

Restrictions on the right to freedom of association and assembly for opposition political parties in Ukraine on the eve of the presidential and parliamentary elections of 2019

In order to ensure political pluralism and the principle of competition in the upcoming presidential and parliamentary elections in Ukraine, restrictions on freedom of association and assembly for political parties in Ukraine should be removed.

According to Ukrainian law, **the court may prohibit the activities of a political party on the claim of the Ministry of Justice**. In 2015, the order of the Ministry in the framework of the so-called law on "decommunization" cancelled the registration of the **Communist Party of Ukraine and filed a lawsuit to ban it**. During 2017-2018, the party continues to defend in court its right to activity, and a complaint was sent to the ECHR. International organizations, including the OSCE, the UN, and Amnesty International have repeatedly drawn attention to the fact that the ban of the Communist Party in Ukraine is a violation of freedom of expression and association, and recommended its revision.

Along with the Communist Party of Ukraine, **attempts were made to ban other political forces whose electorate is not loyal to the current Ukrainian government**. On June 20, 2018 the District administrative court of Kiev took into consideration and opened proceedings on the claim of the **Ministry of Justice of Ukraine** against the political party "**Uspishna Kraina**" on the prohibition (forced dissolution) of the party. The introduction by the Ministry of Justice of the claim was carried out at the initiative of the Prosecutor General of Ukraine represented by the Deputy Prosecutor General - the chief military Prosecutor Anatoly Matios.

A number of political parties in Ukraine, mostly ones that oppose the current Ukrainian authorities, have **stated that it is difficult to register their statutory documents with the Ministry of Justice and/or to register the decisions of party congresses that are necessary for parties to participate in election**. This is the party of Mikhail Saakashvili "Movement of New Forces", the "Socialists" party, the "Uspishna Kraina" party, the Progressive Socialist Party of Ukraine (PSPU), and the regional branch of the "Opposition Bloc" party. Representatives of these parties confirm that the claims of the Ministry of Justice are connected with their alternative position on political and social issues. The parties are forced to seek judicial registration.

A number of parties and social movements are **systematically attacked by right-wing radical groups** in different regions of Ukraine ("Ukrainian Choice", "Uspishna Kraina", "Rozumna Sila", "Socialists"). Representatives of ultra-right organizations publicly declare their intention to prevent the activities of these parties. At the same time, **the police either refuse to investigate cases of aggression, or do not qualify them as obstructing the activities of political parties and public organizations**.

According to Ukrainian legislation, obstructing the lawful activities of political parties, trade unions, and public organizations entails criminal liability under **article 170 of the Criminal Code of Ukraine**. In addition, **article 161 of the Criminal Code** stipulates criminal liability for actions such as the direct or indirect restriction of rights or the establishment of direct or indirect privileges for citizens on the basis of political beliefs or other grounds.

In practice, law enforcement bodies are effectively self-excluded from the investigation of crimes related to preventing the actuality of parties and organizations. According to the Prosecutor General's

Office of Ukraine, during 2014-the first quarter of 2018 95 criminal proceedings were registered under article 170 of the Criminal Code. From these, 73 (or 76%) were closed in the same year because of a "lack of evidence". *Only one (!) investigation under article 170 was served with suspicion and the case was referred to the court with an indictment (2015).*

According to the numerous testimonies of the affected organizations, **the police and the SBU often coordinate their actions with ultra-right groups vis-a-vis attacks.** Further, law enforcement bodies either refuse to investigate these incidents, or otherwise sabotage already ongoing investigations. Public organizations and political parties are forced to file lawsuits in court over the inactivity of law enforcement bodies and open criminal proceedings under article 170 of the Criminal Code in order to oblige them to conduct an investigation.

At the same time, the **law enforcement bodies themselves have become one of the main instruments of putting pressure on parties and organizations.** The Security Service of Ukraine begins an investigation under the so-called "separatist" articles against a number of parties and organizations possessing an alternative ideological position that is not confirmed by facts, thereby publicly discrediting the activities of the organization. **Searches carried out in the offices of parties and public organizations by law enforcement bodies, as a rule, happen on the eve of important events, for the purpose of paralysing the activity of the organization.** During the searches tools, office equipment, and statutory documents are seized, which for a period of time completely blocks the activities of the organization.

There is no information about criminal proceedings on the fact of an abuse of power and the obstruction of the activity of political parties and public organizations by representatives of law enforcement bodies.

We enclose examples of political parties in Ukraine that are subjected to complex systematic pressure during 2014-2018 in connection with their ideology and political positions.

i. **Communist Party of Ukraine (CPU)**

On July 23, 2015 the order of the **Ministry of Justice** approved the Legal opinion of the Commission on compliance with the Law of Ukraine "*On the condemnation of the communist and national-socialist (Nazi) totalitarian regimes in Ukraine and the prohibition of propaganda of their symbols*" (the so-called "law on decommunization" from 20.05.2015), confirming the discrepancy between the symbols and the charter of the **Communist Party of Ukraine** and the requirements of the legislation of Ukraine. In addition, the General Prosecutor's Office opened a case on charges of separatism against the leader of the CPU **Petr Simonenko**.

The order of the Ministry of Justice claimed that the "[CPU] carries out actions aimed at changing the constitutional order by violent means, violating the sovereignty and territorial integrity of Ukraine, spreading propaganda of war, violence, incitement of ethnic enmity, and encroachment on the rights and freedoms of the individual, and the members of the CPU systematically call for the creation of armed formations". The Ministry has not provided any evidence to support these very serious allegations. In fact, **this order abolished the registration of the Communist Party, and, consequently, the party was deprived of the right to participate in the upcoming elections.**

On December 16, 2015 the District administrative court of Kiev ruled to ban the Communist Party, thereby satisfying the claim of the Ministry of Justice, which was filed for the second time.

By imposing a ban on the activities of the Communist Party, the Ministry of Justice violated the right to freedom of association for members of the party and millions of its voters in Ukraine. Thus, during the parliamentary elections of 2012, the Communist Party received 13% of votes (about 3 million people) and 32 seats in Parliament. The Communist Party participated in the parliamentary elections of 2014, but did not overcome the 5% barrier (it received 611,000 votes). The Central Election Commission didn't allow the CPU to participate in the local elections of 2015¹.

The *UN OHCHR* noted in its report that the lawyer representing the Communist Party was not allowed to participate in the hearings of the Commission on violations of the law on "decommunization" established by the Ministry of Justice. The subsequent trial was characterized by procedural irregularities. According to witnesses, the trial was expedited and only written materials were heard².

Representatives of the CPU are challenging the decision of the Ministry of Justice in the Ukrainian courts³ and in the ECHR. While the trials have continued, the offices, employees, and peaceful assemblies of the Communist Party were systematically raided, persecuted, and attacked by right-wing radical groups during 2014-2018.

On June 13, 2015 **representatives of the "Right Sector" and "Automaidan" groups, Self-Defense, and the National Security Council raided the party's office in Odessa.** Representatives of "Right Sector" reportedly stole technical equipment and some party materials and occupied the premises until 26 July. The police started to investigate the case under article 356 (unauthorized operation) of the Criminal Code, despite the court's decision to initiate criminal proceedings under article 170 (obstruction of the activities of trade unions, political parties, and non-governmental organizations)⁴.

On June 28, 2016 a **search was carried out at the apartment of the 68-year-old secretary of the local branch of the Communist Party Alla Aleksandrovskaya in Kharkov.** She was charged with encroaching on the territorial integrity of Ukraine (article 110 of the Criminal Code) and bribing state officials (article 369 of the Criminal Code). On June 30, the **Kharkov court decided to**



1 As well as 3 other parties with the word "Communist" in their name (Communist Party (updated), the Communist Party of Workers and Peasants, as well as the Communist Marxist-Leninist party).

2 A report on the situation with human rights in Ukraine, 16 Nov 2015 - 15 Feb 2016 (No. 13), paragraph 133
http://www.ohchr.org/Documents/Countries/UA/Ukraine_13th_HRMMU_Report_3March2016_ru.pdf

3 On December 16, 2015 the Kiev district administrative court upheld the order of the Ministry of Justice to ban any activity of the party. The CPU appealed the decision on December 16, 2016 in the Kiev administrative court of appeal, and on May 15, 2017 the appeal reached the stage of the final debate.

On January 25, 2016 the Supreme administrative court of Ukraine refused to initiate criminal proceedings against the appeal of the Communist Party, which tried to appeal the conclusion of the Commission on compliance with the law on decommunization. "Thus, the administrative courts finally confirmed the legality of the ban of the Communist Party," stressed the Ministry of Justice.

On September 20, 2017 the Kiev administrative court of appeal stopped the appeal proceedings until a decision had been made in the Constitutional Court of Ukraine concerning this case. A decision was made in connection with the fact that 46 people's deputies of Ukraine sent to the Constitutional Court of Ukraine the idea of the compliance with the Constitution of Ukraine of the law "On the condemnation of communist and national-socialist (Nazi) totalitarian regimes in Ukraine and the prohibition of propaganda of their symbols".

On October 10, 2017 the Ministry of Justice filed an appeal against the decision of the Kiev administrative court of appeal from September 20. On October 13, 2017 the Supreme administrative court of Ukraine opened cassation proceedings in relation to the complaint of the Ministry of Justice against the decision of the Kiev administrative court of appeal dated September 20, 2017 (resolution No./800/33144/17).

4 Report on the human rights situation in Ukraine 16 May to 15 August 2015, paragraph 82
<http://www.ohchr.org/Documents/Countries/UA/11thOHCHRreportUkraine.pdf>

place the woman in custody for the period of the pre-trial investigation. On 13 October, 2016 the court of appeal of the Kharkov region decided to change her measure of restraint from detention to house arrest, citing the life-threatening condition of her health. Even though international human rights law prescribes that detention may be used as a preventive measure only in exceptional cases, in cases involving terrorism, national legislation does not provide for preventive measures other than detention. *The UN OHCHR noted that such targeted actions against a certain category of persons continue to have a negative impact on freedom of association.*⁵

On December 23, 2017 in **Kiev, representatives of "National Corpus" attacked the meeting of the youth wing of the Communist Party.** According to party representatives, law enforcement officers "passively observed for a long time" as the Communists barricaded themselves in the room, and intervened in the situation only when the nationalists "tried to break into the room after the ambulance staff arrived"⁶.

On February 7, 2018 a group of people attacked two members of the **Communist Party of Ukraine** and the **Anti-Fascist Committee of Ukraine** and took away their political materials. As a result of the attack, the victims suffered injuries, including concussion. Approximately two hours after the attack, the head of the Kiev branch of "National Corpus" posted a video of the attack on Facebook, acknowledging the involvement of the aforementioned organization. As of 15 February, the victims had no information on whether a criminal investigation had been initiated and whether an investigator had been appointed; besides this, despite the demands of the victims, a judicial-medical examination wasn't appointed. According to allegations, the police unofficially urged the victim to refrain from participating in any activities of the Anti-Fascist Committee of Ukraine⁷.

During the period that the human rights platform "Uspishna Varta" monitored events, the **systematic application of pressure by Ukrainian law enforcement bodies on left-wing organizations and parties in Ukraine on the eve of Victory Day on May 9, 2018 was recorded.** Thus, on May 8 the SBU carried out searches at the home of the head of Komsomol of Ukraine Mikhail Kononovich in Kiev. In a conversation with the coordinator of "Uspishna Varta" Kononovich said that after the search the SBU investigators, during an informal conversation, "recommended" not to hold anything on May 9 and not to participate in the processions. On the same day, members of the right-wing radical organization "National Druzhina" destroyed the office of the public organization "Labor Kharkov" in Kharkov. The leader of the organization Pavel Tyshchenko also connects the attack with the events planned by his organization for May 9⁸. After the completion of the festive events on May 9 there was an attack on the office of the Communist Party in Chernigov, the responsibility for which was claimed by representatives of the radical group "C14".

On May 8, 2018 the SBU also announced searches at the homes of the leaders of the Communist Party in Kiev and the Kiev region. According to the SBU, during the investigation they found "propaganda materials featuring prohibited symbols of the communist totalitarian regime", which the Communist Party planned to use on May 9 to destabilize the socio-political situation in the country. The leader of the party Petro Simonenko in comment to the coordinators of "Uspishna Varta" denied

5 Report on the human rights situation in Ukraine 16 August -15 November 2016 (No. 16), paragraph 113
http://www.ohchr.org/Documents/Countries/UA/UAReport16th_RU.pdf

6 <https://vesti-ukr.com/kiev/270861-prestupnyi-shabash-v-kieve-natsionalisty-napali-na-sobranie-kommunistov>

7 Report on the situation with human rights in Ukraine November 16, 2017 - 15 February 2018 (No. 20), paragraph 93
http://www.ohchr.org/Documents/Countries/UA/ReportUkraineNov2017-Feb2018_RU.pdf

8 <https://uspishna-varta.com/ru/novyny/nakanune-9-maya-sbu-i-radikaly-nachali-travlyu-levyh-aktivistov>

any connection between his political power and the leaflets and campaign materials allegedly seized during the search.

On July 19 in the **office of the Communist Party in Kiev employees of the cyberpolice searched for and seized computer equipment supporting the Internet website of the party.** In addition, the police identified and interrogated persons who had access to the administration of the website. The police said that criminal proceedings have been initiated under part 2 of article 436-1 of the Criminal Code "Production and distribution of communist and Nazi symbols and propaganda of the communist and national-socialist (Nazi) totalitarian regimes." According to the leader of the Communist party Petr Simonenko, the basis for the closure of the website is the photo of the first Secretary of the Communist party of Ukraine Vladimir Shcherbitsky that was posted on it.

ii. **The "Socialists" party**

On June 17, 2017 about 250 participants in Kiev took part in an action organized by the "Socialists" party to protest against the renaming of the Avenue named after the Hero of the USSR Nikolay Vatutin into the Avenue of Roman Shukhevych, the commander-in-chief of the Ukrainian Insurgent Army. Among the participants of the meeting there were mainly elderly people and pensioners. **During the rally, about 100 members of the "National Corpus" and "C14" groups attacked its participants.** According to eyewitnesses, the protesters were intimidated, their flags and banners were confiscated and broken, and several people from the "Socialists" party were beaten up in front of passers-by and journalists. Among the victims was one of the party leaders, and some of the elderly people who participated in the rally were seriously injured. The police at this moment was idle⁹. The UN OHCHR in its report in August, 2017 stated that despite the advance notice of the event, the police did not provide adequate security¹⁰.



On the night of January 13, 2018 in Dnepr unknown persons destroyed the office of the **"Socialists" party**. The windows of the office were broken and graffiti was left on the facade of the building: "Death to enemies"¹¹.

On 23 July in Mukachevo (Transcarpathian region) there was an [attempt to disrupt the meeting](#) of the **"Socialists" party**, where the founding conference of the Transcarpathian regional organization of the party was supposed to take place. Prior to the event, the police station received information from unknown persons about the mining of the hotel in which the event took place. According to the organizers, they assumed and were ready to commit probable provocations.

⁹ <https://www.facebook.com/SOCIALISTY2016/videos/1496447983708863/>

¹⁰ Report on the human rights situation in Ukraine 16 May – 15 August 2017, paragraph 101
http://www.ohchr.org/Documents/Countries/UA/UAReport19th_RUS.pdf

¹¹ <http://socialisty.com.ua/ru/news/zaiavlenie-dnepropetrovskoi-oblastnoi-organizatsii-partii-sotsialisty/>

iii. Other parties and movements with a left-wing ideology

On April 22, 2016 in Zaporozhye the leader of the Union of Left Forces of Ukraine Vasily Volga, who planned to hold a press conference in the city, was attacked¹². According to the UN OHCHR, "supporters of Maidan" attacked a politician and inflicted eye injuries on the police. The OHCHR interviewed a friend of the victim who had also been beaten up by Maidan supporters, who reported that about 15 police officers were in the vicinity but did not respond¹³.



On January 19, 2018 in Kiev members of the organizations "C14", "Sokol", and "Tradition and Order" disrupted the annual event of representatives of the "left-wing" youth, dedicated to the anniversary of the tragic deaths of the human rights activist Stanislav Markelov and the journalist Anastasia Baburova, killed by Russian neo-Nazis in 2009. During the event the nationalists started to call their opponents separatists and throw eggs. There was a scuffle, and the police separated the participants. 8 people were detained at the rally. At the same time the organizers of the event - "Committee of January 19" - reported that the participants of the event, and not right-wing radicals had been detained. "C14" explained their actions by saying that the left-wing radicals, in their opinion, cooperate with the self-proclaimed republics of the LPR and DPR, as well as with Russia¹⁴. As was noted in the UN OHCHR report, the police did not take appropriate measures to ensure the safety of the participants, despite the special appeal of the Ukrainian Parliament Commissioner for Human Rights, and ignored the demands of the organizers to protect them from aggressive protesters. Moreover, the police unreasonably detained the protesters, while none of the participants of the counter-demonstration were detained¹⁵.

On April 26, 2018 representatives of the "C14" group poured paint on the leader of the Progressive Socialist Party (PSPU) Nataliya Vitrenko when she and her colleagues came to a meeting at the District administrative court¹⁶. On July 4, the PSPU won an appeal in a lawsuit against the Ministry of Justice of Ukraine, which refused to register the party's revised Statute and Program, which were amended at three successive party congresses to comply with the new laws. By refusing to accept and register the documents, the Ministry prevented the PSPU from carrying out its normal activities, including participation in elections. **Earlier, the Progressive Socialist Party declared the illegal seizure of the Central office of the party and the police's refusal to investigate a "robbery committed against the leaders of the party".**

12 <http://gordonua.com/news/politics/v-zaporozhe-izbili-prorossiyskogo-politika-volgu-video-129494.html>

13 Report on the human rights situation in Ukraine 16 February – 15 May 2017, paragraph 97-99
http://www.ohchr.org/Documents/Countries/UA/UAReport18th_RU.pdf

14 https://lb.ua/society/2018/01/19/387673_chleni_s14_sorvali_ezhedodnuyu_aktiyu.html

15 Report on the situation with human rights in Ukraine November 16, 2017 – 15 February 2018 (No. 20), paragraph 93
http://www.ohchr.org/Documents/Countries/UA/ReportUkraineNov2017-Feb2018_RU.pdf

16 <https://vesti-ukr.com/kiiev/287136-radikaly-iz-s14-oblili-vitrenko-kraskoj>

iv. **The public movement "Ukrainian Choice"**

On January 29, 2016 a group of members of the civil corps "Azov" broke into the office of the movement "Ukrainian Choice" in Kiev. Nationalists disrupted the meeting that was being held in the office, having declared that "Ukrainian Choice" has no moral right to discuss issues of Maidan. The police not only did not stop the attackers, but also supported their actions. The advisor to the Interior Minister Zoryan Shkiryak on the air of the



"112" TV channel said that he "absolutely supports the initiative of public activists and patriots"¹⁷. **Similar attacks on the movement's office took place in November 2016 and July 2017:** the attackers threw smoke bombs at the office, threatened the attendees, and painted the building with Nazi symbols. A fire was started in the office of the movement, which posed a threat to people's lives¹⁸. After the specified offenses had taken place, "Ukrainian Choice" appealed to the National Police, which, in fact, refused to carry out an expeditious investigation. The organization through the court achieved the beginning of an investigation into crimes under part two of article 296 and part one of article 284 of the Criminal Code of Ukraine, namely: the organization of mass riots and hooliganism concerning the public movement "Ukrainian Choice", its leader, and the employees of the organization¹⁹.

On October 26, 2016 in Nikolaev representatives of the nationalist organizations "Azov", "Svoboda", and "Right Sector" arranged a picket near the building of local administration for the purpose of disrupting the forum organized by "Ukrainian Choice" and devoted to questions of restoring peace and decentralization in Ukraine. Protesters brought the red-black banner of the Ukrainian Insurgent Army to the square. The forum's participants tried to exit the administration via a side exit, but it was blocked. Half an hour later, the nationalists managed to break through the police cordon, and they entered the building. At this point, the meeting's participants had already left²⁰. Another attack on a "Ukrainian Choice" event in Nikolaev committed by representatives of the same organizations took place on February 6, 2017²¹.

v. **The "Uspishna Kraina" party**

Like other parties mentioned in this report, the "Uspishna Kraina" party faced the refusal of the Ministry of Justice to register changes in the documents necessary for the participation of this political force in elections. On January 18, 2018 the "Uspishna Kraina" party appealed to the ECHR to resolve the issue with the registration of the results of the 8th party congress from December 12, 2015, which elected the governing bodies of the party and approved the ideology and program. This political force in 2016 sued the Ministry of Justice and won two instances, but the regulator achieved the abolition of the decision of the courts through the Supreme Court of Ukraine. The head

17 <https://112.ua/glavnye-novosti/grazhdanskiy-korpus-azov-sorval-meropriyatie-ukrainskogo-vybora-288280.html>

18 <http://vybor.ua/article/zayavlenie-partiya-voyny-nanesla-ocherednoy-udar-po-osvobojdeniyu-ukraincev.html>

19 <https://www.rbc.ua/rus/news/sud-obyazal-natspolitsiyu-rassledovat-napadenie-1481731022.html>

20 <https://korrespondent.net/ukraine/3762810-u-medvedchuka-zaiavlyi-o-blokyrovanyy-radykalamy-sezda-ukraynskoho-vybora>

21 <https://korrespondent.net/ukraine/3811516-na-aktyvyystov-ukraynskoho-vybora-napaly-radykaly-medvedchuk>

of the party's political council Nataliya Dmitrichenko interprets the actions of officials of the Ministry of Justice as the application of political pressure on her party²².

On June 20, 2018 the District administrative court of Kiev took into consideration and opened proceedings on the claim of the **Ministry of Justice of Ukraine against the political party "Uspishna Kraina" for the prohibition (forced dissolution) of the party**. The introduction by the Ministry of Justice of the claim was carried out at the initiative of the Prosecutor General of Ukraine represented by the Deputy Prosecutor General - the chief military Prosecutor Anatoly Matios. Earlier Matios through his public statements already repeatedly showed a prejudiced negative attitude both in relation to the "Uspishna Kraina" party and to its leader A. Klimenko. The "Uspishna Kraina" party stated that since the establishment of the party (2014) and to this day, in the course of monitoring compliance with the requirements of the Constitution of Ukraine and the laws of Ukraine, the Ministry of Justice has not established any violations. The party demands to recognize the claim as illegal and contradicting the Constitution of Ukraine, and from the leadership of the Prosecutor General's office – to carry out a disciplinary investigation into the activity of Anatoly Matios and to dismiss him from his post.

The representatives, offices, and peaceful assemblies of the "Uspishna Kraina" party have been repeatedly targeted by right-wing radical organizations and law enforcement structures searches during 2016-2018.



On May 26, 2016 **unknown persons attacked a meeting of entrepreneurs organized by the "Uspishna Kraina" party in Dnepr**. The participants of the meeting demanded to reform taxation by reducing the burden on entrepreneurs. The rally had sent a notice to the local administration. Unknown young people in protective uniforms, masks, and with bats blocked off the route of the participants of the event, then shouted "shame" and "get out of here" and started to push the protesters aside.

The police managed to separate both sides. The attackers were not brought to justice.

On June 15, 2016 **during the "Uspishna Kraina" forum of entrepreneurs in Sumy, representatives of right-wing radical organizations burst into the hall**, where more than 150 participants had gathered, and used tear gas. The event was suspended, and its participants were evacuated²³.

On June 30, 2016 in *Nikolaev* activists from **"Right Sector" and "Azov" rushed into the hotel where a forum of businessmen of the "Uspishna Kraina" party was taking place and threw some gas grenades inside**. The participants of the meeting were able to urgently exit through the back door. According to the organizers of the forum, the police was notified of the event and received threats, but appeared at the scene only an hour later. As a result of the attacks of radicals a girl who

²² <https://vesti-ukr.com/politika/273841-uspishna-krajina-podala-v-evropejskij-sud-isk-na-minjust>

²³ <http://www.dancor.sumy.ua/news/newsline/177209>

was participating in the event suffered²⁴. On July 1, the General Prosecutor's Office of Ukraine received a statement about a crime stipulated by article 170 "Obstructing the lawful activities of political parties", article 122 "Infliction of moderate bodily harm", and article 296 "Hooliganism". As the party declared, as of August 11, 2016 the Prosecutor General's Office, in violation of the requirements of the Criminal Procedure Code, still hasn't made a statement about the attack on participants of forums in Nikolaev²⁵.

On March 24, 2017 in the **village of Kolodenko in the Rovno region armed men, who called themselves fighters of "Aidar", took as hostages supporters of the "Uspishna Kraina" party who had gathered to discuss plans for the development of the region.** The "Aidar" members locked about 30 people in a room, and one of them was beaten up. Among the hostages there were women, the elderly, and one disabled person²⁶.

On May 1, 2017 **a number of attacks on representatives of the party were carried out during the May Day demonstrations.** In *Kharkov* unknown persons sprayed a corroding substance into the eyes of the head of the regional branch of the party Dmitry Udachin. In connection with the deterioration of his health and to avoid putting supporters who want to participate in the rally at risk, it was decided not to hold the rally. In Kherson, before the start of a demonstration the head of the regional branch of "Uspishna Kraina" Vladimir Ruban was summoned by the SBU for interrogation, and at this time radically-minded people damaged the party's office, smashed windows, and started a fire. In order to avoid further provocations in Kherson, it was also decided not to hold a peaceful demonstration. The same thing happened in Kremenchug (Poltava region), where more than 50 radical representatives of right-wing radical organizations came to the place where a peaceful rally was taking place. Despite the threats, in addition to massive demonstrations in Kiev, a meeting of activists and supporters of "Uspishna Kraina" took place in Dnepr, Zaporozhye, Zhytomyr, Kropivnitsky, and Sarata (Odessa region)²⁷.

On November 10, 2017 **representatives of the "National Corpus" organisation attacked the participants of the "Uspishna Kraina" intra-party forum in Kiev.** Unknown persons occupied and blocked the forum hall, and took hostage and threatened the people who were there. The police officers that arrived together with right-wing radicals didn't intervene in the situation, and employees of the SBU coordinated their actions with the attackers²⁸. The participants of the intra-forum connect the attack of radicals [with the resolution](#) on the critical situation in the country.



On December 16, 2017 in Lvov the "Uspishna Kraina" party was obliged to move the roundtable on "Systematic human rights violations in Lvov" because of the threats of right-

24 <https://vesti-ukr.com/strana/155239-vooruzhennyye-radikaly-napali-na-forum-predprimatelej-v-nikolaeve-est-postradavshie>

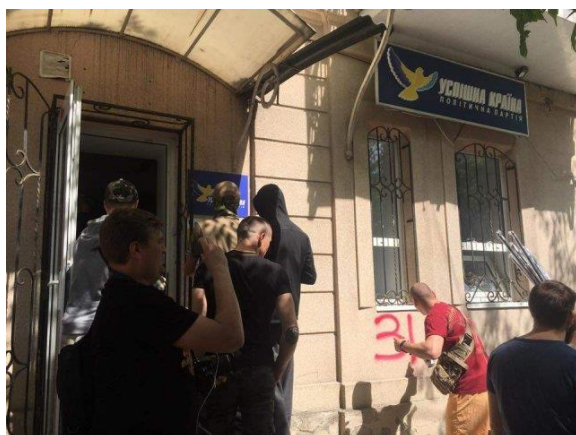
25 <https://uspishnakraina.com/ru/news/view/hpu-navmysno-zatyahuye-slidstvo-shchodo-napadu-na-pidpryemtsiv-u-mykolayevi.html>

26 <https://korrespondent.net/ukraine/3831410-radykaly-zakhvatyly-zalozhnykov-na-rovenschyne>

27 <https://vesti-ukr.com/strana/236627-uspishna-krajina-obedinila-bolee-5000-hrazhdan-po-vsej-ukraine-v-mirnom-pervomajskom-shestvii>

28 https://www.youtube.com/watch?v=e48IO9_h87k

wing radicals. During a second attempt to hold the event representatives of radical nationalist organizations again appeared, after which the meeting was declared closed²⁹.



The offices of the "Uspishna Kraina" party were also subjected to repeated attacks and acts of vandalism. Thus, on 1 May, 2015 around 50 unknown people trashed the party's office in Kherson: windows were smashed, the facade of the building was defaced, and office equipment was trashed. At the time of the attack on the party's office, the head of the party's regional office Vladimir Ruban was in the Kherson SBU building, where he was summoned for a "conversation"³⁰. On June 17, 2016 in Nikolaev a group of radicals bearing "Azov"

symbols attacked the tents of "Uspishna Kraina". After the attack, the offenders disappeared in the Nikolaev office of the "Solidarnost" presidential party³¹. On May 13, 2017 unknown persons opened fire through the windows of the "Uspishna Kraina" party's office in Kharkov³². On the night of October 11, 2017 unknown persons defaced and filled the entrance of the "Uspishna Kraina" party office in Irpen, Kiev region with foam. Over the past six months, this was the third attack on the Irpen office of the party. The first two happened in May 2017³³. All of these incidents remained unsolved by the police.

vi. The "Rozumna Sila" party

On November 20, 2017 **representatives of the "Svoboda" party disrupted the holding of the "Forum of national minorities of Ukraine" in Kiev, where it was planned to discuss, among other things, the problems with the law on education concerning its linguistic part.** The event was organized by the "Rozumna Sila" party with the participation of representatives of national minorities, as well as representatives of diplomatic institutions and EU institutions. The organizers of the Forum repeatedly appealed to the official authorities, law enforcement bodies, and the SBU with a request for official support for the event³⁴. The law enforcement officers who were present at the forum in fact did not take measures to protect the participants of a peaceful assembly. The forum's participants claim that they saw how law enforcement officials came together with young people in camouflage uniforms to the hotel where the forum was being held³⁵.

On July 6, 2018, **representatives of the ultra-right "C14" group attacked the participants of a meeting of regional representatives of the "Rozumna Sila" party in Kiev, they said on their Telegram channel, backing up their words with photos.** In particular, injuries were sustained by the Deputy head of the party Aleksandr Savchenko. The politician told the coordinators of the human rights platform "Uspishna Varta" that he already filed a statement with the police after the attack.

29 <https://uspishnakraina.com/ru/news/view/lvivski-radikali-zganbilisa-pered-gromadou-cerez-posuki-uspisnoi-kraini.html>

30 <https://mnyug.com/900-v-hersoni-soversheno-napadenie-na-ofis-partii-uspeshnaya-strana.html>

31 <https://vesti-ukr.com/strana/153595-aktivistam-partii-uspishna-kraina-v-nikolaev-uzgrozhal-sovetnik-poroshenko>

32 <http://newsroom.kh.ua/news/policija-vvyasnyayet-kto-streljal-v-ofis-partii-na-poltavskom-shlyahе>

33 <https://uspishnakraina.com/ru/news/view/pogrom-ofisa-uspisna-kraina-v-irpene-ocerednoj-priznak-slabosti-vlasti.html>

34 <http://rozumna-sila.org/2017/11/20/agresivni-pravoradikali-zirvali-forum-natsionalnih-menshin-ukrayini/>

35 <https://uk.etcetera.media/politsiya-ne-protiv-molodchiki-v-kamuflyazhe-ustroili-draku-i-sorvali-forum-natsmenshinstv-video.html>

On August 1, 2018 **employees of the SBU searched the office of the Odessa regional organization of the "Rozumna Sila" party.** As the party reported, special agents seized equipment and documents.

On August 22, the "Rozumna Sila" party declared that **attempts were being made to disrupt the press conference of political forces in Chernigov.** Activists of radical groups broke into the press conference of the party, ruined the banners and flags, and insulted the participants³⁶.

vii. Other parties and movements

During April-August 2018 **representatives of opposition political forces from the so-called "pro-European" spectrum** also reported that **searches were carried out in their offices and at the homes of their representatives.**

On 10 April the SBU raided the party office and charity organisation of Nadiya Savchenko, who is charged with interacting with the leaders of "L/DPR" militants and preparing a terrorist act in the Verkhovna Rada.

On May 3, the party "Movement of New Forces" (the political party of M. Saakashvili, deported from Ukraine) reported that the SBU had conducted searches and questioned the coordinators of the Dnepr and Boryspil branches of the party. The lawyer of the party said that security forces are intimidating active members of the political force, and people are put under pressure. During conversations the employees of the SBU hinted that they survey activists and know who is engaged in what concerning the party's activity.

On May 16, the SBU reported about the holding of a search in the Kiev office of the regional organization of the all-Ukrainian Association "Batkivshchina" (the political party of Yulia Tymoshenko).

According to human rights defenders, all of the above facts indicate an increased level of pressure being put on public organizations and parties possessing an alternative ideology, as well as the systematic violation of the right to freedom of association and peaceful assembly by law enforcement bodies and right-wing nationalist organizations in Ukraine.

This report was prepared by the human rights platform "Uspishna Varta",

Kiev, Ukraine, September 2018

uspishna-varta.com

³⁶ <https://rozumna-sila.org/ru/2018/08/21/obrashhenie-partii-razumnaya-sila-k-ukrainskim-grazhdanam/>