

Preparation for early parliamentary elections, stagnation in cases of bribing voters, attacks on journalists

Political and civil rights in Ukraine. 3-9 June 2019

ELECTIONS 2019. THE RIGHT TO ELECT AND BE ELECTED

An early parliamentary election will be held in Ukraine on July 21st. Since no changes have been made to the legislation, the election will take place under a mixed system – the nomination of candidates will happen both by party lists and by majority districts.

On June 4th the Constitutional Court of Ukraine determined that proceedings in the case concerning the decree of President Vladimir Zelensky on the dissolution of the Parliament will be held without delay. I.e., a decision must be made within a month of the date of adoption for consideration, that is, the verdict will be before July 21st.



Political parties must submit lists of their candidates by June 10th, and self-nominated candidates in majority districts by June 20th. However, future candidates are already now starting to work actively in the selected districts and carry out the hidden bribing of voters through various gifts and holding of “charitable” events. More details about such practices of deputies can be read [here](#).

According to observers, voter bribery and the building of so-called “webs” for controlled voting in the interests of candidates became one of the main violations of the 2019 presidential election. The observers of “Uspishna Varta” recorded and transmitted to the police statements about such facts in Kiev, Zaporozhye, Lutsk, and other cities of Ukraine. The observers registered by candidates and other public organizations submitted similar statements. As a result of the 2019 presidential election, the National Police reported about the opening of more than 436 criminal proceedings in relation to violations in the electoral field. From them, 90 criminal proceedings were initiated due to facts of voter bribery (Article 160 of the Criminal Code of Ukraine).

“Uspishna Varta” [conducted an analysis](#) of the Unified Register of Judicial Decisions in order to assess the stage of pre-trial investigations concerning cases of voter bribery and their consideration in court. During the period January-May 2019, “Uspishna Varta” discovered in the register no more than 15 criminal proceedings based on facts of voter bribery (Article 160 of the Criminal Code of Ukraine), which are at the stage of pre-trial investigation and for which as a minimum investigative actions are being taken. The figurants of such investigations, as a rule, are not the organisers of the “web”, but the campaigners and performers themselves. In such cases the investigation did not report who the organizers were.

According to a single report on criminal offenses of the Prosecutor General's Office, in January-April 2019, 47 cases under Article 160 of the Criminal Code of Ukraine (voter bribery) were registered. From these, 44 are closed. None (!) of these cases were submitted to the court with an indictment.

Thus, the cases of voter bribery during the 2019 presidential election were only an excuse for PR, including for the purpose of eliminating competitors, and were not actually investigated by law enforcement bodies and a judicial perspective. This situation is of utmost concern to the human rights defenders of “Uspishna Varta” in the context of the electoral campaign for the early parliamentary election scheduled for July 21st 2019.

FREEDOM OF SPEECH AND OPINION



Journalist Vadim Makaryuk was beaten up in Kharkov on June 8th

On June 8th in Kharkov, during a conflict on the territory of the “Barabashovo” shopping center, unidentified persons beat up the journalist of a local TV channel **Vadim Makaryuk**. The journalist is in intensive care. Criminal proceedings under Part 2 of Article 345-1 (threat or violence against a journalist), Part 1 of Article 171 (obstruction of the lawful professional activities of journalists), and Part 2 of Article 187 (robbery) were initiated.

According to the National Union of journalists, in May there were 7 attacks on journalists, 2 of them occurred in Odessa, and one in Kiev, Cherkassy, Dnepr, Kherson, and Volyn. The most resonant attack happened in Cherkassy - the journalist Vadim Komarov was cruelly beaten up by unknown persons.

He has been in a coma since the attack on May 4th up to this day. A number of international organisations, including the OSCE, called on law enforcement to conduct a thorough investigation into all the circumstances of the attack and to punish the perpetrators.

FREEDOM OF RELIGION

Human rights activists continue to record **new cases of temples of the Ukrainian Orthodox Church (UOC) being captured** by "activists" of the Orthodox Church of Ukraine (OCU), including with the support of the local authorities.

For example, on June 2nd 2019 activists of the OCU [tried to capture](#) the UOC temple in the village of Grabovo in the Volyn region, while the parish priest was severely beaten up. The victim has 2 broken fingers of his left hand. According to eyewitnesses, a deputy of the local village council attacked the UOC cleric. The police described the fracture like a scratch (light injuries - Article 125 of the Criminal Code of Ukraine).



"Activists" of the OCU evicted a priest of the UOC from his house in the village of Nova Moshchanitsa in the Rovno region

On June 5th, in the village of Novaya Moshchanitsa in the Rovno region, after the local "hierarchy" of the OCU arrived, drunken "activists" came and [threatened to capture](#) the church house inhabited by the archpriest of the UOC (Father Superior of the Nativity of the Mother of God) and tried to expel him and his family. The police were called to the scene.

On June 6th, on Ascension Day, a confrontation took place over the temple in honour of the Assumption of

the Most Holy Theotokos in the village of Tovtry in the Chernovtsi region. Despite the fact that militants blocked the entrance to the church's territory for believers, representatives of the UOC community removed the gate and entered the church yard, overcoming the resistance of the intruders. There was a physical confrontation. It was reported that the police were inactive at the time of the conflict. The situation in the village remains tense.

MONITORING HUMAN RIGHTS CASES

On June 7th and 10th a hearing on the case of the journalist **Vasily Muravitsky** was held in the Korolovsky Court of Zhytomyr. The lawyer of the journalist continues to insist on the need to abolish the house arrest that Muravitsky has been under for almost a year. Details about the case of Muravitsky can be read [here](#).



On June 7th the Central District Court of Nikolaev [held a hearing](#) on the case of Sergey Dolzhenkov and Evgeny Mefedov, who are accused of committing actions aimed at seizing and changing the territorial integrity of Ukraine for organizing the Odessa-Nikolaev motor rally in March 2014. Despite the fact that at the last hearing the court granted the lawyer's request to summon at least 10 prosecution witnesses to the hearing in order to speed up the consideration of the case, the prosecutor again

summoned only one. Like the rest of the witnesses, he could not testify about the unlawful actions of Mefedov and Dolzhenkov, who have been in jail for more than 5 years. The next hearing is scheduled for June 19th. More details about the case can be read [here](#).



On June 4th the Dzerzhinsky District Court of Kharkov once again [failed](#) to hold a hearing on the case of the doctor, publicist, and writer **Igor Dzhadan**. He is accused under a number of articles against the foundations of national and public security for allegedly participating in the Kharkov anti-maidan in April 2014 and creating a terrorist organization. Dzhadan has been in prison for over 4 years, without a court sentence. In 2017, the other defendants in the Dzhadan case were exchanged under

the “Minsk agreements”. Igor Dzhadan himself declares his innocence and continues to defend his position in court. According to Igor Dzhadan, because of his refusal to take part in the voting in the first and second round of the 2019 presidential election, he was placed in a punishment cell for 4 days. Formally, in the pre-trial detention center they said that these actions were a violation of the regime.

Over the past few years, the situation with political prisoners and persons persecuted for political reasons in Ukraine does not change; civil rights are still being violated. The only and most effective tool at this moment of the struggle is the deployment of information campaigns and drawing the attention of the international community to the situation. These findings were reported by Oksana Chelysheva - a journalist, human rights activist, and coordinator of the Finnish Peace Committee, which deals with issues of conflict de-escalation in Ukraine. Details about the activities of this organization, the conflict in Donbass, as well as about the situation with the violation of rights in Ukraine and about Ukrainian political prisoners and effective methods of struggle in the information field can be found in this [interview](#) with the “Uspishna Varta” human rights platform.

Remember that you can contact the human rights defenders of “Uspishna Varta”:

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by sending an email to: info@uspishna-varta.com

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