



Permanent Mission of Ukraine
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The Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva presents its compliments to the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights and, with the reference to AL UKR 1/2026 of 10 April 2026, has the honour to transmit the response of the Government of Ukraine to the Joint Communication from the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

The Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Encl: as stated, on 3 pages.



Geneva, 27 May 2026

**Special Procedures Branch of the
Office of the United Nations
High Commissioner for Human Rights**

Geneva

UKRAINE

in response to the Joint Communication from the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

the following information was provided by the Ministry of Internal Affairs of Ukraine, the National Police of Ukraine and the State Bureau of Investigations of Ukraine

The Ministry of Internal Affairs of Ukraine, in cooperation with the National Police of Ukraine and within the scope of its authority, has reviewed the request for information regarding a possible violation of the rights of Ukrainian citizen Vitaliy Shabunin related to his anti-corruption activities.

According to information provided by the National Police of Ukraine, regarding the events mentioned in the request that took place on July 17, 2018, the investigative department of the Shevchenkivskiyi Police Department of the Main Directorate of the National Police (hereinafter – MDNP) in Kyiv conducted a pre-trial investigation in a separate criminal proceeding on the grounds of a criminal offense under Part 2 of Article 296 of the Criminal Code of Ukraine (hereinafter – the CC of Ukraine).

Based on the results of the pre-trial investigation in the aforementioned criminal proceedings, one person was notified of suspicion, and on September 30, 2019, an indictment against that person was sent to the Shevchenkivskiyi District Court of Kyiv for consideration on the merits.

In addition, regarding the events specified in the request that occurred on July 23, 2020, December 30, 2020, and December 31, 2020, the Investigative Department of the Main Directorate of the National Police in Kyiv Oblast is conducting a pre-trial investigation in a separate criminal proceeding on the grounds of criminal offenses under Part 1 of Article 129, Part 2 of Article 194, and Part 4 of Article 296 of the Criminal Code of Ukraine.

Prosecutors from the Kyiv Regional Prosecutor's Office are overseeing compliance with the law during the pre-trial investigation in the aforementioned criminal proceedings by providing procedural guidance for the pre-trial investigation.

At this time, the pre-trial investigation is ongoing, and the necessary investigative and other procedural actions are being carried out to establish all circumstances subject to proof in the criminal proceedings and to make a decision in accordance with the requirements of Ukraine's criminal procedural legislation.

Since Article 387 (Disclosure of Information on Operational-Investigative Activities and Pre-trial Investigations) of the Criminal Code of Ukraine provides for criminal liability for the disclosure of pre-trial investigation information, the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine cannot provide more detailed information regarding the aforementioned criminal proceedings.

At the same time, we would like to inform you that assessing the actions and decisions of representatives of the military command, the State Bureau of Investigations, the Security Service of Ukraine, and the court does not fall within the jurisdiction of the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine.

Information provided by the Ministry of Internal Affairs of Ukraine (MIA) and the National Police of Ukraine (NPU)

The State Bureau of Investigations, within the scope of its authority, has reviewed the joint circular letter from the UN Human Rights Council's Special Rapporteurs on the situation of human rights defenders and on the promotion and protection of the right to freedom of opinion and expression

Taking into account the legal regime of martial law introduced in Ukraine in 2022, military personnel's adherence to military discipline and the proper performance of their military duties- which are the responsibility of every service member- are of decisive importance for ensuring the state's defense capability.

At the same time, Ukrainian national law provides for criminal liability for a military servicemember's evasion of military service duties through self-mutilation, feigning illness, forging documents, or other forms of deception.

The investigation of such criminal offenses falls under the jurisdiction of the State Bureau of Investigations.

Thus, the Third Investigative Department of the Territorial Directorate of the State Bureau of Investigations, located in Kyiv, was handling criminal case No. 62023100130002015 dated December 15, 2023, on charges against V.V.Shabunin of committing criminal offenses as provided for in Part 4 of Article 409 and Part 2 of Article 190 of the Criminal Code of Ukraine.

The pre-trial investigation established that soldier V.V.Shabunin evaded his military service duties while serving in military unit A7376.

On October 28, 2025, the indictment in the aforementioned criminal proceedings was submitted to the court. The court proceedings regarding the indictment are ongoing.

At the same time, issues related to the organization of the court proceedings do not fall within the jurisdiction of the State Bureau of Investigations.

In this regard, concerning the issue raised in the letter regarding the inability of parties to the proceedings to participate directly in court hearings, it should be noted that the Criminal Procedure Code of Ukraine provides for their participation both in person at court hearings and via videoconference. Also, the Second Investigative Division of the Territorial Directorate of the State Bureau of Investigations, located in Kyiv, was considering a statement by [REDACTED] dated December 23, 2025, filed on behalf of V.V. Shabunin, regarding the actions of employees of the Third Investigative Department of the Territorial Directorate of the State Bureau of Investigations, located in Kyiv, during searches conducted between July 11, 2025, and July 12, 2025.

Following the review of the statement by officials of the Second Investigative Department of the Territorial Directorate of the State Bureau of Investigations, located in Kyiv, in a letter dated January 21, 2026, No. 31215zpk/k/11-03-1300/26, providing relevant explanations, it was reported that, based on the results of the review of the information set forth in the application, it was established that there was a lack of sufficient and substantiated evidence that reliably indicated the presence of signs of a criminal offense within the jurisdiction of the State Bureau of Investigations, in accordance with Part 4 of Article 216 of the Criminal Procedure Code of Ukraine.

The response to attorney [REDACTED] explained the procedure for appealing the investigator's decision, which he followed by filing a complaint with the court regarding the inaction of authorized officials of the Territorial Office of the State Bureau of Investigations, located in the city of Kyiv, which, according to the applicant, consisted of failing to enter information about the criminal offense into the Unified Register of Pre-trial Investigations pursuant to the application dated December 23, 2025.

On March 27, 2026, the Territorial Office of the State Bureau of Investigations, located in the city of Kyiv, registered the ruling of the investigating judge of the Pecherskyi District Court dated March 23, 2026, in Case No. 757/362/26-k, which granted the complaint filed by attorney [REDACTED] on behalf of V.V.Shabunin regarding the inaction of authorized officials of the Territorial Office of the State Bureau of Investigations located in Kyiv in failing to enter information about a criminal offense into the Unified Register of Pre-trial Investigations after receiving a statement (report) of a criminal offense.

In addition, investigators from the Main Investigation Department of the State Bureau of Investigation are conducting a pre-trial investigation in criminal proceeding No. 6202500000000843 dated August 15, 2025, on suspicion of a criminal offense as provided for in Part 1 of Article 365 of the Criminal Code of Ukraine, which was initiated on the basis of a statement by V.V.Shabunin, according to whose allegations, on July 11, 2025, during the investigation in criminal proceeding No. 62023100130002015 dated December 15, 2023, employees of the Territorial Office of the State Bureau of Investigations, located in Kyiv, conducted a search at the premises of military unit A4698, during which, according to the complainant, his mobile phone was stolen.

In addition, investigators from the Main Investigative Directorate of the State Bureau of Investigations are conducting a pre-trial investigation in criminal proceeding No. 4202500000001260 dated December 24, 2025, on grounds of committing criminal offenses under Part 1 of Article 182, in conjunction with 2 of Article 387 of the Criminal Code of Ukraine, initiated on the basis of a statement by V.V.Shabunin regarding the dissemination of confidential information about him, specifically intimate photographs of him that were stored on his phone, through their publication online, in particular on a Telegram channel.

The pre-trial investigation in the aforementioned criminal proceedings is ongoing. The individuals have not been notified of the charges.

*Information provided by the State Bureau
of Investigations of Ukraine (SBI)*