



Генеральная прокуратура  
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## **CONFERENCE OF PROSECUTORS GENERAL OF EUROPE**

***The role of public prosecution in the protection of human rights and public interests outside the criminal law field***

*organised by the Council of Europe and the Prosecutor General's Office  
of the Russian Federation*

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**Protection of individual interests of children, elderly people, disabled people,  
victims and other vulnerable groups, conducted by the prosecution services**

**Presentation by Tetiana Korniakova  
Deputy Prosecutor General of Ukraine**

Dear colleagues,

The theme of the Conference is really urgent for Ukraine nowadays.

Sadly, we have had unstable social and economic situation in Ukraine - in the recent three years we have had four governments. However, the Prosecutor General Office has been the steadily functioning office to protect the interests of our citizens. Just this year, we have worked out over 20 000 people's addressings.

These were mainly the people not socially protected.

Children issues

Ukraine population has decreased for 7 million people in the recent 7 years. Death is more than birth practically in each region. There are about 100 000 orphans in Ukraine. About 8 000 children are disabled or with special needs, they don't have rehabilitation means. Nowadays, children need a prosecutors' protection.

When protecting their rights for accommodation, pension, education, the right to live in the family, prosecutors have applied with 2 000 of reaction documents to different authority bodies. As a result, children have been refunded half a million US Dollars.

Last year, 5 000 children didn't start their schools, so prosecutor offices dealt with their coming back to schools. In the last 10 years, 100 children rest camps were sold. As an example, it took 5 years for the prosecutor of Odessa city to return the children camp back to the government ownership when protecting the right of children for summer rest. Thanks to the efficient work of prosecutor offices, 900 camps of the country have been saved for children.

It's also crucially important for us if the place of the children rest is safe – the conditions of rest. In recent years, we have had a growth in accidents at the attractions in the entertainment parks. Prosecutors' investigations have proved that these attractions have been functioning with breaking technological regulations. It led to 4 children deaths and 20 children hurt. Criminal proceedings were taken on all these facts.

Neglected children problems still remain not solved. There are about 100 000 children living with parents addicted to alcohol. They make their children to earn their living by begging, leave them without homes, or just throw them away from homes. 200 criminal proceedings have been taken this year concerning such parents.

About 20 000 homeless children get to orphanages annually. So, thanks to the prosecutor in Dnepropetrovsk city, there has been opened a special free hostel for 60 homeless teenagers.

Some so called "public organizations" have a special interest to this kind of children. In one of them named "Svetliy put" (Light way) in Odessa city during about 10 years children were exploited. It was a prosecutor who took them out.

Sadly, the children rights are broken by those who are to protect them, I mean government officers of children affairs bodies and offices. During the checking of boarding schools and residences, 3 000 children have been found, who hadn't received pensions and other social payments. Most of them have been robbed of accommodation, land they inherited from parents. It's only the documents of prosecutor reaction that is the way to return children their property.

The urgent problem is to protect children from video and printed materials with violence and pornography. In Odessa city, the Prosecutor General Office prosecutors have confiscated smuggling disks containing instructions to make violence and murder. Dozens of pornography magazines at a cost of an ice-cream could be bought even by schoolchildren. It happens to be twice more computer clubs than schools here. Some children spend their time overnight there.

The film in the Internet done by high school children shocked all the people here. The schoolgirls of the last year of studies were beating their classmate girl. This kind of films containing violence appear in the Internet quite often. Reacting to facts like this, the Prosecutor General Office demands the authorities and governmental bodies to carry out preventing activities. The Prosecutor General Office has filmed a documentary about the role of prosecutor supervision to protect the rights of all children of different ages.

We have just finished the inspection of food quality in children's institutions, issues like safe toys, clothes and other children goods. Following the prosecutors demand, the inspection bodies banned more than 10 tons of baby food. About 200 000 US Dollars have been funded for children's free lunches in the schools where children were not served with free lunches after the prosecutors' checking. All the people who broke children's rights have been punished.

In Ukraine, there are 2.5 million disabled people (5% of population) or with special needs including 170 000 children. Prosecutors' checking displayed numerous breaks of the rights of disabled people regarding accommodation, medical treatment and so on. 2 000 of disabled don't have wheelchairs. Only 50% of artificial limbs needed have been purchased by the Ministry of Social Protection.

It's a great problem for a disabled to get rehabilitation and job. During the previous year 1000 of disabled got profession and only half of them were employed at the demand of a prosecutor. Company directors enroll disabled on fictitious terms into the staff with the aim to avoid payments to the Fund of disabled protection. For example, the administration of Yuzhnogornoobogatitelny Enterprise (Ore mining and processing company) employed about 150 people ill with Psycho-neurological disease on sham documents to avoid payments to the Fund. These are the facts for prosecutors to take criminal proceeding. Last year there were 300 such cases, most of them are already in the court. These and other facts were included in the declaration I submitted to the Cabinet of Ministers of Ukraine.

#### Health protection issues

In Ukraine, there are 14 million pensioners. They, as well as other citizens, are not provided with proper medical care. In small settlements, medical institutions have been closed. There are no pharmacies to buy medicine there. Thus, people have no possibility for first medical aid.

In hospitals and clinics the situation is critical. For example, in a small Khmelnytsk region, 3 000 people died in hospitals last year. The investigation has been made of the medical cases of the people who died, prosecutors along with the professionals found numerous breaks such as not fulfilling their responsibilities by medical staff.

Ukraine is among the first four countries with AIDS disease danger. The prosecutors' inspection has shown that in 16 regions of Ukraine there have not been arranged the full-time treatment hospital departments. There are no anonymous medical offices for this kind of patients. Only 30% of ill people have possibility to get treatment on the state budget terms. At the same time,

the Ministry of Health Protection purchases the medicine the country has no need in. All these facts gave me the ground to submit the declaration to the Minister of Health Protection.

#### Labour Protection Break

Last year, 18 000 employees were hurt, more than 1 000 died. Ukraine sadly is on the second place in died miners after China. Governmental bodies deal with the labour protection issues. But when the Prosecutor General Office made inspection on following the legislation in labour protection, we found out that in most cases the technological process had been broken. About 90% of enterprises use out-of-date worn machinery. There is not enough individual protection means. For example, it's only 50% of miners who are supplied with special footwear and gloves. These and other breaks were the grounds to take 550 criminal proceedings against 9500 officers.

#### Chernobyl Catastrophe Problem

20 years have passed after the Catastrophe, but we still experience its consequences. All the radioactive wastes are concentrated in special 30-kilometre zone. It also contains the so called "graves" of extra-dangerous wastes. They all were constructed in the extreme environment of fire around. Currently, each of these "graves" has cracks through which dangerous radio nuclides leek into the ground. Then, when migrating underground, they get into the rivers – first the Pripjat, then the Dnepr, and then into the Black Sea. To locate the wastes, the up-to-date centre – Complex Vector – has been constructed within the 30-kilometre zone. It has been building for long, but this year the first construction has been done. However, there is no budget to bury the wastes this year.

We have one more problem of the Chernobyl zone. This is the getting away of polluted metal, meat, mushrooms, honey, wood, fish. These items get not only into Ukraine, but also abroad. Prosecutors and Ministry officers and I personally go to the zone each year. We spot out this kind of facts and react on them.

#### Land issue and corruption issue

Some citizens of Ukraine have several hundreds of hectares of land, others hardly have even the part they have the right to. It especially concerns such regions as Odessa, the Crimea, Kiev city and Kiev Region.

The land of the Ministry of Defence is a hot property when former military settlements are sold at cheap prices along with really valuable land. As a rule, the land is registered on fake individuals such as students and pensioners for a symbolic remuneration of 10 to 100 US Dollars.

Due to such activities, criminals earn multimillion profit.

The largest problem is forests sale. Last year, in Ukraine 450 hectares of forest were sold illegally. It happens because of non-control situation in authority bodies. Just this year, prosecutors have taken 500 criminal proceedings of this category.