



Permanent Mission of Ukraine
to the UN Office and other International
Organizations in Geneva

Rue de l'Orangerie 141202
Genève, Suisse

+ 41 22 919 87 20
+ 41 22 734 38 01 (fax)
pm_un2@mfa.gov.ua

Nº

12/077

The Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, with the reference to the Join Communication sent by the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on violence against women, its causes and consequences, reference Nº AL UKR 7/2021 dated 23 November 2021, and has the honour to transmit herewith the information provided by the National Police of Ukraine and the Prosecutor General's Office of Ukraine regarding the case of Ms. Svitlana Blahodeteleva-Vovk.

The Permanent Mission of Ukraine avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Encl.: as stated, on 2 pages.



Y. F.
Geneva, 13 January 2022

Office of the United Nations High Commissioner for Human Rights

CC: Special Rapporteur on the situation of human rights defenders

**Special Rapporteur on the promotion and protection of the right to freedom of
opinion and expression**

Special Rapporteur on violence against women, its causes and consequences

Geneva

geneva.mfa.gov.ua

**Information on the alleged threats, online harassment, and smear campaign
against human rights defender Ms. S. Blahodeteleva-Vovk
(submitted by the Prosecutor General's Office of Ukraine)**

It has been established that the Division for Inquiries of the Darnytskyi Police Department of the Main Department of the National Police of the city of Kyiv is investigating into criminal proceedings No. 12020105020001117 of 13.09.2020, under paragraph 1 of Article 350 of the Criminal Code of Ukraine, over persecution of Ms.S. Blahodeteleva-Vovk in connection with her public activities.

The pre-trial investigation is still underway. The necessary investigative (search) and procedural actions aimed at full, comprehensive, and impartial examination of all the circumstances of the commission of the criminal offence, adopting a lawful and well-founded procedural decision within a reasonable timeframe, are being carried out.

The Prosecutor General's Office has taken measures to properly organize the procedural guidance and to enhance the inquiry in this criminal proceeding.

Furthermore, following the processing of the information published on the website «Judiciary of Ukraine» and contained in the Unified State Register of Court Decisions, it has been established that Ms. S. Blahodeteleva-Vovk filed 2 claims to protect honour, dignity, and business reputation.

Thus, according to the decision of the Shevchenkivskyi District Court of the city of Kyiv of 11.01.2021 (case No. 761/35759/20), the claim of Ms. Blahodeteleva-Vovk against the Internet edition «Interregional Newspaper «Independent Ukraine» and «Evolution Media» LLC, Internet editions «Comments UA», «Uatime», Mr.D.Horokhovskiy to protect honour, dignity, business reputation, to recognize information as unreliable and to refute it, has been returned.

The reason for the decision was the plaintiff's failure to eliminate the shortcomings of the lawsuit, including non-payment of judicial fees, failure to indicate the location of the defendants, lack of copies of the lawsuit and enclosed documents in accordance with the number of defendants, etc. There is no information on the appeal against that decision.

In addition, by the decision of the Sviatoshynskyi District Court of the city of Kyiv of 20.09.2021, the proceedings in the case No. 759/6513/21 based on the claim of Ms. Blahodeteleva-Vovk against «Publishing House Masavi» LLC, «Dilova Presa Krainy» LLC [REDACTED] to protect the honour, dignity and business reputation, have been initiated.

The case is scheduled for trial on 17.02.2022. The prosecuting authorities do not take part in the trials above.

**Information on the alleged threats, online harassment, and smear campaign
against human rights defender Ms. S. Blahodeteleva -Vovk
(submitted by the National Police of Ukraine)**

Darnytsia Police Department of the Main Directorate of National Police in Kyiv is conducting a pre-trial investigation in the criminal proceedings № 12020105020001117 on the grounds of a criminal offence under Article 350 (1) ("threat or violence against a public official or a citizen in the performance of a public duty") of the Criminal Code of Ukraine (hereinafter - the CCU).

Compliance with the law during an inquiry in criminal proceeding in the form of procedural guidance of the pre-trial investigation is overseen by the prosecutor of the Darnytsia District Prosecutor's Office of Kyiv.

During the pre-trial investigation, Ms. Svitlana Blahodietielieva-Vovk was interrogated as a victim regarding the circumstances of the criminal offense committed.

In this criminal proceeding, other investigative (search) actions are carried out to establish the circumstances of the criminal offense and the persons involved in its committment.

Furthermore it was established that on October 23, 2020, Ms. [REDACTED] counsel of the Ms. S. Blahodeteleva -Vovk, made a request to the Darnytsia Police Department to grant a safety measures to her defendant.

On November 30, 2020, the investigator of the Darnytsia Police Department refused the application above since there were no grounds to take security measures specified in the Article 2 of the Law of Ukraine "On Ensuring the Security of Persons Participating in Criminal Proceedings" and Article 20 of the Law.

At the same time, a copy of the letter of the Ministry of Foreign Affairs of Ukraine No 413/14-194/062/2-96021 dated 01.12.2021, contatining a copy of the Joint Communication of the Special Procedures, Ref: AL UKR 7/2021, is now attached to the materials of the criminal proceedings №12020105020001117 to verify the arguments in the manner prescribed by the criminal procedure legislation of Ukraine during the pre-trial investigation in the criminal proceedings. An assessment of the actions of certain persons will be provided based on the results of the pre-trial investigation.

The pre-trial investigation in this criminal case is underway, and its course is under the control of the Inquiry Division of the National Police of Ukraine.

As Article 387 (Disclosure of information on investigative actions and pre-trial investigation) of the CCU envisages a criminal liability for disclosing information on pre-trial investigation, thus it is impossible to provide more details on the specific criminal proceedings.
