



Омбудсман України
Ombudsman of Ukraine

OLENIVKA IS NOT FORGOTTEN!

One year is a long time to cover one's tracks.
But not enough to forget about the terrorist attack.



The film "Absolute Evil"
is a video recording of the war crimes
of the Russian Federation

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Chronology and main facts of the terrorist attack in Olenivka

Article 12 of the Geneva Convention Relative to the Treatment of Prisoners of War: «Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities may exist, the Detaining Power is responsible for the treatment given them».

● **On the night of July 28-29, 2022**, the General Staff of the Armed Forces reported that the Russian army attacked the colony in Olenivka. Part of the Ukrainian servicemen who were captured from the territory of the Azovstal plant in Mariupol were held there.

As a result of the attack, according to the Russian Federation, more than 50 Ukrainian soldiers were killed, and more than 70 were injured. At the same time, not a single staff member of the colony, a «DPR» fighter or a Russian soldier was injured!

Important! People who had the official status of prisoners of war and were verified by the International Committee of the Red Cross died in Olenivka.

Immediately after the explosion, Russia accused Ukraine of shelling, which was allegedly carried out by the American HIMARS rocket launcher systems.

Ukraine appealed to the UN and the International Committee of the Red Cross as guarantors of the agreements regarding the defenders of «Azovstal» who were held in Olenivka. The arrangements stipulated that their lives would be spared and later that the prisoners would be exchanged. The UN and the Red Cross have affirmed readiness to investigate the mass killing of prisoners.

● **On August 3, 2022**, UN Secretary-General Antonio Guterres announced that the organization is preparing a group of experts to investigate the death of prisoners in Olenivka.

● **After 5 months**, UN Secretary-General António Guterres disbanded the mission to establish the facts of the attack on the colony in Olenivka due to the lack of security guarantees.

The UN fact-finding mission on the terrorist attack in the occupied Olenivka never once agreed to study the Ukrainian materials about the explosion in the colony.

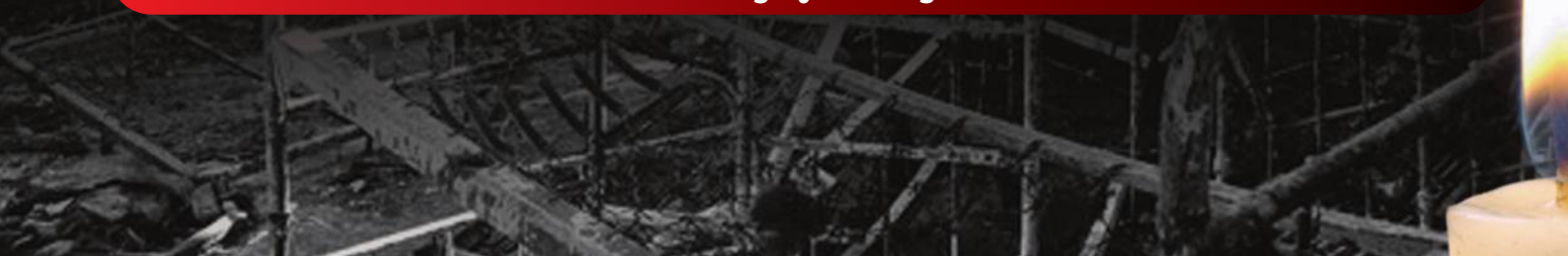
During the entire period of the mission's mandate, the Ombudsman of Ukraine repeatedly exerted efforts to meet with its participants online or offline and expressed his readiness to travel to New York to hand over the materials available to the Ukrainian side.

● **On October 11**, the bodies of 62 Ukrainian soldiers were returned to the territory controlled by Ukraine. Among them were those killed in Olenivka. It was also possible to return several wounded who were in the blown-up barracks.

Ukraine is trying to carry out all possible examinations and investigate this crime on its own. However, it is very difficult without conducting on-site work, even with the involvement of international assistance and technology.

● **On July 25, 2023**, the Office of the UN High Commissioner for Human Rights made a statement that the terrorist attack in Olenivka «**was not** caused by a HIMARS missile», thus refuting the previously widespread propaganda statements of the Russian side on the shelling of the colony by Ukraine.

Ukraine demands that the UN mission resume its work as soon as possible or that a new mission be established to thoroughly investigate the terrorist attack in Olenivka.



A Year Since the Olenivka Tragedy: A Crime Without Punishment

On the anniversary of the tragedy in Olenivka, the Ombudsman's Office hosted the event «A Year since the Olenivka Tragedy: A Crime without Punishment.» Among the invited guests were representatives of state bodies, public organizations, the UN monitoring mission in Ukraine, the ICRC, and relatives of the injured Ukrainian servicemen.

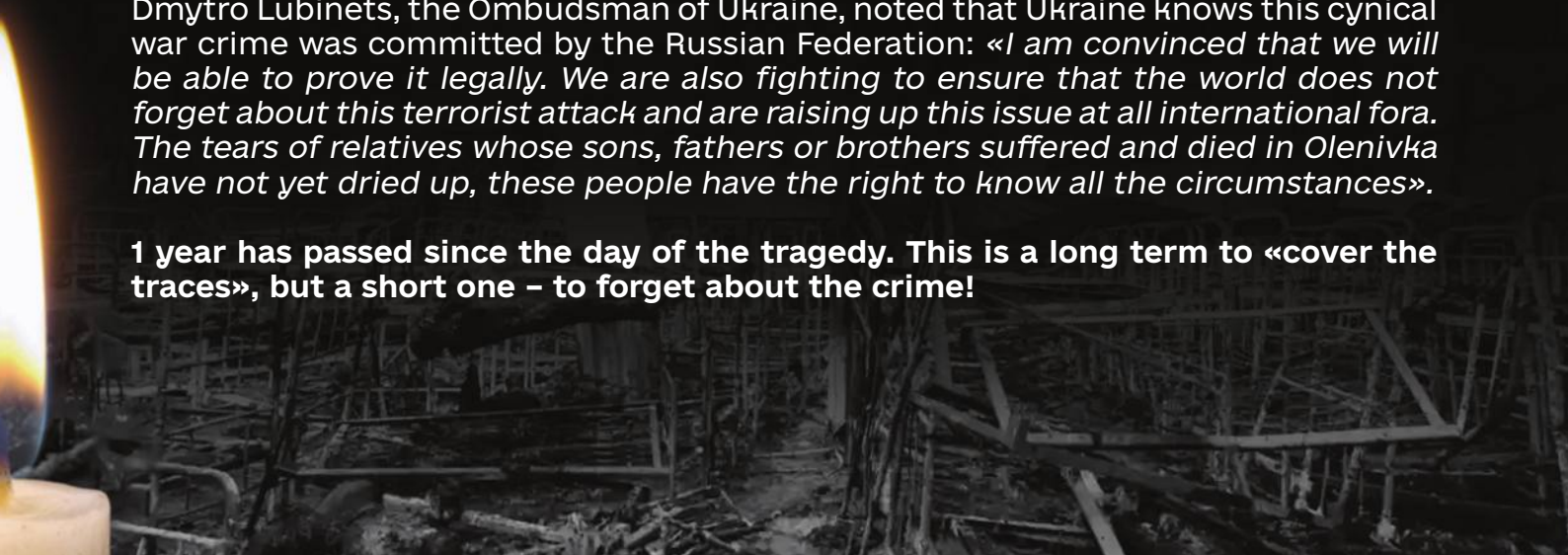


The meeting began with a moment of silence in memory of those who died in the barracks in the Olenivka colony. During the event, a National Guard serviceman who managed to survive and return home from enemy captivity told about the events of the terrible night from July 28 to 29, 2022.

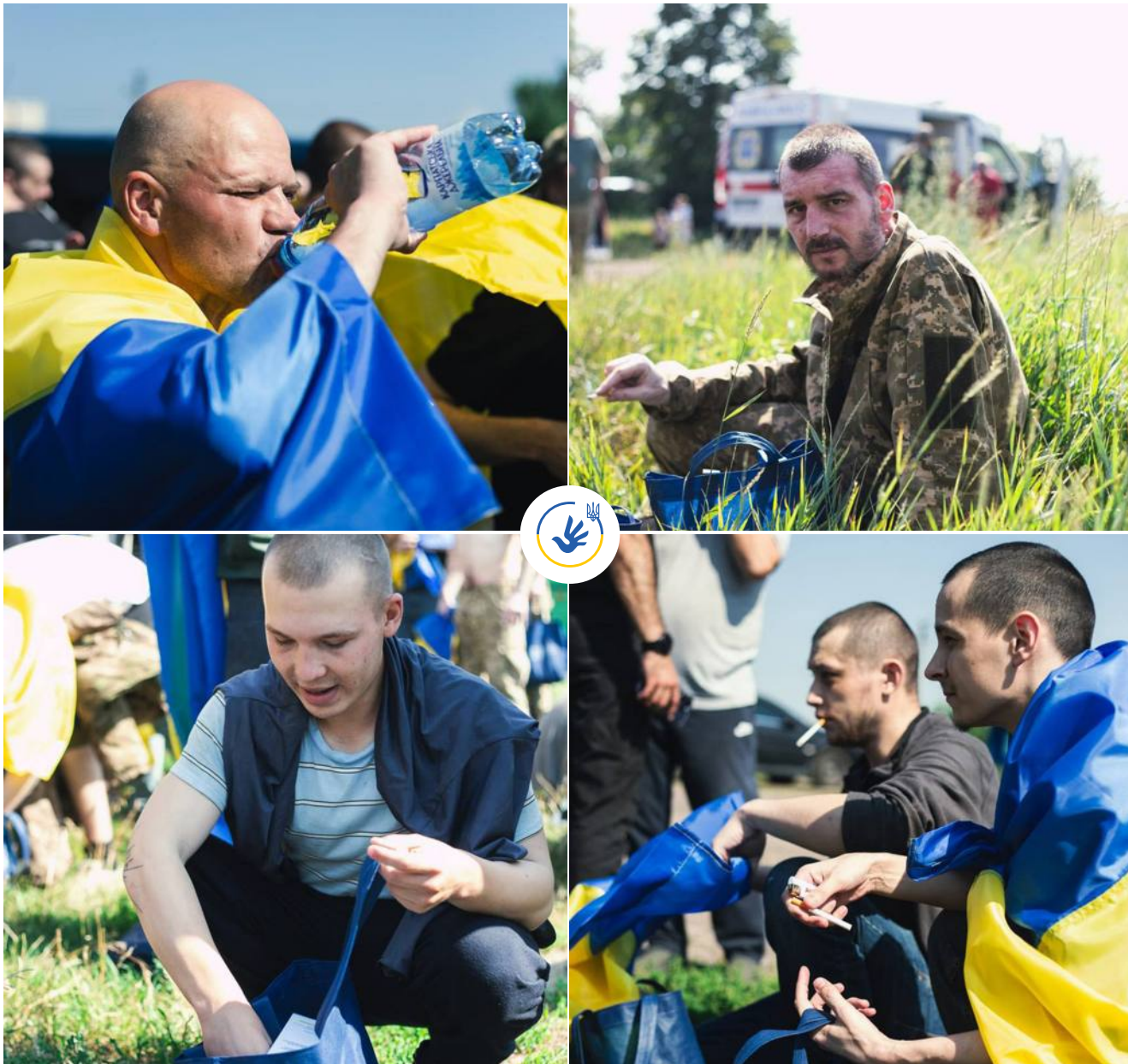
In addition, Tetyana Lisova, the sister of the fallen soldier, called on Ukrainians to sign the petition in order to establish days of mourning and commemoration of the defenders of Ukraine killed as a result of the terrorist attack in colony № 120 of Olenivka.

Dmytro Lubinets, the Ombudsman of Ukraine, noted that Ukraine knows this cynical war crime was committed by the Russian Federation: *«I am convinced that we will be able to prove it legally. We are also fighting to ensure that the world does not forget about this terrorist attack and are raising up this issue at all international fora. The tears of relatives whose sons, fathers or brothers suffered and died in Olenivka have not yet dried up, these people have the right to know all the circumstances».*

1 year has passed since the day of the tragedy. This is a long term to «cover the traces», but a short one – to forget about the crime!



We are working to liberate every Ukrainian from enemy's prisons, torture chambers and camps!



On July 6, **45 Ukrainians** were returned from Russian captivity. Among them are defenders of «Azovstal» and Mariupol, of the Donetsk, Zaporizhzhia and Kharkiv directions.

Most of the servicemen have serious injuries. All are about to undergo a rehabilitation.

2,576 Ukrainians have already returned home. This is the 47th successful exchange.



A traditional conversation with Russian servicemen who were illegally sent to the territory of Ukraine. They have no complaints or suggestions towards Ukraine. «We were treated humanely», says a Russian prisoner who was repatriated in an ambulance. His words are a confirmation that Ukraine complies with the Geneva Conventions!

Meetings with Families of Prisoners of War and Missing Persons Are an Opportunity to Hear Each Other and Understand Problematic Issues

Every week, within the walls of the Ombudsman's Office and outside it, Dmytro Lubinets, the Ukrainian Parliament Commissioner for Human Rights and representatives of the Office **set up meetings with the families of prisoners of war and missing persons.**

During one of them, for instance, there were specific proposals from local military personnel regarding the granting of the right to release from military service and postpone conscription during mobilization periods of persons released from captivity, as well as regarding the consideration of the transfer of benefits and the calculation of service length during captivity.

Dmytro Lubinets, the Ombudsman of Ukraine, noted that he supports both proposals.



This month, Dmytro Lubinets also held meetings with relatives in Rivne, Zakarpattia and Lviv regions.

«I emphasized once again that the media coverage of a specific prisoner of war only harms the processes of servicemen exchange. I drew the attention of relatives that one should be careful with personal data, both own and that of military staff, and not pass it on to third parties,» Dmytro Lubinets noted.

During the meeting, the team of the Office of the Ombudsman received appeals from the relatives and lists of their close ones who are held in captivity, as well as those missing under special circumstances.

The captivity or disappearance of a soldier is not a one-person-issue, it is whole-nation-issue. Ukraine is working to return everyone!

The situation with Ukrainian civilian hostages in the Russian Federation is truly terrible!



Dmytro Lubinets, the Ombudsman of Ukraine, continually emphasizes that Ukraine's position regarding civilian hostages illegally held by the Russian Federation is clear and simple – Ukraine is ready to take concrete steps and is working to return its people.

Unfortunately, the occupiers are turning Ukrainian civilian hostages into criminals and deliberately opening fictitious and fabricated cases against them. Also, **the Russian Federation illegally detains Ukrainian citizens in the temporarily occupied territories and the territory of Russia.**

In view of this, the Ombudsman of Ukraine would consider it expedient for the International Criminal Court to charge the Russian side regarding the issue of civilian hostages – on the example of that of the Ukrainian children deportation.

According to the 4th Geneva Convention, civilians cannot be taken prisoners! Russia violated this rule!

Deportation and forced transfer of children is a crime! We are working to return them to Ukraine!

In July, **the First Lady of Ukraine Olena Zelenska and the First Lady of South Korea Kim Keon Hee** visited the Center for the Protection of Children's Rights. Dmytro Lubinets, the Ombudsman of Ukraine, told them about how the Russian Federation violates the rights of Ukrainian children.



After that, he invited them to visit the Center, where children are provided with legal, social, and psychological assistance. He also described how the investigation and recording of war crimes committed by the Russian military against Ukrainian children is carried out.

The first ladies also met the recently returned sisters. The younger one actively communicated with the guests and even offered to make them «temporary tattoos», and neither the first ladies nor the Ombudsman of Ukraine could refuse.



It was possible to return these children home from the temporarily occupied territory of Ukraine. The 5- and 12-year-old sisters were separated from their parents on the first day of Russia's full-scale invasion of Ukraine. All the time, they stayed with their grandmother, who refused to hand over the children to their mother, who had returned from Russian captivity.

After the mother's appeal, the Office of the Ombudsman worked out a mechanism to return the children to her with the Russian side. Everything was successful – the family was reunited.



In addition, **in July, it was possible to return two more children of one servicewoman, who was also in Russian captivity.** She returned to Ukraine from enemy captivity back in October, and she has not seen her children since March 2022.



The story of 6-year-old Renata and 10-year-old Varvara and their mother, who went through the hell of enemy captivity as a prisoner of war.

Her children, a son and a daughter, were sent to a boarding school, but later the great-grandfather took them to live in the temporarily occupied territory of Ukraine. Children were returned to their mother with the help of the Offices of the Ombudsmen of Ukraine and that of the Russian Federation.



It was also possible to return home a mother and son from the territory of the Russian Federation. Before the start of the full-scale war, the family lived in Lyptsi, Kharkiv Oblast. The invaders entered their village on February 24, and on March 16 last year, the occupying authorities forcibly took the family to the Voronezh region of the Russian Federation, violating all rights of human and citizen.

For the family to be able to obtain a certificate for returning to Ukraine, the Office of the Ombudsman promptly contacted the State Migration Service of Ukraine. And the safe escort to the territory of the aggressor state was provided together with the organization that deals with the return of deported persons.

At the same time, having all the necessary documents, the mother and her young son were not allowed to pass through the border several times by the Russian side. After all, despite all the difficulties, both were returned home.



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Protection of Children's Rights in Ukraine and Abroad

A 7-year-old girl, who was taken from her mother by a Belgian court and temporarily placed in a foster family, was returned home.

The child moved to Belgium together with his mother in February 2022. However, due to the deterioration of the mother's health and her inability to provide proper care for the child, the child was temporarily placed in a foster family by the local court's decision. The girl's father remained in Ukraine. He first tried to get the child back on his own and participated in the legal process through his Belgian lawyer, and then **turned to the Office of the Ombudsman**. Proceedings were initiated based on the respective appeal.



At the Office, the father received all the necessary recommendations and an algorithm of actions for the return of the child, after which he tried to cross the border and leave for his daughter. He had all the documents confirming the special reasons to cross and the court's decision to place the child in a foster family, but he was not allowed at the border.

Having received a written refusal to cross, he again appealed to the Head of the State Border Service of Ukraine with a request to consider the possibility of granting him permission to cross the border. In June, the juvenile judge made a decision to return the minor to her father. They returned to Ukraine, and later visited the Center for the Protection of Children's Rights together.

The Child Rights Protection Center was established on the initiative of President of Ukraine Volodymyr Zelenskyy. In May this year, the Bring Kids Back UA action plan to bring all Ukrainian children home was presented in there. It was developed on behalf of the President of Ukraine, and the action plan was presented by the Head of the Office of the President, Andriy Yermak.

Currently, the Child Rights Protection Center also records crimes committed by Russians against Ukrainian children and provides social, psychological, and legal support to children and their families.





Омбудсман України
Ombudsman of Ukraine



ЦЕНТР ЗАХИСТУ
ПРАВ ДИТИНИ

As of July 31,

386

children

**were
returned
to Ukraine**



Meeting the Delegation of the State of Qatar

On July 28, the Ombudsman of Ukraine met with the delegation of the State of Qatar at the Center for the Protection of Children's Rights. It was headed by the Prime Minister and Minister of Foreign Affairs of the State of Qatar, Sheikh Mohammed bin Abdulrahman Al-Thani. Dmytro Lubinets told the delegation that:

498

children died

1,081

children were injured

19,546

Ukrainian children were deported

The head of the delegation was very interested in this topic. In particular, he noted that the issue of protecting the rights of Ukrainian children is important for the State of Qatar.

The Ukrainian Parliament Commissioner for Human Rights noted that he would like as many international partners as possible to understand the horror of Russia's crimes against Ukrainian children and the Ukrainian people. In addition, he thanked the delegation of the State of Qatar for the visit to the Center for the Protection of Children's Rights.



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Protection of the Rights of Citizens Affected by the Armed Aggression of the Russian Federation

With the assistance of the Ukrainian Parliament Commissioner for Human Rights, the rights of more than 7 thousand citizens who suffered because of the Russian Federation's armed aggression against Ukraine were restored.

Thus, the Office received letters from the Bashtanka Territorial Community and the Mykolaiv Military State Administration, in which the problem of the residents of the de-occupied communities not receiving financial aid within the framework of the project aimed at supporting the residents of the liberated territories was raised.

The Commissioner's Office discussed the solution to the problem with JSC «Ukrposhta», the Red Cross Society of Ukraine, the Representative Office of the International Organization for Migration in Ukraine, as well as with the authorities. As a result, the right to social support was renewed for these citizens.

Assistance in Evacuation

The Commissioner received an appeal from a citizen of Ukraine with a request to facilitate his evacuation from Kramatorsk to Poltava.



He pointed out that his previous appeals to government organizations were fruitless, and the situation in Kramatorsk was becoming more and more dangerous every day. Therefore, urgent measures were needed to secure and evacuate the applicant.

With the help of a partner organization, the Office of the Ombudsman organized **the evacuation of the applicant to Poltava**, where the man was placed in a geriatric boarding house, considering his physical needs. It is important that the accommodation conditions were taken into account to ensure medical care and comfort for living.

The applicant is a visually impaired person of the first group and has limited mobility, so his evacuation was accompanied by medical personnel.

Monitoring of Living Conditions of Ukrainians Abroad

Employees of the Office of the Ombudsman visited the places of compact settlement (PCSs) of Ukrainian citizens in the cities of Chisinau and Causeni (Moldova).



Of those, 185 people live in the PCS in Chisinau, and 18 people live in Causeni. **Appropriate living conditions for Ukrainian citizens have been created in each of the places.**

In addition to living conditions, the representatives of the Ombudsman's Office discussed with the residents of the PCS the issues of employment, access to medical and social services, and the education of their children. They did not express any complaints or raise substantially problematic issues.

The Office of the Ombudsman of Ukraine continues to monitor the observance of the rights and interests of Ukrainians living abroad. Visits to PCSs of Ukrainian citizens in other countries also contain an educational component. In particular, people are informed about opportunities and rights, as well as contacts that can be contacted in case of their violation.



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HUNGER GAMES

Russia provokes global hunger by destroying Ukrainian grain

On July 17, the Russian Federation announced the withdrawal from the Black Sea Grain Initiative, and the occupation forces intensified shelling of ports and grain storage facilities.

Also, Ukrainian crops are destroyed by fire right in the fields during the Russian invaders' shelling. Russian troops are shelling fields in Zaporizhzhia, Mykolaiv, Dnipro, and Kherson regions. After the fires, only scorched earth remains.

Due to the constant shelling, it is difficult to extinguish such fires, and in the occupied territories, the Russians deliberately do not allow it. According to NASA Harvest, **about 22% of all Ukrainian agricultural land is currently occupied by Russians.**

In Kherson region alone, hundreds of hectares of wheat, barley, and other grain crops have already been burned. And the destruction of bread is one of the most serious crimes in wartime.

The occupiers also destroy agricultural machinery, warehouses and steal Ukrainian crops, threatening global food security.

Withdrawal from the grain agreement deprives Ukraine, one of the world's leading agricultural producers, of the ability to export food by sea, which will lead to a sharp increase in world food prices, which will affect poor countries the most.

I call on the international community to pay attention to Russia's latest crime and help restore grain exports to the world market. The most effective tool to preserve global food security will be the victory over the occupier and the liberation of all Ukrainian territories. We will definitely do it.

Stand with Ukraine, and this will be our common victory!

Protection of Citizens' Social and Economic Rights

As a result of the Commissioner's intervention, 1,770 people with childhood disabilities and 69 of their legal representatives will receive state social assistance funds they are due to receive.

On the basis of data received from citizens appeals about violations of the rights of persons with childhood disabilities and their legal representatives, the Ukrainian Parliament Commissioner for Human Rights initiated proceedings on his own initiative in March, 2023.

In course of these proceedings, the staff of the Secretariat conducted remote monitoring on this issue and examined the legal acts governing the appointment and payment of state social assistance to persons with disabilities, in particular in the conditions of martial law. It was established that maladjustment of special acts additionally adopted in this area during the period of martial law with the principal ones led to violations of the right of persons with disabilities since childhood and their legal representatives to timely and complete receipt of relevant funds, as well as to double the payments to legal representatives of persons with childhood disabilities.

The Commissioner sent response acts to the Ministry of Social Policy of Ukraine and the National Social Service of Ukraine with recommendations for eliminating the identified violations and legislative settlement of problematic issues. Additional inspections in this area have been initiated.

The following recommendations of the Commissioner have been fully implemented:

- the Ministry of Social Policy informed about the additional allocation of funds to 1,770 persons with childhood disabilities;
- unlawful decisions on the withholding of benefits from 69 legal representatives of persons with childhood disabilities were cancelled, and the funds previously withheld from them were recalculated;
- the Ministry of Social Policy has developed a draft resolution of the Cabinet of Ministers of Ukraine, which, in particular, provides for specifying the conditions for rendering state social assistance to persons with childhood disabilities and children with disabilities once they reach full age during martial law. The draft act was submitted to the Commissioner for approval, who supported it (with observations)..

Destruction of Cultural Heritage

The Russian Federation destroys cultural heritage and violates the cultural rights of Ukrainian citizens. As is known, Ukrainian experts examine only objects located on the controlled territory. And the degree of damage caused to the cultural heritage of our country will be definitively calculated only after the end of the war and demining of all territories.

Destruction of cultural heritage objects is a war crime under the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict.



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Activities of the Commissioner's Representatives in Other Countries

Representatives of the Ukrainian Parliament Commissioner for Human Rights work abroad. Within their competence, they hold meetings with Ukrainians who need consulting or practical assistance in the protection of their rights and freedoms. They also set up lectures, seminars and trainings in order to facilitate the comfortable socialization of Ukrainians in other countries. In addition:

In Ireland, one of the results of the work of the Commissioner's Representative is the disbandment of the ainians set up «Sisters of Mercy Convent» temporary settlement place for Ukrainians the town of Loughrea. According to numerous statements, the company which was running the settlement repeatedly violated the rights of Ukrainians. In particular, it threatened and humiliated them, failed to provide Ukrainian citizens with acceptable living conditions, and did not respond to their requests. The representative office abroad helps former residents of the «Sisters of Mercy Convent» find a new place of residence.

In Great Britain, the Representative of the Commissioner took part in the «Ukraine Recovery Conference» held in London. It was attended by representatives of governments, financial institutions, international organizations, business and the public from 59 countries. The main conference's goal is to bring up issues of recovery and economic development of Ukraine, as well as support for the Ukrainian people in the future.

Meeting With the Ambassadors of the Countries of the Nordic-Baltic Group and of Great Britain





A meeting with the ambassadors of the countries of the Nordic-Baltic group and of Great Britain took place within the walls of the Ombudsman's Office.

Dmytro Lubinets met with them to talk about the activities of the institution, **the development of regional centers for human rights**, how the return of children deported to the Russian Federation and the repatriation of prisoners of war are carried out, how many appeals are received by the Ombudsman's Office, how citizens' rights are restored and what challenges the institution has faced since the beginning of the full-scale invasion of the Russian Federation into Ukraine.

«We are pleased to hear words of support from representatives of countries that help our state as well as citizens who are currently in the territory of other European nations. I invited them to join our activities and projects designed to restore and protect human rights and expressed gratitude for the fruitful cooperation and support!» – said the Ombudsman of Ukraine about the meeting.

Meeting with Italian Delegations

On July 21, the Office of the Ombudsman had an eventful day of communication with Italian delegations. Thus, the Ombudsman of Ukraine met the delegation of the Misericordie – «National Confederation of Mercy of Italy» charity organization, founded in 1952, as well the Delegation of the Commission for Foreign and European Community Affairs of the Chamber of Deputies of the Italian Republic, as well as the Pier Francesco Zazo, Ambassador Extraordinary and Plenipotentiary of the Italian Republic in Ukraine.





Dmytro Lubinets told the delegations about the work of the Ombudsman's Office and the new challenges that the Office faced. He paid special attention to the return of Ukrainian children to their homes and the inability of Ukrainian citizens to receive medical assistance at the temporarily occupied territories. In addition, he added that since the beginning of the Russian invasion, Ukraine has been strictly following the rules of international humanitarian law.

The Issue of Crimea is Crucial Not Only for Ukraine, but for the Whole World

In order to protect human rights on the occupied peninsula, its liberation from Russian occupation is extremely necessary. This was noted by Dmytro Lubinets, the Ukrainian Parliament Commissioner for Human Rights, in his online speech at the 53rd ordinary session of the UN Human Rights Council.

The Commissioner noted that Russia uses the territory of Crimea as a bridgehead for military operations. The occupation authorities also commit arbitrary detentions and illegal imprisonments of Ukrainian citizens in Crimea. Occupiers do this based on people's ethnic origin and religion, their beliefs and views.



«And they are not provided with the necessary medical care in prisons! These are numerous violations of human rights! Therefore, during the session, I urged the community to intensify efforts to demand access to places of detention of illegally imprisoned persons – and their release. And, of course, we shall not forget the importance of bringing all those guilty of crimes to justice!» – noted Dmytro Lubinets.



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Securing the Rights and Freedoms of National minorities (communities) is an important component of a democratic society

Mykhailo Spasov, Representative of the Commissioner for Equal Rights and Freedoms, Rights of National Minorities, Political Opinions and Religious Beliefs, had a working meeting with representatives of the Syrian, Egyptian, Jordanian and Lebanese diasporas in Ukraine.

Together, they discussed further cooperation on the protection of the rights of national minorities (communities) in Ukraine, in particular, in times of war.

During the presentation of the Commissioner's yearly activities, Mykhailo Spasov informed about the results of the work on the protection of the rights of national minorities (communities) and indigenous peoples in Ukraine, noting that the large-scale war unleashed by Russia against Ukraine has become the biggest challenge.

Mykhailo Spasov also reported that the Commissioner's Secretariat, **supported by the Council of Europe, has initiated a study of the state of observance of Ukrainian national minorities' rights and freedoms during the wartime.** Its purpose is to obtain an image of migration and better imagine the consequences that representatives of national minorities suffered due to the war.

The participants of the meeting shared own stories of their life in Ukraine, discussed what they are doing to bring closer the victory of our nation.

Mykhailo Spasov thanked those present, emphasizing that they can always turn to the Commissioner for Human Rights of the Verkhovna Rada of Ukraine in case of violation of the rights of national minorities (communities).



Mykhailo Spasov

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Protection of Right to Information

As a result of the Commissioner's response, **the right** of the NGO «Women's Anti-Corruption Movement» to receive information based on requests **was renewed**.

The NGO «Women's Anti-Corruption Movement» appealed to the Ukrainian Parliament Commissioner for Human Rights regarding an alleged violation of the organization's right to access public information from local self-government bodies.

During the review of the complaint, it was established that the NGO addressed six territorial communities of the Khmelnytskyi Region in order to obtain information on the planned use of funds from local budgets for defence needs. The review of information requests showed that three executive committees of the community councils refused to provide the requested information to the above-mentioned NGO.

Within the competence of the Commissioner, relevant letters were sent to the executive bodies of those councils with clarifications of the provisions of the Law of Ukraine «On Access to Public Information» as well as of normative legal acts in the field of defence. Considering the clarifications provided by the Secretariat, the appeals of the NGO were reviewed again and the requested information was provided.

In early July 2023, the Representative of the Commissioner for Information Rights and the staff of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights took part in the 1st network meeting of the personal data protection authorities of the Eastern Partnership countries in Tbilisi.

At this event, representatives of Ukraine, Germany, Moldova, Georgia, Armenia, Azerbaijan shared their experience in the field of data protection, spoke about the current situation in their countries in the context of data protection, peculiarities of legislation in this area, organisational structure of the bodies with relevant powers, etc. At the meeting, the key concepts and principles of data protection under the GDPR, the role of data protection authorities in ensuring compliance with the GDPR, best practices of the mentioned countries in compliance with these principles, and the implementation of new projects to raise public awareness in the field of data protection were discussed in a dialogue format.



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Monitoring the Observance of Human Rights in Places of Detention

Employees of the NPM Department of the Ombudsman's Office, together with members of the public, visited **the Ladyzhyn Penitentiary Colony (N° 39)** in Vinnytsia Region. At the time of the visit, there were 274 convicts detained in the institution. A survey was conducted with them.

Positive developments:

- the space norm for convicted persons in ordinary residential premises is observed;
- in production workshops, convicts are provided with means of personal protection, there is an information on labour protection;
- the refurbishment of the cell type premises and the premises for dispensing ready-to-eat meals in the canteen was carried out.

Drawbacks:

- the space norm in cells for life convicts is not observed, in some cases comprising less than 4 square meters;
- sanitation and hygiene rules are violated in some premises and sanitary units, convicts are not provided with proper living conditions;
- the convicts' right to work and protection from exploitation is violated;
- the right of convicts to interact with the outside world is violated, as the possibility of sending electronic applications is not properly provided for.



In addition, the NPM group detected the existence of an informal prison hierarchy, which leads to the segregation and discrimination of convicts.

The issue of convicts' access to drinking water is of particular concern. Even though the institution possesses the results of a sanitary and microbiological examinations of the water, representatives of the NPM group received numerous complaints from convicts about its quality and the impossibility of consuming it due to contamination.

In order to eliminate the detected violations of the rights and freedoms of prisoners, the Commissioner's Office directed the respective response acts to the competent authorities.



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Compliance with Procedural Rights in Ukraine

In order to observe procedural rights in Ukraine, the Commissioner's Secretariat monitors the observance of such rights. During a recent visit to the Kyiv Pre-Trial Detention Centre, employees of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights **discovered that 42 persons, against whom court proceedings are currently ongoing, have been detained in that institution for more than 5 years**, in particular, concerning 29 persons – in the courts of first instance of the city of Kyiv and Kyiv region, and concerning 13 – appeal proceedings.

The requirement to establish the reasonableness of a criminal charge within a reasonable period is a key element of the right guaranteed by Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms. Ensuring this right, which involves avoiding undue delay, has implications for many aspects of the organization of the criminal justice system, including the procedures to be followed, the instruments available, the institutional arrangements in place, the technologies used and the resources provided.

The reasons for such a duration of these persons' trials are being clarified so that the grounds and conditions contributing to the violation of the rights not only of the accused persons in detention, but also of the victims, who are guaranteed by the same norm of the Convention to have their civil rights restored by the court within a reasonable period, could be eliminated.

Non-Execution of Court Decisions in Ukraine and Ways to Overcome the Problem

A Round Table «**Problematic Issues of Non-Execution of Court Decisions in Ukraine and Ways to Overcome the Problem**» was held in the Office of the Ombudsman.

Among the participants were employees of the Department for Monitoring the Right to a Fair Trial and Procedural Rights as well as of the Ministry of Justice, judges of the Supreme Court, private enforcement officers, lawyers, and representatives of non-governmental organizations.

Taking into account the numerous complaints of citizens to the Commissioner regarding the non-execution of court decisions, the actual problems of that execution were discussed, in particular those related to non-property matters, where the execution of the court decision directly depends on the debtor. The participants of the round table provided their proposals for possible solutions to these problematic issues.



Eventually, the participants agreed that **an effective mechanism for reducing the level of non-compliance with court decisions in Ukraine is to strengthen the debtors' responsibility for non-compliance with the decisions in question.** It was also proposed to implement a system of personal liability of debtors for failure to comply with court decisions in the case of state authorities.



The state must ensure effective legal regulation and create mechanisms that are to meet human needs and interests

On July 17, the Ukrainian Parliament Commissioner for Human Rights **made a submission** to the Minister of Justice of Ukraine to take measures to eliminate the causes and conditions that contribute to violations of the right to personal liberty, in particular by regulating the mechanism for releasing a person from custody immediately after the actual posting of bail determined by the investigating judge or court in the decision to apply a preventive measure in the form of detention, and verifying the documents confirming the application and posting of bail.

This act of response was preceded by consideration of complaints from suspects, accused persons and their lawyers about violations of prisoners' rights to personal liberty, which consist in delaying the execution of court decisions regarding the application of bail as an alternative type of preventive measure due to the shortcomings of the existing mechanism of interaction between the judiciary and the administrations of pre-trial detention facilities regarding the exchange of documents and information on the crediting of the amount of money paid as bail to a special account of the territorial department of the State Judicial Administration of Ukraine, which provides organizational and financial support for the activities of the court that issued the decision.

It was established that the imperfection of the mechanism established by the regulatory legal acts for verification of documents confirming the application and posting of bail creates conditions for unlawful detention of persons on bail for an indefinite period of time from the moment of actual posting of bail.



Olena Frolova

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All-Ukrainian Human Rights Forum «Legion of Law»

On July 7, the All-Ukrainian Human Rights Forum «Legion of Law» was held. Within its framework, the discussions entitled «**From Concern to Action - Challenges and Further Steps**» and «**Human Rights Through the Lens of Art and Culture**», as well as the discussion of the **Operational Plan for the Development Strategy of the Office of the Ombudsman**, was held.

Matsuda Kuninori, the Ambassador Extraordinary and Plenipotentiary of Japan to Ukraine and Ole Egberg Mikkelsen, the Ambassador Extraordinary and Plenipotentiary of the Kingdom of Denmark to Ukraine spoke at the event together with the **Dmytro Lubinets, the Ombudsman of Ukraine**. Overall, the forum was used by numerous international partners, human rights defenders, artists, journalists etc.

The Ombudsman of Ukraine gave a personal press conference. He answered questions about prisoners of war and civilian hostages, the activities of the ICRC and the terrorist attack in Olenivka, the living conditions of IDPs and the work of representative offices in the regions of Ukraine.

At the Forum, **Dmytro Lubinets** told about what he managed to complete during the year of his work in the position of the **Parliamentary Commissioner**. This, in particular, includes introducing 9 main working directions, creating a public initiatives hub, expanding the regional network, opening new consultation centres, rebranding the Office of the Ombudsman, presenting the annual report to the Ukrainian Parliament and the introducing special reports.

«We set up this event because we want human rights to be discussed in different ways, but the most important thing for this event is to become a platform where we can hear each other and develop the necessary approaches. I believe that we managed to achieve that aim. I really wish this forum to become annual», Dmytro Lubinets noted at the conference.



The Russian Federation Is an Absolute Evil. The Occupying Power Continues Targeted Shelling of Peaceful Ukrainian Cities

During July, the Russian army shelled a number of Ukrainian regions – Kharkiv, Sumy, Lviv, Kyiv, Donetsk, Zaporizhzhia etc.

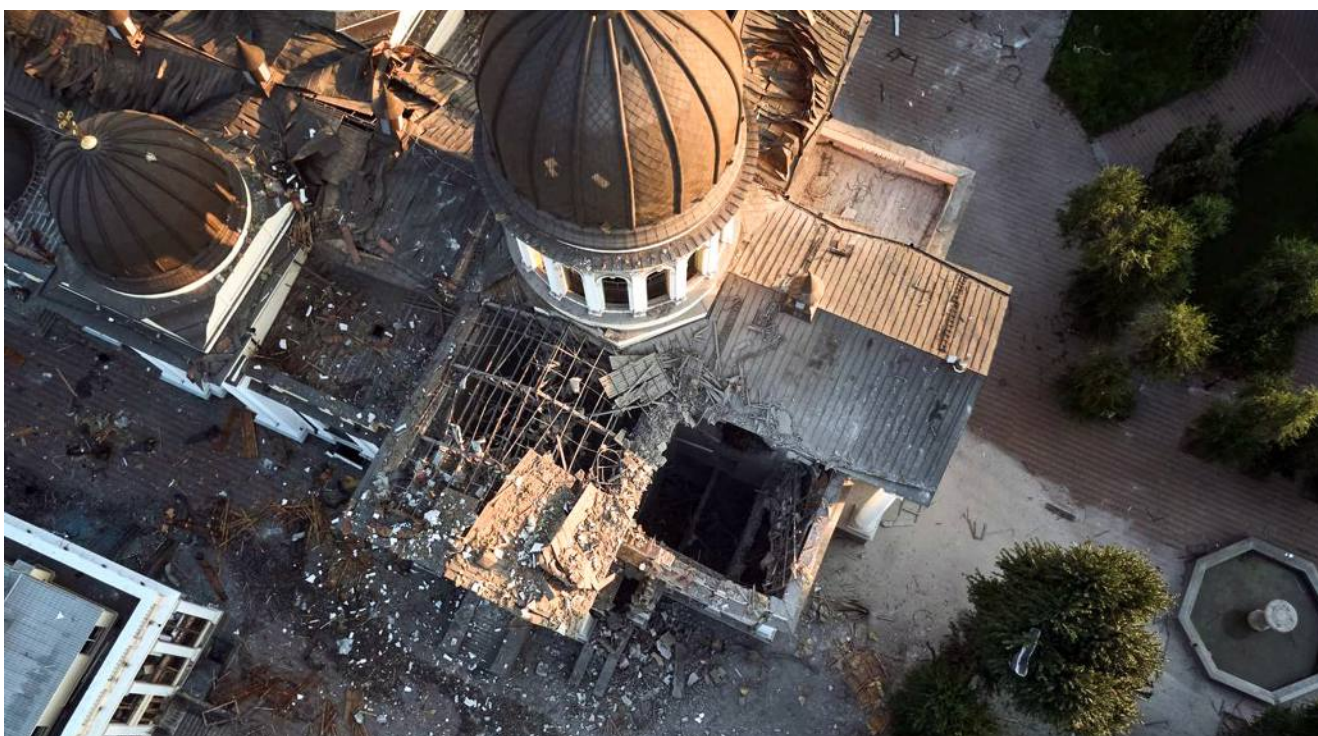
As a result of the night attack on Lviv on July, 10 people were killed. Nearly 60 apartments, 50 cars and a critical infrastructure object were damaged.



And on July 10, during the delivery of humanitarian aid to locals, the Russian Federation struck a residential quarter of Orikhiv with a guided aerial bomb. **Four people died – three women and a man – and 13 were injured.**



On the night of July 23, Russia chose **the historical centre of Odessa, which is under the protection of UNESCO**, as its target. More than 44 buildings were destroyed, including 29 listed buildings of the 19th-20th centuries.



The Ombudsman of Ukraine sent letters regarding the armed attacks on cultural heritage sites to UNESCO, the UN Independent International Commission of Investigation of Violations in Ukraine, the Council of Europe, the OSCE and the ombudsmen of the world with a call for a speedy response to this crime at the international level, in particular the Russian Federation's deprivation of its member status at UNESCO, and with a request to contribute to the reconstruction and renewal of damaged historical and cultural monuments, which are recognized as part of UNESCO World Heritage.

After withdrawing from the Black Sea Grain Initiative, Russia commits another series of war crimes by shelling Ukrainian port cities and grain warehouses. In this way, Russia is provoking famine in the world, as Ukraine is one of the world's leading agricultural producers.

Human Rights in Ukraine

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

2 576

people released from Russian captivity

including →

144

civilians

≈

25 000

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 state bodies involved in this issue

9 287

killed civilians

16 384

injured civilians

498

dead children

1 081

injured children

1 037

missing children

19 546

children forcibly taken to Russia

1.4 million

people without access to water due to the destruction of infrastructure

4.6 million

people with limited access to water

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

3 554

destroyed educational institutions

1 031

destroyed kindergartens

1 376

destroyed healthcare facilities

348

destroyed religious buildings

1 804

destroyed objects of culture

≈ **162 000**

destroyed houses

126

destroyed railway stations

346

destroyed bridges and bridge crossings

572

destroyed boiler houses

412

destroyed factories and businesses

* As of July 31, 2023

«Ombudsman of Ukraine» chatbot has been launched!



This 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://t.me/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



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