

**SPEECH OF DIRECTOR OF THE NON-GOVERNMENTAL  
ORGANIZATION "INSTITUTE OF LEGAL POLICY AND SOCIAL  
PROTECTION NAMED AFTER IRINA BEREZHNYAYA"**

**ELENA BEREZHNYAYA**

**AT THE PLENARY SESSION**

**OSCE Human Dimension Implementation Meeting**

**SEPTEMBER 27, 2019 (10 am -1 pm)**

**(TOPIC: Closing Plenary Session in Expanded Format)**

My appreciation and gratitude to the organizers of the annual Human Dimension Implementation Meeting!

At the same time, I would like to draw attention of the ODIHR leadership to the fact that in course of many years (this year is no exception) representatives of non-governmental organizations expose facts of violation of rights and freedoms in the OSCE member-states.

However, the ODIHR unfortunately does not provide any real measures in response to results of the conducted meetings.

It may seem that annual meetings are held only for all human rights defenders to be able to come here and "let the steam off" without any real consequences. Other international institutions react to monitoring and reports prepared by the non-governmental organizations in a totally different manner.

For example, last year, when I was here at the similar annual meeting, I presented my report "*Neo-Nazism in Ukraine as a Threat to the EU Countries*" at a side event.

As early as on October 25, 2018, the MEPs adopted a Resolution "On Growth of Neo-Fascist Violence in Europe» №2018 / 2869 (RSP), that incorporated information of Ukraine contained in the Report prepared by our Institute.

In other words, we see an example of efficient usage of monitoring data and relevant reports drafted by our Institute on situation with human rights and freedoms in Ukraine.

Besides that, the UN Human Rights Monitoring Mission in Ukraine since its inception in 2014 employs monitoring data and reports prepared by our Institute reflecting our data in its quarterly reports.

However, in course of five years of lawlessness and a significant deterioration of situation with rights and freedoms in Ukraine (facts confirmed by virtually all international organizations) the ODIHR, unfortunately, failed to draft even a single report on human rights situation in Ukraine and made no official statements at all.

At the same time, in 2015 the ODIHR together with the Office of the OSCE High Commissioner on National Minorities drafted a critical report on assessment of status of human rights observance in Crimea.

But in this case none of the ODIHR employees visited the territory of Crimea. No one investigated human rights situation on spot - instead of this, they used only the unverified materials provided by government of Ukraine.

Our Institution and other authoritative international organizations simply blew the whistle on the blatant facts of violations of rights and freedoms in Ukraine, but the ODIHR leadership never responded to these violations up to date. I am not even saying "a report" – we even got no single statements containing the ODIHR's critical assessment of Ukrainian authorities' actions.

Besides that, a process of preparation of some human dimension implementation events by the ODIHR looks stunning.

For instance, on July 15-16, 2019, in Vienna, the ODIHR held an event dedicated to the topic of online violence.

The ODIHR leadership invited to this event - as a speaker from Ukraine - Anastasia Dyakova, who told about forms of violence in the Internet in Ukraine (like a girl met a boy in social network and he started demand from her reports on how she spends her time, and that fact disturbs). Or the second case - a former lover posted intimate photos of a former girl in social networks, and she started having some troubles at work because of these photos.

Are these forms of violence in the Internet really concern the ODIHR when the ODIHR merely ignores other egregious forms of violence? And this happens at a time when Ukraine the "Peacemaker" website (the one that publishes personal data of people calling them "enemies of the people" who are subsequently killed, beaten or intimidated) functions in Ukraine for nearly 5 years? Anyone can leave a comment at this website - or a threat, or a call to violence.

Three citizens of Ukraine were killed immediately after publication of their data by this website.

Leaders of many European countries, international institutions and heads of the OSCE institutions have repeatedly demanded an immediate shutdown of this website.

Only the ODIHR leadership see no violence in the Internet due to operation of this killing website. At the same time the ODIHR showed interest in interpersonal communications of girls and ex-lovers in social networks - recognizing this topic is the main form of violence in the Internet to be discussed by participants of the event prepared by the ODIHR.

Based on the foregoing, it is evident that practice of preparation of such events by the ODIHR staff displays their trivial negligence or an overt favoritism towards speakers, recommended by the Mission of Ukraine to the OSCE without any analysis of the theme of the report.

Basing on the above-mentioned, I ask the ODIHR leadership to oblige the State of Ukraine:

a) to implement recommendations of the European Commission "For Democracy through Law" (Venice Commission) of December 8, 2017 on the abolition of Article 7 of the Law "On Education" of Ukraine;

b) to abolish all discriminatory provisions of the Law of Ukraine "On ensuring of functioning of Ukrainian language as the state language" of April 25, 2019;

c) to annul the Law of Ukraine "On Amendments to Some Laws on subordination of religious organizations and on procedure of their state registration as legal entities" of January 17, 2019;

g) to review terms of the Agreement between the State of Ukraine and the Patriarch of Constantinople Bartholomew I on establishment of the Orthodox Church of Ukraine (PCU) of November 3, 2018;

d) to implement the Resolution of Parliamentary Assembly on humanitarian consequences of war in Ukraine of January 23, 2018 and the verdict delivered by the three national courts of Ukraine to stop discrimination of residents of Donetsk and Lugansk regions and to recommence payment of their pension and social co-payments (retirement and social benefits).