

**SPEECH OF DIRECTOR OF THE NON-GOVERNMENTAL  
ORGANIZATION “INSTITUTE OF LEGAL POLICY AND SOCIAL  
PROTECTION NAMED AFTER IRINA BEREZHNYAYA” ELENA  
BEREZHNYAYA  
AT THE PLENARY MEETING  
OSCE Human Dimension Implementation Meeting  
SEPTEMBER 23, 2019 (10 am -13 am)  
(TOPIC: RULE OF LAW)**

Our Institute monitors facts of violations and infringement of rights and freedoms in Ukraine since 2014 (in particular, incidents associated with aspects of the rule of law and access to justice).

Thus, on October 12, 2017, the European Court of Human Rights withdrew from the register and handed over to the Committee of Ministers of the Council of Europe more than 12,000 cases concerning the failure of the State of Ukraine to fulfill the judgements of the national courts.

The judges issued such a judgement in the proceedings during the “Burmich and others v. Ukraine” trial, deciding to merge the case with 12,143 others concerning the issue of non-enforcement of judgments in Ukraine.

This proves that for many years the State of Ukraine has purposefully ignored the decisions of the national courts and the ECHR that have entered into legal force and deliberately has not fulfilled them, thereby depriving millions of its citizens of their fundamental right to access to justice.

The state of Ukraine for more than five years (since July 2014) the state of Ukraine has grossly violates rights of citizens dwelling at the uncontrolled territory of Lugansk and Donetsk regions. People cannot receive their legally earned pension and social benefits, despite decisions of national courts of all three levels that obliged the Cabinet of Ministers to resume all payments and to pay off the resulting debt. These litigations were initiated by the social organization “Institute of Legal Policy and Social Protection named after Irina Berezhnaya” (hereinafter referred to as the “Institute”).

The court verdicts describe a mechanism for the payment of this category of funds to citizens without opening up banking institutions, without delivering cash to the uncontrolled territories. However, Ukrainian government cynically ignores legitimate court verdicts and appeals from all international institutions demanding implementation of these verdicts!

At present, on grounds of the Institute’s appeal to the state of Ukraine, the European Court of Human Rights has initiated proceedings and at the stage of pre-

trial settlement offered Ukrainian authorities to voluntarily execute the abovementioned court verdicts by the end of November 2019.

Unfortunately, the new Prime Minister of Ukraine Aleksey Goncharuk - like his predecessors - is not interested in voluntary fulfillment of court verdicts that long ago entered into legal force. And he is not interested in resuming payments to socially vulnerable citizens of Ukraine.

Therefore, basing on the outcomes of this Annual Meeting, I ask the ODIHR to adopt a resolution addressed to the state of Ukraine to comply with directives of the Cabinet of Ministers of the Council of Europe and the ECHR and to resume immediately payment of pensions and social benefits to Ukrainian citizens dwelling at the uncontrolled territory of Donbass.

All participants who wish to receive the monitoring report on violations of rights and freedoms in Ukraine and on infringement on access to justice can contact me after conclusion of the Plenary Meeting.