

## **Intervention of the chairperson of the *Ukrainian Human Rights Commission* Oleksii Tarasov during the 2015 OSCE Human Dimension Implementation Meeting**

Dear colleagues,

Please allow me to welcome this meeting.

Probably everyone knows that today's Ukraine is the most problem European country in terms of human rights and fundamental freedoms.

Especially it concerns the tragic situation with the freedom of speech and freedom of expression, situation with the access to information, limitation of journalists' activity and the mass media in general.

According to the information of the Institute of the mass media since the beginning of 2015 in Ukraine have been recorded 224 violations of the rights of journalists. According to the Institute's reports, almost every day journalists in Ukraine are beaten or intimidated.

The worst thing is the continuation of journalists' murders. For example, last year the talented journalist Oles' Buzina was killed right near the entrance of his house. He was a consistent supporter of the Ukraine's unity, at the same time fundamentally opposing to the war in the Donbass, which contradicted the official doctrine. The suspects of murdering Buzina were arrested. They are under investigation. Human rights defenders are very concerned with the political pressure on the investigation and law enforcement agencies. They are afraid that the real killers will escape the punishment.

In Kiev this year were killed journalists Sergei Sukhobok and Margarita Valenko, in Cherkassy region - Vasily Sergienko.

In Ukraine political pressure on opposition media, harassments, illegal criminal searches and arrests of journalists became the reality. There are varied forms of fight against the dissent in the Ukrainian media.

State officials are trying to illegally shut the license of the popular opposition 112 TV channel and of the metropolitan newspaper "Vesti". There were a great number of provocations, criminal searches, etc. Ukrainian authorities are forcibly trying to substitute owners of the mass media. Employees of the Odessa opposition website "Timer" for "prevention" were summoned for questioning at the office of the Ukrainian security service (SBU). There were some searches in journalists' houses.

Ukrainian authorities always have standard charges on "separatism" with following arrests for those media professionals who are disagree with the state policy. The Chief Editor of the Internet newspaper "Vzapravdu" Artem Buzila for the last five months has been imprisoned in Odessa on such fabricated accusations. The Editor of the newspaper "Rabochiy class" Alexander Bondarchuk has been illegally jailed for the last six months in the Kiev prison. And I can continue this list. There are dozens of journalists who are jailed or are in the wanted list of the SBU for their opposition publications.

Also, I want to draw your attention to the problem with the freedom of expression and regulation of the rights of conscientious objectors (COs) in Ukraine. They are individuals who have claimed their right to refuse to take military service, who have special ideological and moral convictions. This is a normal practice for the European countries to protect rights of conscientious objectors, but not for the Ukraine. Nowadays the position of Ukrainian COs, who are not members of any religious organization, violates the law of the country. Authorities criminally prosecute even those journalists who are COs.

A striking confirmation of this problem is the prosecution of journalist Ruslan Kotsaba, who is CO. For his public conscientious objection Ruslan Kotsaba has been jailed and his case has been considering for several months by the Ivano-Frankivsk City Court. The authorities consider the open position of the honest journalist as "obstruction of the lawful activities of the Armed Forces of Ukraine and other military formations during the special period." Such behavior of the authorities is difficult to imagine in a normal democratic society. Now, according to the information of Ukrainian prosecutors thousands COs have been prosecuted, and hundreds of them have been jailed. Therefore, in our country there is a total process of transformation of ideological Ukrainian COs in real prisoners of conscience.

In addition, there is another issue. Between Ukraine and the European Union was signed the Association Agreement, which was simultaneously ratified in September 16, 2014 by the European Parliament and the Parliament of Ukraine. According to the Agreement the particular attention is paid to the observation of the human rights. Article II (two) states: "Respect for democratic principles, human rights and fundamental freedoms, as defined in particular in the Final Act of the Conference on Security and Cooperation in Europe (1975) and the Charter of Paris for a New Europe (1990) ...".

This Agreement has not yet entered into force, and the Parliament of Ukraine on May 21, 2015 has adopted a resolution "On the withdrawal from certain obligations, certain International Covenant on Civil and Political Rights and the Convention on the Protection of Human Rights and Fundamental Freedoms." This resolution also violates Helsinki Final Act obligations. Ukrainian Deputies motivated their decision to adopt the resolution by the tragic events in Donbass.

By the way, our Ukrainian Human Rights Commission issued a report "Undeclared war at the center of Europe". It concerns the observance of human rights during the so called «anti-terrorist operation» in Donbass by Ukraine's state officials. You can see and have it near the conference hall.

So, the Ukrainian state instead of focusing on the implementation of international humanitarian law and the protection of civilians during the armed conflict in Donbass has made the substitution of notions and withdrew itself from the obligations of state to respect international human rights, to protect and to exercise the rights of millions of inhabitants of Donetsk and Lugansk regions.

By the adoption of such decision the Ukrainian state has applied to the part of its citizens discriminatory measures based on their residence and has restricted their human rights and fundamental freedoms, including their right to liberty and security, freedom of residence and movement, right to fair trial and effective way of legal protection, social protection etc.

There is a question to the EU countries, ratified the Association Agreement between Ukraine and the EU, the main elements of which are based on international and European standards of human rights without any exceptions: Will these countries suspend the entry into force of the Association Agreement between Ukraine and the EU before the termination of the violations of human rights and fundamental freedoms of millions of citizens in Ukraine? Or will they want to support the Ukraine's position of double standards, and not to extend the requirements of this Agreement to particular regions of Donetsk and Lugansk?

We hope that the international community will stop the ignorance of massive and systematic violations of human rights and fundamental freedoms in Ukraine, first of all, in matters of freedom of speech and the rights of journalists, and will put pressure on the Ukrainian authorities in order to force them complying with their international obligations in the field of human rights.