Settlement Places, developed **the Minimum Standards for the Residences of Internally Displaced Persons**, which formed the basis of Government Resolution No. 930.



Therefore, the concept of places of temporary residence (PTR) was officially defined. This is the first step to solving the problem that is in the first place – providing people with housing. In addition, the standards of residence of IDPs have been adopted.



Solving the problems of IDPs: from appeals to changes in legislation

Citizens often turn to the Ombudsman of Ukraine, and the renewal of their rights requires changes to the legislation. After one of these cases, amendments were made to Resolution No. 332 of the Cabinet of Ministers. **They established that housing allowance is assigned to children born to IDPs.** After all, mothers used to turn to the institution with the fact that their children were denied assistance for the residence of IDPs.

Also, the Office of the Ombudsman learned about the impossibility of obtaining electronic and paper pension certificates of IDPs who moved before February 24, 2022. Based on the results of sending the response acts of the Commissioner, the Ministry of Social Policy together with the Pension Fund of Ukraine developed Resolution No. 325 of the Cabinet of Ministers of Ukraine, which provides for the issuance of pension certificates in paper form to IDPs upon their application.

Special report of the Ukrainian Parliament Commissioner for Human Rights regarding the observance of the rights of persons who are victims of the armed aggression of the Russian Federation against Ukraine and The state of implementation of the recommendations is given in the special report.



Key figures for 2023*

The rights of 9 270 citizens who suffered as a result of the armed aggression of the Russian Federation were restored;
1 502 monitoring visits were made in this direction;
2 831 projects of normative legal acts were processed, which were submitted for consideration by government committees, committees of the Verkhovna Rada of Ukraine or received for approval;
725 educational events were held;
4 meetings of the Expert Council under the Representative of the Commissioner for the Rights of Citizens Victims of Armed Aggression against Ukraine were held;
Regional coordinators in 15 regions of Ukraine have been strengthened within the framework of cooperation with «Stabilization Support Services» charity fund.

*As of December 8



Olga Altunina

Representative of the Commissioner for the Rights of Citizens, who are Victims of Armed Aggression Against Ukraine

✉ altuninaom@ombudsman.gov.ua

International coalition of countries for the return of Ukrainian children – the first meeting and the first developments

On December 8, the first meeting of the International Coalition of Countries for the Return of Ukrainian Children took place. This is the result of a meeting in Malta within the framework of the discussion of the President of Ukraine's Peace Formula, where Canada offered to create an international coalition.

The high-level meeting was attended by 72 representatives of other countries and international organizations. In particular, Canada, Qatar, Great Britain, the USA, Norway, the Netherlands, Estonia and others, as well as representatives of the UN Monitoring Mission, UNICEF, OSCE, the Council of Europe...



The event was opened by the President of Ukraine Volodymyr Zelensky. He emphasized the importance of joint efforts on the return of deported Ukrainian children. **For this, the approved Brings Kids Back UA action plan is in effect.** During the first panel, the Head of the Office of the President of Ukraine Andriy Yermak explained how the coalition of countries should work.

«If every day to return at least one deported child – Ukraine needs more than 55 years for this! It's only about 20 thousand verified cases... But we can't wait that long! We need effective steps!», the Ombudsman of Ukraine Dmytro Lubinets emphasized this during the coalition meeting and listed the steps:

- Recognition of Russia's actions as a crime of genocide;
- Issuance of new arrest warrants for those guilty of deportation of Ukrainian children;
- Obtaining access to lists of all deported and displaced children;
- Verification and updating of information on deported and displaced children;
- Opening of humanitarian corridors for the evacuation of the civilian population;
- Creation of rehabilitation centers for returned children.

Actions required: Meetings with international partners are result-oriented

The return of all Ukrainians home: children, civilians, prisoners of war, as well as the protection of human rights in various spheres became key issues during the meetings of the Ombudsman of Ukraine with foreign delegations. In particular, with **the Special Representative of Vatican Cardinal Matteo Zuppi**, who arrived in Ukraine on behalf of Pope Francis, as well as **the delegation of the Presidential Court and the Ministry of Foreign Affairs of the UAE led by the Minister of Climate Change and Environment – President of the Office of International Affairs at the Presidential Court of the UAE Mariam Almheiri**.



In addition, **the Stolen Voices advocacy event was held as part of the Bring Kids Back UA program**. Thus, 6 children, who were returned to the Motherland thanks to the efforts of the Ombudsman of Ukraine and the Orphans Feeding Foundation, spoke with Dutch officials and media representatives.



The conference dedicated to **the International Children's Day «WAR. UNSUNG LULLABY»**, which was opened by the President of Ukraine Volodymyr Zelenskyi. It was joined by a number of international partners and representatives of state authorities. At the conference, the participants covered a wide range of issues.



Also, the Office of the Ombudsman, the Office of the President and the Ministry of Foreign Affairs of Ukraine held the International Conference «Freedom or Fear», dedicated to the 75th anniversary of the adoption of the Universal Declaration of Human Rights. The purpose of the event is to draw the attention of the whole world to the violation of human rights in Ukraine and to consolidate efforts for a more effective mechanism for their protection. 15 Ombudspersons and heads of NHRIs arrived in Kyiv.



Also, in order to draw attention to Russia's crimes in Ukraine, namely in the city of Mariupol, the Office of the Ombudsman organized together with the Ombudsman of Italy and the Lazio Region Marino Fardelli the event «Mariupol – unlost hope!».



The Ombudsperson's institution is also involved in charity: **within the event with the participation of ombudspersons-members of the Board of the International Ombudsman Institute (IOI), funds were collected for the anniversary of the establishment of the Ombudsperson's institution** and directed to the psychological rehabilitation of Ukrainian children who suffered from the war.

Within the framework of the Second Parliamentary Summit of the Crimean Platform, an online Conference of Ombudsmen and NHRIs was held, which was attended by 68 participants from 60 countries of the world. **The world must continue to support Ukraine!**

Key figures for 2023*

171 meetings with foreign delegations, in particular with heads of state, representatives of the UN, OSCE, Council of Europe, IFRC, ICRC, USAID, Heads of NHRIs and Ombudspersons of other countries, management of NHRI's networks;

35 foreign visits were made;

There are **2 Temporary Representatives of the Commissioner working abroad:** in Great Britain and Ireland.

**As of December 26*



Olga Strepochenko

Head of the Department of International Cooperation and European Integration

✉ strepochenko@ombudsman.gov.ua

Social and economic rights must be ensured!

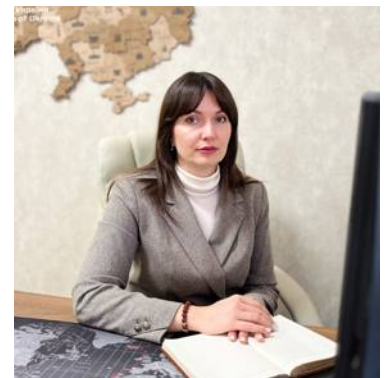
The Ombudsman's Office works to ensure social and economic rights. In particular, in this area, **5 submissions of the Commissioner** were given regarding the elimination of identified violations, which have concrete results.

- **To the Minister of Health of Ukraine.** The result – 167 medical forms on the establishment of disability for citizens of Ukraine living in Spain, Portugal, the Czech Republic and Slovakia were translated, ensuring their constitutional right to the appointment of a pension in Ukraine;
- **To the First Vice Prime Minister - Minister of Economy of Ukraine.** Result – the State Service of Ukraine on Labor Issues resumed the implementation of state supervision (control) measures;
- **To the Minister of Social Policy of Ukraine.** The result – the work of the Commission on determining data on the wages of employees for work in the exclusion zone in 1986-1990 was resumed.
- **To the Chairman of the Chernivtsi City Council.** The result – the right of 3 adults from among orphans and children deprived of parental care to temporary social housing was restored until housing for permanent residence is provided.

Changes to legislation are guarantees for the future

The Office of the Ombudsman in the sphere of protection of social and economic rights initiates changes to legislation. This is the result of an appeal to the institution by citizens of Ukraine who have specific problems.

For example, the right of 15 000 residents of multi-apartment buildings in Kyiv to receive gas supply services has been secured through the approval of regulatory acts in this area. Also, since January 1, the right of 2,281 persons injured at work to social services has been restored – this is the resolution of the Cabinet of Ministers of Ukraine No. 775. Among the results of the work is the provision of the possibility to remotely apply for the renewal of pension payments to persons living in the territories where hostilities are taking place, or in the temporarily occupied territories of Ukraine – this is Resolution No. 806 of the Cabinet of Ministers of Ukraine.



The recommendations of the Commissioner to authorities were also taken into account in the following cases:

- 6 128 residents of the Tomakiv community in the Dnipropetrovsk region have had their water supply restored, which was interrupted as a result of the Russian army undermining the Kakhovka HPP;
- 1 770 persons with disabilities since childhood were assigned state social assistance after they reached adulthood, and the decision on groundless withholding of the amounts of assistance from 69 legal representatives of these persons was canceled;
- benefits and housing subsidies were assigned to citizens, which were not assigned to them for more than 6 months;
- a decision was made to issue pension certificates to persons with disabilities whose disability pension was extended for the period of martial law without re-examination by the medical and social expert commission;
- in 2 criminal proceedings, pre-trial investigations are being conducted on the grounds of criminal offenses based on the facts of land pollution.



Special report of the Ukrainian Parliament Commissioner for Human Rights regarding on the State of Observance of the Social and Economic Rights of Adults who Need Guardianship and Care, under the Conditions of Martial Law.



Key figures for 2023*

- The rights of **18 587 citizens** were renewed;
- 599 proceedings** of the Ukrainian Parliament Commissioner for human rights were opened;
- 5 submissions** presented by the Commissioner regarding the elimination of identified violations of human rights;
- Conducted **120 monitorings** covering **270 objects**;
- 1 365 regulatory and legal acts** were processed, which were considered at the meetings of government committees, committees of the Verkhovna Rada of Ukraine or received for approval;
- Conducted **180 legal education events** in the field of social and economic rights;
- Held **3 meetings of the expert council** under the Representative of the Commissioner for Social and Economic Rights.

*As of December 18



Olena Kolobrodova

Representative of the Commissioner for Social and Economic Rights

✉ kolobrodova@ombudsman.gov.ua

Systematic visits to places of detention – implementation of NPM functions

The Office of the Ombudsman regularly visits places of detention and discovers human rights violations there. Thus, 730 visits were made during martial law.

NPM groups reveal the following systematic violations of human rights: the right to life, to proper medical care, to communication with the outside world, the right to protection, to proper conditions of detention, and others.



There is an appropriate response to all of them. Thus, the rights of detainees in the Kharkiv pretrial detention center were renewed. During the visit to the institution, it was established that there is a violation of the detainees' right to maintain contact with the outside world, namely, prisoners and convicts complained that the staff does not accept parcels from the relatives of these persons. At the time of the visit, 1,521 people were kept there. The Commissioner sent the response act to the Ministry of Justice of Ukraine to respect the rights of these persons. According to the results, the reception of parcels at the Kharkiv pre-trial detention center was resumed.

Also, with the assistance of the Commissioner, criminal proceedings were initiated against the employees of another pretrial detention center. Before the Ombudsman of Ukraine received an anonymous complaint about the torture of one of the prisoners in the Mykolaiv pretrial detention center, in particular, that he was not receiving proper medical care, was driven to despair and intended to commit suicide. This required immediate measures to ensure the personal safety of a person and bring the culprits to justice. On the same day, on the instructions of the Commissioner, an employee of the Secretariat visited the pretrial detention center, found the prisoner and noted on his body the numerous injuries he received in the pretrial detention center. **Based on this fact, criminal proceedings were registered on the grounds of a criminal offense provided for in Part 3 of Art. 127 of the Criminal Code of Ukraine (torture committed by a representative of the state).**

! Our strategic goal is to build the best national preventive mechanism in Europe! And also – to completely eliminate manifestations of torture, cruel, inhuman or degrading treatment, not only in places of detention, but also in society in general!

Challenges to the NPM during the war

As a result of the Russian invasion, the Ukrainian NPM is facing a number of challenges. Places of detention suffer damage from Russian shelling. Currently, **124 places of imprisonment have been damaged and 12 have been destroyed due to the aggression of the Russian Federation. More than 40 places of imprisonment remained in the temporarily occupied territory.**

Also, due to Russia's aggression, there are the following problems in the field of NPM:

- Insufficient number or unequipped shelters in places of detention;
- Necessity of migration and evacuation of places of deprivation of liberty within the territory of Ukraine or abroad;
- Difficulties in organizing visits to places of detention, especially in those areas that are close to the war zone.



The NPM team does not stop its work, despite the risks. The delegation of the Office of the Ombudsman, led by the Representative of the Commissioner for Human Rights in Places of Detention, informed the international community about this during the Regional Meeting of the NPM and Civil Society Organizations of the OSCE region on mental health in places of detention in Copenhagen.



Special report of the Ukrainian Parliament Commissioner for Human Rights on the state of implementation of the national preventive mechanism in Ukraine



Key figures for 2023*

528 visits to places of detention;
131 submissions of the Ukrainian Parliament Commissioner for Human Rights;
Based on the results of the detected violations, **26 criminal proceedings were opened**;
As a result of the initiated internal official investigations, **62 persons were brought to disciplinary responsibility**;
Based on consideration of the Commissioner's submissions, 55 people were brought to disciplinary action;
Considered and processed:

- **27 legal acts**;
- **1 109 letters regarding verification of the facts of possible violations of the rights and freedoms of a person and a citizen.**

**As of December 18*



Vitalii Nikulin

Representative of the Commissioner for Human Rights in Places of Detention

✉ nikulin@ombudsman.gov.ua

Ensuring the rights and freedoms of national minorities (communities) is an important component of the work

On July 1, 2023, the Law of Ukraine «On National Minorities (Communities) of Ukraine» entered into force. Its adoption was one of the mandatory conditions for further accession of Ukraine to the EU.

The Ombudsman's office took part in the development of this normative legal act and the introduction of changes to it, which were emphasized by the Venice Commission. According to them, the Ukrainian Parliament Commissioner for Human Rights, within the mandate, exercises parliamentary control over the observance of the right of national minorities (communities) to use the languages of national minorities (communities).

In the direction of this work, the institution also developed research on national minorities (communities) and indigenous peoples under occupation. It was presented in Krakow during a forum dedicated to the protection of national minorities in Ukraine, organized by the Office of the Ombudsman together with the Council of Europe.



Currently, a pilot project on documenting persons from the Roma national minority (community) and developing legal mechanisms to simplify this procedure together with the Council of Europe is being implemented. 243 questionnaires have already been processed and 62 persons have been documented.

The Ombudsman institution also took part in the development of the State National and Cultural Program «Unity in Diversity» for the period until 2034, taking into account the provisions of the recommendations of the Venice Commission.

The Ombudsman's office is a member of EQUINET!

Members of the European Network of Equality Bodies unanimously, with 42 votes, supported the accession of the institution of the Commissioner to the organization!

Joining EQUINET and deepening cooperation with other European equality bodies will strengthen the institutional capacity of the Commissioner. Also, membership in this organization will provide an opportunity to share experience and adopt best practices in the field of preventing and combating discrimination, ensuring equal rights and opportunities for women and men, vulnerable groups of the population in accordance with international standards.



The Office of the Ombudsman works to ensure that human rights being respected!

The Office of the Ombudsman receives various appeals, in particular, regarding the observance of equal rights and freedoms, the rights of national minorities, and political and religious views. Also, employees of the institution independently monitor the observance of human rights.

During one of them, they discovered information about the husband's domestic violence. In order to find out the circumstances, the Commissioner sent a request to one of the regional military administrations with a request to ensure the protection of the rights of the victims. After that, a mobile team went to the family's place of residence. It provided psychological assistance to the victims, held a conversation with the offender and warned him about prosecution for domestic violence. The family was taken under social support as being in difficult life circumstances.

Also, during another media monitoring, information was discovered regarding two cases of children possibly falling into a situation of human trafficking. In the first case, a man tried to take a one-year-old child abroad for the purpose of selling it for organs.

In the second case, a woman - a friend of the mother - tried to sell the child, who was almost a year old. During the review of the situations, it became clear that despite the open criminal proceedings under Part 3 of Article 149 of the Criminal Code of Ukraine, the status of victims of human trafficking was not established for the children. As a result of the Commissioner's response, the children were assigned this status.

Creating facilities, not barriers!

The commissioner recorded a violation of the rights of a child with a disability to rest and leisure in a children's entertainment facility. A child in a wheelchair was not given the opportunity to participate in recreational activities due to the lack of architectural accessibility of the play space and the incorrect attitude of the staff.

Upon the Commissioner's response, a portable ramp was purchased to ensure the accessibility of the play space in the institution and changes were made to the rules for visiting the children's space. Staff training on accessibility and tactful communication was also conducted.

Key figures for 2023*

Human rights were restored in **203 cases**;
231 normative legal acts were processed;
57 monitoring visits and field inspections were carried out.

**As of December 15*



Mykhailo Spasov

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

✉ spasov@ombudsman.gov.ua

Compliance with information rights is the basis of democracy

The Ombudsman's office works in the field of protection of information rights and has examples of successful work on compliance with the right to information and protection of personal data.

Thus, one of the public organizations sent 70 requests to one of the city councils and did not receive an answer. All of them related to obtaining information on one page of the land improvement project intended for the implementation of honorable burials. In response to requests, the city council informed about the need to provide a document confirming the status of a journalist. Based on the response measures taken by the Commissioner's Secretariat, the city council re-examined the requests and provided the needed information.

Another example of protection of citizens' rights. With the assistance of the Ombudsman of Ukraine, they stopped the distribution of personal data of customers of Gas Distribution Networks of Ukraine LLC, because passport data of citizens were printed on envelopes, and invoices and contracts were laid out in the entrances of buildings where sensitive personal data were indicated.

Ensuring informational rights in conditions of war

In 2023, the second stage of monitoring the provision of information rights under martial law took place. The purpose of the monitoring is to assess the quality of spreading public information on the official websites, providing answers to information requests and appeals from citizens under the conditions of restrictions related to the introduction of the legal regime of martial law.

Representatives of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights, UNDP experts in the field of information rights and the Commissioner's regional coordinators of interaction with the public joined the monitoring.

The monitoring was carried out with the support of the project «Human Rights for Ukraine», which is implemented by UNDP in Ukraine and financed by the Ministry of Foreign Affairs of Denmark during 2019-2023.



For the first time in 25 years of the institution's activity, the Special Report of the Commissioner was presented **on the observance of the constitutional right to information under the conditions of the legal regime of martial law.**



Key figures for 2023*

- 1 356 proceedings** were opened for the purpose of implementing response measures and restoring rights;
- 768 rights of citizens were renewed**;
- 41 protocols** on administrative offenses were drawn up;
- 150 recommendations and clarifications** were provided regarding the practical implementation of citizens' right to appeal, access to public information and protection of personal data;
- 714 projects of normative legal acts** were considered;
- 101 checks** on compliance with the legislation on personal data protection in ministries, local self-government bodies, enterprises, etc were conducted. **96 orders** on the elimination of violations, which are mandatory for implementation, were issued;
- Carried out **40 monitoring** in the field of access to public information;
- 8 submissions** of the Commissioner were sent to state authorities;
- At least **4 events** of informational and explanatory work per month are held.

*As of December 15



Yuliia Derkachenko

Representative of the Commissioner for Information Rights

✉ derkachenko@ombudsman.gov.ua

Monitoring of compliance with the right to a fair trial and procedural rights

Volodymyr Panasenko, a life prisoner who served 16.5 years in prison, was released with the help of the Commissioner.



Right from the moment of his appointment, the Commissioner took personal control over the case of Panasenko, who was sentenced to life imprisonment. At the request of the prisoner's daughter, the Ombudsman took measures to release V. Panasenko due to his illness, which prevented him from serving his sentence in prison.

As a result, the man was released from serving a life sentence due to illness.

With the assistance of the Commissioner, it was possible to help a man who was detained in a pre-trial detention facility **receive state financial assistance**. He had the right to receive state financial aid, which is provided to a person who has been deprived of personal freedom as a result of armed aggression against Ukraine, after his release.

Thanks to a number of measures taken by the Ombudsman of Ukraine, the applicant received state monetary assistance in the amount of 100,000 hryvnias, which is provided to a person who has been deprived of personal liberty as a result of armed aggression against Ukraine, after his release.

In addition, the Ministry of Justice of Ukraine provided the applicant with a comprehensive explanation of the status of the enforcement proceedings in which he is a party, and informed him of the measures he needs to take.



Taking appropriate measures to eliminate identified violations of human and civil rights and freedoms

Based on the results of the parliamentary control over the observance of the rights of persons held in places of detention, 13 submissions of the Commissioner to the state authorities and law enforcement agencies were prepared. They aimed to eliminate the identified violations of the rights of persons in places of detention and the need to amend the regulatory acts to prevent such violations.

In particular, a systemic problem was identified with the failure to provide convicts and prisoners with medical services. Therefore, in November 2023, the Commissioner made a submission to the Minister of Health of Ukraine and the Minister of Justice of Ukraine with a requirement to ensure that healthcare facilities provide medical services based on paper referrals to patients held in penitentiary institutions or pre-trial detention centers of the State Criminal Executive Service, as well as in camps and detention centers for prisoners of war.

The result achieved – the Ministry of Healthcare of Ukraine sent a letter to the healthcare departments of the regional and Kyiv city state/military administrations with a request to take urgent measures and ensure the provision of such medical services.

Key figures for 2023*

314 proceedings of the Commissioner were opened;
19 submissions of the Commissioner on taking measures to eliminate violations of human and citizen rights and freedoms were made;
The violated procedural rights in 434 cases were restored;
123 monitoring observations of court sessions were carried out;
Based on the results of inspections initiated by the Commissioner and the measures taken, law enforcement agencies **entered information into the Unified Register of Pretrial Investigations on 66 facts**.
The prosecutor's office issued **79 mandatory instructions for restoring** the violated rights of persons detained in places of deprivation of liberty.
420 projects of regulatory and legal acts were processed, which were submitted for consideration by government committees, the Government, committees of the Verkhovna Rada of Ukraine or submitted for approval by the relevant ministries and other central executive authorities.
14 recommendations to the Parliament and the Government of the country with **proposals regarding the need to develop normative legal acts or introduce changes** to the current acts of the legislation of Ukraine in order to observe the procedural rights of a person and a citizen were prepared.

**As of December 15*



Denys Kononenko

Head of the Monitoring the Right to a Fair Trial and Procedural Rights Department

✉ kononenko@ombudsman.gov.ua

Work in the regions – we are strengthening the capacity

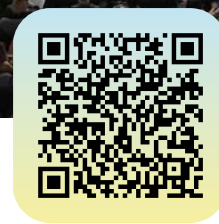
Each region of Ukraine has regional offices of the Ukrainian Parliament Commissioner for Human Rights, and several of them have Consultation Centers.

They are created to ensure interaction and exchange of information. This allows us to respond to citizens' appeals as quickly as possible.

The Ukrainian Parliament Commissioner for Human Rights makes visits to the regions. During them, he also holds meetings with local self-government bodies, heads of state institutions, enterprises and organizations, families of prisoners of war and missing defenders. **More than 500 people**, relatives of prisoners of war who went missing under special circumstances, came to one of them in the city of Rivne.



[Addresses of regional representative offices of the Commissioner](#)



Children – about their rights: a joint project of the Office of the Ombudsman and the patrol police

On the eve of World Children's Day, the Office of the Commissioner for Human Rights of the Verkhovna Rada of Ukraine and the Department of the Patrol Police of Ukraine launched a joint project where students are told about children's rights.



The topic of the first joint lesson is «**Children's Rights and Responsibilities**». Ukrainian minors are told about their rights, how to prevent bullying and violence, and how to contact the Ombudsman of Ukraine if their rights are violated. Also, representatives of the Commissioner in various regions of Ukraine tell children how the Office for the Protection of Children's Rights works, what monitoring visits are carried out by the institution's employees, and how the Russian Federation currently violates children's rights in the temporarily occupied territories.

Such classes have already taken place in 13 regions of Ukraine. Lessons within the framework of the joint project of the two institutions will also be held in other regions of our country.

Capacity Assessment procedure supported by ENNHRI, UNDP and OHCHR

In 2023, the Institution of the Ukrainian Parliament Commissioner for Human Rights underwent capacity self-assessment with the support of ENNHRI (European Network of National Human Rights Institutions), UNDP and OHCHR.



The Final Self-Assessment Report is an important basis not only for the institution of the Ombudsman of Ukraine, but also an example of best practices and work experience for national human rights institutions (NHRIs) from around the world!

Probably for the first time in the world, the NHRI was evaluated during an international armed conflict. The Office of the Ombudsman, as the largest NHRI in Europe, was evaluated throughout the year and made maximum efforts to attract 100% of the institution's employees from all 25 regions of Ukraine. 311 employees of the Office took part in the interview.

For the first time in the 25 years of the institution's existence, the structure itself initiated such an assessment!

Observance and protection of human rights in 2022 – in 2023 the Commissioner presented the Annual Report

For the first time since 2011, the Ombudsman of Ukraine Dmytro Lubinets presented the Annual Report on the State of Observance and Protection of Human Rights and Freedoms in Ukraine for the year 2022 for a vote in the Ukrainian Parliament.

318 people's members of the parliament voted for it. The draft Resolution on the annual report of the Ukrainian Parliament Commissioner for Human Rights on the state of observance and protection of human and citizen rights and freedoms in Ukraine in 2022 was adopted as a whole.

The Commissioner thanks Members of Parliament for supporting this document, which outlines the main challenges and trends in the field of human rights protection facing the Office of the Ombudsman under martial law.



The annual report forms the general vision of the state in the field of problematic issues related to the violation of human rights and efforts aimed at their protection. **In 2024, the Commissioner will present the Annual Report for 2023.**

Human Rights in Ukraine

since the Beginning of Russia's Full-Scale Invasion of Ukraine

2 598

people released
from Russian
captivity

including



144

civilians

≈ 28 000

persons missing under special circumstances
and illegally deprived of personal liberty as a result
of Russia's armed aggression against Ukraine

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

10 058

killed civilians

*According to the information of the UN Human Rights Monitoring Mission in Ukraine

18 653

injured civilians

513

killed
children

1 160

injured
children

2 278

missing
children

19 546

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

* According to the information platform «Children of War»

**1.4
million**

people without
access to water
due to the destruction
of infrastructure

**4.6
million**

people with
limited access
to water

517

children
Ukraine
returned

including



387

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

**4.9
million**

people now
identified
as IDPs

**8.2
million**

people receiving
temporary shelter
in other countries

**≈ 700
thousand**

people in Ukraine were left
without drinking water due to
the destruction of the Kakhovka
hydroelectric power station

3 951

destroyed
educational
institutions

including



1 275

destroyed
kindergartens

1 675

destroyed
healthcare
facilities

including



384

hospitals

352

ambulatories

500

destroyed
religious
buildings

1 750

destroyed
objects
of culture

≈ 167 200

destroyed or
damaged houses

126

destroyed
railway
stations

346

destroyed
bridges and
bridge crossings

576

destroyed
boiler
houses

426

destroyed
factories and
businesses

* As of December 26, 2023



«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 [@ukraine_ombudsman_bot](https://www.instagram.com/ukraine_ombudsman_bot)



Омбудсман України
Ombudsman of Ukraine

The Russian Federation and all the war criminals it sent to Ukraine will bear the most serious responsibility for the evil they committed.

Ukraine meticulously documents every crime and every brutality. All those who are guilty will undoubtedly be held accountable.

We will never forget or forgive. And so is the world.

#StandWithUkraine



Dmytro LUBINETTS

Ukrainian Parliament Commissioner
for Human Rights

✉ lubinets@ombudsman.gov.ua



Hotline of the Ukrainian Parliament
Commissioner for Human Rights **0 800 50 17 20**
or by e-mail hotline@ombudsman.gov.ua

