

ANNUAL
REPORT



HUMAN RIGHTS
PLATFORM

NON-GOVERNMENTAL ORGANIZATION

2019

HUMAN RIGHTS PLATFORM

is a non-governmental human rights organization that brings together seasoned professionals with strong expertise in the field of human rights.

THE MISSION

of the organization is to contribute to the development and maturity of the civil society by promoting human rights standards.

THE ORGANIZATION WORKS

in particular to protect human rights, support free and independent professional media, and develop democracy and civil society in Ukraine.



OLEKSANDR BURMAHIN

EXECUTIVE DIRECTOR,
LAWYER, MEDIA LAWYER,
MEDIA COACH

DEAR COLLEAGUES, FRIENDS, AND PARTNERS!

Beyond any doubt, 2019 can be called a stunning year. We witnessed two national election campaigns with a fierce political struggle and heated discussions between supporters and opponents of political forces on every platform, TV or radio program. As a result, political elites changed — the new President of Ukraine, the new composition of the Verkhovna Rada and the Cabinet of Ministers, and new heads of key government authorities, institutions, and organizations. All this happened amid further armed aggression of the Russian Federation in the Eastern Ukraine and continued occupation and militarization of the Crimea.

Our Human Rights Platform certainly never stopped working to protect human rights in this whirlpool of events. Not only did we develop and support our traditional areas such as protection of the freedom of speech and information, but we also launched new lines.

So what were our achievements and highlights in 2019? If we recall the election year once again, it was firstly the monitoring of media coverage of the presidential and parliamentary election campaigns in Ukraine. This big, substantial, and lengthy project was enabled by the

Council of Europe Office in Ukraine and a combination of unparalleled expertise shared by our colleagues and a coalition representing the Commission of Journalism Ethics, Human Rights Platform, Ukrainian Media and Communication Institute, and StopFake. Jointly with a team of expert monitors and analysts, we provided a comprehensive and objective assessment of the political diversity and balance in the coverage of news and current events on twelve TV channels and in eight online media. We informed the public about media demeanor during the election campaign, organized discussions about objectivity and quality of media coverage of the election race, and promoted compliance with international standards and the best practices of the freedom of expression and media independence.

In 2019, we also continued to defend media and journalists in courts together with our partner network of media lawyers and attorneys, U-Rights. Not just in courts, really. In any part of Ukraine, media and journalists can further count on consultations, representation, and quality legal support in any professional issue. As new members join our network, we provide guidance, as well as communications and organizational support. We are traditionally grateful for such opportunities to our partners from Media Legal Defense Initiative and Freedom House in Ukraine.

The support by Internews Network gave new momentum to an important area of operation for Human Rights Platform — access to public information. The flagship here is Access to the Truth website led by our editor, Lesia Hanzha. In particular, we held a number of dedicated offline and online events, offered legal advice to inquirers, and organized expert discussions on the topic. We have even more plans with Access to the Truth for 2020.

WELCOME ADDRESS

An important activity in 2019 was a project to support the Interdepartmental Coordination Council on Juvenile Justice under the Ministry of Justice of Ukraine. The initiative expanded our scope of activities and expertise. Thanks to the United Nations Children's Fund (UNICEF), we joined efforts with a team of experts and partners to implement a pilot project, Recovery Program for Juveniles Suspected of Crime, in six regions. We updated a draft law On Child-Friendly Justice and developed a draft concept to reform the system of juvenile data collection.

In addition, we immersed ourselves into law drafting in 2019. Our representatives joined a task force that began to write a draft law On Mass Media and an expert team that analyzed the text in terms of compliance with international standards.

The FreeNet Ukraine Coalition was very much active last year as well. Under this initiative and with the support of Counterpart International, we developed guidelines and launched monitoring of respect for digital rights in Ukraine. First results of the monitoring were published in June 2019.

Dear friends, these were our 2019 highlights and achievements in a nutshell. For more information about the numbers and quality indicators of our performance, please read this Report and sections Projects and Library on our website.

Much was done, yet many other issues need to be addressed, in particular, finding a balance between freedom of expression and information, protection of privacy and national security, regulation of the Internet, democratic standards of the electoral process, etc.

So, let's keep going! We steadily develop cooperation with like-minded people and our own networks of lawyers, value our friends, build up our professional competences, and plan to be even more effective in 2020! We can protect human rights consistently and effectively and develop standards in this area only if we work together.

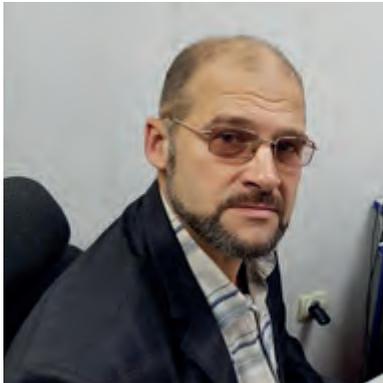
**With respect and gratitude for cooperation,
Human Rights Platform**



NETWORK OF OUR PARTNER LAWYERS

In 2019, Human Rights Platform continued an effective cooperation with a whole network of experienced lawyers and attorneys from different regional capitals, who worked successfully in the field of human rights protection in almost every region of Ukraine

NETWORK OF OUR PARTNER LAWYERS



**IHOR
POGASIY**

CHERKASY AND
KIROVOHRAD
REGIONS



**IHOR
SALKO**

ZHYTOMYR AND
RIVNE REGIONS



**LUDMYLA
ROYUK**

LVIV AND VOLYN
REGIONS



**TETYANA
YUZVYAK**

RIVNE AND
ZHYTOMYR
REGIONS



**ULYANA
VASYLYK**

IVANO-FRANKIVSK
AND TERNOPIL
REGIONS



**OLEKSIY
KINEBAS**

CHERNIGIV, SUMY,
POLTAVA REGIONS
AND KYIV CITY

NETWORK OF OUR PARTNER LAWYERS



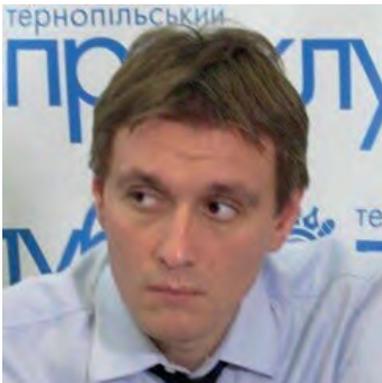
**OLEKSIY
KORNILOV**

DNIPROPETROVSK,
ZAPORIZHZYA,
KHARKIV REGIONS



**MYKOLA
GRYNYSHAK**

KHERSON AND
MYKOLAIV REGIONS



**PAVLO
LEVKIV**

TERNOPIL AND
KHMELNYTSK
REGIONS



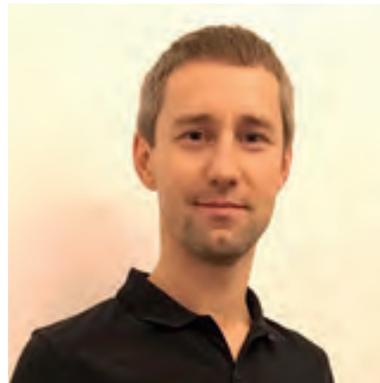
**NADIYA
KOVALYOVA**

ODESSA REGION



**VOLODYMYR
GURSKYI**

LVIV REGION



**DMYTRO
VAGIN**

KHMELNYTSK,
VINNITSA AND
CHERNIVTSI
REGIONS

NETWORK OF OUR PARTNER LAWYERS



**ANATOLIY
POPOV**

KYIV CITY



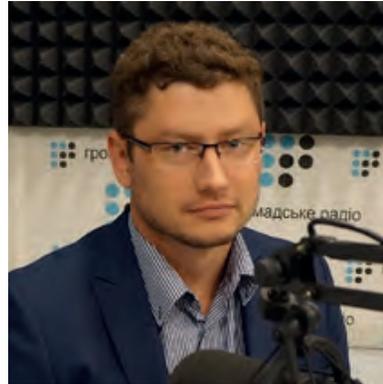
**OLEKSANDR
TOKALENKO**

KHERSON,
MYKOLAYIV CITIES



**LUDMYLA
OPRYSHKO**

KYIV CITY



**OLEKSANDR
BURMAHIN**

KYIV CITY

OUR KEY WORK STREAMS IN 2019



1. Developing independent media, improving access to public information, promoting free exchange and dissemination of information, improving the quality of tools used to file requests for public information.



4. Enhancing safety of journalism and defending interests of journalists and media in courts.



5. Improving the system of juvenile justice in Ukraine.



2. Monitoring and protecting digital rights.



6. Analyzing and drafting laws on media and information-related legal relations.



3. Empowering journalists, public activists, and other media players.



7. Monitoring media coverage of the electoral process.



PROJECTS
IMPLEMENTED
IN 2019

EFFECTIVE LEGAL PROTECTION OF THE FREEDOM OF SPEECH IN UKRAINE

The project sought to provide free legal aid to journalists and media to protect their professional rights. We did it in the form of written consultations, assistance in drafting legal documents, representation in courts by highly skilled partner lawyers, including preparation of applications to the European Court of Human Rights.

For the third consecutive year, the project was funded by a respected British organization, Media Legal Defence Initiative.

MONITORING DIGITAL RIGHTS VIOLATIONS IN UKRAINE

In 2019, we started monitoring digital rights violations in Ukraine, including detection and legal analysis of the violations. Monthly research findings showed us the situation with respect for digital rights in Ukraine, namely: the number of violations, their nature, and ways to minimize them.

In 2019, the project was implemented with the financial support of Counterpart International.

PROMOTING EFFECTIVE MECHANISMS OF INTERNET REGULATION

The goal of the project was to make an in-depth analysis of the current situation with respect for human rights in the Internet and identify main threats.

In cooperation with members of the Coalition for Free Internet, our experts reviewed legislative initiatives on the Internet regulation and the case law on digital rights violation in 2014-2018 and prepared a research report, Freedom of Speech in the Internet.

The project was implemented with the financial support from Internews Network.

EMPOWERING JOURNALISTS AND MEDIA TO PROTECT THEIR PROFESSIONAL RIGHTS IN COURTS

The project sought to assess the effectiveness of pre-trial investigations and court hearings of the cases related to crimes against journalists and expose barriers to timely and proper investigation of such cases.

To achieve the objective, our experts analyzed the information received from media organizations on violations of the journalist rights and over 100 relevant criminal proceedings initiated between 2009 and 2018.

In July 2019, we presented a research report, **Problematic Issues of Investigations and Court Hearings of Criminal Cases Related to Violation of Professional Rights of Journalists in Ukraine, and recommendations to journalists** who became victims of prosecution in connection with their professional duties.

The project was implemented with the financial support of the Human Rights Fund of the Embassy of the Kingdom of the Netherlands.

PROJECTS IMPLEMENTED IN 2019

SUPPORTING THE SECRETARIAT OF THE INTERDEPARTMENTAL COORDINATION COUNCIL ON JUVENILE JUSTICE AT THE MINISTRY OF JUSTICE OF UKRAINE

With financial assistance of the United Nations Children's Fund (UNICEF) in Ukraine, the Human Rights Platform supported the Secretariat of the Interdepartmental Coordination Council (ICC) to implement changes in the Ukrainian justice system and make it more friendly to the minors, who happened to be in conflict with the law.

A draft law **On Child-Friendly Justice** was prepared and updated as part of the project. A draft concept for reform of the juvenile data collection was prepared and aligned with international standards. We helped conduct regional training sessions for children in conflict with the law and create ICC pages on Twitter and Facebook.

MOBILIZING CIVIL SOCIETY TO ENHANCE FREEDOM OF SPEECH IN UKRAINE

With the financial support of Freedom House in Ukraine and in cooperation with our partners, we implemented a project to enhance the protection of the freedom of speech in Ukraine through legal aid and outreach to media players.

As part of the project, experts provided legal advice, prepared proceedings-related documents, created a manual, *Freedom of Speech in Armed*

Conflict, with an overview of the case law of the European Court of Human Rights on Article 10 in cases related to the freedom of expression during armed conflicts and in the post-conflict period, as well as conducted training courses for media lawyers and journalists.

ENHANCING THE EFFECTIVENESS OF TOOLS FOR ACCESS TO PUBLIC INFORMATION IN UKRAINE

In 2019, the USAID's Media Program in Ukraine implemented by Internews provided funding to start a project enhancing access to public information through development and improvement of the tools used to file requests via a free information website, *Access to the Truth*.

Under the project, experts updated a database of information owners, held online seminars and training sessions for those who requested access to information about secondary school budgets, quality of children's food, and community-owned lands. We also provided legal advice to journalists and public activists when they approached us following violations of their rights of access to public information. The content produced during the reporting period scored 29,546 views. The activities and cooperation with partners helped the project team increase the audience of the *Access to the Truth* by 15%, from 41,000 to 47,150 users per month, and the number of information requests from 1,100 to 1,265 per month.

OTHER ACTIVITIES OF OUR EXPERTS



OTHER ACTIVITIES OF OUR EXPERTS

Experts of Human Rights Platform played an active role in preparing and conducting parliamentary hearings on November 6, 2019 dedicated to the topic «[Safety of Journalism in Ukraine: Current Status, Issues, and Solutions](#)». Ludmyla Opryshko, an expert of the Human Rights Platform NGO, made a report on the safety of journalism in Ukraine and possible ways to address the challenges. Following the event, Recommendations of the parliamentary hearings were developed with engagement of Human Rights Platform experts and approved by Resolution [No. 456-IX](#) adopted by the Verkhovna Rada of Ukraine on [January 14, 2020](#).

Our experts contributed to the development of special courses on legal protection of journalists for judges, prosecutors, and police officers. These experts are active members of working groups, in particular those drafting amendments to the laws of Ukraine, such as the draft law On Mass Media. They also take part in preparation of manuals and other training materials, as well as in seminars and training courses, namely those held for police officers, prosecutors, and judges on the safety of journalism.

Experts of Human Rights Platform helped conduct system-wide monitoring of media coverage of the presidential and parliamentary election campaigns in Ukraine. Moreover, our experts provided legal aid to journalists and media on how to apply media legislation during election campaigns. They did it during six webinars themed Media and Elections and held by Human Rights Platform with the support of the Council of Europe Project «Strengthening freedom of media, access to information and reinforcing public broadcasting system in Ukraine».



OUR PERFORMANCE IN 2019

01

12 FINAL JUDGEMENTS IN FAVOR OF JOURNALISTS/MEDIA IN COURT CASES ON VIOLATION OF THE RIGHT TO FREEDOM OF SPEECH

05

20 PUBLIC EVENTS

02

185 WRITTEN LEGAL CONSULTATIONS

06

22 PUBLIC EVENTS HOSTED BY PARTNERS AND COLLEAGUES

03

42 LEGAL DOCUMENTS

07

LAUNCH OF MONITORING OF DIGITAL RIGHTS VIOLATIONS IN UKRAINE

04

13 TRAINING SESSIONS AND 6 WEBINARS WITH 615 PARTICIPANTS IN TOTAL

08

ANALYTICAL REPORTS AND MANUALS



THE SELECTION
OF USEFUL
MATERIALS
PREPARED BY
OUR EXPERTS
IN 2019

THE SELECTION OF USEFUL MATERIALS PREPARED BY OUR EXPERTS IN 2019



1. FREEDOM OF SPEECH ON THE INTERNET. LEGISLATIVE INITIATIVES AND PRACTICE OF CRIMINAL CASES IN UKRAINE IN 2014-2018

https://www.ppl.org.ua/wp-content/uploads/2019/04/zvit_1.pdf



2. METHODOLOGY FOR MONITORING VIOLATIONS OF DIGITAL RIGHTS IN UKRAINE

<https://www.ppl.org.ua/wp-content/uploads/2019/06/%D0%9C%D0%B5%D1%82%D0%BE%D0%B4%D0%BE%D0%BB%D0%BE%D0%B3%D1%96%D1%8F-.pdf>



3. THE PROBLEMS OF INVESTIGATION AND JUDICIAL PROCEEDINGS OF CRIMINAL CASES RELATED TO VIOLATION OF THE PROFESSIONAL RIGHTS OF JOURNALISTS IN UKRAINE. ANALYTICAL REPORT

<https://www.ppl.org.ua/wp-content/uploads/2019/07/Black-book.pdf>

THE SELECTION OF USEFUL MATERIALS PREPARED BY OUR EXPERTS IN 2019



4. RECOMMENDATIONS FOR THE PROTECTION OF THE RIGHTS OF JOURNALISTS WHO HAVE BEEN VICTIMS OF AGGRESSION IN CONNECTION WITH THE PERFORMANCE OF PROFESSIONAL DUTIES IN UKRAINE. PRACTICAL GUIDE

<https://www.ppl.org.ua/wp-content/uploads/2019/07/White-book.pdf>



5. CHALLENGES IN INVESTIGATION AND COURT HEARING OF CRIMINAL CASES RELATING TO VIOLATION OF JOURNALISTS' PROFESSIONAL RIGHTS IN UKRAINE. ANALYTICAL REPORT

https://www.ppl.org.ua/wp-content/uploads/2019/08/Black-book_EN.pdf



6. ANALYTICAL REPORT: «LEGISLATION OF REGULATING THE ACTIVITIES OF THE MEDIA DURING ELECTIONS AND THE PRACTICE OF ITS APPLICATION. KEY PROBLEMS AND POSSIBLE WAYS TO SOLVE THEM».

<https://www.ppl.org.ua/wp-content/uploads/2017/04/%D0%95%D0%BA%D1%81%D0%BF%D0%B5%D1%80%D1%82%D0%BD%D0%B8%D0%B9-%D0%B0%D0%BD%D0%B0%D0%BB%D1%96%D0%B7-%D0%B2%D0%B8%D1%81%D0%B2%D1%96%D1%82%D0%BB%D0%B5%D0%BD%D0%BD%D1%8F-%D0%B0%D0%B3%D1%96%D1%82%D0%B0%D1%86%D1%96%D1%8F.pdf>

THE SELECTION OF USEFUL MATERIALS PREPARED BY OUR EXPERTS IN 2019



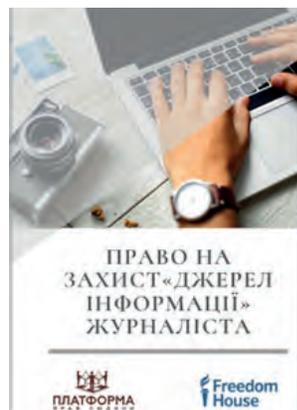
7. ANALYSIS OF THE DECISION IN THE CASE «SICH 14 V. HROMADSKO».

<https://www.ppl.org.ua/wp-content/uploads/2019/11/%D0%90%D0%BD%D0%B0%D0%BB%D1%96%D0%B7-%D1%81%D0%BF%D1%80%D0%B0%D0%B2%D0%B8-%D0%B7%D0%B0-%D0%BF%D0%BE%D0%B7%D0%BE%D0%B2%D0%BE%D0%BC-%D0%A1-14-%D0%B4%D0%BE-%D0%93%D1%80%D0%BE%D0%BC%D0%B0%D0%B4%D1%81%D1%8C%D0%BA%D0%BE%D0%B3%D0%BE.pdf>



8. MANUAL «FREEDOM OF SPEECH IN CONDITIONS OF ARMED CONFLICT. OVERVIEW OF THE PRACTICE OF THE EUROPEAN COURT OF HUMAN RIGHTS».

https://www.ppl.org.ua/wp-content/uploads/2019/11/Draft_Chapter_on_ECHR_preview.pdf



9. ANALYTICS «THE RIGHT TO PROTECTION OF «SOURCES OF INFORMATION» OF A JOURNALIST».

<https://www.ppl.org.ua/wp-content/uploads/2020/01/Journalistic-sources.pdf>

THE SELECTION OF USEFUL MATERIALS PREPARED BY OUR EXPERTS IN 2019



10. REPORT ON THE RESULTS OF EXPERT DISCUSSION ON THE ISSUE OF REFORMING SOCIAL REHABILITATION INSTITUTIONS FOR CHILDREN.

<https://www.ppl.org.ua/wp-content/uploads/2020/01/%D0%97%D0%B2%D1%96%D1%82-%D0%BF%D0%BE-%D0%B7%D0%B0%D0%BA%D0%BB%D0%B0%D0%B4%D0%B0%D0%BC-%D1%81%D0%BE%D1%86%D1%96%D0%B0%D0%BB%D1%8C%D0%BD%D0%BE%D1%97-%D1%80%D0%B5%D0%B0%D0%B1%D1%96%D0%BB%D1%96%D1%82%D0%B0%D1%86%D1%96%D1%97.pdf>



11. SYSTEM REPORT «COLLECTION OF DATA ON MINORS IN CONTACT WITH THE LAW».

https://www.ppl.org.ua/wp-content/uploads/2019/08/Black-book_EN.pdf



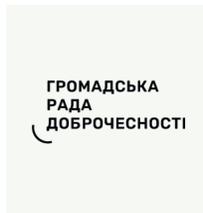
12. DIGEST OF COURT CASES JANUARY 2019 - DECEMBER 2019.

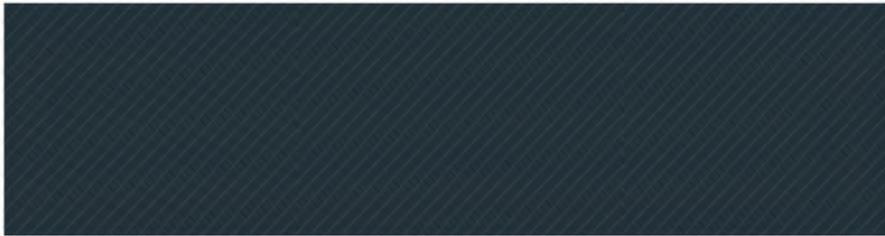
<https://www.ppl.org.ua/wp-content/uploads/2020/02/Digest.pdf>

PARTNERSHIPS AND COOPERATION



PARTNERSHIPS AND COOPERATION









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