

## Ukraine Should Defend and Uphold the Freedoms of Association and Peaceful Assembly

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The last year has witnessed a proliferation of threats to civil society in Ukraine. While there have been some notable victories, including the Supreme Court's June [decision](#) to overturn the requirement for anti-corruption advocates to submit e-declarations of their assets, many threats, especially violence against those practicing peaceful assembly and association, continue largely unabated. Freedom House's monitoring of the freedoms of association and peaceful assembly has shown how violence against civil society actors, journalists and ordinary citizens exercising their rights contributes to a shrinking civic space in Ukraine.

In 2018 alone, human rights defenders recorded more than [50 attacks](#) against civic activists, and already over 20 in the first half of 2019. These include the murders of Irina Nozdrovska, Mykola Bychko, and Kateryna Gandziuk, and attacks against Oleg Mikhailyk and Vitaliy Ustymenko. These incidents of violence affect actors from across the country who are involved in various areas of rights defense, including women's rights and gender activists, lawyers, environmentalists, anti-corruption activists, Roma advocates, and the LGBT+ community.

In many cases, physical violence is used to intimidate civic activists and prevent their peaceful association and assembly. There were several instances in 2018 and 2019 when right-wing extremists hijacked [events](#) organized by Freedom House and partners in Kyiv, Kharkiv, and Poltava on LGBT+ rights and declared the events over, or did not allow organizers to continue the events under the threat of force. A similar incident occurred with a Roma rights event in Kyiv on May 27, where disruptions from the far-right group "Unknown Patriot" resulted in the breakup of the event. The threat of physical violence is compounded by inadequate investigation of incidents which creates numerous barriers to accountability for violence against civic activists. The result is that for many in Ukraine, the freedoms of association, peaceful assembly, and expression remain unprotected.

One area where the Ukrainian government has supported non-governmental organizations is in the area of [patriotic education](#), the recipients of which are sometimes affiliated with extremist right-wing groups that use or publicly call for vigilante violence against certain communities and civic activists. This government support has subsidized and [provided legitimacy](#) to radical and extremist right-wing groups which exploit the military conflict and narratives deploying traditional values and nationalism to openly attack perceived opponents and propagate violence and hate. Among those targeted are national and ethnic minorities, and activists representing or defending the rights of vulnerable groups such as Roma, LGBT+ people, and women.

Fortunately, [legislative and judicial](#) pressure contributing to the shrinking space for civil society in Ukraine has largely subsided in recent years. We commend the Constitutional Court's June

decision regarding the e-declarations requirement for anti-corruption activists. In addition, we applaud civil society and the Human Rights Ombudsperson for effectively mobilizing around these concerns. This level of response, organization, and activism reflects the health and robust nature of civil society in Ukraine.

The remaining threats to the freedoms of association and peaceful assembly require responses from the Ukrainian authorities, Ukrainian civil society, OSCE participating States, and OSCE institutions, including ODIHR, the OSCE Project Coordinator's Unit in Ukraine, and the OSCE Special Monitoring Mission in Ukraine. Freedom House urges the following actions:

To the **Ukrainian authorities**:

- Establish law enforcement policies and practices to ensure that they take action to prevent and respond to unlawful disruption of civil society activity.
- Passage of legislation prohibiting state bodies from providing financial or other assistance to groups which advocate the use of violence.
- Conduct effective investigations of incidents where violence or the threat of violence have been used to suppress the freedoms of association and peaceful assembly.
- Promote consultation and collaboration between government authorities – especially those from the law enforcement and security sectors – and civil society, focused on preventing and responding to violence and other threats to civil society and civic activists.

To **OSCE participating States, ODIHR, and the OSCE Project Coordinator's Unit in Ukraine**:

- Share best practices and experiences, in collaboration with civil society, with the Ukrainian authorities to facilitate improvements in the response to threats to the freedoms of association and assembly.

To the **OSCE Special Monitoring Mission in Ukraine**:

- Monitor and document threats to the freedoms of association and assembly in Ukraine, and report on them regularly to the OSCE Permanent Council, the Ukrainian government, and the public.
- Monitor and document the Ukrainian authorities' response to threats to the freedoms of association and assembly, and inquire, where appropriate, on investigations to specific incidents.
- Facilitate dialogue between local authorities and groups whose freedoms of association and assembly are under threat, including sharing information about critical threats.